

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2022-JUL-04, AT 4:30 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor B. Geselbracht (joined electronically at 4:30 p.m., joined in person at 7:00 p.m.)
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Absent: Councillor T. Brown

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
T. Doyle, Fire Chief
L. Bhopalsingh, Director, Community Development
B. Corsan, Director, Corporate and Business Development
W. Fulla, Manager, Business, Asset and Financial Planning
M. Squire, Manager, Water Resources
P. Stewart, Manager, Engineering Projects
T. Webb, Communications Consultant
K. Robertson, Deputy City Clerk, Legislative Services
S. Gurrie, Director, Legislative Services
S. Snelgrove, 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;
- (d) the security of property of the municipality; 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 4:30 p.m.
Council moved out of In Camera at 5:52 p.m.

Council recessed the Open Meeting 5:52 p.m.
Council reconvened the Open Meeting at 7:00 p.m.

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 following Minutes be adopted as circulated:

- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2022-JUN-16, at 7:00 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2022-JUN-20, at 4:00 p.m.

The motion carried unanimously.

5. MAYOR'S REPORT:

Mayor Krog advised:

- The City is offering a variety of free events this summer through Parks, Recreation and Culture including Concerts in the Park, and Playground Program for children ages 5-12. More information is available at Nanaimo.ca
- Lifeguards will be at Westwood Lake from 11:30 a.m. to 5:30 p.m. July 1st to September 5th
- The City operates four waterparks, open daily from 9 a.m. to 8 p.m. at Departure Bay Water Park, Deverill Square Park, Harewood Centennial Park and Mansfield Park
- Summer day camps are available for registration and options are noted in the Summer Activity Guide at Nanaimo.ca
- At the June 20, 2022 Council Meeting, Council endorsed the Community Watershed Grant Guidelines, which is a new program that makes up to \$20,000 in grant funding available for citizens or organizations to carryout watershed restoration projects
- The Commercial Street Night Market is running from June 23rd to September 1st from 5-9 p.m. The market supports many local vendors and enhances the livability of downtown

6. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Mayor’s Leaders’ Table Meeting held electronically on Friday, 2022-MAR-04 at 9:00 a.m.
- Minutes of the Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Monday, 2022-MAY-09 at 1:00 p.m.
- Minutes of the Mayor’s Leaders’ Table Meeting held electronically on Friday, 2022-JUN-10 at 9:00 a.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, 2022-JUN-13, at 1:00 p.m.
- Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Wednesday, 2022-JUN-15, at 9:00 a.m.
- Minutes of the Advisory Committee on Accessibility and Inclusiveness Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2022-JUN-22, at 4:00 p.m.

7. CONSENT ITEMS:

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

(a) Advisory Committee on Accessibility and Inclusiveness 2022-JUN-22

1. Leisure Economic Access Pass (LEAP) Program – Proposed Changes Fall 2022

That Council approve the additional LEAP program changes to allow applicants to demonstrate financial need through alternate methods of proof as described in the 2022-JUN-22 Staff report and allocate them a valid pass for two years, and endorse the revised policy as attached to the 2022-JUN-22 report by the Manager of Recreation Services.

(b) Governance and Priorities Committee 2022-JUN-27

1. Proposed 2023 Initiatives to Increase Affordable Housing

That Council endorse the Staff recommended projects for 2023 to support and increase affordable housing in the City of Nanaimo as presented in the report dated 2022-JUN-27 by Christy Wood, Social Planner and Lisa Brinkman, Manager of Community Planning.

The motion carried unanimously.

8. REPORTS:

(a) Bylaw Renewal Project Update and Introduction of Bylaw Repeal Bylaw

Introduced by Sheila Gurrie, Director, Legislative Services.

Presentation:

1. Karen Robertson, Deputy City Clerk, provided a presentation. Highlights included:

- Overview of what has been achieved to date including:
 - Action timeline prepared and phase one and two developed
 - 101 policies brought forward for repeal and 45 are to be updated
 - Staff commenced work on administrative policies
 - Bylaw scanning deliverable completed ahead of schedule
- Several bylaws associated with the project have been updated, such as the “Animal Responsibility Bylaw 2021 No. 7316”, “Business Licence Bylaw 2021 No. 7318”, “Checkout Bag Regulation Bylaw 2020 No. 7283”, “Elected Officials Oath of Office Bylaw 2022 No. 7350” and “Ethics Commissioner Establishment Bylaw 2022 No. 7349”
- The development of the bylaw registry was a labour intensive project
- All bylaws from 1875 to the present day are noted in the registry with 6,161 bylaws recorded
- Next steps are to continue to bring forward bylaws and policies that need to be amended or updated

It was moved and seconded that “Nuclear Weapons Prohibition Bylaw 1987 No. 3199” be removed from “Miscellaneous Bylaws Repeal Bylaw 2022 No. 7352”. The motion carried unanimously.

It was moved and seconded that “Miscellaneous Bylaws Repeal Bylaw 2022 No. 7352” (a bylaw to repeal outdated bylaws) pass first reading. The motion carried unanimously.

It was moved and seconded that “Miscellaneous Bylaws Repeal Bylaw 2022 No. 7352” pass second reading. The motion carried unanimously.

It was moved and seconded that “Miscellaneous Bylaws Repeal Bylaw 2022 No. 7352” pass third reading. The motion carried unanimously.

It was moved and seconded that Council abandon the following bylaws:

- “Land Sales Bylaw 1977 No. 1795”
- “Municipal Heritage Site Designation Bylaw 1978 No. 1946”
- “City of Nanaimo Expropriation Bylaw 1982 No. 2485”
- “City of Nanaimo Expropriation Bylaw 1982 No. 2487”

- “Bowen Road Expropriation Bylaw 1982 No. 2519”
- “Bowen Road Expropriation Bylaw 1982 No. 2532”
- “Bowen Road Expropriation Bylaw 1983 No. 2541”
- “Expropriation Bylaw 1983 No. 2594”
- “Expropriation Bylaw 1984 No. 2738”
- “Sign Removal Bylaw 1986 No. 3140”
- “Sign Removal Bylaw 1986 No. 3142”
- “Sign Removal Bylaw 1986 No. 3148”
- “Sign Removal Bylaw 1986 No. 3150”
- “Sign Removal Bylaw 1986 No. 3151”
- “Development Approval Procedures Amendment Bylaw 1987 No. 3204”
- “Sign Removal Bylaw 1987 No. 3256”
- “Sign Removal Bylaw 1988 No. 3306”
- “Sign Removal Bylaw 1988 No. 3323”
- “Business Improvement Area Bylaw 2004 No. 5683”

The motion carried unanimously.

(b) Council and Committee Meetings During Campaign Period

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council suspend livestreaming, broadcasting and publishing of recorded Council and Committee meetings to the City of Nanaimo website and direct media requests and quotes for news releases to the CAO during the 2022 General Election Campaign Period from September 17, through to October 15, 2022. The motion was defeated.

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

(c) "Fees and Charges Amendment Bylaw 2022 No. 7336.02"

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that “Fees and Charges Amendment Bylaw 2022 No. 7336.02” (a bylaw to add fees and charges for the Finance Department) pass first reading. The motion carried unanimously.

It was moved and seconded that “Fees and Charges Amendment Bylaw 2022 No. 7336.02” pass second reading. The motion carried unanimously.

It was moved and seconded that “Fees and Charges Amendment Bylaw 2022 No. 7336.02” pass third reading. The motion carried unanimously.

(d) Midtown Gateway and Water Supply Funding

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

It was moved and seconded that Council direct Staff to:

1. Increase the budget for the Midtown Gateway Phase 2A project in 2022 for the Storm Sewer section by \$72,500 funded from the Drainage DCC Reserve Fund and increase the budget for the Water Distribution section by \$586,593 funded from the Water Reserve; and,
2. Increase the budget for the Midtown Water Supply Project by \$4,236,870 in 2022 funded by \$1,192,264 from the Water Supply DCC Reserve Fund, \$1,192,264 from the Water Asset Management Reserve Fund, and \$1,852,342 from the Water Reserve.

The motion carried unanimously.

(e) Rezoning Application No. RA478 - 2980 Island Highway North

Introduced by Dale Lindsay, General Manager, Development Services/Deputy CAO.

It was moved and seconded that “Zoning Amendment Bylaw 2022 No. 4500.201” (To rezone 2980 Island Highway North to allow “Cannabis Retail Store” as a site-specific use in the City Commercial Centre [CC3] zone) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2022 No. 4500.201” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure the amenity contribution prior to adoption of the bylaw, should Council support the bylaw at third reading. The motion carried unanimously.

(f) Building Safer Communities Fund

Introduced by Dale Lindsay, General Manager, Development Services/Deputy CAO and Lisa Bhopalsingh, Director, Community Development.

It was moved and seconded that Council accept the funds from the Building Safer Communities Fund to address gun and gang violence, endorse Staff to use year one funds to build a 3 year strategic plan with pilot programs, and commit to Staff providing overall grant management. The motion carried unanimously.

(g) Appointment of Bylaw Enforcement Officer

Introduced by Dale Lindsay, General Manager, Development Services/Deputy CAO.

It was moved and seconded that Council appoint Grant Love as a Bylaw Enforcement Officer to enforce the provisions of the City of Nanaimo Regulatory Bylaws. The motion carried unanimously.

9. BYLAWS:

(a) "Subdivision Control Amendment Bylaw 2022 No. 3260.06"

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) be adopted. The motion carried unanimously.

(b) "Zoning Amendment Bylaw 2019 No. 4500.145"

It was moved and seconded that "Zoning Amendment Bylaw 2019 No. 4500.145" (To rezone 140 Terminal Avenue to allow "Cannabis Retail Store" as a site-specific use in the Terminal Avenue [DT4] zone) be adopted. The motion carried unanimously.

(c) "City Plan Bylaw 2022 No. 6600"

Council discussion took place regarding the rationale for supporting or not supporting "City Plan Bylaw 2022 No. 6600".

It was moved and seconded that "City Plan Bylaw 2022 No. 6600" (To serve as the official community plan) pass third reading. The motion carried.

Opposed: *Councillors Armstrong and Thorpe*

It was moved and seconded that "City Plan Bylaw 2022 No. 6600" be adopted. The motion carried.

Opposed: *Councillors Armstrong and Thorpe*

(d) "Zoning Amendment Bylaw 2022 No. 4500.199"

It was moved and seconded that "Zoning Amendment Bylaw 2022 No. 4500.199" (To include development permit area guidelines, exemptions, and related definitions in addition to other amendments for consistency with the proposed Official Community Plan [City Plan]) be adopted. The motion carried unanimously.

(e) "Development Approval Information Bylaw 2022 No. 7346"

It was moved and seconded that "Development Approval Information Bylaw 2022 No. 7346" (To specify development information requirements) be adopted. The motion carried unanimously.

(f) "General Election Bylaw Amendment Bylaw 2022 No. 7129.04"

It was moved and seconded that "General Election Bylaw Amendment Bylaw 2022 No. 7129.04" (A bylaw to bring the mail ballot provisions in line with the new provincial legislation) be adopted. The motion carried unanimously.

10. QUESTION PERIOD:

Council received one question from the public regarding agenda items.

11. ADJOURNMENT:

It was moved and seconded at 8:48 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER