



**AGENDA**  
**REGULAR COUNCIL MEETING**

Monday, January 17, 2022

5:00 p.m. To Proceed In Camera, Reconvene Open Meeting at 7:00 p.m.

**ELECTRONIC MEETING**

Location for public attendance:

Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC

**SCHEDULED RECESS AT 9:00 P.M.**

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**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:

(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;

(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;

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

*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.

**3. INTRODUCTION OF LATE ITEMS:**

**4. APPROVAL OF THE AGENDA:**

**5. ADOPTION OF THE MINUTES:**

a. Minutes

Minutes of the Special Council Meeting (Public Hearing) held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Thursday, 2021-NOV-18 at 7:00 p.m.

b. Minutes

Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2021-DEC-06 at 4:00 p.m.

c. Minutes

Minutes of the Special Council Meeting (Public Hearing) held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Thursday, 2021-DEC-16 at 7:00 p.m.

d. Minutes

Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2021-DEC-20 at 4:00 p.m.

**6. MAYOR'S REPORT:**

**7. RISE AND REPORT**

**8. PRESENTATIONS:**

a. Poetry Reading

Pre-recorded poetry reading from Poet Laureate Kamal Parmar.

b. Regional District of Nanaimo Freshwater Perspectives 2021 Public Benchmark Survey Results

Julie Pisani, Drinking Water & Watershed Protection Program Coordinator, Regional District of Nanaimo, to provide a presentation via Zoom.

**9. COMMITTEE MINUTES:**

a. Minutes

Minutes of the Special District 68 Sports Field and Recreation Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Thursday, 2020-DEC-03 at 2:00 p.m.

b. Minutes

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-NOV-22 at 1:00 p.m.

10. **CONSENT ITEMS:**

11. **DELEGATIONS:**

12. **REPORTS:**

a. Mid-Town Water Supply Project

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

*Purpose: To provide Council with information regarding the Mid-Town Water Supply Project.*

Presentation:

1. Mike Squire, Manager, Water Resources.

b. Abandoning Bylaws Not Proceeding to Adoption

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

*Purpose: To formally abandon bylaws that received first three readings but will not proceed to adoption.*

Recommendation: That Council abandon the following bylaws:

1. "Zoning Amendment Bylaw 2019 No. 4500.153"
2. "Official Community Plan Amendment Bylaw 2019 No. 6500.041"
3. "Traffic and Highways Regulation Amendment Bylaw 2019 No. 5000.046"
4. "Trapping Bylaw 2013 No. 7183"; and
5. "Port Theatre Borrowing Bylaw 2019 No. 7282"

c. Options to Ban Conversion Therapy

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

*Purpose: To provide Council with an update on the passing of Bill C-4 which makes it a criminal offence to force a person to undergo the practice of conversion therapy and how this relates to*

*the options available for municipalities to regulate and prohibit conversion therapy.*

Recommendation: That Council receive for information the January 17, 2022 report by the Deputy City Clerk regarding options to ban conversion therapy.

d. Appointment of Chief Election Officer and Deputy Chief Election Officer

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

*Purpose: To appoint a Chief Election Officer and Deputy Chief Election Officer for the purposes of conducting the 2022 City of Nanaimo election.*

Recommendation:

1. That Sheila Gurrie, Director of Legislative Services, be appointed as the Chief Election Officer for the City of Nanaimo 2022 General Local Election;
2. That Sky Snelgrove, Steno Coordinator, be appointed as the Deputy Chief Election Officer for the City of Nanaimo 2022 General Local Election; and
3. That despite Section 14.1 of the "Management Terms and Conditions of Employment Bylaw 2019 No 7273", the Director of Legislative Services be compensated for any hours worked on the election (outside of the regular work day) at straight time under the terms and conditions as outlined under section 14.2 of the bylaw.

e. Development Permit Application No. DP001204 - 25 Spyglass Lookout

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

*Purpose: To present for Council's consideration, a development permit application for a single residential dwelling within the aquatic setback at 25 Spyglass Lookout.*

Delegation:

1. Mark Kelly

Recommendation: That Council issue Development Permit No. DP1204 at 25 Spyglass Lookout with the following variances to:

- reduce the minimum required watercourse setback from the natural boundary of the sea for a single residential dwelling from 15.0m to 6.4m;
- reduce the minimum required watercourse setback from the natural boundary of the sea for above-ground servicing from 15.0m to 0.0m; and
- reduce the minimum required number of off-street parking spaces from 2 to 0.

f. Development Permit Application No. DP1208 - 497 Menzies Ridge Drive

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

*Purpose: To present for Council's consideration, a development permit application for a 22-unit multi-family townhouse development at 497 Menzies Ridge Drive.*

Recommendation: That Council issue Development Permit No. DP1208 at 497 Menzies Ridge Drive to permit a multi-family townhouse development with the following variances to:

- reduce the minimum landscape buffer requirement for the side and rear yard from 1.8m to 0m; and
- increase the maximum allowable fence height within the front yard setback from 1.2m to 2.8m for the proposed decorative arbours.

g. Rezoning Application No. RA438 - 5707 Lost Lake Road

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

*Purpose: To present Council with an application to rezone 5707 Lost Lake Road from Single Dwelling Residential (R1) to Low Density Residential (R6) to allow a multi-family residential development.*

Recommendation: That:

1. "Zoning Amendment Bylaw 2022 No. 4500.198" (To rezone 5707 Lost Lake Road from Single Dwelling Residential [R1] to Low Density Residential [R6] to allow a multi-family residential development) pass first reading;
2. "Zoning Amendment Bylaw 2022 No. 4500.198" pass second reading; and
3. Council direct Staff to secure road dedication and the community amenity contribution should Council support the bylaw at third reading.

h. Liquor Licence Application No. LA145 - 1431 Bowen Road

To be Introduced by Dale Lindsay, Deputy CAO/General Manager, Development Services.

*Purpose: To provide Council with information regarding an application has been received to amend the existing liquor licence at 1431 Bowen Road (Quarterway Pub) to permit an outdoor patio.*

i. Approval of Nanaimo Yacht Club Lease Renewal - 400 Newcastle Avenue

To be introduced by Bill Corsan, Director, Corporate and Business Development.

*Purpose: To obtain Council approval to establish the 2022-2026 rent for the Nanaimo Yacht Club lease of City-owned property at 400 Newcastle Avenue.*

Recommendation: That Council:

1. set an annual market rent of \$179,659 to be charged to the Nanaimo Yacht Club for the 2022-2026 lease renewal;
2. provide annual assistance of \$71,863 to the Nanaimo Yacht Club, in recognition of its contribution to the community, by way of rent abatement; and
3. authorize the Mayor and Corporate Officer to execute the 2022-2026 Lease Renewal Agreement.

j. Approval of Articles of Incorporation and Shareholder Agreement for the Nanaimo Prosperity Corporation

To be introduced by Bill Corsan, Director, Corporate and Business Development.

*Purpose: To seek Council approval to establish the Nanaimo Prosperity Corporation by formally approving the Articles of Incorporation and Shareholder Agreement.*

Recommendation: That Council:

1. approve the Articles of Incorporation and Shareholder Agreement for the Nanaimo Prosperity Corporation;
2. appoint a Council member as a non-voting director to the Board of the Nanaimo Prosperity Corporation until November 2022; and
3. direct Staff to work with the Nanaimo Prosperity Corporation shareholders to host the inaugural Board meeting no later than 2022-MAR-30.

**13. BYLAWS:**

a. "School Site Acquisition Charges Bylaw 2021 No. 7338"

That "School Site Acquisition Charges Bylaw 2021 No. 7338" (To require the payment of school site acquisition charges on developments of two and three residential units) be adopted.

**14. NOTICE OF MOTION:**

**15. OTHER BUSINESS:**

a. Request from Councillor Hemmens re: Local Government Leadership Academy Training

Recommendation: That in accordance with the Council Spending and Amenities Policy, Councillor Hemmens be permitted to attend training at the Local Government Leadership Academy.

**16. QUESTION PERIOD:**

**17. ADJOURNMENT:**