

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2023-JUN-19, AT 3:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. Armstrong (arrived 3:26 p.m.)
Councillor H. Eastmure
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor P. Manly (arrived 3:04 p.m.)
Councillor J. Perrino
Councillor I. Thorpe

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
J. Holm, Director, Development Approvals
L. Mercer, Director, Finance
P. Rosen, Director, Engineering
L. Brinkman, Manager, Community Planning
T. Webb, Manager, Communications
M. Lonsdale, Senior Project Manager
C. Wood, Social Planner
S. Gurrie, Director, Legislative Services
N. Sponaugle, Communications Advisor
J. Vanderhoef, 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*:

- (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;

- (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;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (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 6:05 p.m.

Council recessed the Open Meeting 6:05 p.m.

Council reconvened the Open Meeting at 7:01 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 8(a) Patricia Willms, Community Development Manager, Canadian Blood Services Presentation re: Partners for Life Membership – Add PowerPoint presentation titled “Canadian Blood Services”.
- (b) Add - Agenda Item 10(c) Finance and Audit Committee 2023-JUN-14 Consent Items.
- (c) Add - New Agenda Item 12(b) Report Titled "Disaster Mitigation and Adaptation Fund" and reorder subsequent agenda items.
- (d) Agenda Item 12(i) Development Permit Application No. DP1304 - 4157 Verte Place – Add - Delegation from Blair Dueck, Dueck General Contracting.
- (e) Remove Agenda Item 13(a) - "Zoning Amendment Bylaw 2022 No. 4500.204".
- (f) Remove Agenda Item 13(b) - "Land Use Contract Discharge Bylaw 2022 No. 7355".
- (g) Agenda Item 12(c) Nanaimo Operation Centre Phase One Borrowing Bylaw – Correct page two of report to change cost of retrofitting an existing fire training apparatus from \$1,500,000 to \$1,250,000.

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, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2023-MAY-18, at 7:00 p.m.
- Minutes of the Special Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2023-MAY-31, at 7:02 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- Saturday, June 24th (Country Club Mall parking lot) and Saturday, August 26th (Vancouver Island University, parking lot A) from 9:00 a.m. – 2:00 p.m. are the Annual Car Trunk Sales to promote the reuse of garage sale type items;
- Concerts in the Park will be back this summer with ten free concerts, featuring a variety of artists in local parks;
- Following a very dry spring, Nanaimo Fire Rescue wish to remind people of the increased risk of fires and to please extinguish smoking materials in proper receptacles;
- The City is currently seeking applications to the Board of Variance until 3:30 p.m. on Friday, June 30th; and,
- Canada Day festivities will be held at Maffeo Sutton Park from 11:00 a.m. – 3:30 p.m. on Saturday, July 1st. He encouraged everyone to come out and enjoy the event, and to take advantage of the free bus service or free bike shuttle.

Councillor Perrino spoke regarding the opening of a new Intensive Care Unit (ICU) at the Nanaimo Regional General Hospital. She summarized some of the work that was done to accomplish the task and acknowledged the involvement of Mayor Krog and Councillor Thorpe during the process. Highlights included:

- Current ICU was more than 50 years old;
- Report found that ICU was one of the worst in the Country, but also found the level of care to be some of the best;
- Sent letters to the government asking the Minister to recognize the issue and talk about the ICU;

- Construction started on the new ICU in 2021;
- Community raised \$5M in fundraising for the ICU; and,
- Still need a long-term care facility, catheterization laboratory, and a new patient care tower.

7. PRESENTATIONS:

- (a) Patricia Willms, Community Development Manager, Canadian Blood Services re: Partners for Life Membership

Patricia Willms, Community Development Manager, Canadian Blood Services, and the Partners for Life Membership provided a presentation. Highlights included:

- Founded in 1998 with the goal of restoring faith in the Canadian blood supply;
- Ensures Canadian hospital patients have the blood they need;
- Canadian Blood Services is about more than just blood. Also involves plasma, stem cells, organs and tissues;
- 52% of Canadians need, or know somebody who has needed blood;
- Shelf life of donated blood is 42 days and every 60 seconds someone in Canada needs blood;
- The need for donors rises in the summer and long weekends, all blood types are needed but o-negative blood type donors can help any patient;
- Only 4% of eligible Canadians donate blood;
- Noted locations and dates to donate blood in Nanaimo;
- Thousands of organizations, associations, companies and schools across Canada are helping through the Partners for Life program to raise awareness, donate blood, volunteer, or support stem cell registries;
- Councillor Thorpe has been a strong supporter/advocate for Canadian Blood Services and recently reached the milestone of 150 donations (and has since continued to 156);

Patricia Willms, Community Development Manager, Canadian Blood Services, presented Councillor Thorpe with an award in recognition of his milestone of 150 blood donations.

8. CONSENT ITEMS:

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

- (a) Special Advisory Committee on Accessibility and Inclusiveness 2023-JUN-07

- (1) Correspondence re: Speech to Text

That Council direct Staff to prepare a report on the feasibility of audio enhancement and closed captioning options to assist hearing impaired individuals at City facilities.

(b) Governance and Priorities Committee 2023-JUN-12

(1) Neighbourhood Association Engagement Event Summary and Priority Action Selection

That Council replace the proposed priority actions from the Newcastle Neighbourhood Association as outlined in Attachment A of the report dated 2023-JUN-12, titled “Neighbourhood Association Engagement Event Summary and Priority Action Selection” with the following:

1. Work with the Ministry of Transportation and Infrastructure to improve traffic safety on Stewart Avenue by undertaking a traffic calming study to lower speeds; fixing potholes; and adding push buttons to existing crosswalks at Dawes Street, Rosehill Street and Townsite Road.
2. Improve personal and neighbourhood safety by establishing a city-resident Newcastle Recovery Action Committee; eliminating sheltering opportunities along the Millstone River; expanding Bike Patrol and Community Safety Officers to Newcastle; increasing patrols on vacant residences and businesses; implementing a Vacant Property bylaw; managing visible signs of decay like graffiti, overgrown bushes; providing economic development business recruitment support to replace business closures and strengthen business retention; and moving forward with a master plan for 250 Terminal.
3. Promote the Newcastle neighbourhood by creating street banners specifically for Newcastle; installing heritage interpretation plaques and a welcome sign; and updating heritage walk brochures.

That Council endorse the priority actions identified by the neighbourhood associations to be added as an attachment to the draft Integrated Action Plan as outlined in Attachment A of the 2023-JUN-12 Staff report titled “Neighbourhood Association Engagement Event Summary and Priority Action Selection”.

(2) Housing Needs Report

That Council receive the City of Nanaimo’s 2023 Housing Needs Report in accordance with Part 14 Division 22 of the *Local Government Act*.

(3) Secondary Suite Regulations and Infill Housing in Existing Neighbourhoods

That Council direct Staff to proceed with community consultation for the proposed regulations for secondary suites and infill housing in existing neighbourhoods, as outlined in the report dated 2023-JUN-12, titled “Secondary Suite Regulations and Infill Housing in Existing Neighbourhoods”.

(4) Family-Friendly Housing Regulation and Policy

That Council direct Staff to proceed with community consultation for the proposed amendments to the “City of Nanaimo Zoning Bylaw 2011 No. 4500”,

and new parking variance criteria to create more family-friendly housing in Nanaimo as outlined in the 2023-JUN-12 Staff report titled “Family-Friendly Housing Regulation and Policy.”

(5) Adaptable Housing Regulation and Policy

That Council direct Staff to proceed with community consultation for the proposed amendments to the “City Nanaimo Zoning Bylaw 2011 No. 4500” to create more adaptable housing in Nanaimo, as outlined in the 2023-JUN-12 Staff report titled “Adaptable Housing Regulation and Policy.”

(c) Finance and Audit Committee 2023-JUN-14

(1) 20 Year Investment Plan and Asset Management Plan Update

That Council Support the recommendations included in the 20 Year Investment Plan and Asset Management Plan Update and direct staff to include in the 2024-2028 Financial Plan:

1. An annual one per cent increase to property taxes for contribution to the General Asset Management Reserve Fund for the next five years (2024- 2028) or until the next update and recommendations have been presented to Council; and,
2. Maintaining the annual two per cent increase to water user fees for contribution to the Water Asset Management Reserve Fund until the next update and recommendations have been presented to Council.

(2) Beban Park Pool, Steam Room Repairs

That Council approve adding a project for \$60,000 to the 2023-2027 Financial Plan to complete the necessary repairs at the Beban Pool to be funded by the Facility Development Reserve Fund.

(3) Terminal Avenue Corridor Upgrades Phase 1

That Council increase the budget for the Terminal Avenue Corridor Upgrades Phase 1 project by \$1,556,158 in 2023 funded by \$150,652 from General Capital Reserve, \$1,343,243 from the General Asset Management Reserve Fund and \$62,263 from the Water Asset Management Reserve Fund.

The motion carried unanimously.

9. DELEGATIONS:

- (a) Chris Hyland, President and CEO, BC 1 Call, and Tony Roberts, Director of Membership Recruitment and Retention, BC 1 Call, re: City of Nanaimo becoming a member of BC 1 Call
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Chris Hyland, President and CEO, BC 1 Call, and Tony Roberts, Director of Membership Recruitment and Retention, BC 1 Call, provided a presentation regarding the City of Nanaimo becoming a member of BC 1 Call. Highlights included:

- City of Nanaimo is not currently a member of BC 1 Call;
- 3,400 tickets were placed to BC 1 Call by the City of Nanaimo;
- BC 1 Call is the conduit between people working with underground assets and the owners of those assets;
- Currently requestors will not receive information regarding buried City owned assets when they call BC 1 Call;
- Costs would be approximately \$7,000 per year, negated by cost savings related to Staff time spent replying to requests, and calls to the fire department; and,
- Requested that the City consider joining BC 1 Call to enhance safety within the City of Nanaimo.

10. REPORTS:

(a) Annual Municipal Report

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council approve the 2022 Annual Municipal Report. The motion carried unanimously.

(b) Disaster Mitigation and Adaptation Fund

Introduced by Laura Mercer, Director, Finance.

The City has an opportunity to apply for a grant through the Disaster Mitigation and Adaptation Fund. Staff have identified the South Forks Dam Seismic Upgrade Project as a suitable project for this grant stream and work is expected to start in 2030.

(c) Nanaimo Operation Centre Phase One Borrowing Bylaw

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Nanaimo Operations Centre Phase One Borrowing Bylaw 2023 No. 7362” (To authorize the borrowing of up to \$48,500,000 for the construction of the Nanaimo Operations Centre and the required supporting facilities), pass first reading. The motion carried unanimously.

It was moved and seconded that “Nanaimo Operations Centre Phase One Borrowing Bylaw 2023 No. 7362”, pass second reading. The motion carried unanimously.

It was moved and seconded that “Nanaimo Operations Centre Phase One Borrowing Bylaw 2023 No. 7362”, pass third reading. The motion carried unanimously.

(d) Alternative Approval Process - Nanaimo Operations Centre Phase One Borrowing Bylaw 2023 No. 7362

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council:

1. determine the total number of electors of the area to which the approval process applies (the whole of the City of Nanaimo) to be 77,990;
2. establish a deadline of 4:30 p.m. on Friday, 2023-NOV-03 for receiving elector responses for the Alternative Approval Process in relation to "Nanaimo Operations Centre Phase One Borrowing Bylaw 2023 No. 7362"; and,
3. approve the Elector Response Form as attached to the Staff report dated 2023-JUN-19.

The motion carried unanimously.

(e) Parks and Recreation Fees and Charges Amendment

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that "Fees and Charges Amendment Bylaw 2023 No. 7336.05" (a bylaw to include the facility admission rates and other associated fees), pass first reading. The motion carried unanimously.

It was moved and seconded that "Fees and Charges Amendment Bylaw 2023 No. 7336.05", pass second reading. The motion carried unanimously.

It was moved and seconded that "Fees and Charges Amendment Bylaw 2023 No. 7336.05", pass third reading. The motion carried unanimously.

Councillor Manly vacated the Shaw Auditorium at 8:01 p.m. declaring a conflict of interest as he is involved with projects benefiting from the Strengthening Communities' Services Program through his work with the Unitarian Shelter.

(f) Strengthening Communities' Services Program Summary

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

Christy Wood, Social Planner, provided an update and listed the services that have benefited from round one and two of the Strengthening Communities' Services Program.

Councillor Manly returned to the Shaw Auditorium at 8:07 p.m.

(g) Basic Shelter - 100 Units on City Property - Structure Types

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

Presentation:

1. Christy Wood, Social Planner, provided a presentation regarding various structure types available for housing. Highlights included:
 - The costs noted in the presentation are strictly for the structures and do not include costs related to site preparation, and some structures do not include washroom facilities which would result in additional costs;
 - Tent shelters, otherwise known as picnic shelters, can hold approximately 6-8 small tents, range widely in price depending on the size, and have been used in four other municipalities temporarily during COVID-19;
 - Sprung structures come in a variety of sizes and can be insulated and designed to be building code compliant. They can be temporary or remain long term. Structures can be rented up to five years or purchased outright. These are being used across the country including the Los Angeles, San Francisco and in Toronto as a respite centres;
 - Cabin villages are a new concept containing 1-2 beds, a small table and small storage space. Unit costs depend on the type, size and whether they are building code compliant. Examples being used in the City of Port Alberni cost \$13,850 and are building code compliant. The City of Duncan estimated the cost of site preparation (water and sewer to the site) for their 13 cabins to be \$180,000 in 2021;
 - Workforce housing refers to modular units that can accommodate a range of individual units based on their layout. They typically provide shared facilities such as washrooms near the centre, are building code compliant, and examples are currently in use in Nanaimo;
 - The estimated cost for a Workforce Housing modular unit with 10 units is approximately \$475,000;
 - Through round one of the Strengthening Communities Services Program and in partnership with Snuneymuxw First Nation the City was able to fund the purchase of three fourplex modular units. The cost of each modular was \$280,000; and,
 - Multi-level modulars provide cost savings and a higher level of functionality, durability, and energy efficiencies. They can provide both temporary and permanent housing solutions. The average cost per unit is \$300,000.

(h) Park Avenue Concept Plan - 933 Park Avenue (Draft - June 2023) - Land Use Options

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

Lisa Brinkman, Manager, Community Planning, spoke regarding the Draft Park Avenue Concept Plan and noted there are six parts/goals to the plan and requested Council's support to proceed with phase two public review and input.

It was moved and seconded that Council receive the Draft Park Avenue Concept Plan - 933 Park Avenue (Draft - June 2023) with the amendment to withdraw option one and direct Staff to proceed with a Phase Two public review and input process. The motion was defeated.

Opposed: *Mayor Krog, Councillors Armstrong, Thorpe, and Perrino*

It was moved and seconded that Council receive the Draft Park Avenue Concept Plan - 933 Park Avenue (Draft - June 2023) and direct Staff to proceed with a Phase Two public review and input process.

It was moved and seconded that the motion be amended to add a fifth option to keep the property intact without any affordable housing on it. The motion carried.

Opposed: *Councillor Armstrong*

The vote was taken on the main motion, as amended, as follows:

That Council receive the Draft Park Avenue Concept Plan - 933 Park Avenue (Draft - June 2023) and direct Staff to add a fifth option to keep the property intact without any affordable housing on it and proceed with a Phase Two public review and input process. The motion, as amended, carried.

Opposed: *Councillor Armstrong*

(i) Development Permit Application No. DP1304 - 4157 Verte Place

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Blair Dueck, Dueck General Contracting, was available to answer questions.

It was moved and seconded that Council issue Development Permit No. DP1304 for an amendment to DP1161 to allow an over-height retaining wall at 4157 Verte Place with the variances as outlined in the "Proposed Variances" section of the Staff Report dated 2023-JUN-19. The motion carried unanimously.

(j) Development Permit Application No. DP1302 - 400 Newcastle Avenue

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Permit No. DP1302 for the replacement of an existing boatshed at 400 Newcastle Avenue with a variance as outlined in the "Proposed Variance" section of the Staff Report dated 2023-JUN-19. The motion carried unanimously.

(k) Rezoning Application No. RA481 - 1224 Manzanita Place

Introduced by Jeremy Holm, Director, Development Approvals.

Councillor Armstrong vacated the Shaw Auditorium at 8:45 p.m. declaring a conflict of interest as she is a family friend of the owners of Hazelwood Construction.

Delegation:

1. Toby Seward, Seward Developments Inc., provided a presentation. Highlights included:
 - Representing Hazelwood Construction;
 - Project has been underway for 15 years with multiple houses and townhouses constructed;
 - Proposing to add condominiums to the site;
 - Proposed condominium would provide 16 units, within four stories, with two underground levels of parking;
 - Site is a steep slope making the visual component smaller;
 - Half of the site is environmentally protected; and,
 - Feedback received from the neighbourhood engagement session was helpful and has been worked into the design.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.210” (to rezone 1224 Manzanita Place from Low Density Residential [R6] to Medium Density Residential [R8] with site-specific density), pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.210”, 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. 4500.210” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2023-JUN-19 should Council support the bylaw at third reading. The motion carried unanimously.

Councillor Armstrong returned to the Shaw Auditorium at 8:50 p.m.

(l) Rezoning Application No. RA489 - 355 Nicol Street

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.209” (to rezone 355 Nicol Street with site-specific density and height provisions within the Community Service One [CS1] zone), pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.209”, 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. 4500.209” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2023-JUN-19 should Council support the bylaw at third reading. The motion carried unanimously.

(m) Proposed Road Closure and Approval in Principle to Lease - Unnamed Laneway Between 334 and 364 Haliburton Street

Introduced by Bill Corsan, Director, Corporate and Business Development.

It was moved and seconded that Council:

1. authorize the road closure of an unnamed laneway between 334 and 364 Haliburton Street;
2. Direct Staff to proceed with public notice for the closure of the unnamed laneway between 334 and 364 Haliburton Street;
3. Provide approval in principle to enter into a 60-year lease for the resulting titled lot between 334 and 364 Haliburton Street to BC Housing;
4. Direct Staff to publish a Notice of Disposition for the lease upon adoption of Bylaw 2023 No. 7364; and,
5. Direct Staff to return to a future Council meeting following the publication of a Notice of Disposition for formal approval of the Lease Agreement.

The motion carried unanimously.

It was moved and seconded that “Highway Closure and Dedication Removal Bylaw 2023 No. 7364” (a bylaw to provide for highway closure and dedication removal of an unnamed laneway between 334 and 364 Haliburton Street), pass first reading. The motion carried unanimously.

It was moved and seconded that “Highway Closure and Dedication Removal Bylaw 2023 No. 7364”, pass second reading. The motion carried unanimously.

- (n) 507 Milton Street - Amendment of Project Under the "Revitalization Tax Exemption Bylaw 2018 No. 7261"

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 28-unit mixed-use development at 507 Milton Street, consisting of 25 residential units and 3 commercial rental units. The motion carried.

Opposed: *Councillors Eastmure, Geselbracht, Manly*

- (o) 77 Chapel Street - Acceptance of Project Under "Revitalization Tax Exemption Bylaw 2018 No. 7261"

Introduced by Bill Corsan, Director, Corporate and Business Development.

It was moved and seconded that Council approve the Revitalization Tax Exemption Agreement for a proposed 154-unit residential development at 77 Chapel Street. The motion carried.

Opposed: *Councillor Geselbracht*

11. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

12. ADJOURNMENT:

It was moved and seconded at 9:15 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

C O R P O R A T E O F F I C E R