

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2023-JAN-16, AT 7:00 P.M.

Present: Councillor T. Brown, Chair
Councillor S. Armstrong
Councillor B. Geselbracht (joined electronically)
Councillor H. Eastmure
Councillor E. Hemmens
Councillor P. Manly
Councillor J. Perrino
Councillor I. Thorpe

Absent: Mayor L. Krog

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, General Manager, Development Services/Deputy Chief
Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture
B. Sims, General Manager, Engineering and Public Works
L. Bhopalsingh, Director, Community Development
J. Holm, Director, Development Approvals
L. Mercer, Director, Finance
D. LaBerge, Manager, Bylaw Services
T. Webb, Manager, Communications
S. Gurrie, Director, Legislative Services
E. Bassett, Steno, Legislative Services
A. Chanakos, Steno, Legislative Services
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 7:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 10(a) Add delegation from Andrea Paris regarding human trafficking and sexual exploitation awareness event.
- (b) Agenda Item 11(a) 264 Nicol Street – Nuisance Property Abatement – add delegations from Tim McGrath and Ann Livingston, Nanaimo Area Network of Drug Users (NANDU).
- (c) Agenda Item 12(b) Add “Bylaw Notice Enforcement Amendment Bylaw 2022 No. 7159.18”.

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 following Minutes be adopted as circulated:

- Minutes of the Special Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2022-NOV-30 at 11:31 a.m.
- Minutes of the Special Meeting (Public Hearing) of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Thursday, 2022-DEC-15 at 7:00 p.m.
- Minutes of the Regular Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2022-DEC-19 at 3:00 p.m.

The motion carried unanimously.

5. RISE AND REPORT:

Acting Mayor Brown advised that at the In Camera portion of the 2022-DEC-19 Council meeting, the following appointments were made:

- Councillors Thorpe and Perrino were appointed to serve on the Tourism Nanaimo Society Board of Directors for a period of two years. Councillor Eastmure was appointed as the Alternate.
- Councillor Hemmens was appointed to serve as a non-voting Director on the Nanaimo Prosperity Corporation Board for a period of two years. Councillor Armstrong was appointed as the Alternate.
- Councillor Brown was appointed to serve on the Nanaimo Systems Planning Organization Society Board of Directors for a period of two years. Councillor Hemmens was appointed as the Alternate.
- Councillors Manly and Perrino were appointed to sit with the Mayor on the Protocol Agreement Working Group with the Snuneymuxw (PAWG).
- Councillors Manly and Perrino were appointed to sit with the Mayor on the Tripartite (PAWG) with Snuneymuxw and the Nanaimo Port Authority.
- Councillors Thorpe and Hemmens were appointed to sit with the Mayor on the Port Authority/City of Nanaimo Liaison Committee (NPA).
- Councillor Eastmure was appointed to the Design Advisory Panel. Councillor Armstrong was appointed as the Alternate.

6. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Design Advisory Panel Meeting, held electronically, 2022-JUL-28 at 5:03 p.m.
- Minutes of the Design Advisory Panel Meeting, held electronically, 2022-SEP-08 at 5:00 p.m.
- Minutes of the Design Advisory Panel Meeting, held electronically, 2022-SEP-22 at 5:00 p.m.
- Minutes of the Design Advisory Panel Meeting, held electronically, 2022-OCT-13 at 5:00 p.m.
- Minutes of the Design Advisory Panel Meeting, held electronically, 2022-NOV-24 at 5:01 p.m.
- Minutes of the Governance and Priorities Committee Meeting Shaw Auditorium, Vancouver Island Conference Centre, Nanaimo, BC, on Monday, 2022-DEC-12 at 1:02 p.m.

7. DELEGATIONS:

(a) Human Trafficking and Sexual Exploitation Awareness Event

Andrea Paris spoke on behalf of Zonta International and advised that on March 8, 2023 an event will be held at Generations Church to raise awareness of human trafficking and sexual exploitation. She noted Zonta International would like to partner with Council for the event and requested Council's financial support such as providing free use of the Port Theatre. She advised the event is free to students and Zonta is working with the RCMP, School Districts 68 and 72 as well as other partners in the community.

8. REPORTS:

(a) 264 Nicol Street - Nuisance Property Abatement

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

Delegations:

1. Collen Middleton, Nanaimo Area Public Safety Association, noted concerns related to drug use, theft, garbage and disorder. He noted Island Health has advised they are not providing overdose prevention services on site. He requested that Council uphold the bylaw and declare the site a nuisance property.
2. Tim McGrath noted he has not seen any indication of lives being saved, that the City has a responsibility to protect citizens and requested the property be declared a nuisance.

3. Ann Livingston, Nanaimo Area Network of Drug Users (NANDU), was not in attendance. Sarah Edmunson spoke on her behalf and advised that she is a volunteer coordinator for NANDU and noted:
- NANDU has prevented several overdoses
 - After receiving support at NANDU, many members have entered recovery and rejoined society
 - Volunteers are offered various training courses such as naloxone use and CPR
 - At least 20-30 volunteers pick up garbage in the area and hand out safe supplies and needles
 - NANDU is blamed for incidents occurring within the surrounding area and has approximately 200 visits per day

Council discussion took place regarding NANDU clients not using the new overdose prevention service on Albert Street, Island Health staff attending the site weekly to provide wound care, emergency services being blocked access to the site and addressing the nuisance property designation.

It was moved and seconded that Council declare 264 Nicol Street a “Nuisance” pursuant to the “Nuisance Abatement and Cost Recovery Bylaw 2019 No. 7250”, and authorize Staff to record and charge for municipal services including police required to abate nuisance activity. The motion carried.

Opposed: *Councillor Brown*

(b) 430 Murray Street - Nuisance Property Abatement

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

It was moved and seconded that Council declare 430 Murray Street a “Nuisance” pursuant to the “Nuisance Abatement and Cost Recovery Bylaw 2019 No. 7250”, and to authorize Staff to record and charge for municipal services including police required to abate nuisance activity. The motion carried unanimously.

(c) Development Permit No. DP1257 - 223 Victoria Road

Introduced Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Permit No. DP1257 for a multi-family residential development at 223 Victoria Road with variances outlined in the “Proposed Variances” section of the staff report dated 2023-JAN-16. The motion carried unanimously.

(d) Rezoning Application No. RA482 - 488 & 492 Fifth Street

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Zoning Amendment Bylaw 2023 No. 4500.207” (to rezone 488 and 492 Fifth Street 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 2023 No. 4500.207" pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2023 No. 4500.207” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2023-JAN-16 should Council support the bylaw at third reading. The motion carried unanimously.

- (e) Waterworks Rate and Regulation Amendment Bylaw to Add a Bulk Water Rate and Water Hauling Rate

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Waterworks Rate and Regulation Amendment Bylaw 2023, No. 7004.20” (to add a bulk water rate and water hauling rate) pass first reading. The motion carried unanimously.

It was moved and seconded that “Waterworks Rate and Regulation Amendment Bylaw 2023, No. 7004.20” pass second reading. The motion carried unanimously.

It was moved and seconded that “Waterworks Rate and Regulation Amendment Bylaw 2023, No. 7004.20” pass third reading. The motion carried unanimously.

9. BYLAWS:

- (a) 2023-2027 Financial Plan Bylaw

It was moved and seconded that “Financial Plan Bylaw 2022 No. 7359” (to confirm and adopt the 2023 – 2027 Financial Plan) be adopted. The motion carried unanimously.

- (b) “Bylaw Notice Enforcement Amendment Bylaw 2022 No. 7159.18”

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2022 No. 7159.18” (to assign fines for violations associated with the Storm Sewer Regulation and Fee Bylaw) be adopted. The motion carried unanimously.

10. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

11. ADJOURNMENT:

It was moved and seconded at 8:25 p.m. that the meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT

ACTING MAYOR

CORPORATE OFFICER