



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

Monday, February 5, 2024, 2:29 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, Community Services/Deputy CAO  
L. Mercer, General Manager, Corporate Services  
B. Sims, General Manager, Engineering and Public Works  
B. Corsan, Director, Corporate and Business Development  
J. Holm, Director, Planning and Development  
S. Gurrie, Director, Legislative Services  
N. Sponaule, Communications Advisor  
A. Chanakos, Recording Secretary

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

The Regular Council Meeting was called to order at 2:29 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*:

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

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:

- (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;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (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,

*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 2:30 p.m.

Council moved out of In Camera at 6:15 p.m.

Council recessed the Open Meeting at 6:15 p.m.

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

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

- (a) Agenda Item 15(a) Other Business – Add Sierra Club BC Request for Letter of Support re: Advocacy for Provincial Action for Biodiversity.

### **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, 2024-JAN-15 at 4:00 p.m.
- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, Nanaimo, BC, on Monday, 2024-JAN-22 at 11:00 a.m.

The motion carried unanimously.

**6. MAYOR'S REPORT:**

Mayor Krog advised of the following:

- GoByBike Week runs 2024-FEB-05 to 2024-FEB-09, and celebration stations will be set up at various locations throughout the week. Register online and enter to win prizes at [www.gobybikebc.ca](http://www.gobybikebc.ca)
- 21 new and returning artists and designers have been chosen for the 2024-2026 Urban Design Roster
- Nanaimo was selected by the Ministry of Housing to receive the provincial Homeless Encampment Action Response Team (HEART) and Homeless Encampment Action Response Temporary Housing (HEARTH) program
- The City signed a Memorandum of Understanding with the Province on 2024-JAN-29 to formalize a shared commitment to homelessness

**7. RISE AND REPORT:**

The Mayor advised of the following:

a. 2024 - 2026 Urban Design Roster - New Term

During the 2023-DEC-18 In Camera Council Meeting, Council passed a motion to approve the appointment of 21 artists to the 2024-2026 Urban Design Roster for a two-year term beginning 2024-JAN-01, as follows:

1. Amy Pye
2. Anais Lera
3. Ay Lelum
4. Bernadette McCormack
5. David Martinello
6. Eliot White-Hill, Kwulasultun
7. Emily Thiessen

8. Erin Gibbs
9. Humanity in Art
10. Jillian Mundy
11. Kristen Elkow
12. Mauro Dalla Costa
13. Noel Brown
14. Pauline Gallinat
15. Patrick Belanger
16. Pellvetica
17. Robert Plante
18. Roz Maclean
19. Sarita Mielke
20. Sebastian Abboud
21. Stephanie Teichman

b. 2024 Temporary Public Art Recommendations

During the 2023-DEC-18 In Camera Council Meeting, Council passed a motion to approve the following 2024 Temporary Public Art projects:

- Robert Turriff, Colliery Dam Project #1
- Eliot White-Hill, Kwulasultun, Old City Quarter Project #2

c. 2024 Youth Poet Laureate

During the 2023-DEC-18 In Camera Council Meeting, Council passed a motion to approve the appointment of Paige Pierce to the position of Youth Poet Laureate for a two-year term beginning 2024-JAN-01 and ending 2025-DEC-31.

**8. 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-NOV-27, 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-DEC-11, at 12:59 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, 2024-JAN-22, at 1:00 p.m.

**9. CONSENT ITEMS:**

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

(a) Governance and Priorities Committee Meeting 2024-JAN-22

1. Roadway Asphalt Asset Management and Maintenance Plan

That Council consider increasing the annual road maintenance budget by \$1.5 million per year as part of the 2025 – 2029 Draft Financial Plan and adjusting the maintenance plan as proposed in the 2024-JAN-22 report titled "Roadway Asphalt Asset Management and Maintenance Plan", "Attachment D - 2022 Pavement Condition Assessment Report", Table D-5.

2. 2024 AVICC Resolutions

That Council direct Staff to submit the following resolutions to the Association of Vancouver Island and Coastal Communities for consideration at their 2024 Annual General Meeting:

**1. Investment in Complex Care Beds**

"WHEREAS in 2022, the BC Emergency Health Services reported a 75% total increase in annual overdose/poisoning events since the toxic drug crisis was declared a public health emergency in 2016 and the BC Provincial Overdose Cohort reports that brain injury is 15 times more likely among people who had experienced drug poisoning than those who had not;

AND WHEREAS the number of supports available for individuals requiring complex care due to health challenges related to substance use disorder has proven grossly inadequate for the ever-increasing demand in communities all across British Columbia;

THEREFORE BE IT RESOLVED that UBCM lobby the Province to increase investment in complex care beds to address the growing demand from those who have suffered serious health impacts from substance use disorder."

## **2. Mental Health Liaison Officers**

"WHEREAS RCMP members continue to respond to a significant number of calls for service for individuals dealing with mental health challenges and Mental Health Liaison Officers have proven to be an effective resource for assisting vulnerable citizens requiring support;

AND WHEREAS local governments are not provided funding to pay for healthcare and social services and there has been no increase in the Provincial funding model to support these officers responding to chronic/crisis mental health calls;

THEREFORE BE IT RESOLVED that UBCM advocate for the Province to fund RCMP Mental Health Liaison Officers within local detachments."

## **3. Provincial Housing Coordinator**

"WHEREAS the number of people experiencing homelessness or housing instability across the Province has been increasing at an unprecedented rate;

AND WHEREAS the Province has invested considerable funds in supportive housing, the majority of which operate as low barrier facilities making it challenging for individuals in recovery to secure housing options that support an addiction-free lifestyle;

THEREFORE BE IT RESOLVED that UBCM lobby the Province to establish a Provincial Housing Coordinator to work directly with those persons who are experiencing homelessness and who are not in need of supports, to find suitable housing."

## **4. Provincial Core Funding for Evolving Public Libraries**

"WHEREAS core funding for public libraries in British Columbia has remained unchanged since 2009, limiting their ability to expand and evolve their programming as demand for their services increases;

AND WHEREAS the operational requirements of public libraries increasingly require significant and diverse resources to provide front-line community services, including supporting patrons with mental health and addiction issues as well as barriers to housing, providing critical locations of refuge during extreme weather events, providing services to new Canadians, and supporting the process of reconciliation with Indigenous peoples;

THEREFORE BE IT RESOLVED that AVICC call on the provincial government to recognize the evolving and challenging situation for public libraries as well as their unique role as community spaces, and increase annual core funding for libraries to \$30 million in keeping with the request made by the BC Public Library Partners and the recommendation of the province's Select Standing Committee on Finance and Government Services.

AND BE IT FURTHER RESOLVED that this increase in core funding be increased on a yearly basis in keeping with cost of living and inflationary pressures."

The motion carried unanimously.

Councillor Manly vacated the Shaw Auditorium at 7:05 p.m. declaring a conflict of interest as he is the Executive Director the Unitarian Shelter.

(b) Separately Addressed Consent Items

1. Governance and Priorities Committee Meeting 2024-JAN-22

1.1 2024 AVICC Resolutions

It was moved and seconded that Council direct Staff to submit the following resolution to the Association of Vancouver Island and Coastal Communities for consideration at their 2024 Annual General Meeting:

**Emergency Shelters & Compliance with BC Building Code & BC Fire Code**

"WHEREAS many communities are experiencing a crisis-level influx of homeless individuals and the existence of emergency shelters is critical to addressing the safety of people experiencing homelessness;

AND WHEREAS, due to the urgent nature of the need and the lack of suitable building stock in many communities, emergency shelters are frequently operating from buildings that do not meet the major occupancy classification requirements of the BC Building Code, nor the requirements of the BC Fire Code, placing local governments at risk of incurring liability if they do not enforce the codes and risking shutting down emergency shelters if they do enforce the codes;

THEREFORE BE IT RESOLVED that UBCM request the Province work with the Building Safety Standards Branch to establish some reasonable variances to the BC Building Code and BC Fire Code to enable emergency shelters to remain open."

The motion carried unanimously.

Councillor Manly returned to the Shaw Auditorium at 7:06 p.m.

#### **10. DELEGATIONS:**

a. Brian Snyder re: Bylaw Update and Compensation for Homeowners Upon Closure of a Manufactured Home Park in the City

Brian Snyder provided a PowerPoint presentation regarding bylaw updates and compensation for homeowners upon closure of a manufactured home park within the city. Highlights included:

- Manufactured Home Parks represent an appropriate and affordable housing option
- Eight Manufactured Home Parks in Nanaimo are over 50 years old, most have low density housing, sit on valuable city land and have aging infrastructure in need of upgrades
- Southgate Mobile Home Community includes 14 homes and seven RVs on 1.7 acres and is listed for sale at \$3 million
- Landowners are required to give homeowners 12 months' notice to vacate once a Development Permit is received, and homeowners are compensated \$20,000 to move their home
- It was requested that "Mobile Home Parks Bylaw 1984 No. 2704" be updated to reflect City Plan goals, and apply those changes to all Manufactured Home Parks within the City
- Homeowners should be provided fair, equitable compensation should a Manufactured Home Park be closed
- City Plan notes a tenant relocation plan is required for rezoning or redevelopment of existing mobile home parks

Council discussion took place regarding the current state of Southgate Mobile Home Community.

Council and Staff discussion took place regarding tenant protection during redevelopment of Manufactured Home Parks.



## 11. REPORTS:

### a. Property Management Strategy

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

#### Presentation:

1. Bill Corsan, Director, Corporate and Business Development, provided a presentation. Highlights included:

- The Property Management Strategy was last updated in 2013, and provides an inventory of the City's land assets, processes for acquisition and disposition of land, and property management
- The City's land inventory has increased by 11.5% since 2013, with a total inventory of 3,773 acres
- Two-thirds of City-owned lands are within the City boundary, and one-third of lands are in the Regional District of Nanaimo
- 93% of City-owned land is parkland
- Many city utilities on private land are protected under Statutory Right of Ways
- Staff will review the Property Management Strategy each year and present Council with an update on which properties have been acquired or disposed of

### b. 220 Haliburton 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 four-unit multi-family development at 220 Haliburton Street as presented in Attachment 'A' of the report titled "220 Haliburton Street - Acceptance of Project Under Revitalization Tax Exemption Bylaw 2018 No. 7261", dated 2024-FEB-05. The motion carried.

Opposed: *Councillors Armstrong, Brown, Geselbracht and Manly*

### c. Liquor Licence Application No. LA155 - 1724 Stewart Avenue

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council recommend the Liquor and Cannabis Regulation Branch approve the liquor licence amendment application for 1724 Stewart Avenue (Carlos O'Bryan's Neighbourhood Pub) to permit a permanent extension of the existing 93m<sup>2</sup> outdoor patio area. The motion carried unanimously.

d. Development Permit Application No. DP1281 - 404 and 406 Millstone Avenue

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council issue Development Permit No. DP1281 for a multi-family development at 404 and 406 Millstone Avenue with variances as outlined in the "Proposed Variances" section of the report titled "Development Permit Application No. DP1281 - 404 and 406 Millstone Avenue", dated 2024-FEB-05. The motion carried unanimously.

Opposed: *Councillor Armstrong*

e. Development Permit Application No. DP1306 - 3201 Ross Road

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council issue Development Permit No. DP1306 for an accessory parking structure at 3201 Ross Road with variances as outlined in the "Proposed Variances" section of the report titled "Development Permit Application No. DP1306 - 3201 Ross Road", dated 2024-FEB-05. The motion carried unanimously.

f. Rezoning Application No. RA497 - 6450 Island Highway North

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that "Zoning Amendment Bylaw 2024 No. 4500.220" (to rezone 6450 Island Highway North from Woodgrove Urban Centre [CC4] to Woodgrove Urban Centre [CC4] with a site-specific mini storage use) pass first reading. The motion carried unanimously.

It was moved and seconded that "Zoning Amendment Bylaw 2024 No. 4500.220" pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to hold a Public Hearing for "Zoning Amendment Bylaw 2024 No. 4500.220"; and,

Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2024 No. 4500.220” as outlined in the “Conditions of Rezoning” section of the report titled "Rezoning Application No. RA497 - 6450 Island Highway North", dated 2024-FEB-05 should Council support the bylaw at third reading. The motion carried unanimously.

g. General Amendments to City of Nanaimo Zoning Bylaw

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.219” (general text and mapping amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500”) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.219” pass second reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.219” pass third reading. The motion carried unanimously.

h. 2023 - 2027 Financial Plan Amendment Bylaw

Introduced by Laura Mercer, General Manager, Corporate Services.

It was moved and seconded that “Financial Plan Amendment Bylaw 2024 No. 7359.02” (to amend the 2023 – 2027 Financial Plan), pass first reading. The motion carried unanimously.

It was moved and seconded that “Financial Plan Amendment Bylaw 2024 No. 7359.02” pass second reading. The motion carried unanimously.

It was moved and seconded that “Financial Plan Amendment Bylaw 2024 No. 7359.02” pass third reading. The motion carried unanimously.

**12. BYLAWS:**

a. “Zoning Amendment Bylaw 2023 No. 4500.214”

It was moved and seconded that “Zoning Amendment Bylaw 2023 No. 4500.214” (to rezone 6124 Metral Drive from Single Dwelling Residential [R1] to Residential Corridor [COR1]) be adopted. The motion carried unanimously.

**13. OTHER BUSINESS:**

- a. Sierra Club BC Request for Letter of Support re: Advocacy for Provincial Action for Biodiversity

It was moved and seconded that the Mayor provide a letter of support to Sierra Club BC regarding advocacy for Provincial action for biodiversity. The motion carried unanimously.

**14. QUESTION PERIOD:**

Council received two questions from the public regarding agenda items.

**15. ADJOURNMENT:**

It was moved and seconded at 7:50 p.m. that the meeting adjourn. The motion carried unanimously.

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MAYOR

CERTIFIED CORRECT:

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CORPORATE OFFICER