

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2023-SEP-25, AT 4:30 P.M.

Present: Councillor S. Armstrong, Acting Chair
Councillor T. Brown (joined electronically at 7:09 p.m.)
Councillor H. Eastmure (joined electronically)
Councillor B. Geselbracht
Councillor E. Hemmens (joined electronically)
Councillor P. Manly (joined electronically)
Councillor J. Perrino
Councillor I. Thorpe

Absent: Mayor L. Krog

Staff: R. Harding, Acting CAO/General Manager, Parks, Recreation and Culture (joined electronically)
D. Lindsay, General Manager, Development Services/Deputy Chief Administrative Officer (joined electronically)
B. Sims, General Manager, Engineering and Public Works
B. Corsan, Director, Corporate and Business Development
A. Groot, Director, Facilities and Parks Operations (joined electronically)
J. Holm, Director, Development Approvals
L. Mercer, Director, Finance
D. Stewart, Environmental Planner
S. Gurrie, Director, Legislative Services
N. Sponaugle, Communications Advisor
K. Lundgren, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:30 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; and,

- (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.

The motion carried unanimously.

Council moved In Camera at 4:30 p.m.
Council moved out of In Camera at 5:05 p.m.

Council recessed the Open Meeting 5:05 p.m.
Council reconvened the Open Meeting at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Consent Item 10(b)(1) Recommendation from the Special Mayor's Leaders' Table Meeting 2023-SEP-14 – Adjust the wording of the motion to read as follows:

“That Council direct Staff to prepare an information package for the Mayor’s Leaders’ Table that outlines steps the City has taken to provide a coordinated approach to health and housing, and identifies opportunities for further advocacy and collaboration with the Province of BC and Government of Canada.”

- (b) Agenda Item 12(a) Property Tax Exemption Bylaw for 2024 Property Taxes - Apply the following corrections to Schedule D:

- Folio No. 86083.001 - correct address to “321 Selby Street”
- Folio No. 86055.000 – correct organization to “Canadian Mental Health Association – Mid-Island and Nanaimo Youth Services Association”

- (c) Agenda Item 12(i) Development Permit Application No. DP1308 - 855 Douglas Avenue – add delegation from Paul Chapman

- (d) Agenda Item 12(j) Building Bylaw Amendments - Implementation of BC Zero Carbon Step Code and Update to BC Energy Step Code – add the following delegations:

1. Patrick Littlejohn
2. Richard Bice

- (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"

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 held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2023-JUL-20 at 1:00 p.m.
- Minutes of the Special Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2023-AUG-16 at 3:03 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, on 2023-AUG-28, at 5:00 p.m.
- Minutes of the Special Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2023-AUG-29 at 1:05 p.m.
- Minutes of the Special Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, Nanaimo, BC, on Thursday, 2023-SEP-07 at 8:30 a.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, on 2023-SEP-11 at 4:30 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Councillor Hemmens provided an update on the Union of BC Municipalities (UBCM) convention.

- Council met with Premier Eby, and Ministers Dix, Farnworth and Whiteside as well as Island Health leadership
- Discussions included: the implementation of the 2019 Memorandum of Understanding with BC Housing, Nanaimo Regional General Hospital (NRGH) expansion plans, and the need for shelter space and public safety
- Council met with representatives of the Ministry of Indigenous Relations and Reconciliation and the Ministry of Transportation
- The City had one endorsed resolution related to resourcing emergency warming shelters
- Anticipate a resolution regarding some of the operational challenges at Nanaimo's overdose prevention site at 250 Albert Street
- With Ministry of Public Safety, the City will receive regular reporting on the repeat violent offending intervention initiative
- An advocacy page will be added to the City of Nanaimo's website where residents can view all the requests made by the City to the Provincial Government over the past five years

Councillor Armstrong advised of the following:

- Nanaimo City Council appointed Dale Lindsay as the new Chief Administrative Officer starting on October 2nd.
- The Parks, Recreation and Culture Department announced a call for the 2024 Street Banner Design Program. Banners will be on display in Spring 2024 and the call is open to all artist and designers living in British Columbia. The year 2024 marks 150 years since the City's incorporation, and submissions are asked to include a '150' design. The deadline to submit applications is 4:00 p.m. on Monday, October 23rd
- The City of Nanaimo announced a call for applications for Youth Poet Laureate to be appointed for two terms, and will serve as a literary ambassador for the City. The Youth Poet Laureate will advocate for poetry, language and the arts. Guidelines and eligibility can be viewed on the City's website and the deadline to submit applications is 11:59 p.m. on October. 30th

Councillor Brown joined the meeting electronically at 7:09 p.m.

- The City will commence an Alternative Approval Process for the Nanaimo Operations Centre. The "Nanaimo Operations Centre Phase One Borrowing Bylaw 2023 No. 7362" received three readings on 2023-JUN-19. Process begins September 27th and ends November 3rd
- The Last Sunday of September is Canadian Police and Peace Officers' National Memorial Day, which gives Canadians an opportunity to honour, express appreciation and remember fallen police and peace officers. On behalf of Council, condolences are extended to the families of those who have fallen in the line of service
- The City is recognizing National Day for Truth and Reconciliation on September 30th with a free public event focused on community well-being. The event will run from 10:00 a.m. to 4:00 p.m. at three Nanaimo locations: Oliver Woods Community Centre, Nanaimo Ice Centre and Nanaimo Aquatic Centre

8. PRESENTATIONS:

(a) Diana Krall Plaza

Dave Witty provided a PowerPoint presentation regarding a potential re-envision for Diana Krall Plaza (the Plaza). Highlights included:

- First impressions of the Plaza is an empty isolated space, and downtown is currently lacking a centre place to bring people together
- Workplan was put together in 2019; however, was paused due to COVID-19
- IDEAS forum was held March 2020 and key ideas were identified
- 90% of the business survey respondents consider the Plaza to be an important visitor destination, and the survey identified key advantages and disadvantages to it's downtown location
- Structural engineering letter was obtained indicating what can be built in the Plaza
- A charrette was held over two days and preferred actions and design themes where identified
- The Plaza links with both Commercial Street and Wharf Street

- The Plaza has struggled in the past due to it lacking the ‘bones’ that make plazas thrive
- The Plaza should be aspirational and should not be fixed with an end target, but rather a plan that guides for future consideration
- Opportunity to celebrate Diana Krall
- Presented site designs for the Plaza in three phases:
 - Phase 1 includes Commercial Street and Wharf Street and modifying what’s already there
 - Phase 2 is the centre space and includes amenities such as food trucks, vibrance, a café, and entertainment flexible space
 - Phase 3 includes Coastal Community Credit Union and Wharf Street and opportunity to have a café, retail space and elevated walkway connecting the waterfront
- Provided an overview of development strategies including careful programming to use associated investments, avoiding big expenses at the start, and if investments are warranted, there could be increased expenditure over 5-6 years

9. CONSENT ITEMS:

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

(a) Finance and Audit Committee Meeting 2023-SEP-13

1. Nanaimo Youth Resilience Grants 2023

That Council approve a total of \$1,611,149 of Public Safety Canada’s Building Safer Communities Funds to be distributed between 2023-OCT-01 and 2026-MAR-31 as follows:

- a. Big Brothers Big Sisters - \$80,000
Project: Mindful Mentoring – Nurturing Resilience in Youth
- b. BGC Central Vancouver Island - \$177,386
Project: Nanaimo South Youth Hub
- c. Central Vancouver Island Multicultural Society - \$177,386
Project: Connections
- d. City of Nanaimo - \$201,425
Project: Parks, Recreation & Culture Youth Initiatives
- e. Nanaimo Foodshare - \$84,952
Project: Food for Youth
- f. Nanaimo Hornets Rugby Club - \$90,000
Project: RugbyWorks
- g. School District 68 - \$500,000
Project: Uy’ Sqwalawun (Good Heart & Mind)
- h. Snuneymuxw First Nation - \$300,000
Project: Space for Youth Resiliency & Snawaylth

2. Consideration of Other Grants

That Council:

1. Deny an “Other Grant” in the amount of \$5,000 to support the hosting of the 15U AA Provincials baseball tournament held in Nanaimo.
2. Deny an in-kind facility rental “Other Grant” with an estimated value of \$6,650 to the Nanaimo Foodshare Society.

3. Consideration of New Permissive Tax Exemption Applications

That Council:

1. Award a Permissive Tax Exemption commencing with the 2024 taxation year to the Canadian Mental Health Association Mid-Island Branch for the property it owns at 250 Albert Street.
2. Award a Permissive Tax Exemption commencing with the 2024 taxation year to Ballenas Housing Society for the unit it leases at 3-1200 Princess Royal Avenue.

4. Permissive Tax Exemption Applications Related to Housing

That Council:

- Deny a Permissive Tax Exemption for the 2024 taxation year to the Ballenas Housing Society for the property that it owns at 6010 Hammond Bay Road.
- Deny a Permissive Tax Exemption for the 2024 taxation year to Habitat for Humanity for the property that it owns at 6-2360 Extension Road.
- Deny a Permissive Tax Exemption for the 2024 taxation year to ‘Turn the Paige Recovery House’ for the property that it operates out of at 3059 Glen Eagle Crescent.
- Deny a Permissive Tax Exemption for the 2024 taxation year to Island Urban Indigenous Wellness Society for the property that it owns at 1406 Bowen Road.
- Direct Staff to review permissive tax exemption options related to housing and bring forward recommendations to Council, which may include a proposed update to the existing ‘Grants Policy and Guidelines’ document, or other policy recommendations.

5. BC Active Transportation Infrastructure Grant

That Council direct staff to submit two applications under the Active Transportation Infrastructure Grant Program as follows:

- Submit an application for the Beban Labieux Trail, and confirm electoral approval for the local share of \$2,250,000 is being sought and is supported, the project is a municipal priority, and the project is "shovel ready" and intended to be complete within the required timeline.

- Submit an application for the Departure Bay Road South Sidewalk project, and confirm the local share of \$182,500 is available and supported, the project is a municipal priority, and the project is “shovel ready” and intended to be complete within the required timeline.

6. 2023 Fleet Replacement Plan

That Council increase the 2023 Fleet Replacement Plan budget by \$623,100 funded from the Equipment Depreciation Reserve Fund.

7. Nanaimo Area Land Trust Funding

That Council:

1. Deny the request for a \$5,000 increase in funding for 2023;
2. Add a decision slide for Council's consideration during the 2024-2028 Financial Plan deliberations; and
3. Effective 2024-JAN-01, apply up to a maximum of a five-year term on any operating funding agreement and require annual reporting to Council as part of the Financial Plan presentations.

8. Rotary Bowl Improvement Project

That Council approve adding a Rotary Bowl Improvement project for \$256,900 to 2023 of the 2023 - 2027 Financial Plan funded by \$169,300 in Payments in Lieu of Taxes (PILTs) and \$87,600 from the General Asset Management Reserve Fund.

(b) Special Mayor's Leaders' Table Meeting 2023-SEP-14

1. Health and Housing Information Package

That Council direct Staff to prepare an information package for the Mayor's Leaders' Table that outlines steps the City has taken to provide a coordinated approach to health and housing, and identifies opportunities for further advocacy and collaboration with the Province of BC and Government of Canada.

The motion carried unanimously.

10. DELEGATIONS:

- (a) Anne Martin, Board Director, Take a Hike Foundation, informed Council that the \$10,000 Social Planning Grant, received from the City in January 2023, has supported more than 30 youth experiencing vulnerabilities at the Take a Hike Nanaimo Program. They noted the significant barriers faced by youth in the Take a Hike Program and expressed gratitude for the partnership with the City.

- (b) Carrie Daniels, Linda Jack and Fay Thomas, Women's Poverty Response Circle (WPRC), spoke regarding the WPRC and to bring awareness to the impacts of poverty. They spoke regarding the high cost of rent and food, inability to afford social and leisure activities and they shared their personal experiences. They advised that they are hoping to create awareness of the group and invite Council to work in partnership and attend one of their weekly meetings held every Tuesday.

11. REPORTS:

(a) Property Tax Exemption Bylaw for 2024 Property Taxes

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that the "Property Tax Exemption Bylaw, 2023 No. 7368" (a bylaw to exempt certain land and buildings from taxation) pass first reading. The motion carried unanimously.

It was moved and seconded that the "Property Tax Exemption Bylaw, 2023 No. 7368" pass second reading. The motion carried unanimously.

It was moved and seconded that the "Property Tax Exemption Bylaw, 2023 No. 7368" pass third reading. The motion carried unanimously.

(b) Winter Maintenance Policy

Introduced by Bill Sims, General Manager, Engineering and Public Works.

Presentation:

1. David Thompson, Manager, Roads and Traffic Services, provided a PowerPoint presentation. They noted that policies are the minimum requirement in documenting how to mitigate potential liabilities and provided an overview of the Winter Maintenance Policy.

It was moved and seconded that Council endorse the Winter Maintenance Council Policy COU-220 as attached to the 2023-SEP-25 report titled "Winter Maintenance Policy". The motion carried unanimously.

(c) Pothole Maintenance Policy

Introduced by Bill Sims, General Manager, Engineering and Public Works.

David Thompson, Manager, Roads and Traffic Services, provided an overview of the Pothole Maintenance Policy.

It was moved and seconded that Council endorse the Pothole Maintenance Council Policy COU-218 as attached to the 2023-SEP-25 report titled "Pothole Maintenance Policy". The motion carried unanimously.

(d) Sidewalk Maintenance Policy

Introduced by Bill Sims, General Manager, Engineering and Public Works.

David Thompson, Manager, Roads and Traffic Services, provided an overview of the Sidewalk Maintenance Policy.

It was moved and seconded that Council endorse the Sidewalk Maintenance Council Policy COU-219 as attached to the 2023-SEP-25 report titled "Sidewalk Maintenance Policy" and direct the CAO to repeal the Sidewalk Inspection Administration Policy. The motion carried unanimously.

(e) Community Environmental Sustainability Project Grant

Introduced by Jeremy Holm, Director, Development Approvals.

David Steward, Environmental Planner, outlined the Environmental Sustainability Project Grant guidelines and criteria.

It was moved and seconded that Council endorse the Community Environmental Sustainability Project Grant Guidelines and Criteria as outlined in Attachment A of the Staff Report titled "Community Environmental Sustainability Project Grant" dated 2023-SEP-25. The motion carried unanimously.

(f) Development Permit Application No. DP1279 - 2595 Bowen Road

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Permit No. DP1279 for an automobile sales, service and rental development at 2595 Bowen Road with variances as outlined in the "Proposed Variances" section of the Staff Report titled "Development Permit Application No. DP1279 - 2595 Bowen Road" dated 2023-SEP-25. The motion carried unanimously.

(g) Development Permit Application No. DP1312 - 1619 Townsite Road

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Permit No. DP1279 for an existing building at 1619 Townsite Road with variances as outlined in the "Proposed Variances" section of the Staff Report titled "Development Permit Application No. DP1312 - 1619 Townsite Road" dated 2023-SEP-25. The motion carried unanimously.

(h) Development Permit Application No. DP1287 - 1880 Dufferin Crescent

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that Council issue Development Permit No. DP1287 for a contractor office building at 1880 Dufferin Crescent with variances as outlined in the "Proposed Variances" section of the Staff Report titled "Development Permit Application No. DP1287 - 1880 Dufferin Crescent" dated 2023-SEP-25. The motion carried unanimously.

(i) Development Permit Application No. DP1308 - 855 Douglas Avenue

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Paul Chapman, Nanaimo Area Land Trust (NALT), informed Council that NALT acknowledges the land owner's effort to meet the requirements of Zoning Bylaw 4500. They expressed support for the requirements of the newly adopted Development Permit Guidelines which shifts from the "no net loss" principle to the principle of net gain which seeks to restore lost habitat.

It was moved and seconded that Council issue Development Permit No. DP1308 for a proposed detached secondary suite within the watercourse leave strip at 855 Douglas Avenue with a variance as outlined in the "Proposed Variance" section of the Staff Report titled "Development Permit Application No. DP1308 - 855 Douglas Avenue" dated 2023-SEP-25. The motion carried unanimously.

(j) Building Bylaw Amendments - Implementation of BC Zero Carbon Step Code and Update to BC Energy Step Code

Introduced by Jeremy Holm, Director, Development Approvals.

Delegations:

1. Patrick Littlejohn spoke regarding the impact of climate change. They noted the record wildfires over the past season and the high cost of climate change in terms of BC's tourism economy. They highlighted that Nanaimo City Council has been targeted by the Canadian Energy Center and encouraged Council to continue to address climate change by making meaningful actions wherever possible.
2. Richard Bice, Capital Home Energy, spoke via Zoom, and noted that feedback received from builders is that the industry is not ready to move to all electric heating and water systems. They noted the high cost of electricity, and that there is not enough room on the electrical panel. They added that energy source should be the consumer's choice and encouraged Council to follow the provincial guidelines of implementing the Zero Carbon Step Code in 2030.

It was moved and seconded that "Building Amendment Bylaw 2023 No. 7224.05" (to introduce Zero Carbon Step Code and revise BC Energy Step Code regulations) pass first reading. The motion carried.

Opposed: *Councillors Armstrong, Perrino and Thorpe*

It was moved and seconded that "Building Amendment Bylaw 2023 No. 7224.05" pass second reading. The motion carried.

Opposed: *Councillors Armstrong, Perrino and Thorpe*

It was moved and seconded that “Building Amendment Bylaw 2023 No. 7224.05” pass third reading. The motion carried.

Opposed: *Councillors Armstrong, Perrino and Thorpe*

12. OTHER BUSINESS:

(a) Councillor Armstrong Motion re: Urban Agriculture

It was moved and seconded that Council direct Staff to complete a review of the provisions of the Animal Control Bylaw and the Zoning Bylaw that regulate the keeping of poultry on large residential properties and provide options to further support the City’s goals of food security. The motion carried unanimously.

13. QUESTION PERIOD:

Council received one question from the public regarding agenda items.

14. ADJOURNMENT:

It was moved and seconded at 9:04 p.m. that the meeting adjourn. The motion carried unanimously.

ACTING MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER