

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2023-MAY-15, AT 3:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. Armstrong
Councillor T. Brown (arrived 4:23 p.m.)
Councillor H. Eastmure
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor P. Manly
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
J. Van Horne, Director, Human Resources
Supt. L. Fletcher, Nanaimo Detachment RCMP
S/Sgt T. Casson, Nanaimo RCMP
M. King, Nanaimo RCMP
M. Plenert, Nanaimo RCMP
J. Saliken, Nanaimo RCMP
T. Doyle, Fire Chief
K. Gonzales, Manager, Aquatics
D. Johnston, Manager, Recreation Services
T. Webb, Manager, Communications
S. Gurrie, Director, Legislative Services
N. Sponaugle, Communications Advisor
A. Chanakos, 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*:

Community Charter Section 90(1):

- (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;

- (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;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary states 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 6:10 p.m.

Council recessed the Open Meeting 6:10 p.m.
Council reconvened the Open Meeting at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda item 8(a) RCMP Annual Update – Add PowerPoint presentation titled “Nanaimo RCMP”.

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 Special Council Meeting (Public Hearing) held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Thursday, 2023-MAR-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, 2023-APR-17, at 4:30 p.m.
- Minutes of the Special Council Meeting (Public Hearing) held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2023-APR-20, 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, 2023-MAY-01, at 4:01 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

- The City committed \$10,000 to the Cool It! Climate Education Program, which will continue throughout 2023. Students participated in interactive workshops and games to show their knowledge of climate change, as well as a four-week Cool It! challenge to reduce energy usage at home;
- The public is invited to attend the Public Works open house on Wednesday, 2023-MAY-24. Public Works Staff will host students in grades 4 and 5 during the day to learn about road maintenance, water distribution, solid waste, recycling and more;
- Tours of the Public Works yard will be open to the public from 3-6 p.m. where small groups can go through and learn about how staff respond to weather events and maintain above and below ground assets to ensure the City runs smoothly. Attendance is free but registration is required;
- Staff will also lead a guided tour at the South Fork Dam and South Fork Water Treatment Plant on Thursday, 2023-MAY-25. Attendance is free but registration is required;
- On 2023-MAY-08, Council adopted the 2023-2027 Financial Plan, with a 7.2% property tax increase for 2023. Some highlights include 12 Community Safety Officers, two Community Clean Teams, the Downtown Ambassador Program, seasonal park attendance program, Vandalism Relief Grant, additional downtown parkade cleaning, additional RCMP members and 20 new firefighters;
- 2023 Property Taxes are due 2023-JUL-04. Late payments will incur a 2% penalty, with a further 8% penalty after August;
- Staff are seeking input on the community's preferred communication method. A survey is available on the "Get Involved" website page until 2023-JUN-05;
- Mayor and Council expressed condolences to the family of Ray Brookbank, who passed away on 2023-MAY-01. He was a member of the first City Council of the newly amalgamated City of Nanaimo in 1975, was made Freeman of the City, and served as a Director of the Nanaimo Harbour Commission and the Nanaimo Airport Commission;
- Praise was given for the volunteer efforts of Joel Canfield and Melissa Griswold who are commonly seen around town with their bikes collecting litter. They are often invited to community clean ups and set a positive example for change in the City;
- The Mayor wished Merve Unger well as he leaves Nanaimo to be closer to family. He was a former City Councillor, founded the Nanaimo News Bulletin, and helped secure supportive housing in the City; and,
- Geoffery Markovich has offered to give the City a portrait of Frank Ney that he painted 41 years ago, to be hung in City Hall.

7. RISE AND REPORT:

The Mayor advised that at the In Camera portion of the 2023-MAY-01 meeting, Council appointed Jonathan Behnke, Landscape Architect, as nominated by the British Columbia Society of Landscape Architects, to the Design Advisory Panel for a two-year term, to be effective once appointed with the term to end on 2025-MAY-01, or until a replacement member is identified.

8. PRESENTATIONS:

(a) RCMP Annual Update

Introduced by Superintendent Lisa Fletcher, Officer in Charge, Nanaimo RCMP.

- The RCMP detachment currently has 169 regular members, 76 civilian staff and two public service employees;
- Last year the detachment covered 45,082 files, a slight decrease from the previous year, and based on stats from the first quarter, the RCMP are on track to receive a similar volume of calls this year;
- Enforcement of drug possession has dropped in anticipation of drug decriminalization legislation coming in, with the focus being more on drug trafficking and production;
- The Integrated Municipal Provincial Auto Crime Team (IMPACT) will be coming into the community to focus on catching and prosecuting individuals involved in auto theft;
- The Uniform Gang Enforcement Team (UGET) will be used to focus on disruption, enforcement and prosecution of violent or gang-related activities;
- Partnership with the Community Safety Officers (CSOs) have allowed the RCMP to focus on other areas, as the CSOs handle less serious incidents;
- Last year, Community Policing volunteers logged 971 hours of volunteer work in the community, participating mainly in speed watch patrols in school zones and other trouble areas identified by the RCMP;
- 18 communities have been participating in the Neighbourhood Community Safety Audits, which have been an effective tool for the VIU Criminology program;
- The RCMP have 48 specific patrols with Snuneymuxw First Nation and Snaw-Naw-As, and one new indigenous RCMP member is currently working on an outdoor adventure training program for Qwam Qwum Stuwixwulh school;
- The Youth Unit has five full-time school Liaison Officers, and a Youth Police Camp will be held this summer in partnership with School District 68 for high school students to try out policing;
- Car 54, a partnership between RCMP and Island Health, provides a coordinated response to mental health crises, and is comprised of a Mental Health Liaison Officer and a RCMP Liaison nurse;
- Saturday, 2023-MAY-13, was the first RCMP open house since 2019 and saw a turnout of 800-1000 people;

Council and Staff discussion took place regarding impacts of the Supreme Court appeal, *R. v. Jordan* on policing.

9. CONSENT ITEMS:

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

(a) Governance and Priorities Committee Meeting 2023-MAY-08

1. Draft Integrated Action Plan and Draft Priority Actions

That recommendations 1 to 3 of the Mayor's Leaders' Table Doughnut Economics Working Group be incorporated into the Priority Action Plan and a report be prepared for Council outlining an implementation schedule for the remaining recommendations.

2. Draft Integrated Action Plan and Draft Priority Actions

That Council direct Staff to write an information report on City Plan policy C1.1.8, (including a legal review) outlining whether a development permit area can be established to promote the reduction of greenhouse gas emissions by developing guidelines for machinery, equipment and systems external to buildings and other structures that limit the use of high carbon energy systems, such as natural gas.

3. Draft Integrated Action Plan and Draft Priority Actions

That Council direct Staff to write an information report on City Plan policy C1.1.8, which includes a legal review, be prepared on low carbon energy system bylaws and that the report provide information on the appropriate steps for establishing such a bylaw in Nanaimo and the degree to which the city can regulate fossil fuel-based energy systems.

The motion carried.

Opposed: *Councillors Armstrong, Perrino and Thorpe*

10. DELEGATIONS:

(a) Potential Affordable Housing Project on Bruce Avenue and Eighth Street

Andrea Blakeman, CEO, and Bob Moss, Board Member, Ballenas Housing Society, spoke regarding a potential affordable housing project on Bruce Avenue and Eighth Street. Highlights included:

- Ballenas Housing Society (BHS), formerly Nanaimo Affordable Housing Society, is non profit dedicated to providing rental housing for individuals and families on low to moderate income, and currently has 730 rental units in the City;
- The Salvation Army has decided to subdivide the 5-acre property at 505 Eighth Street, and sell a portion of the lot to BHS to help pay for necessary upgrades to the church;

- The 2021 Preliminary Layout Acceptance (PLA) for the subdivision required roadwork and service upgrades estimated at \$1.7 million. Working with City Staff and Cascara Engineering, a new compromised scope of work has reduced the cost to \$700,000, and a Development Variance Permit (DVP) has been submitted requesting the compromised scope of work be implemented into the existing PLA;
- Purchase of the lot will allow BHS to construct 80-100 apartment style units;
- BHS requested that the City agree to the reduced scope of works and services in the DVP application, contribute to the cost by limiting the total cost to the applicants to \$500,000, expedite approval of the DVP application and a subsequent Rezoning application, and adjust “Development Cost Charge Bylaw 2018 No. 7261” for non-profit rentals to allow for use of conventional financing.

(b) Potential Affordable Housing Project on Bruce Avenue and Eighth Street

Derland Orsted, Divisional Secretary for Business Administration, The Salvation Army Division Headquarters BC, spoke regarding investing in the community by selling part of the Salvation Army Church lot to add affordable housing to the area, and promoting community wellness through programs offered through the church.

Council and Staff discussion took place regarding the number of buildings intended for the site and when the housing project would be complete.

11. REPORTS:

(a) Parks, Recreation and Culture Fees and Charges

Introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

It was moved and seconded that “Fees and Charges Bylaw 2023 No. 7336.04” (a bylaw to incorporate the new Parks, Recreation and Culture classification system and price structure) pass first reading. The motion carried unanimously.

It was moved and seconded that “Fees and Charges Bylaw 2023 No. 7336.04” pass second reading. The motion carried unanimously.

It was moved and seconded that “Fees and Charges Bylaw 2023 No. 7336.04” pass third reading. The motion carried unanimously.

(b) Development Permit No. DP 1290 – 1861 East Wellington Road

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

It was moved and seconded that Council issue Development Permit No. DP1290 for an industrial warehouse development at 1861 East Wellington Road with the variances outlined in the “Proposed Variances” section of the staff report dated 2023-MAY-15 titled “Development Permit No. DP1290 – 1861 East Wellington Road”. The motion carried unanimously.

(c) Development Permit Application No. DP1262 – 921 Terminal Avenue North

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

It was moved and seconded that Council issue Development Permit No. DP1262 for a multiple family development at 921 Terminal Avenue North with variances as outlined in the “Proposed Variances” section of the staff report dated 2023-MAY-15 titled “Development Permit Application No. DP1262 – 921 Terminal Avenue North”. The motion carried unanimously.

(d) Housing Agreement – 2345 Kenworth Road

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

It was moved and seconded that “Housing Agreement Bylaw 2023 No. 7363” (to secure unit affordability) pass first reading. The motion carried unanimously.

It was moved and seconded that “Housing Agreement Bylaw 2023 No. 7363” pass second reading. The motion carried unanimously.

It was moved and seconded that “Housing Agreement Bylaw 2023 No. 7363” pass third reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to register a covenant on the title of 2345 Kenworth Road to reinforce the terms of the housing agreement. The motion carried unanimously.

12. BYLAWS:

(a) “Zoning Amendment Bylaw 2021 No. 4500.190”

It was moved and seconded that “Zoning Amendment Bylaw 2021 No. 4500.190” (To rezone 608 Sandy Court from Single Dwelling Residential [R1] to Three and Four Unit Residential [R5]) be adopted. The motion carried unanimously.

13. OTHER BUSINESS:

(a) Councillor Eastmure Motion re: The City’s Vandalism Relief Grant Fund

It was moved and seconded that Staff prepare a report back to Council with options to expand funding to the Vandalism Relief Grant fund, and that the grant program be amended to allow properties/businesses to apply more than twice per year, and to receive up to \$2500 per incident, up to a maximum of \$5000 per year. The motion carried unanimously.

(b) Councillors Brown and Manly Motion re: Development Corporations

It was moved and seconded that:

1. an information report be prepared that provides background on municipally owned development corporations, their purpose and governance structures; the steps required for establishing a development corporation in British Columbia; and high-level costs and considerations associated with establishing a municipally owned development corporation in Nanaimo; and,
2. that the report on development corporations be brought to a Governance and Priorities Committee Meeting prior to 2024 budget deliberations for discussion, and that topic matter experts be identified and invited to provide information at the meeting.

The motion carried unanimously.

(c) Councillor Thorpe Motion re: Controlled Use of Substances in Public Spaces

Delegation:

Sarah Lovegrove, Nanaimo Community Action Team, spoke regarding the human rights, public health risks and implications related to the establishment of an Anti-Drug User Bylaw. Highlights included:

- In the past 15 months, Nanaimo has lost 113 community members to toxic drug supply, with 78% of those dying alone in their homes due to stigma;
- Decriminalization of drugs will help reduce the barriers and stigma that prevent people from accessing lifesaving services;
- The limited number of shelters, detox and treatment beds, and only one safe consumption site leaves people with few safe places to consume drugs; and,
- Isolated drug use has led to increases of brain injury, chronic wounds, amputations of extremities and infections.

It was moved and seconded that Council direct Staff to prepare a report on options to regulate the use of controlled substances in public spaces including a summary of steps being proposed in other British Columbia Communities following Provincial decriminalization. The motion carried.

Opposed: *Councillors Brown, Eastmure, Geselbracht, and Manly*

It was moved and seconded that Council endorse that Councillor Brown attend the Planning Institute of BC Annual Conference in Sun Peaks from May 30 – June 2, 2023. The motion carried unanimously.

14. QUESTION PERIOD:

No one was in attendance to ask questions.

Council moved In Camera at 9:05 p.m.

Council moved out of In Camera at 9:50 p.m.

15. ADJOURNMENT:

It was moved and seconded at 9:50 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER