

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2023-FEB-27, AT 5:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. Armstrong
Councillor T. Brown (entered at 5:06 p.m.)
Councillor H. Eastmure
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor P. Manly (joined electronically 8:17 p.m.)
Councillor J. Perrino
Councillor I. Thorpe

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
B. Corsan, Director, Corporate and Business Development
L. Mercer, Director, Finance
S. Gurrie, Director, Legislative Services
K. Robertson, Deputy City Clerk (joined electronically)
N. Sponaugle, Communications Advisor
E. Bassett, Steno, Legislative Services
K. Lundgren, Steno, Legislative Services
A. Chanakos, 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:

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

The motion carried unanimously.

Council moved In Camera at 5:00 p.m.
Council moved out of In Camera at 6:06 p.m.

Council recessed the Open Meeting 6:06 p.m.
Council reconvened the Open Meeting at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 12(g) Development Permit Application No. DP1263 - 591 Bradley Street – Add the following delegations:
 - John Wang
 - Raymond de Beeld
 - Steve Toth
 - Paul Chapman
- (b) Agenda Item 12(i) Rezoning Application No. RA484 – 878 Park Avenue – Add delegation from Paul Chapman.
- (c) Remove Agenda Item 15(b) Councillor Manly Motion re: Addiction and Mental Health Crisis.

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 Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2023-FEB-06 at 3:00 p.m.
- Minutes of the Special Council (Public Hearing) held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Thursday, 2023-FEB-16 at 7:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- The City provided funding to various warming shelters, including Risebridge, 7-10 Club, and the Unitarian Shelter, in response to dropping temperatures on Wednesday, February 22, to extend hours of operations
- Recycle BC is now accepting more materials in the blue cart for curbside pick up, which will reduce the amount of items ending up in the landfill
- Mayor Krog recognized Craig Evans, recipient of a Patron of the City award, for his exceptional service to the community for more than three decades, and highlighted his many contributions and accomplishments, such as:
 - Founding the Nanaimo Community Gardens, Nanaimo Foodshare Society, Nanaimo Recycling Society and the VIU Farmers Market, co-founding the Growing Opportunities Farm Community Co-op and Farmship Growers Cooperative, as well as organized curbside recycling for the city and received the Environmental Achievement Award from the City
- Mr. Evans was unable to attend in person, so a private ceremony was held at City Hall on January 4, 2023, and Mayor Krog attended his residence on February 14th with a framed decree

7. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2022-NOV-23 at 9:00 a.m.
- Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2022-NOV-30 at 9:00 a.m.
- Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2022-DEC-14 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, 2023-JAN-23 at 1:00 p.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, 2023-FEB-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, Nanaimo, BC, on Wednesday, 2023-FEB-15 at 9:00 a.m.

8. CONSENT ITEMS:

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

(a) Governance and Priorities Committee Meeting 2023-FEB-13

1. Mayor's Leaders' Table Reimagined

That Council endorse the Mayor's Leaders' Table terms of reference as attached to the staff report dated 2023-FEB-13.

2. Council Representative to the Municipal Insurance Association of BC

That Council appoint Councillor Thorpe as Council Representative to the Municipal Insurance Association of BC until the end of the Council term to represent the City's interest at any meeting of the Municipal Insurance Association of BC.

That Council appoint Councillors Armstrong and Geselbracht as alternate representatives to the Municipal Insurance Association of BC until the end of the Council term to represent the City's interest at any meeting of the Municipal Insurance Association of BC.

(b) Finance and Audit Committee 2023-FEB-15

1. Terminal Avenue Corridor Upgrades Phase 1

That Council:

1. Authorize the Mayor and Corporate Officer to enter into a Cost Share Agreement with the Ministry of Transportation and Infrastructure for the Terminal Avenue Corridor Upgrades Phase 1.
2. Increase the budget for the Terminal Avenue Corridor Upgrades Phase 1 project by \$1,371,178 in 2023 funded by \$805,054 from the General Asset Management Reserve Fund, \$346,124 from the Water Asset Management Reserve Fund and \$220,000 in private contributions.

2. Consideration of New Permissive Tax Exemptions

That Council:

1. Award a Permissive Tax Exemption for the 2024 taxation year to the Boys and Girls Club Central Vancouver Island, for the portion of the property that it leases at 1985 Boxwood Road.

2. Award a Permissive Tax Exemption Cash Grant for the 2023 taxation year to the Boys and Girls Club Central Vancouver Island, for the portion of the property that it leases at 1985 Boxwood Road, to a maximum of \$5,000, to be funded from the existing \$5,000 cash grants operating budget.

3. Consideration of Other Grant Application – Fairway Gorge Paddling Club

That Council approve an “Other Grant” in the amount of \$5,500 to the Fairway Gorge Paddling Society to host the Nanaimo Dragon Boat Festival in Nanaimo, with funding from the existing ‘Other Grants’ budget.

4. Neighbourhood Association Grants 2023

That Council approve the 2023 Neighbourhood Association Grant funding recommendation of \$8,662.47, in accordance with the Guidelines and Criteria, as follows:

- **Applicant name:** Bradley Street Neighbourhood Association
Recommend: \$762.47
- **Applicant name:** Chase River Neighbourhood Association
Recommend: \$1,000
- **Applicant name:** Departure Bay Neighbourhood Association
Recommend: \$1,000
- **Applicant name:** Harewood Neighbourhood Association
Recommend: \$1,000
- **Applicant name:** Nanaimo Old City Association
Recommend: \$1,000
- **Applicant name:** Newcastle Community Association
Recommend: \$1,000
- **Applicant name:** Protection Island Neighbourhood Association
Recommend: \$1,000
- **Applicant name:** South End Community Association
Recommend: \$1,000
- **Applicant name:** Wellington Action Committee
Recommend: \$900

5. Junior All Native Tournament and Sport Tourism Funds

That Council approve the use of funds of up to \$16,000 from the \$20,000 Sports Tourism 2023 cost centre towards costs associated with JANT 2023, including Opening Ceremony costs and special event licencing costs.

The motion carried unanimously.

9. REPORTS:

(a) Officer's Appointment and Delegation of Authority Bylaw Amendment No. 7353.01

Introduced by Sheila Gurrie, Director, Legislative Services.

Karen Robertson, Deputy City Clerk, provided an overview, and explained that following Council adoption of the “Officer’s Appointment and Delegation of Authority Bylaw No. 7353.01” in October 2022, Staff identified some housekeeping amendments that needed to be addressed, and the bylaw before Council will address the required changes.

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw, 2023 No. 7353.01” (housekeeping amendments) be given first reading. The motion carried unanimously.

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw, 2023 No. 7353.01” be given second reading. The motion carried unanimously.

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw, 2023 No. 7353.01” be given third reading. The motion carried unanimously.

(b) Morningside Drive Local Area Service Parcel Tax Amendment 2023

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Morningside Drive Local Area Service Parcel Tax Amendment Bylaw 2023 No.7288.02” (To adopt amendments to reflect the change in the year of parcel tax commencement) pass first reading. The motion carried unanimously.

It was moved and seconded that “Morningside Drive Local Area Service Parcel Tax Amendment Bylaw 2023 No.7288.02” pass second reading. The motion carried unanimously.

It was moved and seconded that “Morningside Drive Local Area Service Parcel Tax Amendment Bylaw 2023 No. 7288.02” pass third reading. The motion carried unanimously.

(c) Development Variance Permit Application No. DVP449 - 250 Albert Street

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

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP449 - 250 Albert Street.

No one in attendance wished to speak with respect to DVP449 - 250 Albert Street

It was moved and seconded that Council issue Development Variance Permit No. DVP449 at 250 Albert Street to allow the construction of an over height fence with a variance as outlined in the “Proposed Variance” section of the Staff Report dated 2023-FEB-27. The motion carried unanimously.

(d) Development Variance Permit Application No. DVP442 - 5013 Hinrich View

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

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP442 - 5013 Hinrich View.

No one in attendance wished to speak with respect to DVP442 - 5013 Hinrich View.

It was moved and seconded that Council issue Development Variance Permit No. DVP442 at 5013 Hinrich View to allow the construction of an over height retaining wall with a variance as outlined in the "Proposed Variances" section of the Staff Report dated 2023-FEB-27. The motion carried unanimously.

(e) Temporary Use Permit Application No. TUP25 - 2116 Northfield Road

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

Mayor Krog requested that Council hear anyone wishing to speak with respect to TUP25 - 2116 Northfield Road.

No one in attendance wished to speak with respect to TUP25 - 2116 Northfield Road.

It was moved and seconded that Council issue Temporary Use Permit No. TUP25 to allow custom workshop and mini storage uses at 2116 Northfield Road for a period of three years. The motion carried unanimously.

(f) Liquor Licence Application No. LA152 - 601 Bruce Avenue

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

(g) Development Permit Application No. DP1263 - 591 Bradley Street

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

Delegations:

1. John Wang, 591 Bradley Homes Ltd., spoke via Zoom regarding benefits the rental housing development could provide to the City.
2. Raymond de Beeld, 591 Bradley Homes Ltd., provided a PowerPoint presentation and spoke regarding the building design and size of the units.
3. Steve Toth, Toth and Associates Environmental Services, was in attendance to answer any environmental questions regarding the development.
4. Paul Chapman, Executive Director, Nanaimo Area Land Trust, spoke regarding setbacks and the importance of riparian areas to land and wildlife.

It was moved and seconded that Council:

1. approve Development Permit No. DP1263 for a multi-family residential development at 591 Bradley Street with variances as outlined in the “Proposed Variances” section of the Staff report dated 2023-FEB-27; and,
2. direct Staff to secure the conditions outlined in the “Additional Voluntary Contributions” section.

The motion carried.

Opposed: *Councillor Geselbracht*

(h) Development Permit No. DP1286 - 2180 Highland Boulevard

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

It was moved and seconded that Council issue Development Permit No. DP1286 for a commercial development at 2180 Highland Boulevard with a variance as outlined in the “Proposed Variance” section of the Staff Report dated 2023-FEB-27. The motion carried unanimously.

(i) Rezoning Application No. RA484 - 878 Park Avenue

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

Mayor Krog vacated the Shaw Auditorium at 7:45 p.m. declaring a conflict of interest as a family member lives adjacent to the subject property.

Delegation:

1. Paul Chapman, Executive Director, Nanaimo Area Land Trust, provided a PowerPoint presentation and spoke regarding connecting potential parkland to the existing parkland, and restoring surrounding parkland.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.206” (To rezone 878 Park Avenue from Steep Slope Residential [R10] to Low Density Residential [R6] with site-specific density and height provisions) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.206” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2023 No. 4500.206” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2023-FEB-27 should Council support the bylaw at third reading. The motion carried unanimously.

Mayor Krog returned to the Shaw Auditorium at 7:52 p.m.

- (j) Rezoning Application No. RA475 - 444, 450. 500 Comox Road, 55 Mill Street, and 1 Terminal Avenue

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

Councillor Eastmure vacated the Shaw Auditorium at 7:53 p.m. declaring a conflict of interest as she lives near the development.

It was moved and seconded that Council rescind Third Reading of “Land Use Contract Discharge Bylaw 2022 No. 7355” (to discharge an existing Land Use Contract from the property title of 500 Comox Road). The motion carried unanimously.

It was moved and seconded that Council rescind Third Reading of “Zoning Amendment Bylaw 2022 No. 4500.204” (to rezone 444, 450, 500 Comox Road, 55 Mill Street, and 1 Terminal Avenue from Medium Density Residential [R8] and Gateway [DT12] to Comprehensive Development District Zone Seven [CD7] and to amend the CD7 zone with new zoning regulations, to facilitate a mixed-use development and subdivision).

The motion carried unanimously.

Councillor Eastmure returned to the Shaw Auditorium at 8:00 p.m.

10. BYLAWS:

- (a) “Financial Plan Amendment Bylaw 2023 No. 7337.02”

It was moved and seconded that “Financial Plan Amendment Bylaw 2023 No. 7337.02” (To amend the 2022 – 2026 Financial Plan) be adopted. The motion carried unanimously.

11. OTHER BUSINESS:

- (a) Councillor Hemmens Motion re: Emergency Basic Shelter Housing

Introduced by Councillor Hemmens.

Councillor Manly joined electronically at 8:17 p.m.

It was moved and seconded that Council direct Staff to prepare a report to be delivered by June 1, 2023, outlining the costs of designing, constructing and servicing (water and electric) basic shelter housing for up to 100 people on City property. The motion carried. Opposed: Mayor Krog, Councillors Armstrong, Perrino and Thorpe

12. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

13. ADJOURNMENT:

It was moved and seconded at 8:38 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER