

**MINUTES**  
GOVERNANCE AND PRIORITIES COMMITTEE MEETING  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2021-JUL-12, AT 1:00 P.M.

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Present: Councillor I. W. Thorpe, Chair  
Mayor L. Krog  
Councillor S. D. Armstrong (vacated 4:40 p.m.)  
Councillor D. Bonner  
Councillor T. Brown  
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  
B. Corsan, Director, Community Development  
J. Holm, Director, Development Approvals  
J. Van Horne, Director, Human Resources  
L. Bhopalsingh, Manager, Community Planning  
H. Davidson, Manager, Permit Centre and Business Licensing  
W. Fulla, Manager, Business, Asset & Financial Planning (joined electronically)  
J. Rose, Manager, Transportation  
L. Rowett, Manager, Current Planning  
L. Brinkman, Planner, Community Planning  
K. Robertson, Deputy City Clerk  
S. Gurrie, Director, Legislative Services  
K. Gerard, Recording Secretary

1. CALL THE GOVERNANCE AND PRIORITIES COMMITTEE MEETING TO ORDER:

The Governance and Priorities Committee Meeting was called to order at 1:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 6(d)(1) – Add report – British Columbia Active Transportation Infrastructure Grant.
- (b) Agenda Item 6(e)(1) – REIMAGINE Nanaimo – Replace attached PowerPoint presentation.

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 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-JUN-28, at 1:00 p.m. be adopted as circulated. The motion carried unanimously.

5. AGENDA PLANNING:

1. Governance and Priorities Committee Agenda Planning

Sheila Gurrie, Director, Legislative Services, spoke regarding the agenda planning documents. Highlights included:

- Items listed on the Governance and Priorities (GPC) matrix are listed in order of priority chosen by the Governance and Priorities Committee (the Committee)
- The Committee can change, add, or remove items as well as view the status of priorities listed
- Current items align with the strategic plan and these may change due to the budget planning session coming up in the fall of 2021
- Status of priority items include:
  - In the fall of 2021 the Committee will meet with various neighbourhood associations
  - Crosswalk safety - ongoing
  - 1 Port Drive - fall of 2021
  - Capital Planning process - complete
  - Safety and security - ongoing
  - Election signage will be brought forward in the fall of 2021
  - Street Entertainers – not yet scheduled but will come forward in fall/winter of 2021
  - Vancouver Island Conference Centre – fall of 2021
  - Sports venues – complete
  - Westwood Lake amenities – fall of 2021

Committee discussion took place. Highlights included:

- Add Chase River Extension to the list of priorities
- Items on the GPC Agenda that could have been brought forward to a Regular Council Meeting and intention of GPC meetings
- Impact of COVID-19 on public attendance at GPC meetings

Sheila Gurrie, Director, Legislative Services, advised the Committee that COVID-19 has had an impact on public participation at meetings. Staff bring forward items to GPC meetings that require more discussion before being placed on a Regular Council Meeting agenda for decision.

Committee discussion continued. Highlights included:

- GPC meeting times being in the day when people are at work
- Ensuring the Committee regulates the time spent on each item at GPC meetings and encourages more community participation and feedback
- Improvements to GPC meetings as well as setting time aside for REIMAGINE Nanaimo at each meeting

Sheila Gurrie, Director, Legislative Services, advised the Committee that REIMAGINE Nanaimo is an important initiative and a future GPC meeting could be set aside strictly for the REIMAGINE Nanaimo topic.

Jake Rudolph, Chief Administrative Officer, advised the Committee that changes to the GPC format and discussion regarding agenda items for GPC meetings could be brought forward to a future GPC meeting.

By unanimous consent the Governance and Priorities Committee moved Agenda Item 6(a)(2) – Community Amenity Contribution Policy to Agenda Item 6(a)(1) and reordered items accordingly.

6. REPORTS:

a. GOVERNANCE AND MANAGEMENT EXCELLENCE:

1. Community Amenity Contribution Policy

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Lisa Brinkman, Planner, Current Planning, provided the Committee with a PowerPoint presentation. Highlights included:
  - The City of Nanaimo (the City) has been collecting Community Amenity Contributions (CAC) since 2010
  - Current rates are low compared to other municipalities in BC
  - In 2019 Staff retained Rollo and Associates Ltd., to conduct market analysis of the City's current rates and recommend changes
  - Rollo and Associates recommended increasing the CAC rates from \$1000 per unit to \$8000 per unit
  - A phased increase approach was recommended to ensure the development community was given time to adjust to the new rates

- Staff met with the development community in the fall of 2020 and the phased increase approach received positive feedback
- In April of 2021 Staff met with active neighbourhood associations and the development community to acquire more feedback on the rates
- Amendments were made based on the feedback from neighbourhood associations and the development community which included:
  1. Special consideration was revised to no longer contain a vacancy rate
  2. Private developers can receive a CAC waiver for secured non-market rental dwellings when the unit is operated by a non-profit or public institution

Delegation:

1. Darren Moss, Tectonica Management, spoke regarding the Community Amenity Contribution Policy. Highlights included:
  - Nanaimo Development Group (NDG) agrees that CAC's are a complex issue and if not considered carefully can deter creative development in Nanaimo
  - Policies, code requirements and bylaw all add other cost of construction to the developer
  - In the short term CAC's allow for increase in land value that gives back to the community and contributes to creative rezoning encouraging all means of development
  - Recommended adjustments to the current policy include:
    - Calculation for some building types be based on floor area not unit count
    - Additional flexibility added to encourage affordable housing options
    - Calculations based on net increase instead of gross building size
  - The NDG supports option 2 stated in the report and would like more consultation with the development community

Committee discussion took place. Highlights included:

- Calculation based on net versus gross floor area
- The four criteria listed in Attachment A and ensuring the developers have room to be innovative when developing affordable housing
- The need for more two and three bedroom developments
- Incentives for creating smaller, affordable housing units and larger family size units
- The "Off Street Parking Regulations Bylaw 2018 No. 7266" and whether the bylaw is making it difficult to build larger units
- Encouraging the building of commercial and residential mixed units

Darren Moss, Tectonica Management, continued his presentation. Highlights included:

- Value of rent or sale of a unit should also be considered when calculating CAC's
- CAC's can encourage affordable housing developments through incentives and waivers
- CAC policy needs to align with the many different zoning categories and have flexibility for different types of developments

Dale Lindsay, General Manager, Development Services, spoke regarding the CAC's. Highlights included:

- CAC's only apply when rezoning land and most land can be developed using existing zoning
- The City has always calculated CAC's based on gross as it is a much easier and better understood process
- Our current zoning categories allow for a wide range of uses and opportunities
- Multifamily and commercial zoned CAC's depend on the proposed development and density
- Staff would have to re-engage the consultant if the Committee requested more information regarding calculations based on net area versus gross

Committee discussion continued. Highlights included:

- Feedback from neighbourhood associations and developers
- Amenities chosen for contributions by the neighbourhood associations in that area
- Exploring CAC options from other communities and including real estate analysis when setting CAC rates
- Looking at alternative ways to calculate CAC's and if this information would be worthwhile to make a final decision
- Different rates for different building types and multi-family rezoning
- Ensuring a fair rate for developers and the community which encourages all types of development opportunities

Lainya Rowett, Manager, Current Planning, advised the Committee that community engagement on developments is completed and neighbourhood associations are encouraged to provide feedback.

Jeremy Holm, Director, Development Approvals, advised the Committee that the existing policy allows for CAC's to be negotiated on a gross or net calculation and there is flexibility based on the type of development proposed.

It was moved and seconded that the Governance and Priorities Committee deny endorsement of the Community Amenity Contribution Policy and refer the policy back to Staff for further consultation with all interested parties.

The motion was defeated.

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

Committee discussion continued. Highlights included:

- Calculating CAC's based on square footage
- The deadline for CAC's to be paid by private owners of land that could be subdivided and developed

Dale Lindsay, General Manager, Development Services, advised the Committee that:

- CAC's are due at the building permit stage and are a small cost compared to the full cost of development
- Staff have included the recommendation to calculate CAC's on a gross square meter floor area versus cost per door
- CAC's are negotiated on a case by case basis and the policy has flexibility in it to negotiate based on the type and size of development
- The phased increase approach allows time for the development community to adjust to the changes in the policy

It was moved and seconded that the Governance and Priorities Committee deny approval of the Community Amenity Contribution Policy included in the report titled "Community Amenity Contribution Policy" subject to further consultation regarding:

- The current proposed Community Amenity Contribution rate starting 2022-JAN-01 contained in Column 3 of the PowerPoint presentation attached to the Governance and Priorities Committee agenda, dated 2021-JUL-12, titled Community Amenity Contribution Rate Discussion
- Calculations based on gross floor area versus net floor area

The motion was defeated.

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

It was moved and seconded that the Governance and Priorities Committee recommend that Council direct Staff to work with the Nanaimo Development Group and other appropriate stakeholders, to look at options and provide more information regarding:

1. Calculation for townhouse residential dwellings based on a per area calculation
2. Amenity contribution values based on net floor area

The motion carried unanimously.

The Governance and Priorities Committee Meeting recessed at 3:02 p.m.  
The Governance and Priorities Committee Meeting reconvened at 3:15 p.m.

2. Policy and Bylaw Renewal Project Update

Introduced by Sheila Gurrie, Director, Legislative Services.

Presentation:

1. Karen Robertson, Deputy City Clerk, provided the Committee with a PowerPoint presentation. Highlights included:
  - 2020-OCT-19 Staff presented the timeline and deliverables for undertaking both the bylaw and policy review projects
  - 2021 Bylaw Renewal deliverables included:
    - Development of a new Animal Responsibility Bylaw – with Ministry for approval
    - Create a Master Bylaw Registry - ongoing
    - Streamline the City's ticketing system - ongoing
    - Develop a comprehensive Fees and Charges bylaw - ongoing
    - Scan all signed bylaws - complete

Committee discussion took place regarding the Fees and Charges Bylaw and altering this to be a policy instead of a bylaw which would make it easier to amend when required.

Karen Robertson, Deputy City Clerk, continued her presentation. Highlights included:

- Fees and charges should be included in a bylaw
- Original target for completion was quarter four of 2021
- Focus was shifted from the Bylaw project to the Policy project to ensure this is completed by the end of 2021
- Staff continue to work on the Bylaw Registry in quarter three and four of 2021
- Conducted full inventory of Council Policies and transferred into one template
- Part of the audit process included reviewing Council minutes to ensure policies were endorsed properly and were in the proper format
- 70 policies were identified as directives, not official policies
- Staff in each department were tasked with reviewing their department policies to see if the policies marked historic were actually repealed or could be repealed
- Feedback from the departments showed that:
  - 39 policies were deemed "ok as is"
  - 46 policies needed to be amended
  - 100 policies could be repealed as they are redundant, no longer legal, and were outdated

Committee discussion took place. Highlights included:

- Development Cost Charges (DCC's) for non-profit rental housing policy and if the 50% reduction in DCC's originates from the general DCC Fund or the Housing Legacy fund
- Frontage Works and Services Requirements Policy regarding collection of funds for sidewalk development
- If the Bicycle Traffic Lanes Policy has been adhered to since its implementation
- Sidewalk/Asphalt Walking Shoulder Policy
- Council Remuneration Policy

Dale Lindsay, General Manager, Development Services, spoke regarding the above noted policies. Highlights included:

- The DCC Policy was developed before bylaws allowed for a reduction in DCC's for affordable housing and before the Housing Legacy Fund was created
- The Frontage Works and Services Requirement Policy needs to be amended but the policy was first developed so that if the neighbouring properties were not going to be developed then the frontage works and services were not obligated to be built on a new development
- Land use policies should exist in the Official Community Plan (OCP) and not in separate policies outside of the OCP

Bill Sims, General Manager, Engineering and Public Works, advised the Committee that the Bicycle Traffic Lanes Policy was created in the 1990's when it was thought that all roads 4.3 meters wide could accommodate vehicles and bicycles and the Sidewalk/Asphalt Walking Shoulder Policy has been replaced by the Manual of Engineering Standards.

Sheila Gurrie, Director, Legislative Services, advised the Committee that Council wages are adjusted annually based on the Council Remuneration policy.

Committee discussion took place regarding school zone signage.

It was moved and seconded that the Governance and Priorities Committee recommend that Council repeal the 100 outdated or redundant Council policies highlighted in red within the Table of Contents linked to the July 12, 2021 report by the Deputy City Clerk. The motion carried unanimously.

3. Proposed Amendments to the Business Licence Bylaw

Introduced Dale Lindsay, General Manager, Development Services.



Presentation:

1. Heidi Davidson, Manager, Permit Centre and Business Licensing, provided the Committee with a PowerPoint presentation. Highlights included:
  - Current “Business Licence Bylaw 1998 No. 5351” was adopted in 1998
  - This bylaws was based on a tiered fee model but was changed to a flat fee model and has not had any changes since
  - Research included looking at five other comparable size municipalities and their business licence fee model
  - Of the five, the District of Saanich is the only other municipality that uses a flat fee model, all others were tiered
  - The flat fee model is easy to administer and easy for the public and business community to understand
  - Current fee schedule will be removed from the Business Licence Bylaw and inserted into the “Fees and Charges Bylaw 2007 No. 7041”
  - Changes to the Business Licence Bylaw include:
    - Amendments and removals of definitions
    - Additions of non-profit and commercial leased property
    - Additions of any enactments that apply to the business licence must be stated on the application
    - Addition of language to clearly state that prorating of business licence fees are for the first year of operation only
    - Language to ensure clarity regarding payment of the annual licence fee and provides staff the ability to close unpaid businesses licences
    - Removal and addition of regulations and adding these as separate schedule for clarity
  - Home based businesses increased in COVID-19
  - Currently there are 6,770 open businesses licences in the City of Nanaimo

Committee discussion took place. Highlights included:

- Tiered system versus the flat fee model
- Business licence fees for small businesses compared to large businesses with more clientele
- Casino, massage parlors and escort services fee amounts compared to other businesses annual fees
- Paycheck loan and cheque cashing business annual fees
- Update regulation for adult stores to read “age of majority” instead of 18 years of age
- Liquor primary establishments and bringing those fees in line with annual licence fee amount of \$165.00 per year

It was moved and seconded that the Governance and Priorities Committee recommend that Council change the liquor primary business licence fee from \$1100 to \$165 per year. The motion carried unanimously.

It was moved and seconded that the Governance and Priorities Committee recommend that Council direct Staff to proceed with finalizing the “Business Licence Bylaw 2021 No. 7318”, and that once finalized, return to a future Regular Council meeting for first, second and third readings of the “Business Licence Bylaw 2021 No. 7318”, along with amendments to the “Fees and Charges Bylaw 2007 No. 7041” and the “Bylaw Notice Enforcement Bylaw 2012 No. 7159”. The motion carried unanimously.

b. COMMUNITY WELLNESS/LIVABILITY:

1. Active Transportation Infrastructure Grant

Shelley Legin, General Manager, Corporate Services, spoke regarding the Active Transportation Infrastructure Grant. Highlights included:

- Staff are proposing two projects be put forward to the Province for the grant including the Metral Drive Complete Streets and the Albert Street and Fourth Street Complete Streets
- The grant could cover 50% of the cost of each project

Committee discussion took place. Highlights included:

- Likelihood of the projects being awarded the grant money
- Albert Street and Fourth Street tender process and will the tender be completed before applying for the grant

It was moved and seconded that the Governance and Priorities Committee recommend that Council direct staff to submit two applications under the Active Transportation Infrastructure Grant Program and provide a Council resolution for each submission:

- That Council direct staff to submit an application for Metral Complete Street Corridor Phase 2, confirm the local share of \$2.54 million is available and supported, the project is a municipal priority, and the project is "shovel ready" and intended to be complete within the required timeline.
- That Council direct staff to submit an application for Fourth and Albert Complete Street Phase 4, confirm the local share of \$700,000 is available and supported, the project is a municipal priority, and the project is “shovel ready” and intended to be complete within the required timeline.

The motion carried unanimously.

c. REIMAGINE NANAIMO

1. REIMAGINE Nanaimo Update

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Lisa Bhopalsingh, Manager, Community Planning, provided the Committee with a PowerPoint presentation. Highlights included:
  - A soft launch of Phase 2 was completed on 2021-JUN-28
  - Official launch is 2021-JUL-13
  - 125 surveys have already been received through the soft launch
  - Online and hard copy surveys are available
  - Phase 2 will ask for community feedback on different aspects of each pathway and options for the future
  - A video will be made available for those who find it easier to understand through a visual platform
  - In Phase 2 there will be eight staff lead workshops
  - The Committee is welcome to request a separate workshop and Staff can schedule that workshop if needed
  - Self guided booklets are available and can be mailed to community members as requested
  - Metro Quest Platform is a interactive tool that allows users to choose their priorities and choose different scenarios

Committee discussion took place regarding the Metro Quest Platform and if the scenarios and priorities in the interactive tool are preselected for the public and if community/public safety a choice.

Lisa Bhopalsingh, Manager, Community Planning, continued her presentation. Highlights included:

- Priorities in the Metro Quest Platform are preselected based on community feedback in Phase 1 but the public can add comments

Councillor Armstrong vacated the Shaw Auditorium at 4:40 p.m.

Lisa Bhopalsingh, Manager, Community Planning, continued her presentation. Highlights included:

- Staff are working with School District 68 to ensure youth are involved in the REIMAGINE Nanaimo process
- Staff have been meeting with the Environment Committee and the Advisory Committee on Accessibility and Inclusiveness Committee to review the REIMAGINE Nanaimo process and receive feedback
- Outreach to service providers is ongoing to ensure that barriers to participation are being reduced
- Two blind focus groups have been scheduled to guide participants through the process and acquire unbiased responses

- REIMAGINE Nanaimo has it's own Tik Tok channel as a way to better engage youth

7. QUESTION PERIOD:

- Bill Manners re: Community Amenity Contribution Policy re: Annual CAC increase and when CAC's are due.
- Bill Manners re: Proposed Amendments to the Business Licence Bylaw re: Business licence fees for non-profits and neighbourhood associations.

8. ADJOURNMENT:

It was moved and seconded at 4:51 p.m. that the meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER