



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

Monday, December 4, 2023, 3:30 P.M.  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC

- Members:
- Mayor L. Krog, Chair
  - Councillor S. Armstrong
  - Councillor T. Brown (vacated 10:42 p.m.)
  - 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
  - D. Osborne, Director, Recreation and Culture
  - P. Rosen, Director, Engineering
  - J. Van Horne, Director, Human Resources
  - R. Botwright, Senior Applications Analyst
  - S. Gurrie, Director, Legislative Services\*
  - K. Robertson, Deputy Corporate Officer
  - N. Sponaule, Communications Advisor
  - J. Vanderhoef, Recording Secretary

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

The Regular Council Meeting was called to order at 3:30 p.m.

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

**2. INTRODUCTION OF LATE ITEMS:**

- (a) Add *Community Charter* Section 90(1)(k)

**3. 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;

- (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; and,

- (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.

The motion carried unanimously.

Regular Council Meeting moved In Camera at 3:31 p.m.

Regular Council Meeting moved out of In Camera at 6:26 p.m.

The Regular Council Meeting recessed the Open Meeting at 6:26 p.m.

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

**2. INTRODUCTION OF LATE ITEMS: (continued)**

- (b) Agenda Item 7 Rise and Report - Add - BC Office of the Human Rights Commissioner - Mural proposed for NAC

- (c) Agenda Item 8 eTOWN Hall to Discuss the 2024-2028 Financial Plan - Add – PowerPoint titled “2024-2028 Financial Plan CAO Introduction”

- (d) Agenda Item 10 Consent Items - Add – Special Finance and Audit Committee Meeting 2023-DEC-01 Recommendations
- (e) Agenda Item 12(b) 2024 Council and Committee Key Date Calendar - Add – Report titled “2024 Council and Committee Key Date Calendar”
- (f) Remove Agenda Item 12(i) Warming Centre Services Expression of Interest Update

**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 Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2023-NOV-20, at 4:00 p.m. be adopted as circulated. The motion carried unanimously.

**6. RISE AND REPORT:**

The Mayor advised that during the In Camera portion of the 2023-NOV-20 meeting, Council:

- a. appointed Nathan Middleton, as nominated by the Architectural Institute of British Columbia, to the Design Advisory Panel for a two-year term ending 2025-NOV-20 or until a successor is appointed.
- b. approved a mural commissioned by the BC's Office of the Human Rights Commissioner for the interior of the Nanaimo Aquatic Centre.

**7. PRESENTATIONS:**

- a. eTOWN Hall to Discuss the 2024-2028 Financial Plan

Dale Lindsay, Chief Administrative Officer, provided a PowerPoint presentation. Highlights included:

- Noted some of the new and improved infrastructure in Nanaimo: new Fire Station 1, artificial turf fields, Midtown Water Supply Upgrades, Midtown Gateway project, Westwood Lake improvements and Terminal Avenue Upgrades
- Noted new investments in the community: approximately \$222 million in construction value as of the end of September and projecting over 800 new dwelling units by the end of the year. Other notable projects included the new Marriot Hotel and Hullo Ferry

- Noted efforts to improve community health and safety: hiring of new firefighters and RCMP officers, adoption of the Youth Resiliency Strategy, grants and funding for warming centres and food program and Nanaimo Acute Response Table
- Noted progress related to housing affordability: completed a new housing needs assessment to establish housing targets for the next ten years
- Many programs and initiatives were completed to increase sustainability in an effort to reach greenhouse gas emission targets
- Implemented a new Neighbourhood Association Support Policy
- Noted some of the ongoing efforts towards improving truth and reconciliation: new welcome poll commissioned by Noel Brown at Fire Station 1, new service covers designed by Design Studio Ay Lelum and Joel Good, staff training sessions held with Snuneymuxw First Nation (SFN) elders, Te'tuxwtun Project, a number of new housing units constructed on reserve, and supported SFN in hosting the Junior All Native Basketball Tournament
- Noted updates and efforts to modernize corporate management
- Noted the advocacy work being done by Council: fast tracking agreements with BC Housing, working to provide the mandate and funding for health authorities to immediately establish care facilities for those who have complex needs, advocating for additional temporary housing shelters and police resources to support those facilities, advocating for the Nanaimo Regional Hospital
- Acknowledged the many awards the City won in 2023
- Noted many upcoming projects: new bleachers for the Stadium District, Commercial Street project, the Transit Exchange downtown, new outdoor courts being added, the next phase of the Midtown Gateway project, and potentially returning in 2024 (and beyond) to move forward with the South End Community Centre, Waterfront Walkway, and future need for an RCMP expansion

Laura Mercer, Director, Finance, provided a PowerPoint presentation. Highlights included:

- Provided an overview of how the draft budget is developed
- During the 2023-DEC-01 Special Finance and Audit Committee Meeting Staff presented the proposed tax increase of 6.6%. The committee reviewed decision points and based on the decisions made at the meeting the proposed increase is now 8%. The updated numbers were not included in the presentation
- Reviewed drivers for proposed increases

- Reviewed the impact of the City portion of property taxes on a typical home based on \$808,873 estimated value which equates to an increase of approximately \$215
- \$248.5 million provides funding for annual operating and maintenance, projects and contributions to infrastructure renewal reserves
- \$197.2 million will be spent on annual operating and maintenance costs that deliver day-to-day City services
- Noted the key budget drivers in 2024: 911 services, asset management, cultural grants – operating agreements, ethics commissioner, electoral approval, garbage collection – services/disposal fees, insurance, IT consulting, landscaping – parks operations, management consulting, project expenditures, RCMP contract, snow and ice control, utilities, wages and benefits
- Net Impact of 2024 Budget Drivers is \$9,081,000 which equates to a 6.6% property tax increase
- Noted outstanding external debt and budgeted new debt
- The City's debt servicing limit is currently at 13.5%
- Reviewed reserves and noted the purpose of reserves is to fund replacement of infrastructure at or near its end of life. Many reserves are restricted to the purpose that they were established for

An eTown Hall regarding the 2024-2028 Financial Plan took place from 7:40 p.m. - 8:48 p.m.

b. Nanaimo Art Gallery

Carolyn Holmes, Executive Director, Nanaimo Art Gallery, and Louisa Plant, Manager, Nordicity, provided an update on the new Nanaimo Art Gallery. Highlights included:

- Reviewed the recent work of the Nanaimo Art Gallery (the Gallery):
  - Increased core operating funding
  - Developed a five-year Strategic Plan
  - Developed new roles and hired new employees
- Working hard to share stories and foster deeper dialogue with the public
- The Gallery has doubled its pre pandemic numbers serving 17,320 visitors within the first seven months of 2023
- Developed 12 in-house exhibitions and hosted three touring exhibitions since the pandemic (including 26 local artists)

- Developed new programs like Art Lab Sundays and weekly teen drop-in
- Provided an overview of their feasibility study findings:
  - Solid community support for an expanded gallery
  - The current facility does not meet accessibility standards
  - The community values having the gallery downtown
  - Redeveloping the existing building would be more costly than replacement
- Community engagement findings:
  - Conducted over 700 survey participants over the summer
  - Of 285 survey responses, over a third visit the Gallery every few months
  - The survey respondents indicated the top three things liked most about the Gallery were: the downtown location, support for local artists, and learning and engagement programs
- The Gallery is working to build strong relationships with SFN
- Working with the City Real Estate staff to create a scoring framework to help select potential locations and analyze sites
- Global Philanthropic developed observations and recommendations for implementation of a funding strategy. The key findings include:
  - The Gallery needs to focus on establishing relationships in the community with donors, political leaders, and persons of influence
  - Work toward confirming details of site and proposed facility to identify potential sources of revenue
  - Secure funds from the private sector
- Next steps: develop a detailed business plan, develop a case for support and test case for a capital campaign

It was moved and seconded that Council direct Staff to work with the Nanaimo Art Gallery to identify two to three sites so the Nanaimo Art Gallery can develop a detailed business plan, a case for support, and a test case for a capital campaign. The motion carried unanimously.

The meeting recessed at 9:10 p.m.

The meeting reconvened at 9:23 p.m.

## **8. COMMITTEE MINUTES:**

The following Committee Minutes were received:

- Minutes of the Special Advisory Committee on Accessibility and Inclusiveness Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, on Wednesday, 2023-JUN-07, at 4:00 p.m.
- Minutes of the Advisory Committee on Accessibility and Inclusiveness Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2023-SEP-06, at 4:04 p.m.
- Minutes of the Design Advisory Panel, held electronically, on Thursday, 2023-SEP-14, at 4:03 p.m.
- Minutes of the Design Advisory Panel Meeting, held electronically, on Thursday, 2023-SEP-28, at 5:02 p.m.
- Minutes of the Special Advisory Committee on Accessibility and Inclusiveness Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2023-OCT-11, at 4:00 p.m.
- Minutes of the Design Advisory Panel Meeting, held electronically, on Thursday, 2023-OCT-26, at 5:09 p.m.

**9. CONSENT ITEMS:**

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

Prior to the vote Councillor Eastmure requested that Agenda Item 10(b)(1) RCMP Contract be removed to be voted on separately.

a. Governance and Priorities Committee Meeting 2023-NOV-27

1. Traffic Calming Update

That Council approve phasing the construction of Extension Road traffic calming using \$200,000 in the 2023 Financial Plan with the remainder to be identified in 2024.

2. New City Plan Incentives

That Council direct Staff to prepare a report, for a future Governance and Priorities Committee Meeting, regarding ways to implement the following New City Plan Incentives:

- Incentivize Affordable Housing
- Support Green Infrastructure
- Encourage Infill Development
- Support Small Businesses
- Prioritize Active Transportation

b. Special Finance and Audit Committee Meeting 2023-DEC-01

1. Nanaimo Prosperity Corporation

That Council increase the base budget for Nanaimo Prosperity Corporation from \$412,692 to \$515,850 for the 2024 - 2028 Financial Plan.

2. Nanaimo Area Land Trust (NALT)

That Council approve a 5-year annual operating grant to the Nanaimo Area Land Trust (NALT) for the term covering January 1, 2024 to December 31, 2028 based on \$40,000 for 2024 and adding a 2%, per year, increase for 2025 – 2028.

3. CatNap Society

That Council provide the CatNap Society with a 5-year annual operating grant for the term covering January 1, 2024 to December 31, 2028 as follows:

- \$36,000 for 2024; and
- \$25,000 for 2025 – 2028.

4. Snow and Ice Control Program (SNIC)

That Council increase the Snow and Ice Control Program (SNIC) budget to \$1.2 million in 2024 for the 2024-2028 Financial Plan.

5. Nanaimo 150

That Council add \$50,000 in 2024 of the 2024 - 2028 Financial Plan funded from the Strategic Infrastructure Reserve to recognize Nanaimo's 150.

6. Breakfast Meal Program

That Council maintain the status quo for the Breakfast Meal Program which would see City funding for the Breakfast Meal Program end 2023-DEC-31.

7. Downtown Event Grants

That Council increase the annual allocation for the Downtown Event Grants program from \$150,000/year to \$250,000/year for the 2024 - 2028 Financial Plan.

8. Business Cases: Consolidated

That Council add the positions and related costs identified in the business cases consolidated grouping to 2024 of the 2024 – 2028



Financial Plan and fund the fleet purchases from the General Capital Reserve.

9. Steno Bylaw

That Council add a part-time Steno Bylaw to the 2024 - 2028 Financial Plan effective April 1, 2024.

10. Fire Clerk

That Council add a Fire Clerk to the 2024 - 2028 Financial Plan effective April 1, 2024.

11. Transit Stop Amenities

That Council increase funding for the transit shelter program and add a Transit Planning Specialist as per option #2 of the Transit Stop Amenities business case in the 2024 - 2028 Financial Plan.

12. RCMP Mental Health Liaison Officer

That Council maintain the status quo and not implement an additional RCMP Officer for an additional CAR54 team.

13. Annual Allocation for New Positions

That Council refer the decision to direct Staff to include an annual 0.50% property tax increase to support new positions effective 2025 to a future Governance and Priorities meeting in early 2024.

14. Reserve Funding

That Council maintain the status quo and not revise the allocation of reserve funding used to lower property taxes.

15. Traffic Calming: Extension Road

That Council increase the budget for the Extension Road Traffic Calming project by \$120,000 in 2024 of the 2024 - 2028 Financial Plan funded from the Strategic Infrastructure Reserve.

16. Pickleball Courts

That Council add \$518,000 to 2024 of the 2024 - 2028 Financial Plan for a pickleball courts project funded by General Revenue.

17. Lighting of Natural Turf Fields

That Council maintain the status quo and not provide funding for a natural turf field lighting project.

18. Public Art

That Council maintain the status quo and not provide additional funding for permanent public art within the City and/or for capital projects.

The motion carried unanimously.

c. Separately Addressed Consent Items

RCMP Contract

That Council budget the RCMP contract at 92% for 2024 and 95% for 2025 to 2028 for the 2024-2028 Financial Plan.

The motion was defeated.

Opposed: *Mayor Krog and Councillors Brown, Geselbracht, Hemmens, Manly*

That Council budget the RCMP contract at 93% for 2024 and 95% for 2025 to 2028 for the 2024-2028 Financial Plan.

The motion was defeated.

Opposed: *Mayor Krog and Councillors Brown, Geselbracht, Hemmens, Manly*

That Council retain the status quo and budget the RCMP Contract at 95% for the 2024 – 2028 Financial Plan. The motion carried.

Opposed: *Councillors Armstrong, Eastmure and Thorpe*

**10. REPORTS:**

a. Nanaimo Operations Centre Alternative Approval Process

Introduced by Dale Lindsay, Chief Administrative Officer.

Delegation:

1. Sanford Bartlett, spoke regarding the Alternative Approval Process (AAP). Highlights included:

- The last referendum in the City of Nanaimo was held in 2017, but AAP's have been conducted since then
- AAP's are difficult for the average person to understand
- Requested additional notification and explanation regarding an AAP to ensure accessibility, involvement and improved trust within the community

- Compared the cost of hosting an AAP to a referendum
- Borrowing money on behalf of the public requires that the public be engaged
- Requested that Council consider seismic upgrades instead of a new Public Works building

Council and Staff discussion took place. Highlights included:

- Improving the level of communication regarding an AAP
- Offering a tour of the Public Works facility
- Providing further information regarding the Nanaimo Operations Centre AAP during an upcoming Governance and Priorities Committee (GPC) meeting in January
- Borrowing windows through the Regional District of Nanaimo (RDN) are limited to the Spring and Fall
- Concerns regarding overcrowding and Staff conditions at the current Public Works facility

It was moved and seconded that Council move forward with a second Alternative Approval Process in relation to “Nanaimo Operations Centre Phase One Borrowing Bylaw 2023 No. 7362” and:

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 78,892;
2. establish a deadline of 4:30 p.m. on Tuesday, 2024-FEB-20 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 titled “Nanaimo Operations Centre Alternative Approval Process” dated 2023-DEC-04.

The motion carried.

Opposed: *Councillors Brown and Geselbracht*

Councillor Brown vacated the Shaw Auditorium at 10:42 p.m.

- b. 2024 Council and Committee Key Date Calendar

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council approve the 2024 Council and Committee Key Date Calendars as presented on Attachment 'F' of the Staff report titled "2024 Council and Committee Key Date Calendars", dated 2023-DEC-04. The motion carried unanimously.

c. 2024 Acting Mayor Schedule

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council approve the 2024 Acting Mayor Schedule as presented:

Councillor Brown	2024-JAN-01 to 2024-FEB-18
Councillor Armstrong	2024-FEB-19 to 2024-MAR-31
Councillor Thorpe	2024-APR-01 to 2024-MAY-12
Councillor Geselbracht	2024-MAY-13 to 2024-JUN-23
Councillor Hemmens	2024-JUN-24 to 2024-AUG-11
Councillor Perrino	2024-AUG-12 to 2024-SEP-29
Councillor Manly	2024-SEP-30 to 2024-NOV-10
Councillor Eastmure	2024-NOV-11 to 2024-DEC-31

The motion carried unanimously.

d. Amendment to Rates and Charges for Water

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that "Waterworks Rate and Regulation Amendment Bylaw 2023, No. 7004.21" (a bylaw to set the water rates for 2024) pass first reading. The motion carried unanimously.

It was moved and seconded that "Waterworks Rate and Regulation Amendment Bylaw 2023, No. 7004.21" pass second reading. The motion carried unanimously.

It was moved and seconded that "Waterworks Rate and Regulation Amendment Bylaw 2023, No. 7004.21" pass third reading. The motion carried unanimously.

e. Amendments to Rates and Charges for Sanitary Sewer

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Sewer Regulation and Charge Amendment Bylaw 2023, No. 2496.37” (a bylaw to set the 2024 rates for sanitary sewer) pass first reading. The motion carried unanimously.

It was moved and seconded that “Sewer Regulation and Charge Amendment Bylaw 2023, No. 2496.37” pass second reading. The motion carried unanimously.

It was moved and seconded that “Sewer Regulation and Charge Amendment Bylaw 2023, No. 2496.37” pass third reading. The motion carried unanimously.

f. Amendment to Rates and Charges for Municipal Solid Waste Collection

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “Municipal Solid Waste Collection Amendment Bylaw 2023, No. 7128.15” (a bylaw to set the solid waste collection rates for 2024) pass first reading. The motion carried unanimously.

It was moved and seconded that “Municipal Solid Waste Collection Amendment Bylaw 2023, No. 7128.15” pass second reading. The motion carried unanimously.

It was moved and seconded that “Municipal Solid Waste Collection Amendment Bylaw 2023, No. 7128.15” pass third reading. The motion carried unanimously.

g. Amendment to User Fee Subsidies for 2024

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “User Fee Subsidies Amendment Bylaw 2023, No. 7095.05” (a bylaw to set the 2024 thresholds for User Fee Subsidies) pass first reading. The motion carried unanimously.

It was moved and seconded that “User Fee Subsidies Amendment Bylaw 2023, No. 7095.05” pass second reading. The motion carried unanimously.

It was moved and seconded that “User Fee Subsidies Amendment Bylaw 2023, No. 7095.05” pass third reading. The motion carried unanimously.

h. Amendments to Bulk Water Rates for South West Extension

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2023, No. 7099.12” (a bylaw to set the 2024 bulk water rate for South West Extension) pass first reading. The motion carried unanimously.

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2023, No. 7099.12” pass second reading. The motion carried unanimously.

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2023, No. 7099.12” pass third reading. The motion carried unanimously.

Councillor Eastmure vacated the Shaw Auditorium at 10:53 p.m. declaring a conflict of interest as she lives near 1 Terminal Avenue.

**11. BYLAWS:**

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

It was moved and seconded that Council defer considering adoption of “Zoning Bylaw Amendment Bylaw 2022 No. 4500.204” until such time as the Province has confirmed that their facilitated process has concluded. The motion carried unanimously.

b. “Land Use Contract Discharge Bylaw 2022 No. 7355”

It was moved and seconded that Council defer considering adoption of “Land Use Contract Discharge Bylaw 2022 No. 7355” until such time as the Province has confirmed that their facilitated process has concluded. The motion carried unanimously.

Councillor Eastmure returned to the Shaw Auditorium at 10:55 p.m.

c. “Facility Development Reserve Fund Amendment Bylaw 2023 No. 7217.01”

It was moved and seconded that “Facility Development Reserve Fund Amendment Bylaw 2023 No. 7217.01” (housekeeping amendment) be adopted. The motion carried unanimously.

d. “Building Amendment Bylaw 2023 No. 7224.06”

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) be adopted. The motion carried unanimously.

e. “Highway Closure Dedication Removal Bylaw 2023 No. 7367”

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 portion of Old Victoria Road adjacent to 1044 and 1048 Old Victoria Road) be adopted. The motion carried unanimously.

**12. OTHER BUSINESS:**

a. Councillor Manly Notice of Motion re: Policy Options for Alternative Approval Process

It was moved and seconded 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. The motion carried unanimously.

Council and Staff discussion took place regarding the feasibility of an Alternative Approval Process policy being implemented prior to the start of the Nanaimo Operation Centre (NOC) AAP in January 2024. It was confirmed that a new policy would not be in place before the start of the NOC AAP.

**13. QUESTION PERIOD:**

Council received two questions from the public regarding agenda items.

**14. ADJOURNMENT:**

It was moved and seconded at 11:07 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

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DEPUTY CORPORATE OFFICER