

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2022-OCT-03, AT 5:00 P.M.

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 (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
J. Van Horne, Director, Human Resources
T. Doyle, Fire Chief
L. Bhopalsingh, Director, Community Development
J. Holm, Director, Development Approvals
L. Mercer, Director, Finance (joined electronically)
C. Scholberg, Community Heritage Planner
T. Webb, Communications Consultant
S. Gurrie, Director, Legislative Services
N. Sponaule, Legislative Communications Clerk
A. Chanakos, Steno, Legislative Services
K. Lundgren, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 5:00 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;
- (d) the security of property of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

- (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 5:00 p.m.

Council moved out of In Camera at 6:19 p.m.

Council recessed the Open Meeting 6:19 p.m.

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

4. APPROVAL OF THE AGENDA:

It was moved and seconded that the Agenda be adopted. The motion carried unanimously.

5. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of the Special Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2022-SEP-08 at 1:00 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

The Mayor spoke regarding the 2022 Election on October 15, 2022. Highlights included:

- Voting will be open between 8:00 a.m. and 8:00 p.m. at the following locations:
 - Beban Park Social Centre
 - Chase River Elementary School
 - City of Nanaimo Service and Resource Centre
 - Dover Bay Secondary School
 - Nanaimo District Secondary School
 - Randerson Ridge Elementary School
 - Salvation Army Church
 - Uplands Park Elementary School
 - Wellington Secondary School
 - Woodlands Secondary School
- Protection Island Fire Hall voting location will be open from 10:00 a.m. to 6:00 p.m.
- You can also vote in advance polls on Wednesday October 5, 2022 and Wednesday October 12, 2022

- If you are not registered to vote, you may register at the time of voting at any of the voting locations
- He encouraged the community to take advantage of the opportunity to vote

8. DELEGATIONS:

(a) Vancouver Island Vocational and Rehabilitation Service (VIVRS)

Hannah Houle, VIVRS, spoke regarding Disability Employment Month and raising awareness on hiring people with diverse abilities. She provided an overview of the various services that VIVRS offers and encouraged anyone experiencing employment barriers to reach out.

(b) Island Roots Farmers' Market re: Support for Nanaimo's Year Round Farmers' Market

Ben Glassen, Vice President, Island Roots Farmers' Market, spoke regarding the market and partnering with the City of Nanaimo (the City) to help support local agriculture and meet the City's Official Community Plan (OCP) food security goals. He requested City support for the following:

- Permanent signage promoting the market on all main routes into Nanaimo
- Commitment to keeping market hours (Wednesdays from 3pm to 6pm)
- Painting of the centennial building
- Contingency plans be in place in case of extreme weather
- Reduced rent for the Centennial building

Bill Yarborough, Treasurer, Island Roots Farmers' Market, spoke regarding the market's expenses.

9. REPORTS:

(a) Property Tax Exemption Bylaw for 2023 Property Taxes

Introduced by Laura Mercer, Director, Finance.

Councillor Armstrong vacated the Shaw Auditorium at 7:28 p.m. declaring a conflict of interest as she sits on the Nexus Patient and Community Care Society Board.

Councillor Bonner vacated the Shaw Auditorium at 7:28 p.m. declaring a conflict of interest as he sits on the Makerspace Nanaimo Association Board.

It was moved and seconded that "Property Tax Exemption Bylaw, 2022 No. 7358" (a bylaw to exempt certain land and buildings from taxation) pass first reading. The motion carried unanimously.

It was moved and seconded that "Property Tax Exemption Bylaw, 2022 No. 7358" pass second reading. The motion carried unanimously.

It was moved and seconded that "Property Tax Exemption Bylaw, 2022 No. 7358" pass third reading. The motion carried unanimously.

Councillors Armstrong and Bonner re-entered the Shaw Auditorium at 7:31 p.m.

(b) Proposed Telecommunications Tower - 2365 Northfield Road

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

It was moved and seconded that Council direct Staff to provide a letter of concurrence to Innovation, Science and Economic Development Canada in response to a proposed 48m telecommunications facility at 2365 Northfield Road. The motion carried unanimously.

(c) Illegal Construction - 5 Durham Street

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

It was moved and seconded that That Council:

1. issue a Remedial Action Order at 5 Durham Street pursuant to Sections 72, 73 and 74 of the *Community Charter*;
2. direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within 30 days of Council's resolution; and,
3. direct that the remedial action consist of removing the front entry deck, rear carport and second floor rooms and washrooms which have been constructed without a permit or inspection.

The motion carried unanimously.

(d) Community Heritage Register Update

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

Chris Scholberg, Community Heritage Planner, provided Council with an overview of the Community Heritage Register document.

It was moved and seconded that Council adopt the amended Community Heritage Register, which includes the following building additions:

- Nanaimo Maternity Home (512 Albert Street)
- Priestley Residence (824 Fitzwilliam Street)
- Smith/Tait Residence (16 Irwin Street)
- Rogers/Violette Residence (368 Milton Street)
- Rosehill Street Residence (508 Rosehill Street)
- 105th Street Residence (2896 105th Street)

the following deletions:

- Franklyn Street Gymnasium (421 Franklyn Street)

and a number of minor text and photo edits.

The motion carried unanimously.

(e) Nanaimo Community Advisory Board on Homelessness

Dale Lindsay, General Manager, Development Services/Deputy CAO, suggested that Council defer the report until after the municipal election.

It was moved and seconded that Council defer the appointment of a Council representative as a non-voting member to the Nanaimo Reaching Home Community Advisory Board until after the 2022 Municipal Election. The motion carried unanimously.

(f) Housing Agreement Application No. HA9 - 3059 Glen Eagle Crescent

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

It was moved and seconded that "Housing Agreement Bylaw 2022 No. 7357" (To secure the terms and conditions of occupancy for a residential shelter at 3059 Glen Eagle Crescent) pass first reading. The motion carried unanimously.

It was moved and seconded that "Housing Agreement Bylaw 2022 No. 7357" pass second reading. The motion carried unanimously.

It was moved and seconded that "Housing Agreement Bylaw 2022 No. 7357" pass third reading and that "Council direct Staff to register a covenant to reinforce the terms of the Housing Agreement. The motion carried unanimously.

(g) Appointment of Bylaw Enforcement Officers

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

It was moved and seconded that Council appoint Kendra Franklin and Tomer Gerts as Bylaw Enforcement Officers to enforce the provisions of the City of Nanaimo "Animal Responsibility Bylaw 2021 No. 7316". The motion carried unanimously.

10. BYLAWS:

(a) "Zoning Amendment Bylaw 2021 No. 4500.193"

It was moved and seconded that "Zoning Amendment Bylaw 2021 No. 4500.193" (To rezone 456 Milton Street from R14 - Old City Low Density Fourplex Residential to R15 - Old City Medium Density Residential) be adopted. The motion carried unanimously.

(b) "Zoning Amendment Bylaw 2021 No. 4500.194"

It was moved and seconded that ""Zoning Amendment Bylaw 2021 No. 4500.194" (To permit a site-specific rezoning at 440 Kennedy Street in order to reduce the minimum lot size requirement in the R13 zone from 750m² to 500m² to facilitate a proposed boundary adjustment subdivision) be adopted. The motion carried unanimously.

(c) “Officer Designation and Delegation of Authority Bylaw, 2022 No. 7353”

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw, 2022 No. 7353” (To provide for the appointment of Officers and the Delegation of Authority) be adopted. The motion carried unanimously.

(c) “Appeals Procedure Bylaw, 2022 No. 7354”

It was moved and seconded that “Appeals Procedure Bylaw, 2022 No. 7354” (To establish the procedure for hearing appeals) be adopted. The motion carried unanimously.

11. OTHER BUSINESS:

Council received a petition from the residents of the Pacifica at 38 Front Street regarding the raised crosswalk on Front Street.

It was moved and seconded that Council direct Staff to prepare a report to the Finance and Audit Committee outlining ways the City can increase support for the Island Roots Farmers' Market. The motion carried.

Opposed: *Councillor Turley*

12. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

13. ADJOURNMENT:

It was moved and seconded at 7:56 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER