

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2022-DEC-19, AT 3:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. Armstrong (joined electronically)
Councillor T. Brown (arrived at 4:50 p.m.)
Councillor H. Eastmure
Councillor E. Hemmens
Councillor P. Manly (joined electronically)
Councillor J. Perrino
Councillor I. Thorpe

Absent: Councillor B. Geselbracht

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, General Manager, Development Services/Deputy Chief
Administrative Officer
B. Sims, General Manager, Engineering and Public Works
T. Doyle, Fire Chief
B. Corsan, Director, Corporate and Business Development
A. Groot, Director, Facilities and Parks Operations
L. Mercer, Director, Finance
D. Osbourne, Director, Recreation and Culture
P. Rosen, Director, Engineering
P. Stewart, Manager, Engineering Projects
T. Webb, Manager, Communications
M. Elliott, Project Manager
C. Wood, Social Planner
K. Robertson, Deputy City Clerk
N. Sponaugle, Legislative Communications Clerk
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 3:00 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*:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

- (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;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (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,

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 3:00 p.m.
Council moved out of In Camera at 6:20 p.m.

Council recessed the Open Meeting 6:20 p.m.
Council reconvened the Open Meeting at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Add Agenda Item 10(a) Consent Items - Recommendations from the Finance and Audit Committee Meeting held 2022-DEC-14.
- (b) Remove Agenda Item 12(c) 2023 Design Advisory Panel Key Date Calendar.
- (c) Replace Agenda Item 13(a) “Storm Sewer Regulation and Fee Bylaw 2022 No. 7351”.

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 following Minutes be adopted as circulated:

- Minutes of the Regular Meeting of the Council of the City of Nanaimo, Inaugural Meeting, Mt Benson Ballroom A&B, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo BC, Monday, 2022-NOV-07, 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-NOV-21, at 3:00 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-DEC-05, at 3:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- The Nanaimo Concert Band is celebrating their 150th anniversary and congratulated them for providing musical entertainment for generations
- Council fully supports and recognizes the 2016 Ministerial Order and the mandate of the Health Board to provide as many Overdose Prevention Services as required in locations they deem necessary to respond to the health emergency
- As the Nanaimo Area Network of Drug users (NANDU) was funded by the Province, and is supported by Island Health, the City calls upon the Health Authority and the Province to take necessary steps to support the site and to mitigate the impact on the community
- Council directed Staff to pursue compliance with municipal bylaws and to bring forward a report for the consideration of designating the property a nuisance under the "Nuisance Abatement and Cost Recovery Bylaw 2019 No. 7250."
- On October 21st the City opened the newly expanded Maffeo Sutton playground which was designed to be accessible and inclusive and includes Nanaimo's first wheelchair accessible swing
- The playground was made possible with several sponsors, grants and generous donations
- The City of Nanaimo is hosting many activities and events over the holiday season including its first ever New Year's Day event at Beban Park on Sunday, January 1st from 12-5 pm. Activities throughout the holiday season include swimming, skating at Frank Crane Arena and Cliff McNabb Arena, StoryWalk on ice, arts and crafts, sports, bouncy castles and roaming entertainment
- City crews have been working throughout the weekend preparing roads and are now plowing priority routes. Drivers should be prepared for winter road conditions this week and need to slow down, give others room, have patience and make sure their vehicles have winter-ready tires
- To be seen by vehicles when walking and cycling, residents should wear high visibility clothing and lights
- Information regarding garbage and recycling pick up is available on the City's Nanaimo Recycles App
- Mayor Krog reminded everyone to give thought to Parks and Public Works crews as they continue to treat roads and address winter weather. Staff use a priority system to clear routes, and while it is snowing, focus remains on priority routes

- In this season when many citizens aren't enjoying the comfort of home, hearth, family and food, there are numerous organizations in the community where residents can donate money and provide support for the comfort of other citizens. Mayor Krog encouraged the community to show generosity by supporting the numerous non-profits in the community

7. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, 2022-NOV-16, at 9:00 a.m.

8. CONSENT ITEMS:

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

(a) Finance and Audit Committee Meeting Recommendations 2022-DEC-14

(1) Culture & Event Grants 2023 - Funding Recommendations

That Council approve 2023 Cultural Grant Funding (Operating, Project and Downtown Event) recommendations of \$510,139.00 as follows:

- **Applicant Name:** Crimson Coast
Recommended: 3 Yr Operating \$30,732
- **Applicant Name:** Nanaimo Conservatory of Music
Recommended: 3 Yr Operating \$20,000
- **Applicant Name:** Nanaimo Festival Heritage Theatre Society (Theatre One)
Recommended: 3 Yr Operating \$49,000
- **Applicant Name:** Pacific Coast Stage Company
Recommended: 3 Yr Operating \$16,500
- **Applicant Name:** Vancouver Island Symphony
Recommended: 3 Yr Operating \$100,000
- **Applicant Name:** Western Edge Theatre
Recommended: 3 Yr Operating \$20,000
- **Applicant Name:** Nanaimo Chapter of the SPEBSQSA (Tidesmen Chorus)
Recommended: 1 Yr Operating \$5,000
- **Applicant Name:** L'Association des francophones de Nanaimo
Recommended: 1 Yr Operating \$26,000
- **Applicant Name:** Mid Island Metis Nation
Recommended: 1 Yr Operating \$15,000
- **Applicant Name:** Mid-Island Community Bands Society
Recommended: 1 Yr Operating \$1,000
- **Applicant Name:** Nanaimo African Heritage Society
Recommended: 1 Yr Operating \$5,000

- **Applicant Name:** Nanaimo Arts Council
Recommended: 1 Yr Operating \$18,500
- **Applicant Name:** Nanaimo International Jazz Festival Association
Recommended: 1 Yr Operating \$9,000
- **Applicant Name:** A Capella Plus Choral Society
Project Name: Season of choral programs
Recommended: Project \$2,440
- **Applicant Name:** Festival of Banners (Nanaimo) Association
Project Name: Festival of Banners
Recommended: Project \$4,690
- **Applicant Name:** Friends of Nanaimo Jazz Society
Project Name: Friends of Nanaimo Jazz Series
Recommended: Project \$7,077
- **Applicant Name:** Island Consort Society
Project Name: Season of choral programs
Recommended: Project \$940
- **Applicant Name:** L'Association des francophones de Nanaimo
Project Name: Voices in my head/Des voix dans ma tête
Recommended: Project \$3,190
- **Applicant Name:** Nanaimo African Heritage Society
Project Name: Black History Month
Recommended: Project \$2,690
- **Applicant Name:** Nanaimo Arts Council
Project Name: Engagement Research
Recommended: Project \$800
- **Applicant Name:** Nanaimo Ballroom Dance Society
Project Name: Island Fantasy Ball Showcase & Competitions
Recommended: Project \$7,440
- **Applicant Name:** Nanaimo Chamber Orchestra
Project Name: Concert Season
Recommended: Project \$1,190
- **Applicant Name:** Nanaimo Concert Band Society
Project Name: Concert Series
Recommended: Project \$2,940
- **Applicant Name:** Nanaimo Sings! Choral Festival Society
Project Name: "Made in Nanaimo" Celebrating Song and Partnership
Recommended: Project \$3,940
- **Applicant Name:** Nanaimo Ukulele Festival Society
Project Name: Nanaimo Ukulele Festival
Recommended: Project \$500
- **Applicant Name:** Pacific Coast Stage Company
Project Name: Teen Fringe Spirit
Recommended: Project \$1,190
- **Applicant Name:** Western Edge Theatre
Project Name: New Waves Festival
Recommended: Project \$1,940

2023 Culture Operating & Project Grants

- **Applicant Name:** Downtown Nanaimo Business Association
Event Name: Corner Concerts
Recommended: \$6,000
 - **Applicant Name:** Downtown Nanaimo Business Association
Event Name: WinterFest
Recommended: \$24,000
 - **Applicant Name:** Greater Nanaimo Chamber of Commerce
Event Name: 2023 Commercial Street Night Market
Recommended: \$40,000
 - **Applicant Name:** Malaspina Choral Society
Event Name: Malaspina Choir Performances 2022-2023
Recommended: \$5,000
 - **Applicant Name:** Nanaimo Blues Society
Event Name: Nanaimo Blues Festival
Recommended: \$27,800
 - **Applicant Name:** Nanaimo Chapter, Federation of Canadian Artists
Event Name: Nanaimo Fine Arts Show
Recommended: \$2,200
 - **Applicant Name:** Nanaimo Downtown Farmers Market Society
Event Name: Farmers' Market
Recommended: \$6,500
 - **Applicant Name:** Nanaimo International Jazz Festival Association
Event Name: 2023 Fall Festival
Recommended: \$25,000
 - **Applicant Name:** Old City Quarter Association
Event Name: Christmas in the OCQ
Recommended: \$3,500
 - **Applicant Name:** Old City Quarter Association
Event Name: Sounds of Summer in the OCQ
Recommended: \$7,000
 - **Applicant Name:** Pacific Coast Stage Company
Event Name: On the Fringe – Live Music @ Nanaimo Fringe
Recommended: \$3,000
- (2) Community Program Development Grant - Nanaimo Men's Resource Centre

That Council approve the request from the Nanaimo Men's Resource Centre for a Community Program Development Grant in the amount of \$3,500 to assist in funding their Fathers' Day in the Park event at Maffeo Sutton Park.

- (3) Richardson Road Water Project Budget Adjustment

That Council increase the budget for the Richardson Road Water project in 2022 from \$753,587 to \$953,587 with the additional \$200,000 in funding from the Water Asset Management Reserve

(4) Neighbourhood Association Grant Program Guidelines and Criteria

That Council endorse the Neighbourhood Association Grant Program Guidelines and Criteria as attached to the 2022-DEC-14 report by the Community Heritage Planner.

(5) Social Planning Grants 2023

That Council approve a total of \$81,900, in accordance with the 2023 Social Planning Grant guidelines and criteria as attached to the 2022-DEC-14 report by the Social Planner, and that the grant allocations be as follows:

a) 2023 Community Vitality Grants – Total \$21,900

Departure Bay Neighbourhood Association - \$2,400
Project: Event Series 2023

Nanaimo Alliance Church - \$3,500
Project: Food Bank Depot

Nanaimo Climate Action Hub - \$8,000
Project: Nanaimo Climate Pledge

Nanaimo Community Kitchens - \$8,000
Project: Bellies to Babies Cooking Program

b) 2023 Social Response Grants – Total \$60,000

Island Crisis Care Society - \$25,000
Project: Project Rise

Nanaimo Foodshare Society - \$25,000
Project: Good Food Box Expansion

Take a Hike Foundation - \$10,000
Project: Take a Hike Nanaimo Program

(6) Update of Reserve Policy

That Council repeal Reserve Policy COU-204 and replace it with Reserve Policy COU-231 as attached to the December 14, 2022 report by the Deputy Director of Finance.

The motion carried unanimously.

Councillor Eastmure declared a conflict of interest as her partner works for the Vancouver Island Short Film Festival Society and vacated the Shaw Auditorium at 7:14 p.m.

(a) Separately Addressed Consent Items

(1) Culture & Event Grants 2023 - Funding Recommendations

It was moved and seconded that Council approve 2023 Cultural Grant Funding for the Vancouver Island Short Film Festival Society as follows:

Applicant Name: Vancouver Island Short Film Festival Society
Project Name: 18th Annual Vancouver Island Short Film Festival
Recommended: Project \$3,440

The motion carried unanimously.

Councillor Eastmure returned to the Shaw Auditorium at 7:15 p.m.

(2) Community Watershed Restoration Grant

It was moved and seconded that Council:

1. Approve a total of \$8,092.75 for the 2023 Community Watershed Restoration Grant allocation as follows:

Applicant Name: SEED Community Group
Project: Restoration for the Cat Stream between Fifth Street and Seventh Street
Recommend: \$6,000

Applicant Name: Wellington Action Committee
Project: Diver Lake Water Quality Study
Recommend: \$2,092.75

2. Direct Staff to issue a second Community Watershed Restoration Grant intake in Spring 2023 to allocate the remaining \$11,907.25 of the 2023 budgeted grant amount.

The motion carried unanimously.

9. DELEGATIONS:

(a) The Importance of Sustainable Procurement Guidelines that Consider Chemical Ingredients

Mathew Coady spoke regarding the importance of developing procurement guidelines that reduce toxic chemicals in the goods procured by the City of Nanaimo as part of its Sustainable Procurement Policy. Highlights included:

- Chemical pollutants are found in goods in homes, workplaces, infrastructure, sewers and waterways
- Problematic pollutants are those that present health risks to humans and the environment

- Chemicals have unique properties that make them desirable to use in products but wastewater treatment plants are not designed to treat these chemicals so they are discharged into the ocean and present health risks to aquatic life
- Procurement can be part of the solution by reducing toxic chemicals or selecting safe products and goods obtained through the procurement process
- There are ample resources developed by other governments which can be used by the City of Nanaimo to implement measures
- Recommendations for Council to consider include:
 - Incorporate measures in the procurement process to reduce chemical pollution
 - Develop guidance to support procurement staff
 - Form a volunteer working group to support this initiative

(b) Tiny Home Project

Joanne Dallman spoke regarding the Tiny Home Project which is a plan to address homelessness in Nanaimo and other Canadian towns and cities. Highlights included:

- Meetings have been held with MLAs, MPs, business associations, housing experts and representatives from the Salvation Army
- The unhoused are a diverse group and their choices determine their future just as much as one's nature does
- There are alternatives to sending someone with addiction fueled violent behaviour to jail
- It is far less expensive to provide housing, food and supports to someone rather than ignoring the issue and having them remain homeless
- The Tiny Home Project is a four-part plan which requires funding and will provide support for addictions and homelessness
- Thinking in terms of compassion and responsibility, the ultimate goal is to provide a safe and healthy situation for individuals
- Council was requested to approve the project in principle and forward it to the Province

10. REPORTS:

(a) 2023-2027 Financial Plan Bylaw

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that "Financial Plan Bylaw 2022 No. 7359" (to confirm and adopt the 2023 – 2027 Financial Plan) pass first reading. The motion carried unanimously.

It was moved and seconded that "Financial Plan Bylaw 2022 No. 7359" pass second reading. The motion carried unanimously.

It was moved and seconded that "Financial Plan Bylaw 2022 No. 7359" pass third reading. The motion carried unanimously.

- (b) 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

- (c) Bylaw Notice Enforcement Amendment Bylaw - Storm Sewer Regulation Fine Schedule

Introduced by Karen Robertson, Deputy City Clerk, Legislative Services.

It was moved and seconded that “Bylaw Notice Enforcement Bylaw 2022 No. 7159.18” (to assign fines for violations associated with the Storm Sewer Regulation and Fee Bylaw) pass first reading. The motion carried unanimously.

It was moved and seconded that “Bylaw Notice Enforcement Bylaw 2022 No. 7159.18” pass second reading. The motion carried unanimously.

It was moved and seconded that “Bylaw Notice Enforcement Bylaw 2022 No. 7159.18” pass third reading. The motion carried unanimously.

11. BYLAWS:

- (a) “Storm Sewer Regulation and Fee Bylaw 2022 No. 7351”

It was moved and seconded that “Storm Sewer Regulation and Fee Bylaw 2022 No. 7351” (a bylaw to regulate and collect fees and fines for the storm sewer system service) be adopted. The motion carried unanimously.

- (b) “Sewer Regulation and Charges Amendment Bylaw 2022 No. 2496.35”

It was moved and seconded that “Sewer Regulation and Charge Amendment Bylaw 2022 No. 2496.35” (a bylaw to set the 2023 rates for sanitary sewer) be adopted. The motion carried unanimously.

- (c) “South West Bulk Water Rate Amendment Bylaw 2022 No. 7099.11”

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2022 No. 7099.11” (a bylaw to set the 2023 bulk water rate for South West Extension) be adopted. The motion carried unanimously.

- (d) “Municipal Solid Waste Collection Amendment Bylaw 2022 No. 7128.14”

It was moved and seconded that “Municipal Solid Waste Collection Amendment Bylaw 2022 No. 7128.14” (a bylaw to set the solid waste collection rates for 2023) be adopted. The motion carried unanimously.

(e) “User Fee Subsidies Amendment Bylaw 2022 No. 7095.04”

It was moved and seconded that “User Fee Subsidies Amendment Bylaw 2022 No. 7095.04” (a bylaw to set the 2023 thresholds for User Fee Subsidies) be adopted. The motion carried unanimously.

(f) “Waterworks Rate and Regulation Amendment Bylaw 2022 No. 7004.18”

It was moved and seconded that “Waterworks Rate and Regulation Amendment Bylaw 2022 No. 7004.18” (a bylaw to set the water rates for 2023) be adopted. The motion carried unanimously.

(g) “Zoning Amendment Bylaw 2022 No. 4500.203”

It was moved and seconded that “Zoning Amendment Bylaw 2022 No. 4500.203” (to rezone 5378 Rutherford Road from Single Dwelling Residential [R1] to Low Density Residential [R6]) be adopted. The motion carried unanimously.

12. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

13. ADJOURNMENT:

It was moved and seconded at 8:03 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER