

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2023-JUL-10, AT 4:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. Armstrong
Councillor T. Brown
Councillor H. Eastmure
Councillor B. Geselbracht (joined electronically)
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
G. Whiting, Deputy Fire Chief (joined electronically)
L. Bhopalsingh, Director, Community Development
B. Corsan, Director, Corporate and Business Development
J. Holm, Director, Development Approvals
W. Fulla, Deputy Director, Finance
L. Brinkman, Manager, Community Planning
T. Webb, Manager, Communications
E. Dixon, Planning Assistant
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 4:00 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;
- (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;
- (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,

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 4:00 p.m.

Council moved out of In Camera at 6:16 p.m.

Council recessed the Open Meeting 6:16 p.m.

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

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 11 Delegations – add delegation from Bern Muller, Salvation Army New Hope Centre re: the Breakfast Meal Program.
- (b) Agenda Item 11 Delegations – add delegation from Ben Glassen re: East Wellington Farm Park.
- (c) Agenda Item 12(b) Development Permit Application No. DP1293 - 582 Bradley Street – add delegation from Raymond de Beeld.
- (d) Agenda Item 12(e) Liquor Licence Application No. LA154 - Unit 2, 5771 Turner Road – add delegation from Dave Dinh.
- (e) Add - New Agenda Heading 13. "CORRESPONDENCE:" and reorder subsequent agenda headings.
- (f) Agenda Item 13 Correspondence – add correspondence dated 2023-JUL-07 from Tom McCarthy, Deputy Minister re: Rezoning Application No. RA475.
- (g) Agenda Item 14 Bylaws – add the following bylaws:
 - "Zoning Amendment Bylaw 2022 No. 4500.204".
 - "Land Use Contract Discharge Bylaw 2022 No. 7355"

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-JUN-05, at 4:30 p.m.
- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2023-JUN-14 at 11:41 a.m.
- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2023-JUN-15, 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-JUN-19 at 3:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- Council has given the green light on the Terminal Avenue Upgrades Project which will begin in early July and continue until late Spring 2024;
- On National Indigenous People's Day (2023-JUN-21) a new welcome pole, created by Snuneymuxw Master Carver Noel Brown, was unveiled at Fire Station 1;
- Reminded homeowners to be fire smart and protect their property against risks of fire and encouraged wildfire prevention;
- Mobi-mats were installed on 2023-JUN-23 at three additional local parks in Nanaimo to provide access for those with wheels to more easily access beach areas;
- During the 2023-JUN-19 Regular Council Meeting, Council passed the first three readings of "Nanaimo Operations Centre Phase One Borrowing Bylaw 2023 No. 7362" which will be forwarded to the Ministry of Municipal Affairs for review. If approved Council will begin an Alternative Approval Process 2023-SEP-27 which will run until 2023-NOV-03;
- An Expression of Interest has been published for 6 Commercial Street (Old Jean Burns site) and Council is keen to see this high-profile site brought back into use;
- A new mountain bike skills park opened 2023-JUN-30 in Harewood Centennial Park;
- Invited groups to apply for funds to prevent youth gun and gang violence through the Nanaimo Youth Resilience Strategy Grant;

- The City of Nanaimo has entered a level four drought and is therefore moving to stage three watering restrictions; and,
- Acknowledged that this would be the last Regular Council Meeting for Jake Rudolph as the Chief Administrative Officer for the City of Nanaimo, and acknowledged his exceptional service and thanked him for his guidance and professionalism.

Jake Rudolph, Chief Administrative Officer, spoke. Highlights included the following:

- Acknowledge and thanked his wife Mona Rudolph, for her consistent support over the past 42 years of their marriage;
- Began working in the City of Nanaimo on an eight-month assignment and stayed for 60 months;
- He has worked with three different Councils and went through two municipal elections;
- Noted some of the events/accomplishments that occurred throughout the past 60 months:
 - Worked through COVID-19
 - Record levels of development
 - Organizational changes
 - Addressed governance issues
 - City Plan was completed
 - Built a firehall and Metral Drive upgrades
 - Embarked on a significant capital project in the Midtown Water Supply Project
 - Served as the President of Canadian Association of Municipal Administrators (CAMA) during COVID-19
- Acknowledged that Council: established their strategic framework; multiple policies and procedures; plenty of fiscal planning; have begun building of the City Plan and have started working on the implementation strategy; established and are implementing the Systems Planning Organization, the Prosperity Corporation, the Tourism Society, and the Mayor's Leaders' Table;
- Council has laid the groundwork for multiple major capital projects which are currently unfunded; and,
- The City appears to be in a good position currently and the timing is right for him to step away and prioritize his family.

7. COMMITTEE MINUTES:

The following Committee Minutes were received:

- 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-JUN-12, 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-JUN-26, at 1:00 p.m.

8. CONSENT ITEMS:

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

(a) Governance and Priorities Committee Meeting 2023-JUN-26

1. Ethics Commissioner Appointment Options

That Council:

1. Retain the status quo of utilizing an ad-hoc Commissioner to investigate any informal and formal complaints; and
2. Direct Staff to establish an Ethics Commissioner line item within the 2024 – 2028 Financial Plan for \$107,000 to cover the costs associated with complaint and investigation processing and four one-hour digital seminars on governance matters with Council.

2. Revised Integrated Action Plan

That Council endorse the revised Integrated Action Plan as presented in Attachment A of the report titled “Revised Integrated Action Plan”, dated 2023-JUN-26, that Staff integrate the language around the Doughnut Economic Framework in Actions 173 through 175, and recommend that Council use the information to guide and inform annual budget considerations.

The motion carried unanimously.

9. DELEGATIONS:

(a) Gordon Fuller, Nanaimo 7-10 Club Society, spoke regarding the Joint Salvation Army/ 7-10 Club Society Breakfast Distribution stating that they have been distributing hot meals through a partnership with Salvation Army and the City. They are able to distribute more food when there is a facility to operate from and through partnerships.

(b) Bern Muller, Salvation Army New Hope Centre, spoke regarding the Breakfast Meal Program stating the Salvation Army New Hope Centre’s strong support to continue a partnership to provide food for those in need. The Salvation Army is currently spending approximately \$10,000 a month to provide meals from a food truck which is then distributed by the 7-10 Club Society.

It was moved and seconded that:

- the existing Breakfast Program Contract be extended for 4 months with funding from the daytime resource carry forward;
- correspondence be sent to the Minister of Social Development and Poverty Reduction and the Minister of Housing requesting ongoing funding support for a permanent meal program to assist Nanaimo's unhoused population; and,

- a Staff report on funding options for establishing a permanent meal program be provided for Council's consideration as part of the 2024 budget discussions.

The motion carried unanimously.

- (c) Ben Glassen spoke regarding the East Wellington Farm Park stating he is a leading expert in regenerative agriculture within Nanaimo and requesting the East Wellington City Park be called a farm as it is part of the agricultural land reserve.

10. REPORTS:

- (a) Development Variance Permit Application No. DVP452 - 1150 Terminal Avenue N

Introduced by Jeremy Holm, Director, Development Approvals.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP452.

1. Rick Dhillon was in attendance via Zoom to answer questions.

It was moved and seconded that Council issue Development Variance Permit No. DVP452 at 1150 Terminal Avenue North to allow the installation of two LED signs with a variance as outlined in the "Proposed Variance" section of the Staff Report dated 2023-JUL-10. The motion carried.

Opposed: *Councillors Brown, Geselbracht and Manly*

- (b) Development Permit Application No. DP1293 - 582 Bradley Street

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Raymond de Beeld was in attendance to answer questions.

It was moved and seconded that Council issue Development Permit No. DP1293 for a five-unit multi-family development at 582 Bradley Street with variances as outlined in the "Proposed Variances" section of the Staff Report dated 2023-JUL-10 titled "Development Permit Application No. DP1293 - 582 Bradley Street". The motion carried unanimously.

- (c) Development Permit Application No. DP1284 - 380 and 385 Watfield Avenue

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Permit No. DP1284 for a multi-family residential development at 380 and 385 Watfield Avenue with variances as outlined in the "Proposed Variances" section of the Staff Report dated 2023-JUL-10 titled "Development Permit Application No. DP1284 - 380 and 385 Watfield Avenue". The motion carried unanimously.

(d) Development Permit Application No. DP1235 - 3401 Barrington Road

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Permit No. DP1235 for a 26-unit multi-family development at 3401 Barrington Road with variances as outlined in the "Proposed Variances" section of the Staff Report dated 2023-JUL-10. The motion carried unanimously.

Mayor Krog vacated the Shaw Auditorium at 8:18 p.m. declaring a conflict of interest as he is a family friend of Dave Dinh, property owner of Unit 2, 5771 Turner Road.

(e) Liquor Licence Application No. LA154 - Unit 2, 5771 Turner Road

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Dave Dinh noted that the liquor licence would not impact minors attending the facility.

It was moved and seconded that Council receive the report and recommend that the Liquor and Cannabis Regulation Branch (LCRB) approve the application for a liquor-primary licence at Unit 2, 5771 Turner Road (Posh Nails Spa). The motion carried unanimously.

Mayor Krog returned to the Shaw Auditorium at 8:22 p.m.

(f) Provincial Community Safety and Wellbeing Grant Funds

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

It was moved and seconded that Council direct staff to proceed with utilizing the Provincial Community Safety and Wellbeing grant funds to conduct an evaluation of the Downtown Nanaimo Community Safety Action Plan, and the feasibility of enhancing and expanding the plan to be a City-wide initiative. The motion carried unanimously.

11. CORRESPONDANCE:

- (a) Correspondence dated 2023-JUL-07 from Tom McCarthy, Deputy Minister re: Rezoning Application No. RA475

12. BYLAWS:

- (a) "Fees and Charges Amendment Bylaw 2023 No.7336.05"

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) be adopted. The motion carried unanimously.

Councillor Eastmure vacated the Shaw Auditorium at 8:25 p.m. declaring a conflict of interest as she lives near 1 Terminal Avenue.

(b) "Zoning Amendment Bylaw 2022 No. 4500.204"

It was moved and seconded that Council defer consideration 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) until the Regular Council Meeting scheduled for 2023-SEP-25. The motion carried unanimously.

(c) "Land Use Contract Discharge Bylaw 2022 No. 7355"

It was moved and seconded that Council defer consideration of "Land Use Contract Discharge Bylaw 2022 No. 7355" (to discharge an existing Land Use Contract from the property title of 500 Comox Road) until the Regular Council Meeting scheduled for 2023-SEP-25. The motion carried unanimously.

Councillor Eastmure returned to the Shaw Auditorium at 8:27 p.m.

13. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

14. ADJOURNMENT:

It was moved and seconded at 8:28 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER