



**MINUTES**  
**REGULAR COUNCIL MEETING**

Monday, November 20, 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
  - Councillor H. Eastmure\*
  - Councillor B. Geselbracht
  - Councillor E. Hemmens
  - Councillor P. Manly
  - Councillor J. Perrino
  - Councillor I. Thorpe
- Staff:
- D. Lindsay, Chief Administrative Officer
  - R. Harding, General Manager, Parks, Recreation and Culture
  - 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
  - L. Brinkman, Manager, Community Planning
  - D. Fox, Manager, Building Inspections
  - S. Gurrie, Director, Legislative Services
  - K. Robertson, Deputy Corporate Officer
  - N. Sponaugle, Communications Advisor
  - J. Vanderhoef, Recording Secretary
  - K. Lundgren, Recording Secretary

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

**1. CALL THE MEETING TO ORDER:**

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

**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 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;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (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;
- (m) a matter that, under another enactment, is such that the public may be excluded from the meeting; 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 6:35 p.m.

Council recessed the Open Meeting at 6:35 p.m.

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

### **3. INTRODUCTION OF LATE ITEMS:**

- (a) Agenda Item 8(a) Dr. Derek Poteryko, Medical Director, Nanaimo Community – Add PowerPoint presentation titled "Nanaimo Community Health and Care Update 2023"
- (b) Agenda Item 11 Delegations Unrelated to Agenda Items – Add the following delegations:
  1. Joe Figel, Delegate of Nanaimo City Council Accountability & Oversight Hub re: The Alternative Approval Process
  2. Valentina Cardinali re: The Alternative Approval Process and public engagement from the City with local people
- (c) Agenda Item 12(b) Building Bylaw Amendments - Introduction of the Certified Professionals Program - Replace Attachment B: Bylaw 7224 - Red Lined Version
- (d) Agenda Item 12(c) Federation of Canadian Municipalities Recommendations – Add report titled "Federation of Canadian Municipalities Resolutions"
- (e) Agenda Item 14 Notice of Motion – Add Notice of Motion from Councillor Manly re: the Alternative Approval Process
- (f) Agenda Item 15 Other Business – Add discussion re: Bill 44 - 2023 Housing Statutes (Residential Development) Amendment Act, 2023

### **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 Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Wednesday, 2023-NOV-01 at 1:00 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, Nanaimo, BC, on Monday, 2023-NOV-06, at 4:30 p.m.

The motion carried unanimously.

## 6. **MAYOR'S REPORT:**

Mayor Krog advised of the following:

- The City has issued an expression of interest for a second warming centre location
- The City of Nanaimo Street Banner Design Program marks 150 years since the City's incorporation. Nanaimo artist Amy Pye's design was selected. Potential artists were asked to consider what makes Nanaimo unique, what makes it a destination of choice, and what might capture and reflect positive memories of our community
- The City is relaunching a campaign to encourage and educate citizens on proper recycling practice to reduce recycling contamination. Contamination results in potential fines and more garbage in the landfill
- The City is seeking volunteers for the new Public Safety Committee. The Committee will consist of nine voting members including two members of Council and seven members-at-large. The Committee will meet every second month, and the volunteer term will run until November 2026
- Preparations are underway for the City of Nanaimo's 2024-2028 Financial Plan. A budget-focused eTown Hall Meeting will be held on Monday, December 4<sup>th</sup>. Council will begin reviewing draft budget and project plans over the course of Special Finance and Audit Meetings on November 22<sup>nd</sup>, 23<sup>rd</sup>, 29<sup>th</sup> and December 1<sup>st</sup>. The eTown Hall will be at 7 p.m. and residents can participate through the City of Nanaimo website at [www.nanaimo.ca/etownhall](http://www.nanaimo.ca/etownhall), on the City's Twitter and Facebook pages, by calling 250 755-4251 or in person during the meeting

## 7. **RISE AND REPORT:**

Mayor Krog advised of the following:

### a. 2024 Vancouver Island Regional Library Board Appointments

During the 2023-NOV-06 In Camera Council Meeting, Council appointed Councillor Hemmens as a trustee to the Vancouver Island Regional Library (VIRL) board and Councillor Eastmure as an alternate for the period January 1 to December 31, 2024.

### b. Appointment to the Board of Variance

During the 2023-NOV-06 In Camera Council Meeting, Council appointed Jamie Dubyna to the Board of Variance for a three-year term ending 2026-NOV-06 or until a successor is appointed.

## 8. PRESENTATIONS:

### a. Dr. Derek Poteryko, Medical Director, Nanaimo Community

Dr. Derek Poteryko, Medical Director, Nanaimo Community, provided a Nanaimo Community Health and Care Update for 2023. Highlights included:

- The benefits of cognitive behavioural therapy
- Community health challenges include the increasing number of unhoused and the toxic drug crisis
- There is a large number of residents who don't have access to a family doctor
- There is an increase in mental health challenges and spoke regarding the difference in perspectives between the different generations
- As a holistic practitioner, he encouraged healthy behaviours and activities
- Encouraged positive relationships with family doctors, participating in social teams or groups, strong connections and neighbourhoods, and expressed how relationships can heal
- HealthLink BC Health Connect registry is where residents can register to get on the list for a family doctor
- The Orange Bench, located at Bowen Park, provides opportunity to have conversations around mental health
- Men's Health Night will take place at the Beban Social Centre on Tuesday, November 21<sup>st</sup> at 7:00 p.m.

## 9. CONSENT ITEMS:

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

### (a) Advisory Committee on Accessibility and Inclusiveness 2023-NOV-08

#### 1. Advisory Committee on Accessibility and Inclusiveness Workplan

That Council endorse the Advisory Committee on Accessibility and Inclusiveness 2023-2026 workplan as presented in the report titled "Advisory Committee on Accessibility and Inclusiveness Workplan", dated 2023-NOV-08.

#### 2. Hearing Assistive Device Options for Installation at City Facilities

That Council approve the implementation of the following pilot project subject to funding:

- Installation of a hearing loop at the front counter at two City facilities, and an adaptive soundfield system in the Service and Resource Centre Boardroom; and,
- Direct Staff to return to a Finance and Audit Committee Meeting to determine funding options for the pilot project.

(b) Finance and Audit Committee Meeting 2023-NOV-15

1. Funding Request from CatNap Society

That Council add a decision point for Council consideration to the 2024-2028 Financial Plan deliberations to consider providing ongoing funding to the CatNap Society for animal control services.

2. BC Hydro Sustainable Communities Fund - Mobile Home Park Energy Conservation and Emissions Reduction Strategy

That Council approve using \$15,000 from the Climate Action Reserve Fund to support a joint application to BC Hydro with the Regional District of Nanaimo for a “Mobile Home Park Energy Conservation and Emissions Reduction Strategy”.

3. Online Accommodation Platform Funds

That Council allocate Online Accommodation Platform revenue in 2024 as follows:

1. \$438,986 to acquisition of land for affordable housing;
2. \$200,000 for continued support to rent bank and rent supplement programs; and,
3. \$300,000 for infrastructure and land improvements for BC Housing and City Memorandum of Understanding development projects.
4. Update of Reserve Policy

That Council amend Reserve Policy COU-231 to include the Harewood Centennial Turf Field Reserve Fund.

The motion carried unanimously.

## 10. DELEGATIONS:

- a. Greg Brown, Brechin Hill Community Association re: Beach Estates Traffic Safety

Greg Brown, President, Brechin Hill Community Association, spoke on behalf of the Beach Estates Community, and expressed concern for the safety of the residents in the Community due to the hazards of traffic, blind corners, and the only access being off Brechin Hill Road.

- b. Joe Figel, Delegate of Nanaimo City Council Accountability and Oversight Hub re: The Alternative Approval Process

Joe Figel spoke on behalf of the Nanaimo City Council Accountability and Oversight hub group, and expressed concerns regarding the Alternative Approval Process (AAP). He requested that the City hold a referendum for "Nanaimo Operations Centre Phase One Borrowing Bylaw 2023 No. 7362".

- c. Valentina Cardinalli re: The Alternative Approval Process

Valentine Cardinalli spoke regarding the Alternative Approval Process and noted that she is not opposed to the Nanaimo Operation Centre project; however, was unclear on how much the Nanaimo Operations Centre Borrowing Bylaw would impact taxes.

## 11. REPORTS:

- a. Council Correspondence Policy & Council Support Policy

Introduced by Sheila Gurrie, Director, Legislative Services.

Karen Robertson, Deputy Corporate Officer, provided an overview of the Council Correspondence Policy and the Council Support Policy.

It was moved and seconded that Council

1. endorse COU-238 Council Correspondence Policy as attached to the November 20, 2023, report by the Deputy Corporate Officer.
2. endorse COU-237 Council Support Policy as attached to the November 20, 2023, report by the Deputy Corporate Officer.

The motion carried unanimously.

- b. Building Bylaw Amendments - Introduction of the Certified Professionals Program

Introduced by Jeremy Holm, Director, Planning and Development.

Darcy Fox, Manager, Building Inspections, provided an overview of the Building Bylaw Amendments.

It was moved and seconded that "Building Amendment Bylaw 2023 No. 7224.06" (to implement a Certified Professional Program; alignment of Professional Practice Guidelines for Retaining Walls; and minor housekeeping items) pass first reading. The motion carried unanimously.

It was moved and seconded that "Building Amendment Bylaw 2023 No. 7224.06" pass second reading. The motion carried unanimously.

It was moved and seconded that "Building Amendment Bylaw 2023 No. 7224.06" pass third reading. The motion carried unanimously.

c. Federation of Canadian Municipalities Recommendations

Sheila Gurrie, Director, Legislative Services, advised Council of the upcoming deadline for resolutions to the Federation of Canadian Municipalities for the 2024 Annual Convention.

d. 340 Campbell 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 multi-family development with no fewer than 160 units at 340 Campbell Street. The motion carried.

*Opposed: Councillors Brown and Geselbracht*

e. Development Permit Application No. DP1303 - 30 Mt Benson Street

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that That Council issue Development Permit No. DP1303 for an overheight privacy wall and retaining wall at 30 Mt Benson Street with variances as outlined in the "Proposed Variances" section of the Staff Report dated 2023-NOV-20. The motion carried unanimously.

Councillor Manly vacated the Shaw Auditorium at 8:37 p.m. declaring a conflict of interest as he is the Executive Director of the Unitarian Shelter.

f. Emergency Shelter and Warming/Cooling Centre Regulation Enforcement

Introduced by Lisa Brinkman, Manager, Community Planning.



It was moved and seconded that Council:

- a. endorse the “Emergency Shelter and Warming/Cooling Centre Regulation Enforcement Policy Resolution” as attached to the 2023-NOV-20 Staff report titled “Emergency Shelter and Warming/Cooling Centre Regulation Enforcement”; and,
- b. send correspondence to the Minister of Housing and Minister of Social Development and Poverty Reduction regarding the need to protect emergency shelters and warming/cooling centres in Nanaimo that do not meet the requirements of the BC Building Code and BC Fire Code.

The motion carried unanimously.

Councillor Manly returned the Shaw Auditorium at 8:41 p.m.

## **12. NOTICE OF MOTION:**

- (a) Councillor Manly Notice of Motion re: Policy Options for Alternative Approval Process

Councillor Manly advised that he would be bringing forward the following notice of motion for consideration at a future Council Meeting:

"That Staff provide a report and recommendations outlining policy options to improve accessibility and increase the ability of electors to engage in the democratic process when the Alternative Approval Process is used for elector approval."

## **13. OTHER BUSINESS:**

- a. Letter of Support - Nanaimo Foodshare Society

It was moved and seconded that Council provide a letter of support to Nanaimo Foodshare Society’s application to the Government of Canada’s Youth Employment and Skills Strategy Fund. The motion carried unanimously.

- b. Letter of Support - Vancouver Island University

It was moved and seconded that Council provide a letter of support to Vancouver Island University for the VIU program for Youth with Disabilities and Other Barriers to Employment. The motion carried unanimously.

c. Letter of Support - Nanaimo Foodshare Society

It was moved and seconded that Council provide a letter of support to Nanaimo Foodshare Society's application for a BC Community Gaming Grant. The motion carried unanimously.

d. Discussion re: Bill 44 – 2023 Housing Statutes (Residential Development) Amendment Act, 2023

Councillor Brown expressed concerns regarding Bill 44 – 2023 Housing Statutes (Residential Development) Amendment Act, 2023. He presented Council with proposed amendments to Bill 44 that could be sent to the MLAs and Union of BC Municipalities (UBCM).

It was moved and seconded that the correspondence and attached amendment regarding Bill 44 – 2023 Housing Statutes (Residential Development) Amendment Act, 2023, be sent to the Union of BC Municipalities (UBCM) and to all MLAs within the province. The motion carried unanimously.

**14. QUESTION PERIOD:**

Council received two questions from the public regarding agenda items.

Council recessed the Open Meeting at 9:04 p.m.

Council moved In Camera at 9:10 p.m.

Council moved out of In Camera at 9:19 p.m.

Council reconvened the Open Meeting at 9:19 p.m.

**15. ADJOURNMENT:**

It was moved and seconded at 9:19 p.m. that the meeting adjourn. The motion carried unanimously.

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MAYOR

CERTIFIED CORRECT:

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CORPORATE OFFICER