



AGENDA REGULAR COUNCIL MEETING

Monday, June 21, 2021

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

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 9:00 P.M.

1. CALL THE MEETING TO ORDER:

2. PROCEDURAL MOTION:

That the meeting be closed to the public in order to deal with agenda items under the *Community Charter*:

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

- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); and,

Section 90(2)

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

3. INTRODUCTION OF LATE ITEMS:

4. APPROVAL OF THE AGENDA:

5. ADOPTION OF THE MINUTES:

- a. Minutes

Minutes from the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2021-JUN-07, at 4:30 p.m.

6. MAYOR'S REPORT:

7. RISE AND REPORT

8. PRESENTATIONS:

a. RCMP Superintendent Cameron Miller

Presentation from Mayor Krog and Council for service to the City of Nanaimo.

9. COMMITTEE MINUTES:

a. Minutes

Minutes from the Board of Variance Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2021-APR-01 at 4:00 p.m.

b. Minutes

Minutes from the Governance and Priorities Committee Meeting held virtually on Monday, 2021-MAY-31, at 10:01 a.m.

[Note: The attached Minutes were amended at the 2021-JUN-14 Governance and Priorities Committee Meeting.]

10. CONSENT ITEMS:

a. Finance and Audit Committee Meeting 2021-JUN-16

[A link to the 2021-JUN-16 Finance and Audit Committee Meeting Agenda is provided for information.]

1. Nanaimo Foodshare Society

That the City of Nanaimo grant Nanaimo Foodshare \$10,000 as bridging funding while community stakeholders identify additional funding sources.

2. Heritage Home Grant Application - 167 Irwin Street

That Council approve a \$1,706.25 Heritage Home Grant to repaint the exterior of the Land "Fernville" Residence at 167 Irwin Street.

3. Reopening of Beban Pool

That Council direct Staff to reopen Beban Pool on 2021-OCT-04 providing Provincial Health Orders permit.

4. Leisure Economic Access Pass (LEAP) Program Review Recommendations

That Council approve of the program review recommendations provided by the Advisory Committee on Accessibility and Inclusiveness and direct Staff to proceed with Phase 4 of the LEAP Program Review – Implementation.

5. Nanaimo Aquatic Centre Mechanical Mezzanine Roof Parapet and Wall Repairs

That Council approve adding \$227,000 to the 2021-2025 Financial Plan to complete the necessary repairs at the Nanaimo Aquatic Centre to be funded by the Facility Development Reserve.

6. Rotary Bowl Oval Renewal Project

That Council approve moving the Phase 2 rubberized track replacement project from 2024 to 2021 in the 2021-2025 Financial Plan funded from the Community Works Reserve Fund.

7. Update to the Temporary Public Art Program and Development of the Urban Design Roster

That Council consider an increase of \$25,000 to the public art budget during the 2022-2026 financial plan deliberations to support the Urban Design Roster initiative.

8. 2021 Resilience Grant Recommendations

That Council:

(a) approve the 2021 Resilience Grant funding recommendations to allocate existing funds of \$28,559 as follows:

- **Project: Weaving Nature Ceremony and Ancestors**

- **Applicant Name:** Dave Bodaly

- **Recommend:** \$4,500

- **Project: Musicians Forum**

- **Applicant Name:** Elise Boulanger

- **Recommend:** \$4,379

- **Project: Riverbed Programs**

- **Applicant Name:** Heather Kai-Smith

- **Recommend:** \$4,500

- **Project: Digital Issue of Sad Girl Review**

- **Applicant Name:** Amber R. Morrison

- **Recommend:** \$3,730

- **Project: EMPATHY: Care for Collective**
 - **Applicant Name:** Sara Robichaud
 - **Recommend:** \$4,400
- **Project: Apples: A Very Gustatory and Cultural Review**
 - **Applicant Name:** Rachelle Stein-Wotton
 - **Recommend:** \$3,300
- **Project: Hul'q'umi'num Course**
 - **Applicant Name:** Eliot White-Hill
 - **Recommend:** \$3,750

(b) approve the recommended reallocation of additional unclaimed funds from the 2021 Downtown Event Revitalization Fund and the 2021 Culture and Heritage Project grants to support the 2021 Resilience Grant recommendations of \$22,987 as follows:

- **Project: Digital Music Video Creation**
 - **Applicant Name:** Nicole Arendt
 - **Recommend:** \$3,800
- **Project: The Sun and the Moon – Online Dance**
 - **Applicant Name:** Holly Bright
 - **Recommend:** \$3,800
- **Project: Nanaimo Mastering Service**
 - **Applicant Name:** Arlen Thompson
 - **Recommend:** \$3,800
- **Project: Visual Arts Workshops**
 - **Applicant Name:** Yvonne Vander Kooi
 - **Recommend:** \$3,750
- **Project: Forum Theatre Workshops**
 - **Applicant Name:** Pacific Coast Stage Company
 - **Recommend:** \$4,000
- **Project: Digital Theatre Initiative**
 - **Applicant Name:** Western Edge Theatre
 - **Recommend:** \$3,837

and;

(c) direct Staff to return to the Finance & Audit Committee to report on recommendations for additional 2021 Resilience Grants funding, should further money be returned to the City or unclaimed from the 2021 Downtown Event Revitalization Fund and/or 2021 Culture and Heritage Project grants.

11. **DELEGATIONS:**

12. **REPORTS:**

a. Property Maintenance and Bylaw Notice Enforcement Amendment Bylaws

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

Purpose: To present for Council's consideration, an amendment to the "Property Maintenance and Standards Bylaw" to address the language associated with graffiti removal and to transfer the fines in Schedule A through an amendment to the Bylaw Notice Enforcement Bylaw.

Recommendation:

Property Maintenance and Standards Bylaw:

That:

1. "Property Maintenance and Standards Amendment Bylaw 2021 No. 7242.01" (To update the graffiti removal language, replace the Violation and Penalty section and delete the fine schedule) pass first reading;
2. "Property Maintenance and Standards Amendment Bylaw 2021 No. 7242.01" pass second reading; and
3. "Property Maintenance and Standards Amendment Bylaw 2021 No. 7242.01 pass third reading.

Bylaw Notice Enforcement Amendment Bylaw:

That:

1. "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.11" (To delete the fine schedule for the repealed Property Maintenance Bylaw 1990 No. 3704 and replace it with fine schedule for Property Maintenance and Standards Bylaw 2017 No. 7242) pass first reading;
2. "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.11" pass second reading; and,
3. "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.11" pass third reading.

b. Allocation of Pedestrian Budget to Enhance Accessibility - Part 2

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

Purpose: To present Part 2 of the Pedestrian Unallocated Budget towards transportation accessibility improvements for Council's consideration.

Recommendation: That Council allocate the remaining Pedestrian Unallocated Budget as follows:

- \$200,000 for transit stop accessibility improvements at the locations in Figure 1 of the report titled "Allocation of Pedestrian Budget to Enhance Accessibility - Part 2", dated 2021-JUN-21;
- \$250,000 for traffic signal accessibility improvements at the locations in Figure 2 of the report titled "Allocation of Pedestrian Budget to Enhance Accessibility - Part 2", dated 2021-JUN-21; and
- \$45,000 for miscellaneous accessibility improvements allocated to the Small Scale Road Improvement budget.

c. Development Permit Application No. DP1205 - 478 Machleary Street

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

Purpose: To present for Council's consideration, a development permit application for a proposed duplex at 478 Machleary Street.

Recommendation: That Council issue Development Permit No. DP1205 at 478 Machleary Street with the following variances to:

- increase the maximum allowable principal building height from 7.75m to 8.75m; and,
- increase the maximum allowable fence height within the front yard setback from 1.2m to 2.2m for the proposed decorative arbours.

d. Development Variance Permit Application No. DVP421 - 5524 Cliffside Drive

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

Purpose: To present for Council's consideration, a development variance permit application to increase the maximum allowable building height and perimeter wall height for a proposed dwelling at 5524 Cliffside Road.

Recommendation: That Council issue Development Variance Permit No. DVP421 at 5524 Cliffside Road with the following variances:

- to increase the maximum allowable height for a proposed dwelling with a flat roof from 7m to 9m; and,
- to increase the perimeter wall height from 7.32m to 9.30m on the east and west elevations, and increase the perimeter wall height from 9.14 to 9.50m on the south elevation.

13. BYLAWS:

a. "Zoning Amendment Bylaw 2021 No. 4500.180"

That "Zoning Amendment Bylaw 2021 No. 4500.180" (To amend Schedule D of "City of

Nanaimo Zoning Bylaw 2011 No. 4500” to provide density bonusing points for rental and affordable housing developments) be adopted.

b. "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10"

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) be adopted.

14. NOTICE OF MOTION:

15. OTHER BUSINESS:

16. QUESTION PERIOD:

17. ADJOURNMENT: