

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2022-FEB-28, AT 4:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong (arrived 7:00 p.m.)
Councillor D. Bonner
Councillor T. Brown (joined electronically)
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley (joined electronically)

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
B. Corsan, Director, Corporate and Business Development (joined electronically)
J. Holm, Director, Development Approvals
L. Mercer, Director, Finance (joined electronically)
L. Wark, Director, Recreation (joined electronically)
T. Webb, Communications Consultant
S. Gurrie, Director, Legislative Services
K. Roberston, Deputy City Clerk (joined electronically)
N. Sponaule, Legislative/Communications Clerk
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:00 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*:

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:

- (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;

- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and,

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.

The motion carried unanimously.

Council moved In Camera at 4:00 p.m.

Council moved out of In Camera at 5:30 p.m.

Council recessed the Open Meeting 5:30 p.m.

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

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 8(a) – “REIMAGINE Nanaimo Phase 3 Launch for the Draft City Plan” – Add PowerPoint Presentation.
- (b) Move Agenda Item 10(b)6 “Daytime Services for Vulnerable Populations” to Separately Addressed Consent Items Agenda Item 11 and add the following delegations:
 - 1. Amber Harris
 - 2. Darrel Gyorfi
 - 3. Fred MacDonald
 - 4. Karen Kuwica
- (c) Agenda Item 13(c) “Housing Agreement Application No. HA8 – 6030 Linley Valley Drive” – Add the following Delegations:
 - 1. Greg Persanyi (available for questions, no presentation)
 - 2. David McGrath & Adrian Wong (available for questions, no presentation)
- (d) Agenda Item 13(d) “Covenant Amendment Application No. CA16 and Development Permit Application No. DP1165 - 3789 & 3801 Shenton Road” – Add the following Delegation:
 - 1. Donna Hais, R.W. (Bob) Wall Ltd. (available for questions, no presentation)
- (e) Agenda Item 13(e) “Development Permit Application No. DP1186 - 5320 Tanya Drive” – Add the following Delegation:
 - 1. Brian Kapuscinski (available for questions, no presentation)

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 Meeting of the Council of the City of Nanaimo held electronically, on Monday, 2022-FEB-07 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised:

- He received a letter on behalf of Telus advising that the last payphone in Nanaimo will be removed on or after April 5, 2022 due to a decline in usage and noted changes in technology
- Census data notes that the City is growing and the 2022 population is 103,500
- Despite COVID-19, 2021 saw the second highest year in building permit value with projects totalling \$272m
- By 2046 the City anticipates 140,000 people will call Nanaimo home
- A ceremonial tree planting took place on Tuesday, February 15, 2022. Twelve 'Akebono' flowering Cherry Trees were planted in Bowen Park near the lower picnic shelter. The tree planting marks the 25th anniversary of Nanaimo and Saitama becoming friendship cities in 1996
- The City is celebrating Excellence in Culture with the annual Culture and Heritage awards. This year's award recipients are Brendan Lee Satish Tang, Excellence in Culture; Bruce Halliday, Honour in Culture; and Joy Bremner, Honour in Heritage
- Mayor Krog emphasized the City wishes to express sympathies and support for Ukraine, fellow Canadians and those of Ukrainian descent
- Mayor Krog noted low voter turn out in the City and how the people of Ukraine are fighting for their democracy. He advised that hearts and prayers go out to them as they try to secure the most basic thing we as a nation have taken for granted, which is the right to vote and choose elected leadership

7. PRESENTATIONS:

(a) REIMAGINE Nanaimo Phase 3 Launch For the Draft City Plan

Introduced by Dale Lindsay, General Manager, Development Services/Deputy Chief Administrative Officer.

Presentation:

1. Lisa Bhopalsingh, Director, Community Development, provided a presentation. Highlights included:

- Phase 3 of Reimagine Nanaimo has launched and the draft City Plan is available for community input
- Noted PDF structure of document which allows for linkages within the document and is an effective integration of several plans
- Process allows for the creation of a game plan and blueprint for the future instead of being reactive
- Noted integrations between the draft City Plan, Council's Strategic Plan, the Monitoring Plan and the integrated actions to support the plan
- Engagement includes a statistically valid public survey, similar to the phase one survey, to ensure the City receives unbiased responses across neighborhoods and demographics
- Story map format provides the ability to share comments in whichever format people wish
- Noted twelve themes and that the themes are based on what the community identified as important
- Encouraged the public to sign up on Get Involved Nanaimo to receive notification about the process
- Formal referrals are required under the *Local Government Act* and informal referrals have been sent to provide ample review time before formal referrals are distributed
- Noted engagement methods such as videos, community cross promotion, signage, QR codes, banners, static stations, word of mouth, social media, radio, and webpages
- Staff are anticipating less participation at this stage but hope more people will participate
- Noted online access for some can be a challenge and Staff will find ways to provide material to those who want it
- In this phase Staff are seeking to confirm the draft plan reflects community and Council direction
- Next steps include three more Governance and Priorities Committee meetings on March 14th, 28th and April 11th
- The survey closes April 8th and Staff will return to Council with an engagement summary and will prepare draft bylaw for Council's consideration at a Special Public Hearing on June 23, 2022

(b) Building Permit Function Review Update

Introduced by Dale Lindsay, General Manager, Development Services/Deputy Chief Administrative Officer.

Presentation:

1. Jeremy Holm, Director, Development Approvals and Co-chair, Joint Building Permit Advisory Working Group and Darren Moss, Co-chair, Joint Building Permit Advisory Working Group, provided a presentation. Highlights included:
 - Recommendation endorsed by Council in April 2021 guided initiatives underway to improve building permit functions and to address challenges the City is facing with record high development activity

- Consultant's objectives included reducing building permit timelines, embracing new approaches to managing risk while limiting the City's liability, engaging industry and Staff in identifying issues and finding solutions
- Consultant's recommendations including a fast track program for residential and tenant improvements
- Currently applications are taking seven weeks to approve versus three months
- The City was successful in receiving a \$500,000 grant to achieve initiatives
- Investment in technology is a key focus area and Staff are moving towards more transparency in processes with an online portal, opportunity for online payment and a permit tracking system
- Working Group resulted in the City and development community working together collaboratively
- Noted methods used to determine which programs would be fast tracked
- Importance of buy-in from the development community for the program to be a success
- Goal is to produce permits within 15 working days
- Noted steps for progressing through the fast track program and how incomplete applications will be rejected

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Governance and Priorities Committee Meeting held electronically on Monday, 2022-FEB-14, at 1:00 p.m.

9. CONSENT ITEMS:

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

(a) Governance and Priorities Committee Recommendations 2022-FEB-14

1. Committee Operating Guidelines

That Council approve the updated Committee Operating Guidelines as presented in Attachment B of the February 14, 2022 report titled "Committee Operating Guidelines".

(b) Finance and Audit Committee Recommendations 2022-FEB-16

1. Rock City Road Water Supply Pipeline Risk Reduction

That Council direct Staff to install joint restraints on the Rock City Road water supply line and add a project to 2022 for \$350,000 funded from the Water Reserve to complete the work.

2. Community Resiliency Investment Program (FireSmart Community Funding and Supports Program)

That Council support the City of Nanaimo's application to the Union of BC Municipalities for the Community Resiliency Investment Program (FireSmart Community Funding and Supports Program) and if successful the 2022-2026 Financial Plan be amended to include this grant.

3. Duke Point Water Supply Main - York Creek Drainage Crossing

That Council direct Staff to install a pipe bridge on the Duke Point water supply main over York Creek, and add a project to 2022 for \$400,000 funded from the Water Reserve to complete this work.

4. Community Program Development Grant - Nanaimo Nature Society

That Council approve the request from the Nanaimo Nature Society for a Community Program Development Grant in the amount of \$2,450 to assist in funding the Buttertubs Marsh Guided Nature Tours program.

5. BC Hydro Sustainable Communities Project Implementation Funding Application with the Regional District of Nanaimo

That Council approve using \$10,000 from the Climate Action Reserve Fund to support a joint application to BC Hydro with the Regional District of Nanaimo for an "Oil to Heat Pump Pilot Program with Equity-Centered Outreach Design".

The motion carried unanimously.

(c) Separately Addressed Consent Items

Introduced by Dale Lindsay, General Manager, Development Services.

Daytime Services for Vulnerable Populations

Delegations:

1. Amber Harris noted concerns regarding residents feeling unsafe, incidents occurring, garbage being dumped, drug dealing and advised that sheltering is causing the park to be unsafe.
2. Darrel Gyorfí noted concerns regarding the homeless camp in the area creating extensive safety issues, if funding is approved implementing a procedure for garbage collection, safety standards and recommended neighbours be advised of the plan. He spoke regarding levels and threats of violence and that residents do not feel safe.

3. Fred MacDonald, Vice-President of the Newcastle Neighbourhood Association, via Zoom, noted the environmental impact of the proposed motion on parks and greenspace around Caledonia Park. He noted the area is becoming a dumpsite for garbage and an open sewer. He spoke regarding the Millstone River being salmon bearing, the garbage in the river and the unhoused population becoming aggressive.
4. Karen Kuwica, President of the Newcastle Neighbourhood Association and Block Watch Captain, noted the growing negative community impacts caused by the unhoused population in the Caledonia Park area. She spoke regarding a holistic approach to outcomes where all citizens can weigh in. She noted the growing volatile street culture, public safety void and the need to address the escalation.

It was moved and seconded that Council designate the existing Caledonia Emergency Warming Centre as a daily drop-in space until 2022-APR-01, and allocate \$15,000 from the 2018-2020 daytime resource centre carry forward.

It was moved and seconded that the motion be amended to change “daily drop in space” to “general warming centre”, and include “for the month of March with hours 8:00 a.m. to 4:00 p.m. Monday to Friday, and 9:00 a.m. to 5:00 p.m. Saturday and Sunday”. The motion carried. Opposed: *Councillors Armstrong, Thorpe and Turley*

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

That Council designate the existing Caledonia Emergency Warming Centre as a general warming centre for the month of March, with hours 8:00 a.m. to 4:00 p.m. Monday to Friday, and 9:00 a.m. to 5:00 p.m. Saturday and Sunday, and allocate \$15,000 from the 2018-2020 daytime resource centre carry forward. The motion carried. Opposed: *Councillors Armstrong, Thorpe and Turley*

The meeting recessed at 9:30 p.m.
The meeting reconvened at 9:42 p.m.

10. REPORTS:

(a) Leisure Economic Access Policy (LEAP)

Introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

It was moved and seconded that Council endorse Council Policy COU-227 - Leisure Economic Access Policy (LEAP) as attached to the 2022-FEB-28 report by the Director of Recreation and Culture and Deputy City Clerk. The motion carried unanimously.

(b) Appointment of Bylaw Enforcement Officer

Introduced by Dale Lindsay, General Manager, Development Services/Deputy Chief Administrative Officer.

It was moved and seconded that Council appoint Amber Knapman as a Bylaw Enforcement Officer to enforce the provisions of City of Nanaimo “Animal Responsibility Bylaw 2021 No. 7316”. The motion carried unanimously.

(c) Housing Agreement Application No. HA8 - 6030 Linley Valley Drive

Introduced by Dale Lindsay, General Manager, Development Services/Deputy Chief Administrative Officer and Jeremy Holm, Director, Development Approvals.

Delegations:

1. Greg Persanyi advised he was in attendance to answer questions and noted all 152 units will be rental units.
2. David McGrath & Adrian Wong did not speak.

It was moved and seconded that “Housing Agreement Bylaw 2022 No. 7342” (To authorize a Housing Agreement securing no independent sales for 50% of the dwelling units at 6030 Linley Valley Drive) pass first reading. The motion carried unanimously.

It was moved and seconded that “Housing Agreement Bylaw 2022 No. 7342” pass second reading. The motion carried unanimously.

It was moved and seconded that “Housing Agreement Bylaw 2022 No. 7342” pass third reading and that Council direct Staff to register a covenant to reinforce the terms of the Housing Agreement. The motion carried unanimously.

(d) Covenant Amendment Application No. CA16 and Development Permit Application No. DP1165 - 3789 & 3801 Shenton Road

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Donna Hais, R.W. (Bob) Wall Ltd., did not speak.

It was moved and seconded that:

1. Council direct Staff to amend the Section 219 covenant (CA6139861) on the property titles at 3789 and 3801 Shenton Road to remove the requirement that the lots be consolidated; and,
2. Council approve the issuance of Development Permit No. DP1165 at 3789 and 3801 Shenton Road for a mixed-use residential and office development, with variances to:
 - increase the maximum allowable building height from 18.00m to 20.15m for the proposed building at 3801 Shenton Road; and,

- reduce the minimum front yard setback for an underground parking structure from 1.8m to 0.0m.

The motion carried unanimously.

(e) Development Permit Application No. DP1186 - 5320 Tanya Drive

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Brian Kapuscinski did not speak.

It was moved and seconded that Council issue Development Permit No. DP1186 at 5320 Tanya Drive with the following variances:

- increase the maximum permitted building height from 7m to 9.6m.

The motion carried unanimously.

(f) Development Permit Application No. DP001246 - 2585 Battersea Road

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Permit No. DP1246 at 2585 Battersea Road with a variance to reduce the minimum required setback from the present natural boundary of the sea from 15.0m to 8.5m in order to allow the existing retaining walls and stairs to remain, and allow the proposed concrete patio and paved driveway. The motion carried. Opposed: *Councillors Bonner, Brown, Geselbracht and Hemmens*

(g) Liquor Licence Application LA145 - 1431 Bowen Road

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council recommend the Liquor Cannabis and Regulation Branch approve the application for 1431 Bowen Road (Quarterway Pub) to permit an outdoor patio. The motion carried unanimously.

(h) 227 Prideaux Street - Acceptance of Project Under "Revitalization Tax Exemption Bylaw 2018 No. 7261"

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

It was moved and seconded that Council approve the Revitalization Tax Exemption Agreement for a proposed 12-unit multi-family development at 227 Prideaux Street. The motion carried. Opposed: *Councillor Brown*

- (i) 507 Milton 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 27-unit mixed-use development at 507 Milton Street. The motion carried. Opposed: *Councillor Brown*

11. BYLAWS:

- (a) "Zoning Amendment Bylaw 2021 No. 4500.184"

It was moved and seconded that "Zoning Amendment Bylaw 2021 No. 4500.184" (To rezone the 5915 Metral Drive from Single Dwelling Residential [R1] to Residential Corridor [COR1] to allow a multi-family residential development) be adopted. The motion carried unanimously.

- (b) "Financial Plan Amendment Bylaw 2022 No. 7320.02"

It was moved and seconded that "Financial Plan Amendment Bylaw 2022 No. 7320.02" (To amend the 2021 – 2025 Financial Plan) be adopted. The motion carried unanimously.

- (c) "Official Community Plan Amendment Bylaw 2021 No. 6500.044"

It was moved and seconded that "Official Community Plan Amendment Bylaw 2021 No. 6500.044" (To re-designate portions of the subject properties and replace the Sandstone Master Plan [Schedule B to Schedule C – Chase River Neighbourhood Plan of the Official Community Plan]) be adopted. The motion carried.
Opposed: *Councillor Geselbracht*

- (d) "Official Community Plan Amendment Bylaw 2021 No. 6500.046"

It was moved and seconded that "Official Community Plan Amendment Bylaw 2021 No. 6500.046" (To allow seven residential units at 456 Milton Street) be adopted. The motion carried unanimously.

12. NOTICE OF MOTION:

- (a) Councillor Armstrong advised she would be bringing forward the following Notice of Motion for consideration at a future Council Meeting.

"That Council direct Staff to return with costs of security for the Caledonia warming centre."

13. OTHER BUSINESS:

- (a) Correspondence dated 2022-FEB-01, from Ombudsperson re: Quarterly Reports
October 1 - December 31, 2021
- (b) Correspondence dated 2022-FEB-15, from BC Association of Farmers' Markets re:
request for letter of support to the Minister of Health Adrian Dix for the Farmers'
Market Nutrition Coupon Program

It was moved and seconded that Council send a letter of support for the BC Farmers' Market Nutrition Coupon Program to the Hon. Minister of Health, Adrian Dix, in response to the BC Association of Farmers' Market's request dated 2022-FEB-09. The motion carried unanimously.

14. QUESTION PERIOD:

There was no one in attendance to ask questions.

15. ADJOURNMENT:

It was moved and seconded at 10:24 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER