

**MINUTES**  
REGULAR COUNCIL MEETING  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2022-JUN-20, AT 4:00 P.M.

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Present: Mayor L. Krog, Chair  
Councillor S. D. Armstrong  
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  
J. Holm, A/General Manager, Development Services  
A. Groot, A/General Manager, Parks, Recreation and Culture  
J. Van Horne, Director, Human Resources  
B. Corsan, Director, Corporate and Business Development  
L. Mercer, Director, Finance  
P. Rosen, Director, Engineering  
L. Wark, Director, Recreation Services  
T. Daliran, Manager, Sanitation, Recycling and Cemeteries  
D. Osborne, A/Manager, Culture and Special Events  
J. Rose, Manager, Transportation  
D. Thompson, Manager, Roads and Traffic Services  
J. Knight, Capital Project Management Specialist  
M. Lum, Recreation Coordinator, Special Events  
T. Webb, Communications Consultant  
S. Gurrie, Director, Legislative Services  
N. Sponaule, Legislative Communications Clerk  
K. Gerard, Recording Secretary  
A. Mac Coll, 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*:

- (c) labour relations or other employee relations;
- (d) the security of property of the municipality;

- (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;
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); and,

*Community Charter* 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 5:35 p.m.

Council recessed the Open Meeting 5:35 p.m.  
Council reconvened the Open Meeting at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda item 8(a) – Update on City of Nanaimo 2022 Special Events – Add PowerPoint presentation titled “Special Events 2022 COVID Recovery”
- (b) Add consent item “Lenhart Bridge – Motion Defeated” and move to Separately Addressed Consent Items.
- (c) Move Agenda Item 10(b)(1) “Development of a Transportation Memorandum of Understanding” to Separately Addressed Consent Items and add delegation from Kevan Shaw.
- (d) Move Agenda Item 10(c)(1) – Consideration of New Permissive Tax Exemption to Separately Addressed Consent Items.
- (e) Agenda Item 12(a) Design Commercial Concept and Implementation Plan – Add delegation from Kevan Shaw.
- (f) Agenda Item 12(m) - Development Permit Application No. DP1252 - 515, 529, 635 Terminal Avenue North – Add delegations:
  - 1. Susan Shultz
  - 2. Dominique Lassonde
  - 3. David Croft
- (g) Move Agenda Item 12(m) – Development Permit Application No. DP1252 – 515, 529, 635 Terminal Avenue North to Agenda Item 12(f) and renumber remaining agenda items accordingly.

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 in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2022-MAY-30, at 4:00 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke on the following:

- Annual water testing of Nanaimo's outdoor swim spots began on June 14, 2022
- On May 30, 2022, Nanaimo Council allocated \$100,000 from the Climate Action Reserve Fund to support the continued participation in the Province of BC's CleanBC Better Homes Rebate program
- Reminder to residents that the close for applications to work at the General Local Election is June 29, 2022. Application forms can be found on the City's website at [www.nanaimo.ca](http://www.nanaimo.ca) and can be emailed to [elections@nanaimo.ca](mailto:elections@nanaimo.ca) or submitted in person to the Legislative Services department at 455 Wallace Street
- June 21, 2022 is National Indigenous Peoples Day, which recognizes and celebrates First Nations, Metis and Inuit cultures. The Mid Island Metis Nation is hosting a variety of activities at Maffeo Sutton Park starting at 5:00 p.m.
- Mayor Krog advised that he would be wearing the Penticton Vees jersey at a future Regular Council meeting after losing the bet made between him and the Mayor of Penticton, John Vassilaki during the Fred Page Cup Finals

7. PRESENTATIONS:

(a) Update on City of Nanaimo 2022 Special Events

Darcie Osborne, A/Manager, Culture and Special Events, and Megan Lum, Recreation Coordinator, Special Events, provided an update on the City of Nanaimo Special Events for 2022. She noted the following:

- A review of events pre and post COVID-19
- Canada Day celebrations will be similar to post COVID-19 and a free bike valet and transit shuttles will be available for residents
- Returning events include the Pride Festival, Dragon Boat Festival, Marine Festival, BluesFest, Vancouver Island Exhibition, Silly Boat Regatta, National Truth and Reconciliation Day and the Commercial Street Night Market
- Large sporting events include the Play on Canada Day and BC High School Track and Field Championship

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Environment Committee Meeting held electronically on Wednesday, 2022-MAY-25 at 5:05 p.m.

9. CONSENT ITEMS:

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

(a) Environment Committee 2022-MAY-25

1. Community Watershed Restoration Grant

That Council endorse the Community Watershed Restoration Grant Guidelines and Criteria as included in Attachment A to the 2022-MAY-25 report by David Stewart, Environmental Planner.

(b) Governance and Priorities Committee 2022-JUN-13

1. Allocation of Pedestrian Unallocated Funding

That Council allocate \$1,000,000 of Pedestrian Unallocated funds to the projects listed under Option (A) as follows:

- Trans-Canada Highway Corridor Improvements \$350,000
- Improve Crosswalks 2, 3, 4, 7, and 8 \$400,000
- Install Sidewalk (2) – on Departure Bay Road from Highland Boulevard to Highway 19A \$85,000
- Traffic Calming IO Allocation \$165,000

(c) Separately Addressed Consent Items

Councillor Bonner vacated the Shaw Auditorium at 7:22 p.m., stating a conflict of interest as he is on the Makerspace Nanaimo Association Board.

1. Consideration of New Permissive Tax Exemption

It was moved and seconded that Council award a Permissive Tax exemption for the 2023 taxation year to the Makerspace Nanaimo Association for the portion occupied by the Association (16.80%) at 2221A McGarrigle Road. The motion carried unanimously

Councillor Bonner returned to the Shaw Auditorium at 7:22 p.m.

2. Purchase of Artwork, Seabed, by Peter Achurch

It was moved and seconded that Council approve the use of existing City funds to purchase the artwork Seabed, 2020, by artist Peter Achurch, and the addition of the artwork to the Public Art Inventory in 2022. The motion carried unanimously.

3. Development of a Transportation Memorandum of Understanding

Delegation:

1. Kevan Shaw stated concerns regarding the bus transit exchange becoming a hub for social disorder and advised Council that residents and businesses are opposed to having the transit exchange at this location.

It was moved and seconded that Council direct Staff to work with the Regional District of Nanaimo, Ministry of Transportation and Infrastructure and BC Transit to draft a Memorandum of Understanding for the purpose of planning and executing enhancements to support transit and mobility within the City of Nanaimo. The motion carried unanimously.

4. Lenhart Bridge

Following Staff and Council discussion, Agenda item titled “Lenhart Bridge – Motion Defeated” was moved to Agenda Item 14(a) under Other Business.

10. DELEGATIONS:

(a) Joanne Morneau, Janine Hu, and Annette Noble re: Plastic Bag Ban

Joanne Morneau, Janine Hu, Alicia T, and Emma Sadler Reid, thanked Mayor and Council, on behalf of their volunteer sewing group and students in Nanaimo, for implementing the plastic bag ban and thanked Mayor and Council for setting a precedent that banning plastic bags is possible.

(b) Deborah Hollins and Jason Harrison, Nanaimo Community Advisory Board

Deborah Hollins and Jason Harrison, Nanaimo Community Advisory Board, provided Council with a PowerPoint presentation regarding the Reaching Home: Homelessness Strategy. The spoke about the history and future of the Nanaimo Community Advisory Board (NCAB), mandate and goals of the Reaching Home Funding, and the importance of elected officials' participation and providing an invitation for membership.

11. REPORTS:

(a) Design Commercial Concept and Implementation Plan

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

Presentation:

1. Bill Corsan, Director, Corporate and Business Development, provided a PowerPoint presentation. Highlights included:

- Reviewed the history of the project, how the project came to be created and the priority redevelopment sites in the downtown area
- Provided examples of the mobility investments, downtown safety and security initiatives, and public realm improvements
- Reviewed how the Commercial Street Design project will take place, the goal of the redesign, the process including public engagement and stakeholder meetings
- Reviewed the completed plan with a phased approach by location and funding available

Delegation:

1. Kevan Shaw spoke on behalf of the Victoria Crescent Association and cited concerns related to social disorder, safety, drug use, crime, and fires.

Council discussion took place regarding the crosswalk at Bastion Street and Commercial Street, parking on Wharf Street, and the piano in Diana Krall plaza. Concerns included the budget for operating and maintenance costs, the impact on taxation, movement of the cenotaph and parking.

It was moved and seconded that Council:

1. Endorse the Design Commercial Concept Plans for an enhanced public realm along the Commercial Street Corridor; and
2. Direct Staff to include the Design Commercial Street Implementation Plan as part of the 2023-2027 Budget deliberations.

The motion carried unanimously.

(b) 2021 Annual Municipal Report

Introduced by Sheila Gurrie, Director, Legislative Services.

Mayor Krog inquired if there was anyone who wished to speak with respect to the 2021 Annual Municipal Report.

There were no members of the public that wished to speak to the 2021 Annual Municipal Report.

It was moved and seconded that Council approve the 2021 Annual Municipal Report. The motion carried unanimously.

(c) General Election Bylaw Amendment - Mail Ballot Provisions

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that “General Election Bylaw Amendment Bylaw 2022 No. 7129.04” (To bring the mail ballot provisions in line with the new provincial legislation) pass first reading. The motion carried unanimously.

It was moved and seconded that "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" pass second reading. The motion carried unanimously.

It was moved and seconded that "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" pass third reading. The motion carried unanimously.

(d) Gender Diversity and Inclusion Recommendations from the Advisory Committee on Accessibility and Inclusiveness

Introduced by John Van Horne, Director, Human Resources.

It was moved and seconded:

1. That gender and diversity and inclusivity training be offered to Council and staff.
2. That staff be directed to integrate gender inclusive and gender neutral language (where possible) in key communications and printed and electronic materials.
3. That staff be encouraged to use personal pronouns, where staff are comfortable making the individual choice to do so.

The motion carried.

Opposed: *Councillor Turley*

(e) Consideration of Other Grant Application

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that Council award an 'Other Grant' in the amount of \$5,000 to support the hosting of the 13U AAA Provincials Tournament held in Nanaimo. The motion carried unanimously.

(f) Development Permit Application No. DP1252 - 515, 529, 635 Terminal Avenue North

Introduced by Jeremy Holm, Director, Development Approvals.

Delegations:

1. David Croft and Don Lassonde, Nanaimo, BC, spoke regarding communication to the neighbours regarding the development, and cited concerns related to traffic, lack of a traffic study and suggested that the proposed lane way access be included in the development now instead of in the future.

It was moved and seconded that Council issue Development Permit No. DP1252 for a multi-family residential development at 515, 529, and 635 Terminal Avenue North with a variance to increase the maximum permitted building height from 14.0m to 15.5m. The motion carried unanimously.

The Regular Council Meeting recessed at 9:18 p.m.  
The Regular Council meeting reconvened at 9:32 p.m.

By unanimous consent, Council agreed to move Agenda Item 12(k) - Development Variance Permit Application No. DVP433 - 5601 Hammond Bay Road to Agenda Item 12(g) and reorder the remaining agenda items accordingly.

(g) Development Variance Permit Application No. DVP433 - 5601 Hammond Bay Road

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Brock Williamson, was in attendance to answer questions if required.

It was moved and seconded that Council issue Development Variance Permit No. DVP433 at 5601 Hammond Bay Road with the following variances for proposed Lot 2:

- reduce the minimum lot depth requirement from 30.0m to 26.72m; and,
- reduce the minimum rear yard setback from 7.5m to 1.7m.

The motion carried unanimously.

(h) Proposed Bylaw Amendments to the Subdivision Control Bylaw 1989 No. 3260 Schedule A - Manual of Engineering Standards and Specifications

Introduced by Poul Rosen, Director, Engineering.

It was moved and seconded that “Subdivision Control Amendment Bylaw 2022 No. 3260.06” (Text amendments and drawing replacements to the Manual of Engineering Standards and Specifications) pass first reading. The motion carried unanimously.

It was moved and seconded that “Subdivision Control Amendment Bylaw 2022 No. 3260.06” pass second reading. The motion carried unanimously.

It was moved and seconded that “Subdivision Control Amendment Bylaw 2022 No. 3260.06” pass third reading. The motion carried unanimously.

(i) 24hr Parking Bylaw Exemption

Introduced by Poul Rosen, Director, Engineering.

It was moved and seconded that Council refer Agenda Item 12(h) – 24hr Parking Bylaw Exemption back to Staff to return with a more comprehensive report that provides more options regarding resident exempt parking, including options for amendments to “Traffic and Highways Regulation Bylaw 1993 No. 5000” and cost implications associated with creating additional resident exempt zones.

The motion carried.

Opposed: *Mayor Krog and Councillor Brown*

(j) Nanaimo Operations Centre Update and Phase 1 Opportunity

Introduced by Poul Rosen, Director, Engineering.



Presentation:

1. Poul Rosen, Director, Engineering, provided Council with a presentation regarding an alternative phasing concept for development of the Nanaimo Operations Centre.

It was moved and seconded that Council direct Staff to undertake Nanaimo Operations Centre Alternative Phase 1 feasibility assessment of an engineered wetland, storm sewer and multiuse trail, and complete the stage 2 environmental by allocating \$120,000 from the General Capital Reserve. The motion carried.

Opposed: *Councillor Brown*

(k) Road Closure - Portion of Lake Road - 4295 Victoria Avenue - Loudon Park

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

It was moved and seconded that Council authorize the road closure of a portion of Lake Road at 4295 Victoria Avenue. The motion carried unanimously.

It was moved and seconded that "Highway Closure and Dedication Removal Bylaw 2022 No. 7341" (To provide for highway closure and dedication removal of a portion of Lake Road at 4295 Victoria Avenue) pass first reading. The motion carried unanimously.

It was moved and seconded that "Highway Closure and Dedication Removal Bylaw 2022 No. 7341" pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to proceed with public notice for the closure of a portion of Lake Road. The motion carried unanimously.

(l) Community Emergency Preparedness Fund Application

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council direct Staff to submit an application to the Community Emergency Preparedness Fund Extreme Heat Risk Mapping, Assessment, and Planning Stream, and that Council commits to Staff providing overall grant management. The motion carried unanimously.

(m) Development Variance Permit Application No. DVP434 - 6135 McGirr Road

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Variance Permit No. DVP434 at 6135 McGirr Road with a variance to allow the proposed freestanding LED sign. The motion carried.

Opposed: *Councillors Armstrong, Bonner, Brown, and Geselbracht*

12. BYLAWS:

(a) "Public Notice Bylaw 2022 No. 7325"

It was moved and seconded that "Public Notice Bylaw 2022 No. 7325" (To provide for alternative means of publication) be adopted. The motion carried unanimously.

13. OTHER BUSINESS:

1. Lenhart Bridge

Council and Staff discussion took place regarding the proper procedure for bringing forward defeated recommendations for reconsideration.

It was moved and seconded that Council direct Staff to increase the budget for the Lenhart Bridge project by \$188,000. The motion carried.

*Opposed: Councillors Brown, Hemmens, Thorpe and Turley*

2. Councillor Hemmens re: Community Advisory Board

It was moved and seconded that Council direct Staff to return to a future Regular Council Meeting with a report regarding Agenda Item 11(b) - Deborah Hollins and Jason Harrison, Nanaimo Community Advisory Board that includes options and implications for Council's involvement in the Community Advisory Board. The motion carried.

*Opposed: Councillor Turley*

14. QUESTION PERIOD:

No one was in attendance to ask questions.

15. ADJOURNMENT:

It was moved and seconded at 10:41 p.m. that the meeting adjourn. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER