

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2022-FEB-07, AT 4:30 P.M.

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

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, General Manager, Development Services/Deputy CAO (joined electronically)
R. Harding, General Manager, Parks, Recreation and Culture (joined electronically)
B. Sims, General Manager, Engineering and Public Works (joined electronically)
L. Bhopalsingh, Director, Community Development (joined electronically)
B. Corsan, Director, Corporate and Business Development (joined electronically)
J. Holm, Director, Development Approvals joined (joined electronically)
L. Mercer, Director, Finance (joined electronically)
J. Slater, Manager, Revenue Services (joined electronically)
S. Gurrie, Director, Legislative Services
N. Sponaule, Legislative Communications Clerk
K. Gerard, 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*:

- (c) labour relations or other employee relations; and,
- (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.

The motion carried unanimously.

Council moved In Camera at 4:31 p.m.
Council moved out of In Camera at 6:04 p.m.

Council recessed the Open Meeting 6:04 p.m.
Council reconvened the Open Meeting at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

(a) Agenda Item 12(c) – Old City Quarter Business Improvement Area – Add Correspondence from the Old City Quarter Association and the following delegations:

1. Matthew Rosenthal, Old City Quarter Association
2. Monica Briggs, Old City Quarter Association

(b) Agenda Item 12(d) – Development Permit Application No. DP1178 – 4900 Island Highway North – Add delegations James Irwin, James E. Irwin Architects Inc., and Bev Windjack, LADR Landscape Architects.

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 Minutes of the Regular Council Meeting held electronically, on Monday, 2022-JAN-17, at 5:00 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- COVID-19 restrictions and the treatment of City Staff especially at the Parks and Recreation locations. Members of the public are reminded to be kind and that Staff have been working hard through this pandemic.
- On behalf of Council, the Mayor sent their deepest condolences to the wife, daughter and family of Taz Hartwick who recently passed away at the age of 34. Taz had worked at the City for 15 years and was a dedicated public servant who enjoyed his work at the City and working with the public.
- Dog owners are reminded to renew their dog licences for 2022. Payments made before February 28th receive a discounted rate.
- Work has begun on a new rental housing building at 6010 Hammond Bay Road. The development is a partnership between the Federal and Provincial governments, Nanaimo Affordable Housing Society and the City of Nanaimo. The development will provide 53 one and two bedroom units geared toward low to moderate-income individuals, families and seniors.

7. RISE AND REPORT:

The Mayor advised that at the In Camera portion of the January 17, 2022 meeting, Council:

- Rescinded the appointment of Barbara Wardill as Collector and assigned the duties and responsibilities of Collector for the City of Nanaimo to Ms. Jamie Slater, Manager, Revenue Services.
- Approved the following for 2022 Culture & Heritage Awards: Brendan Tang, Excellence in Culture; Bruce Halliday, Honour in Culture; and Joy Bremner, Honour in Heritage.

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- (a) Minutes of the Advisory Committee on Accessibility and Inclusiveness held electronically on Wednesday, 2021-NOV-24, at 4:03 p.m.
- (b) 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-DEC-13, at 1:00 p.m.
- (c) Minutes of the Finance and Audit Committee held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2021-DEC-15, at 9:00 a.m.
- (d) Minutes of the Governance and Priorities Committee Meeting held electronically on Monday, 2022-JAN-10, at 1:00 p.m.
- (e) Minutes of the Advisory Committee on Accessibility and Inclusiveness Meeting held electronically on Wednesday, 2022-JAN-12, at 4:01 p.m.
- (f) Minutes of the Finance and Audit Committee Meeting held electronically on Wednesday, 2022-JAN-19, at 9:00 a.m.
- (g) Minutes of the Governance and Priorities Committee Meeting held electronically on Monday, 2022-JAN-24, at 1:00 p.m.

9. CONSENT ITEMS:

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

Prior to the vote Councillor Thorpe requested that Agenda Item 10(c)(1) - Bus Shelter and Bench Strategy Update – be removed to be voted on separately.

- (a) Advisory Committee on Accessibility and Inclusiveness Recommendations 2022-JAN-12

1. 2021 Annual Report for Advisory Committee on Accessibility and Inclusiveness

That Council receive the 2021 Annual Advisory Committee on Accessibility and Inclusiveness Report for information.

(b) Finance and Audit Committee Recommendations 2022-JAN-19

1. Jovan Johnson re: Warmreach Warming Centre Operations

That Council direct Staff to meet with Risebridge and provide a report as soon as possible regarding the needs and options to address current gaps in daytime drop-in programming during cold weather events until March 2022.

2. Nanaimo Track and Field Club - Bid to Host 2024 Track and Field Championships - Olympic and Paralympic Trials

That Council commit up to \$100,000 in 2024-2028 Financial Plan towards the Nanaimo Track and Field Club's bid to host the 2024 Canadian Track and Field Championships / Olympic and Paralympic Trials funded from the Strategic Infrastructure Reserve.

3. Investing in Canada Infrastructure Environmental Quality Program

That Council:

1. approve submission for grant funding for the Millstone Trunk North Sanitary Sewer project through the Investing in Canada Infrastructure Environmental Quality program;
2. supports the project and commits to its share (\$1,950,874) of the project, as well as any cost overruns, funded from the City's Sewer Asset Management Reserve Fund; and,
3. approve increasing the Millstone Trunk North Sanitary Sewer project in the 2022 – 2026 Financial Plan by \$1,245,295 as per the most recent cost estimate.

(c) Environment Committee Work Plan

1. Proposed Development Permit Area 1 and 2 Guideline Amendment Continued from 2021-DEC-01

That Council support the proposed enhancements to the City's regulatory framework for watercourse protection.

2. 2022 Environment Committee Work Plan

That Council endorse the 2022 Environment Committee Work plan with the addition of the Zero Waste Circular Economy Strategy Update and review of committee structure.

The motion carried unanimously.

(d) Separately Addressed Consent Items

1. Governance and Priorities Committee Recommendations 2022-JAN-24.

1. Bus Shelter and Bench Strategy Update

It was moved and seconded that Council direct Staff to prepare a report with costing for a bus shelter strategy, co-created by the City of Nanaimo and the Regional District of Nanaimo in accordance with sustainable procurement principles.

It was moved and seconded that the motion be amended as follows:

“That Council direct Staff to prepare a report with options, for a bus shelter strategy, co-created by the City of Nanaimo and the Regional District of Nanaimo in accordance with sustainable procurement principles.”

The motion carried.

Opposed: *Councillor Brown*

The vote was taken on the main motion as amended, as follows:

That Council direct Staff to prepare a report with options, for a bus shelter strategy, co-created by the City of Nanaimo and the Regional District of Nanaimo in accordance with sustainable procurement principles.

The motion carried unanimously.

Mayor Krog advised that the report dated 2022-FEB-07, titled “Daytime Services for Vulnerable Populations” regarding Agenda item 10(b)(1) - Jovan Johnson re: Warmreach Warming Centre Operations, will be available to the public as a supplemental item on the City’s website.

10. REPORTS:

(a) Regional District of Nanaimo "Drinking Water and Watershed Protection Service Amendment Bylaw No. 1556.05, 2021"

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that Council consent to the adoption of the “Drinking Water and Watershed Protection Service Amendment Bylaw No. 1556.05, 2021” and further, that the Regional District of Nanaimo be notified accordingly. The motion carried.

Opposed: *Councillor Turley*

(b) 2021 – 2025 Financial Plan Amendment Bylaw

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded “Financial Plan Amendment Bylaw 2022 No. 7320.02” (To amend the 2021 – 2025 Financial Plan), pass first reading. The motion carried unanimously.

It was moved and seconded “Financial Plan Amendment Bylaw 2022 No. 7320.02” pass second reading. The motion carried unanimously.

It was moved and seconded “Financial Plan Amendment Bylaw 2022 No. 7320.02” pass third reading. The motion carried unanimously.

(c) Old City Quarter Business Improvement Area

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Old City Quarter Business Improvement Area Bylaw 2022 No. 7339” (To establish a Business Improvement Area in the Old City Quarter) pass first reading. The motion carried unanimously.

It was moved and seconded that “Old City Quarter Business Improvement Area Bylaw 2022 No. 7339” pass second reading. The motion carried.
Opposed: *Councillor Armstrong*

It was moved and seconded that “Old City Quarter Business Improvement Area Bylaw 2022 No. 7339” pass third reading. The motion carried.
Opposed: *Councillor Armstrong*

It was moved and seconded that Council direct Staff to proceed with notice of intention to conduct a local area service on a Council initiative, subject to a “petition against” process and that Council direct Staff to carry out the “petition against”. The motion carried.
Opposed: *Councillor Armstrong*

(d) Development Permit Application No. DP1178 – 4900 Island Highway North

Introduced by Jeremy Holm, Director, Development Approvals.

Delegations:

1. James Irwin, James E. Irwin Architects Inc., and Sean Leogreen LADR Landscape Architects advised they were present for questions from Council.

It was moved and seconded that Council issue Development Permit No. DP1178 for an automobile sales development at 4900 Island Highway North with the following variances to:

- reduce the flanking side yard setback from 3.0m to 2.4m along the north property line;
- waive the minimum building height requirement; and,
- increase the maximum combined height of a fence and retaining wall in the side yard setback from 1.8m to 2.8m.

The motion carried.

Opposed: *Councillors Brown and Geselbracht*

- (e) 521 Hecate Street – Amendment of Project Under the Revitalization Tax Exemption Bylaw

Introduced by Bill Corsan, Director, Corporate and Business Development.

It was moved and seconded that Council approve the amended Revitalization Tax Exemption Agreement for a proposed 10-unit multi-family development at 521 Hecate Street. The motion carried unanimously.

- (f) Covenant Amendment Application No. CA16 – 3789 and 3801 Shenton Road

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Donna Hais, R. W. (Bob) Wall Ltd., spoke regarding Covenant Amendment Application No. CA16, advised she was present for questions from Council.

It was moved and seconded that Council direct Staff to proceed with public notification prior to Council's consideration of Covenant Amendment Application No. CA16 at an upcoming Council meeting. The motion carried unanimously.

11. BYLAWS:

- (a) "Zoning Amendment Bylaw 2021 No. 4500.186"

It was moved and seconded that "Zoning Amendment Bylaw 2021 No. 4500.186" (To regulate short-term rentals) be adopted. The motion carried.

Opposed: Councillor Brown

- (b) "Official Community Plan Amendment Bylaw 2021 No. 6500.042"

It was moved and seconded that "Official Community Plan Amendment Bylaw 2021 No. 6500.042" (To re-designate 54, 55, 65, 66, 69, 70, and 73 Prideaux Street; and 503, 531, 605, 619, and 685 Comox Road on the Future Land Use Plan [Map 1] from Neighbourhood to Urban Node, and the text amendment of Section 4.1.2 Land Use Designations of the Old City Neighbourhood Concept Plan) be adopted. The motion carried unanimously.

- (c) "Official Community Plan Amendment Bylaw 2021 No. 6500.043"

It was moved and seconded that "Official Community Plan Amendment Bylaw 2021 No. 6500.043" (To re-designate 3679 Shenton Road on the Future Land Use Plan [Map 1] from Light Industrial to Corridor) be adopted. The motion carried unanimously.

- (d) "Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01"

It was moved and seconded that "Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01" (To require one parking space for a short-term rental use) be adopted. The motion carried unanimously.

12. OTHER BUSINESS:

- (a) Councillor Brown - Planning Institute of British Columbia Annual Conference – July 5 - 8, 2022

It was moved and seconded that Councillor Brown be permitted to attend the Planning Institute of British Columbia Annual Conference held July 5 - 8, 2022 in accordance with Council Spending and Amenities Policy. The motion carried unanimously.

- (b) Correspondence dated 2022-JAN-27 from The Regional District of Nanaimo re: Complex Care Housing in the Regional District of Nanaimo

It was moved and seconded that correspondence be sent to:

- Premier John Horgan
- Minister of Mental Health and Addictions, the Honourable Sheila Malcolmson
- Attorney General and Minister Responsible for Housing, the Honourable David Eby
- Minister of Health, the Honourable Adrian Dix
- Minister of Finance, the Honourable Selina Robinson
- Minister of Public Safety and Solicitor General, the Honourable Mike Farnworth

that requests complex care housing for citizens who desperately need more intensive care be built in Nanaimo, and states that the City of Nanaimo supports the position of the Urban Mayor's Caucus, and reiterates the need for significant investment along the entire housing continuum in Nanaimo as outlined in the Health and Housing Action Plan. The motion carried unanimously.

13. QUESTION PERIOD:

No one was in attendance to ask questions.

14. ADJOURNMENT:

It was moved and seconded at 7:55 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER