

**MINUTES**  
REGULAR COUNCIL MEETING  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2021-JUN-07, AT 4:30 P.M.

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Present: Mayor L. Krog, Chair  
Councillor S. D. Armstrong  
Councillor D. Bonner  
Councillor T. Brown (joined electronically)  
Councillor B. Geselbracht  
Councillor E. Hemmens  
Councillor Z. Maartman  
Councillor I. W. Thorpe  
Councillor J. Turley

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  
L. Mercer, Director, Finance  
J. Holm, Director, Development Approvals  
F. Farrokhi, Manager, Communications  
R. Lawrance, Environmental Planner  
P. Novak, Business Analyst/Project Management Specialist  
D. Stevens, Supervisor, Applications Support  
D. Blackwood, Client Support Specialist  
S. Gurrie, Director, Legislative Services  
K. Robertson, Deputy City Clerk  
S. Snelgrove, Steno Coordinator  
J. Vanderhoef, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:30 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; and,
- (c) labour relations or other employee relations.

The motion carried unanimously.

Council moved In Camera at 4:30 p.m.  
Council moved out of In Camera at 6:07 p.m.

Council recessed the Open Meeting 6:07 p.m.  
Council reconvened the Open Meeting at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Add - Agenda Item 9(i) Minutes of the Governance and Priorities Committee Meeting 2021-MAY-31.
- (b) Agenda Item 12(e) Development Permit Application No. DP1151 - 3532 Stephenson Point Road – Add delegation from Rob Turgeon.

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 Special Council Meeting held virtually on Monday, 2021-MAY-10 at 12:31 p.m.
- Minutes of the Regular Council Meeting held virtually on Monday, 2021 MAY-17 at 3:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- Flags flown at half-mast in honour of the 215 Indigenous children who lost their lives at the former residential school in Kamloops. He noted that this was a dark chapter in Canada's history and the importance of recognizing both the good and the dark times in our history.
- 2021-JUN-06 was Canadian Armed Forces Day. It was established to celebrate Canada's armed services, heritage, and personnel for the men and women who are currently serving, troops, to service families, veterans and cadets. He thanked the brave men and women who served and defended our country to preserve our right of freedom.

- He reminded the public to secure their garbage carts and only place carts out on collection day in order to protect bears and other wildlife.
- He noted that staff would be introducing a chronolog photo report later this evening which will outline the location and opportunities for the public to participate in this environmental photo-monitoring process.
- Christine Meutzner, Manager, Community Archives, has received an award of recognition at the British Columbia Historical Federation's Annual Conference Awards Gala. She has been a champion for Nanaimo history and heritage.

7. RISE AND REPORT:

The Mayor advised that during the In Camera portion of the 2021-JUN-07 Council meeting, Councillors Armstrong and Thorpe accepted the Mayor's invitation to join the Mayor's Leaders Table. He noted that the Mayor's Leaders Table would commence on 2021-JUN-18 with a virtual round table and that eligibility was by invitation. During the 2021-JUN-07 In Camera meeting Council also amended the Mayor's Leaders Table Terms of Reference to include Tillicum Lelum.

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2021-MAR-11 at 5:00 p.m.
- Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2021-APR-08 at 5:00 p.m.
- Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2021-APR-14, at 9:00 a.m.
- Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2021-APR-22 at 5:00 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-APR-26, at 1:00 p.m.
- Minutes of the Governance and Priorities Committee Meeting held virtually on Monday, 2021-MAY-10 at 1:00 p.m.
- Minutes of the Finance and Audit Committee Meeting held virtually on Wednesday, 2021-MAY-19 at 9:00 a.m.

- Minutes of the Special Advisory Committee on Accessibility and Inclusiveness Meeting held virtually on 2021-MAY-26 at 4:00 p.m.
- Minutes of the Governance and Priorities Committee Meeting held virtually on Monday, 2021-MAY-31 at 10:01 a.m.

9. CONSENT ITEMS:

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

Prior to the vote Councillor Bonner requested that Agenda Item 10(a)(8) Long Lake Paddling & Rowing Centre, be removed to be voted on separately.

Prior to the vote Councillor Hemmens requested that Agenda Item 10(b)(1) Allocation of Pedestrian Budget to Enhance Accessibility, be removed to be voted on separately.

Prior to the vote Councillor Maartman requested that Agenda Item 10(c)(1) Councillor Maartman re: Permanent Recreational Vehicle Accommodation, be removed to be voted on separately.

(a) Finance and Audit Committee Meeting 2021-MAY-19

1. Increase Unallocated Pedestrian Funding

That Council direct Staff to allocate \$700,000 from the Community Works Fund to year 2022 of the 2021-2025 Financial Plan for pedestrian unallocated projects.

2. Connectivity Projects

That Council direct Staff to include the Buttertubs Bridge project in the Draft 2022 – 2026 Financial Plan for Council consideration.

3. Stadium District Development

That Council direct Staff to include the stadium improvement projects in 2021 and 2022 of the 2021 – 2025 Financial Plan.

4. Westwood Lake Park Amenities

That Council direct Staff to include the Westwood Lake Park Amenities project in the Draft 2022 – 2026 Financial Plan for Council consideration.

5. Draft Amenity Improvement Concepts for Westwood Lake Park

That Council receive the draft ideas and improvement options at Westwood Lake Park for public review and direct Staff to return with feedback and refined improvement concepts for Council's consideration.

6. Marie Davidson BMX Track Improvements

That Council direct Staff to include the Marie Davidson BMX Track Improvements in the Draft 2022 – 2026 Financial Plan for Council consideration.

7. Maffeo Sutton Park Inclusive Playground

That Council direct Staff to accelerate the Maffeo Sutton Park inclusive Playground Phase 2 project to 2022 in the Draft 2022 – 2026 Financial Plan for Council consideration.

8. Heritage Home Grant Application - 347 Milton Street

That Council approve a \$2,500 Heritage Home Grant to repair and repaint the exterior of the Ledingham Residence at 347 Milton Street.

9. Nanaimo Search & Rescue Development of 195 Fourth Street – Phase 2

That Council approve moving the Phase 2 project budget of \$1,367,100 from 2022 to 2021 in the 2021-2025 Financial Plan.

10. Two Billion Tree Request for Information

That Council direct Staff to submit the Growing Canada's Forests: Future Respondent form to Natural Resource Canada in response to the Two Billion Tree Request for Information for the Millstone / Nanaimo Riparian Restoration Project.

11. 2020 Statement of Financial Information

That Council approve the City of Nanaimo 2020 Statement of Financial Information for filing with the Ministry of Municipal Affairs and Housing.

(b) Advisory Committee on Accessibility and Inclusiveness Meeting 2021-MAY-26

1. Spinal Cord Injury BC Universal Design Workshop

That Staff return to the Committee with a report outlining the possibility and feasibility for members of the Advisory Committee on Accessibility and Inclusiveness and interested City of Nanaimo Staff to participate in the Spinal Cord Injury BC Universal Design Workshop.

The motion carried unanimously.

(c) Separately Addressed Consent Items

1. Long Lake Paddling & Rowing Centre

That Council direct Staff to include the Long Lake Paddling & Rowing Centre including park improvements and playground upgrades to the Draft 2022 – 2026 Financial Plan for Council consideration. The motion carried.

Opposed: Councillor Bonner

2. Allocation of Pedestrian Budget to Enhance Accessibility

That the Advisory Committee on Accessibility and Inclusiveness recommend the following allocations of Pedestrian Unallocated Funds for Council's consideration:

- \$200,000 for transit stop accessibility improvements
- \$250,000 for traffic signal accessibility improvements
- \$45,000 for miscellaneous accessibility improvements allocated to the Small Scale Road Improvement budget.

The motion carried unanimously.

3. Councillor Maartman re: Permanent Recreational Vehicle Accommodation

That Council defer consideration of the following recommendation until after the Regional District of Nanaimo's report regarding Tiny Homes has been released:

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

The motion carried unanimously.

4. Advisory Committee on Accessibility and Inclusiveness Meeting 2021-MAY-26

That the following recommendations be referred to staff for a report:

"That Council and municipal Staff adopt the use of pronouns in all written and electronic communications.

That the City of Nanaimo use gender-inclusive and gender-neutral language, including communications, print and electronic materials.

That the City of Nanaimo update and revise all print and electronic materials to include the use of gender-inclusive and gender-neutral language.

That the City of Nanaimo arrange for the availability of diversity and inclusion training for Council members and City Staff. This would include both LGBTQIA2+ and gender competency training, either online or in-person workshops, or both."

The motion carried unanimously.

10. REPORTS:

- (a) Bylaw Notice Enforcement Amendment Bylaw - To Authorize the District of North Cowichan to Participate in the Dispute Adjudication Registry System

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded 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) pass first reading. The motion carried unanimously.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” pass second reading. The motion carried unanimously.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.10” pass third reading. The motion carried unanimously.

- (b) Ministry Approval Update - Animal Responsibility Bylaw

Introduced by Karen Robertson, Deputy City Clerk.

It was moved and seconded that Council rescind third reading of “Animal Responsibility Bylaw 2021 No. 7316”. The motion carried unanimously.

It was moved and seconded that Council give third reading, as amended, to “Animal Responsibility Bylaw 2021 No. 7316” as attached to the 2021-JUN-07 report by the Deputy City Clerk. The motion carried unanimously.

- (c) 2021 UBCM Community Excellence Awards

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

It was moved and seconded that that Council support the application for Nanaimo’s Complete Street Engineering Standards and Design Guidelines to be considered for a 2021 Community Excellence Award for Excellence in Sustainability. The motion carried unanimously.

(d) Lease to Double H Holdings Ltd. - 2280 Bowen Road (Beban Park Pitch and Putt)

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council:

1. approve a new ten-year lease agreement with Double H Holdings Ltd. for the Beban Park Pitch and Putt; and
2. authorize the Mayor and Corporate Officer to execute the lease agreement.

The motion carried unanimously.

(e) Development Permit Application No. DP1151 - 3532 Stephenson Point Road

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Rob Turgeon provided a PowerPoint presentation. Highlights included:
  - Requesting a variance due to factors limiting his ability to build
  - Completed environmental assessment of the riparian area, tree management plan and vegetation management plan
  - Municipal requirement for 7.5 m top of bank setback is not Provincially or Federally mandated
  - Staff have provided suggestions of alternative building sites but these sites impact significant trees on the site
  - Provided examples/photos related to the state of the watercourse, culverts and exceptions permitted on neighbouring properties

It was moved and seconded that Council deny Development Permit Application No. DP1151 as proposed at 3532 Stephenson Point Road. The motion was defeated.  
Opposed: Mayor Krog, Councillors Armstrong, Brown, Maartman, Thorpe, Turley

It was moved and seconded that Council approve Development Permit Application No. DP1151 at 3532 Stephenson Point Road with a variance to reduce the watercourse setback from 7.5 m to 0.8 m. with conditions of the permit included in Attachment A of the report titled "Development Permit Application No. DP1151 – 3532 Stephenson Point Road" dated 2021-JUN-07. The motion carried.

Opposed: Councillors Brown, Bonner, Geselbracht and Hemmens

(f) Development Permit Application No. DP1191 - 326 Wakesiah Avenue

Introduced by Dale Lindsay, General Manager, Development Services.

Delegations:

1. Patrick Brandreth, Island West Coast Development, Tim Shah, Watt Engineering, and David McGrath, WD Architects, joined the meeting electronically to answer questions.



It was moved and seconded that Council issue Development Permit No. DP1191 at 326 Wakesiah Avenue with a variance to reduce the required student housing parking rate from 0.4 spaces per bed to 0.3 spaces per bed (reducing the total required parking from 77 stalls to 62 stalls). The motion carried.

Opposed: *Councillors Armstrong and Thorpe*

The Regular Council Meeting recessed at 8:59 p.m.

The Regular Council Meeting reconvened 9:10 p.m.

(g) Development Variance Permit Application No. DVP422 - 1875 and 1885 Boxwood Road

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Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Variance Permit No. DVP422 at 1875 and 1885 Boxwood Road with the following variance to:

- allow 13 fascia signs and 1 freestanding sign within the Parkway Buffer that face the Nanaimo Parkway;
- increase the maximum permitted fascia sign area from 5m<sup>2</sup> to 6.48m<sup>2</sup>.

The motion carried unanimously.

(h) Chronolog Photopoint Monitoring

Presentation:

1. Rob Lawrance, Environmental Planner, provided a presentation. Highlights included:
  - Video provided explaining how the Chronolog photo monitoring program works
  - City webpage provides information and time-lapse of photos submitted so far
  - Connects residents with projects and provides information
  - Highlights the volunteers that have been working hard on these projects
  - Currently committed for one year with the potential to move in-house in the future
  - Nanaimo is the first community in Canada to sign up for this service

Mayor Krog acknowledged that Mr. Lawrance will be retiring and thanked him for his 20 years of service for the City of Nanaimo since he was first hired as the Environmental Planner in 2001. Mr. Lawrance has always provided exceptional service to Nanaimo and the greater community. He has been instrumental in guiding City policy and program development.

(i) UBCM Housing Needs Report Grant Application

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council support the proposed funding application to the Union of British Columbia Municipalities to update Nanaimo's Housing Needs Report. The motion carried unanimously.

11. BYLAWS:

(a) "Highway Closure and Dedication Removal Bylaw 2021 No. 7286"

It was moved and seconded that "Highway Closure and Dedication Removal Bylaw 2021 No. 7286" (To provide for highway closure and dedication removal of a portion of Eighth Street adjacent to 857 Old Victoria Road) pass third reading. The motion carried unanimously.

(b) "Morningside Drive Local Service Area Parcel Tax Amendment Bylaw 2021 No. 7288.01"

It was moved and seconded that "Morningside Drive Local Service Area Parcel Tax Amendment Bylaw 2021 No. 7288.01" (To adopt amendments to reflect the change in the year of construction completion) be adopted. The motion carried unanimously.

12. ADJOURNMENT:

It was moved and seconded at 9:29 p.m. that the meeting adjourn. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER