



MINUTES
REGULAR COUNCIL MEETING

Monday, October 16, 2023, 4:00 P.M.
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Members:

- Mayor L. Krog, Chair
- Councillor S. Armstrong
- Councillor T. Brown (arrived 4:05 p.m.)
- Councillor H. Eastmure
- Councillor B. Geselbracht (arrived 4:02 p.m.)
- Councillor E. Hemmens
- Councillor P. Manly
- Councillor J. Perrino
- Councillor I. Thorpe

Staff:

- D. Lindsay, Chief Administrative Officer
- B. Sims, General Manager, Engineering and Public Works
- T. Doyle, Fire Chief
- B. Corsan, Director, Corporate and Business Development
- J. Holm, Director, Planning and Development
- L. Mercer, Director, Finance
- D. Osborne, Director, Recreation and Culture
- T. Pan, Manager, Sustainability*
- L. Rowett, Manager, Current Planning
- C. Wood, Social Planner
- S. Gurrie, Director, Legislative Services
- N. Sponaugle, Communications Advisor
- A. Chanakos, Recording Secretary

1. CALL THE MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:00 p.m.

* Denotes electronic meeting participation as authorized by "Council Procedure Bylaw 2018 No. 7272"

2. PROCEDURAL MOTION:

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 a 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;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 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 4:00 p.m.

Council moved out of In Camera at 6:28 p.m.

Council recessed the Open Meeting at 6:28 p.m.

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

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 8(a) Darren Moss, Nanaimo Development Group, and Jeremy Holm, Director, Planning and Development, re: Approvals Process Improvements Update – Add PowerPoint presentation titled “Approval Process Improvements Update”.

- (b) Agenda Item 8(b) Rob Turnbull, President and Chief Executive Officer, Streetohome Foundation, and Dave Hammond, prominent member of the business community, re: Streetohome Foundation – Add PowerPoint presentation titled “Streetohome: Strengthening the Stool Towards Greater Outcomes”.
- (c) Agenda Item 12(g) Rezoning Application No. RA461 – 1100 Cedar Road, 1505 & 1605 Fielding Road, and 1750 Rajeena Way (Sandstone) – Add delegation from Georgia Desjardins and Teunessa Evertse, Keycorp Consulting Ltd. on behalf of Seacliff Properties Ltd.
- (d) Agenda Item 13(a) “Zoning Bylaw Amendment Bylaw 2022 No. 4500.204” – Add the following:
 - Correspondence dated 2023-OCT-13 from Deputy Minister Tom McCarthy re: Council’s consideration of Rezoning Application No. RA475
 - Correspondence dated 2023-OCT-16 from Geoff Plant, Gall Legge Grant Zwack LLP re: Rezoning Application No. RA475
- (e) Add Agenda Item 15(b) – Correspondence, dated 2023-OCT-06, from Carmen LeBlanc, FortisBC re: Support for emissions reduction and access to low carbon energy, like Renewable Natural Gas, from the CRD’s Hartland landfill.
- (f) Add Agenda Item 15(c) – Correspondence, dated 2023-OCT-06, from Mayor Krog re: Letter of support for the Central Vancouver Island Multicultural Society.
- (g) Add Agenda Item 15(d) – Correspondence, dated 2023-OCT-12, from Marilyn St. Clair, Discovery Community College re: Discovery Community College – Health Care Assistant Program.

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-SEP-14, 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-SEP-25, 2023, at 4:30 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- Council will be issuing a statement with respect to the recent demonstration and counterdemonstration regarding teaching of the Sexual Orientation and Gender Identity (SOGI) program in the local school system. A flag will be raised at City Hall in the next few days in support of those in the community that have been subjected to hate or violence
- The Alternative Approval Process for the Nanaimo Operations Centre Phase 1 runs from 2023-SEP-27 to 2023-NOV-03, to gain permission from Nanaimo residents to borrow up to \$48.5M to finance construction of Phase 1 of the project
- The City is seeking artists for the Urban Design Roster. All established artists and designers in BC can submit a portfolio to the 2024-2026 Urban Design Roster Program. The application deadline is 2023-NOV-13 at 4:00 p.m., and details can be found at www.nanaimo.ca
- Many Council members attended the Union of BC Municipalities (UBCM) conference and advocated for Nanaimo during a number of meetings. Council also brought forward a resolution regarding appropriate resourcing of Emergency Warming Shelters that was endorsed by the UBCM
- Council was involved in many discussions on topics such as public safety, 2019 Memorandum of Understanding with BC Housing, expansion plans for Nanaimo Regional General Hospital, and the critical need for shelter spaces in the city
- The City has allocated \$1.8M from Public Safety Canada through the Building Safer Communities Fund to develop and implement a strategic plan to address gun and gang violence
- GoByBike week runs from 2023-OCT-16 to 2023-OCT-29. Various celebration stations will be set up throughout the week, as well as numerous events across the City. The event wraps up with the Bicycle Film Festival on 2023-NOV-09 at the Malaspina Theatre
- ReImagine Nanaimo has been recognized for its level of resident participation from 2019-2022. The City received the Visual Engagement Award at the International Association of Public Participation's Core Values Awards

- The City is seeking applications for the 2024 Social Planning Grants beginning 2023-OCT-16. A total of \$85,000 is available in two categories:
 - Community Vitality Grants (smaller projects under \$5,000): \$25,000
 - Social Response Grants (larger projects): \$60,000
- On 2023-SEP-08 a medical emergency in the pool required Staff to provide rescue and resuscitative measures. Staffs' timely response allowed the patron to receive advanced hospital care. BC Emergency Health Services provided Letters of Commendation to Nina Carrol, Matthew Coupland, Madeleine Tait, Mackenzie Murgatroyd, Ethan Johnson, Kilian Allard and Keiann Nowicki
- Council received a letter from former City employee Ted Swaby, expressing appreciation for Staff member Paris Chadwick. On 2023-AUG-25, Paris aided an unhoused individual who was the victim of a bear spray attack by tending to physical injuries and providing emotional support

7. PRESENTATIONS:

- a. Darren Moss, Nanaimo Development Group, and Jeremy Holm, Director, Development Approvals, re: Approvals Process Improvements Update

Darren Moss, Nanaimo Development Group, and Jeremy Holm, Director, Planning and Development, provided a PowerPoint presentation regarding the approvals process improvements update. Highlights included:

- The Building Permit Function Review was approved 2021-APR-19 with a number of recommendations, including the creation of the Joint Building Permit Advisory Working Group
- The Fast Track Building Permit Program was recommended by the Joint Building Permit Advisory Working Group and implemented last year
- Incomplete packages for Complex Building Permit applications are often received, leading to delays in the approval process. To address this, it is recommended that Complex Building Permits be reviewed for completeness shortly after being received, and then either denied or approved for the next step
- Having separate planning and building department steps create challenges where changes can occur between steps that no longer conform to the development permit. To address this, a Development Permit Checklist has been created for applicants to fill out and identify which areas conform, and why
- Staff have committed to a 3-week turnaround for initial Commercial Building Application reviews
- Changes will be launched in phases, with a soft launch on 2023-NOV-15 and a hard launch in early 2024

- A consultant was engaged in June 2023 focusing on the pre-approvals process
- A workshop will be held tentatively in November to gain insight on industry concerns heard by the consultant
- Development approval software will be replaced to provide an online portal and improve customer experience
- A soft launch of the software is expected to take place in November or December 2023, with a hard launch in 2024

b. Rob Turnbull, President and Chief Executive Officer, Streetohome Foundation, and Dave Hammond, re: Streetohome Foundation

Rob Turnbull, President and Chief Executive Officer, Streetohome Foundation, and Dave Hammond, prominent member of the business community, provided a PowerPoint presentation regarding the Streetohome Foundation. Highlights included:

- Streetohome is a small, private sector foundation, and has partnerships with the City of Vancouver, Vancouver Coastal Health, BC Housing and the Vancouver Police Department
- Streetohome brokers the private sector into using evidence-based models that fill a gap in the current systems, and meet the needs of those who are at risk or have lived experience of homelessness
- Streetohome has been in operation for 15 years
- Delancy Street BC is a newly created charitable organization, providing a residential facility to accommodate those battling substance use, unemployment or who are low-income
- Delancy Street currently has six locations across the United States, and the first location in Canada will be located in BC
- Once a suitable location is found, Streetohome will purchase the property and provide three years of operation seed funding
- The Delancy Street model is a highly structured 2-4 year live-in community, aiding those exiting correctional facilities or who wish to leave life on the streets. Each resident achieves high school equivalency and learns three marketable skills
- Delancy Street provides services to individuals at no cost to participating members, family or government due to revenue from vocational training

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- 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-JUL-19, at 9:00 a.m.

9. REPORTS:

a. Harewood Centennial Turf Fields Reserve Fund Bylaw

Introduced by Laura Mercer, Director, Finance.

- The City has signed a Joint Use Agreement with School District 68 for the two new artificial turf fields at Harewood Centennial Park
- A Capital Reserve Fund has been set up for major capital improvements, and School District 68 will provide a minimum of \$25,000 annually to the reserve

It was moved and seconded that “Harewood Centennial Turf Fields Reserve Fund Bylaw 2023 No. 7369” (To establish a Harewood Centennial Turf Fields Reserve Fund), pass first reading. The motion carried unanimously.

It was moved and seconded that “Harewood Centennial Turf Fields Reserve Fund Bylaw 2023 No. 7369”, pass second reading. The motion carried unanimously.

It was moved and seconded that “Harewood Centennial Turf Fields Reserve Fund Bylaw 2023 No. 7369”, pass third reading. The motion carried unanimously.

b. Highway Closure and Dedication Removal a Portion of Melideo Road and a Portion of Old Victoria Road Adjacent to 1044 & 1048 Old Victoria Road Bylaw 2023 No. 7367

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

- The rezoning process requires improvements to functionality of the property and surrounding street network
- The City will contribute 170 m of road and the property owner will dedicate 244 m of land back to the City

It was moved and seconded that Council the road closure and disposition of a portion of Melideo Road and a portion of Old Victoria Road, and direct Staff to enter into a Road Closure and Land Exchange Agreement. The motion carried unanimously.

It was moved and seconded that “Highway Closure and Dedication Removal Bylaw 2023 No. 7367” (To provide for highway closure and dedication removal of a portion of Melideo Road and a portion of Old Victoria Road adjacent to 1044 and 1048 Old Victoria Road), pass first reading. The motion carried unanimously.

It was moved and seconded that “Highway Closure and Dedication Removal Bylaw 2023 No. 7367”, pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to proceed with public notice for the closure and disposition of a portion of Melideo Road and a portion of Old Victoria Road. The motion carried unanimously.

c. Alternative Approval Process Results - "Park Dedication Bylaw Amendment Bylaw 2023 No. 7182.01"

Sheila Gurrie, Director, Legislative Services, spoke regarding the results of the Alternative Approval Process (AAP) for “Park Dedication Bylaw Amendment Bylaw 2023 No. 7182.01” and noted that 20 valid electoral response forms were received in response to the AAP.

d. Covenant Amendment Application No. CA17 - 6340 McRobb Avenue

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council direct Staff to proceed with a Public Hearing to consider the proposed Covenant Amendment CA17 – 6340 McRobb Avenue. The motion carried unanimously.

e. Development Permit Application No. DP1291 - 13, 17 & 21 Haliburton Street

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council issue Development Permit No. DP1291 for a 44-unit multi-family development at 13, 17 and 21 Haliburton Street with variances as outlined in the “Proposed Variances” section of the Staff Report dated 2023-OCT-16. The motion carried unanimously.

f. Rezoning Application No. RA492 - 6074 Metral Drive

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.216” (to rezone 6074 Metral Drive from Single Dwelling Residential [R1] to Residential Corridor [COR1]), pass first reading. The motion carried.

Opposed: *Councillor Armstrong*

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.216”, pass second reading. The motion carried.

Opposed: *Councillor Armstrong*

It was moved and seconded that Council direct Staff to secure the conditions related to "Zoning Amendment Bylaw 2023 No. 4500.216" as outlined in the "Conditions of Rezoning" section of the Staff Report dated 2023-OCT-16 should Council support the bylaw at third reading. The motion carried unanimously.

g. Rezoning Application No. RA461 - 1100 Cedar Road, 1505 & 1605 Fielding Road, and 1750 Rajeena Way (Sandstone)

Introduced by Jeremy Holm, Director, Planning and Development.

Lainya Rowatt, Manager, Current Planning, provided an overview of the rezoning application and what steps have been taken to prepare for development in the area.

Delegation:

1. Georgia Desjardins and Teunesha Evertse, Keycorp Consulting Ltd. on behalf of Seacliff Properties Ltd., provided an overview of the Sandstone project. Highlights included:

- 263 acres are not included in the rezoning application
- Cedar Road neighbourhood and Cinnabar Valley neighbourhood will have Steep Slope Residential Zoning, allowing up to 600 units total comprised of one- and two-family houses and townhouses
- Fielding Neighbourhood Centre will allow commercial use and multi-family housing, as well as a 2.5 acre land dedication to the City
- Sandstone Masterplan limits building height to 6 storeys and allows for multi-modal transportation and a new urban centre
- Approximately one-third of Sandstone lands will become parks

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.215” (To rezone 1100 Cedar Road, 1505 & 1605 Fielding Road, and 1750 Rajeena Way from Rural Resource [AR1] and Parks, Recreation, and Culture One [PRC1] to Steep Slope Residential [R10], Highway Industrial [I1], Light Industrial [I2], and Comprehensive Development District Zone Thirteen [CD13]), pass first reading. The motion carried.

Opposed: *Councillors Brown and Geselbracht*

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.215”, pass second reading. The motion carried.

Opposed: *Councillors Brown and Geselbracht*

It was moved and seconded that Council direct Staff to secure the conditions related to "Zoning Amendment Bylaw 2023 No. 4500.215" as outlined in the "Conditions of Rezoning" section of the Staff Report dated 2023-SEP-25 should Council support the bylaw at third reading. The motion carried.

Opposed: *Councillors Brown and Geselbracht*

10. BYLAWS:

Councillor Easmure vacated the Shaw Auditorium at 8:38 p.m. declaring a conflict of interest as she lives near 1 Terminal Avenue.

a. “Zoning Bylaw Amendment Bylaw 2022 No. 4500.204”

The following items of correspondence were received in relation to “Zoning Bylaw Amendment Bylaw 2022 No. 4500.204”:

- Correspondence dated 2023-OCT-13 from Deputy Minister Tom McCarthy re: Council’s consideration of Rezoning Application No. RA475
- Correspondence dated 2023-OCT-16 from Geoff Plant, Gall Legge Grant Zwack LLP re: Rezoning Application No. RA475

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) to the 2023-DEC-04 Council Meeting and that Council authorize Mayor Krog to write to the relevant Provincial Ministers to seek an

update on the progress and timelines of the facilitation between the applicant, Snuneymuxw, and the Province. The motion carried unanimously.

b. "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) to the 2023-DEC-04 Council Meeting. The motion carried unanimously.

Councillor Eastmure returned to the Shaw Auditorium at 8:42 p.m.

c. "Zoning Bylaw Amendment Bylaw 2022 No. 4500.205"

It was moved and seconded that "Zoning Amendment Bylaw 2022 No. 4500.205" (to rezone 5645 and 5655/5657 Metral Drive from Single Dwelling Residential [R1] and Duplex Residential [R4] to Low Density Residential [R6] with site-specific provisions to increase the maximum allowable floor area ratio to 0.75 and increase the maximum principal building height to 13.0m) be adopted. The motion carried unanimously.

d. "Zoning Amendment Bylaw 2023 No. 4500.208"

It was moved and seconded that "Zoning Amendment Bylaw 2023 No. 4500.208" (to rezone 6030 Pine Ridge Crescent from Single Dwelling Residential [R1] to Three and Four Unit Residential [R5]) be adopted. The motion carried unanimously.

e. "Building Bylaw Amendment Bylaw 2023 No. 7224.05"

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

Opposed: Mayor Krog, Councillors Armstrong, Perrino and Thorpe

f. "Municipal Highway Naming (Loretta Lane) Bylaw 2023 No. 7366"

It was moved and seconded that "Municipal Highway Naming (Loretta Lane) Bylaw 2023 No. 7366" (to provide for the naming of a municipal highway) be adopted. The motion carried unanimously.

g. "Property Tax Exemption Bylaw, 2023 No. 7368"

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

11. OTHER BUSINESS:

- a. Correspondence, dated 2023-SEP-29, from Nanaimo Youth Services Association Re: Support for a Nanaimo Foundry location

It was moved and seconded that Council provide a letter of support for the Nanaimo Youth Services providing support for a Nanaimo Foundry location. The motion carried unanimously.

- b. Correspondence, dated 2023-OCT-06, from Carmen LeBlanc, FortisBC Re: Support for emissions reduction and access to low carbon energy, like Renewable Natural Gas, from the CRD's Hartland landfill

- c. Correspondence, dated 2023-OCT-06, from Mayor Krog Re: Letter of support for the Central Vancouver Island Multicultural Society

It was moved and seconded that Council provide a letter of support to the Central Vancouver Island Multicultural Society's proposal to the British Columbia Newcomer Services Program. The motion carried unanimously

- d. Correspondence, dated 2023-OCT-12, from Marilyn St. Clair, Discovery Community College Re: Discovery Community College – Health Care Assistant Program

It was moved and seconded that Council provide a letter of support for Discovery Community College and B.C. Care Providers, for funding through the Community Workforce Response Grant/Work B.C. for a Health Care Assistant Program. The motion carried unanimously.

It was moved and seconded that Council direct Staff to draft a policy for Council's consideration with respect to Council correspondence and responses to correspondence that are received by Mayor and/or Mayor and Council. The motion carried unanimously.

12. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

13. ADJOURNMENT:

It was moved and seconded at 8:53 p.m. that the meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT:

MAYOR

CORPORATE OFFICER