



MINUTES
REGULAR COUNCIL MEETING

Monday, February 26, 2024, 4:30 P.M.
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Members: Mayor L. Krog, Chair
Councillor S. Armstrong (vacated 7:31 p.m.; returned 7:33 p.m.)
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
S. Gurrie, Director, Legislative Services
J. Holm, Director, Planning and Development
D. Burgos, Manager, Corporate Communications and
Community Relation Communications
J. McAskill, Manager, Facility Asset Planning
N. Sponaule, Communications Advisor
K. Lundgren, Recording Secretary

1. CALL THE MEETING TO ORDER:

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

Council moved In Camera at 4:30 p.m.

Council moved out of In Camera at 6:25 p.m.

Council recessed the Open Meeting at 6:25 p.m.

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

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 9 Committee Minutes – add minutes of the Public Safety Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2024-FEB-21, at 4:00 p.m.
- (b) Agenda Item 10 Consent Items – add recommendation from the Public Safety Committee Meeting 2024-FEB-21

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, on Monday, 2024-FEB-05 at 2:30 p.m.
- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2024-FEB-15 at 7:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- The City unveiled the new utility covers, integrating traditional Snuneymuxw art into the urban landscape. These new designs will be used for new installations and when old covers need to be replaced. The City anticipates that 20-40 will be installed on Nanaimo's streets each year
- The City launched new environmental project grants for watershed restoration and other environmental sustainability projects. Applications are being accepted for two separate grants providing funding for community environmental projects that will help implement goals of the City Plan and improve livability in our community. The Community Watershed Restoration grant will provide up to \$20,000 in grant funds. The deadline for submitting applications is 4:00 p.m. on Tuesday, April 2, 2024
- The City of Nanaimo selection of art projects for the 2024 Temporary Public Art program includes projects from Robert Turriff and Eliot White-Hill, Kwulasultun

7. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Center, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2023-NOV-22 at 9:00 a.m.
- Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Center, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2023-NOV-29 at 9:00 a.m.

- Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Center, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2023-DEC-01 at 9:00 a.m.
- Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Center, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2023-DEC-13 at 9:00 a.m.
- Minutes of the Special 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 7:00 p.m.
- Minutes of the Public Safety Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2024-FEB-21, at 4:00 p.m.

8. CONSENT ITEMS:

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

Prior to the vote, Mayor Krog requested that Agenda Item 10(a)(1) and 10(c) be removed to be voted on separately.

(a) Governance and Priorities Committee Meeting 2024-FEB-12

1. Micromobility Update

That Council direct Staff to bring for Council's consideration an amendment to the "Traffic and Highways Regulation Bylaw 1993 No. 5000" to regulate micromobility devices.

(b) Finance and Audit Committee Meeting 2024-FEB-21

1. Central Vancouver Island Japanese Canadian Legacies Society, Heritage and Reconciliation Grants Social Centre - Room 6

That Council approve a five-year Licence of Use Agreement (with option for three subsequent renewals) with 7 Potatoes for use of Room 6 in the Beban Social Centre, conditional upon approval of the Japanese Canadian Legacies Society grant application and subsequent renovation.

2. Japanese Canadian Heritage Site Proposal for the Nanaimo Waterfront

That Council support a joint grant application between the City of Nanaimo and the Central Vancouver Island Japanese Canadian

Heritage Society for funding up to \$400,000 from the Japanese Canadian Legacies Society to create a Japanese Canadian Heritage Site along the Nanaimo waterfront.

3. Funding for Assistive Hearing Devices

That Council approve the Assistive Hearing Devices pilot project to be funded up to \$10,000 from the Parks/Facility Accessibility and Inclusivity project budget.

4. Seventh Street Pump Station

That Council increase the budget for the Seventh Street Pump Station project in 2024 by \$450,000 from \$573,887 to \$1,023,887 funded by \$288,000 from the Sewer DCC Reserve Fund and \$162,000 from the Sewer Asset Management Reserve Fund.

5. Heritage Façade Grant - 200 Commercial Street

That Council approve a \$7,770 Heritage Façade Grant for the Halse Block building located at 200 Commercial Street to repaint the building's exterior.

6. Heritage Façade Grant - 403 Fitzwilliam Street

That Council approve a \$12,230 Heritage Façade Grant for the S&W Apartments building located at 403 Fitzwilliam Street to install replicated wood siding on the upper portion (parapet) of the building's exterior facing onto Fitzwilliam Street and replace the building's roof.

7. Permissive Tax Exemption Application and Other Grant Request

That Council:

1. Award a Permissive Tax Exemption commencing with the 2025 taxation year to the Nanaimo Men's Centre for the property that it leases at 418D Fitzwilliam Street; and
2. Award a 2024 Cash Grant to the Nanaimo Men's Centre to a maximum amount of \$3,600 for the 2024 property taxation year for the portion of the property that it leases at 418D Fitzwilliam Street.

8. 2023 Surplus Allocation

1. Approve the allocation of the 2023 operating surplus as follows:

General Fund

a.	RCMP Contract Reserve	1,700,000
b.	General Financial Stability Reserve	1,200,000
c.	Special Initiatives Reserve	2,870,000
d.	Property Acquisition Reserve	500,000
e.	General Capital Reserve	<u>2,443,706</u>
Total:		\$ 8,713,706

Sewer Fund

a.	Sewer Reserve	419,078
b.	Sewer Financial Stability Reserve	<u>100,000</u>
Total:		\$ 519,078

Water Fund

a.	Water Reserve	345,639
b.	Water Financial Stability Reserve	<u>48,945</u>
Total:		\$ 394,584

2. Amend the 2024-2028 Financial Plan for final to increase the 2024 budget for the South End Community Centre Land project by \$1,500,000.

The motion carried.

Opposed: *Councillors Armstrong and Brown*

(c) Separately Addressed Consent Items

1. Governance and Priorities Committee Meeting 2024-FEB-12

School Zone Policy Update

Bill Sims, General Manager, Engineering and Public Works, provided an explanation for the new School Zone Signing Policy.

It was moved and seconded that Council direct Staff to present options at a Governance and Priorities Committee Meeting to make enforceable 30km/h speed limit signs in high-risk pedestrian areas such as near schools. The motion carried.

Opposed: *Mayor Krog and Councillors Armstrong, Perrino and Thorpe*

It was moved and seconded that the topic related to enforceable 30km/h speed limit signs in high-risk pedestrian areas be referred to the Public Safety Committee for input. The motion carried unanimously.

2. Public Safety Committee Meeting 2024-FEB-21

Future Meeting Items

It was moved and seconded that Council refer the following consent item back to Staff to ensure the item fits within City policy or to provide other options:

“That Council add the Nanaimo Neighbourhood Network as a standing presentation item on Public Safety Committee Agendas for up to ten minutes at each Public Safety Committee Meeting.”

The motion carried unanimously.

9. REPORTS:

a. Development Variance Permit Application No. DVP460 – 900 Fifth Street (Vancouver Island University)

Introduced by Jeremy Holm, Director, Planning & Development.

The Mayor requested to hear anyone wishing to speak with respect to Development Variance Permit Application No. DVP460 – 900 Fifth Street (Vancouver Island University).

No one wished to speak regarding Development Variance Permit Application No. DVP460 – 900 Fifth Street (Vancouver Island University).

It was moved and seconded that Council issue Development Variance Permit No. DVP460 to allow a student housing development and retaining wall with variances, as outlined in the “Proposed Variances” section of the Staff Report titled “Development Variance Permit Application No. DVP460 – 900 Fifth Street (Vancouver Island University)” dated 2024-FEB-26. The motion carried unanimously.

Councillor Armstrong vacated the Shaw Auditorium at 7:31 p.m. declaring a conflict of interest as she sits on a board that currently rents the building at 880 Hecate Street.

b. Development Permit Application No. DP1299 – 880 Hecate Street

Introduced by Jeremy Holm, Director, Planning & Development.

It was moved and seconded that Council issue Development Permit No. DP1299 for a multi-family development at 880 Hecate Street with variances as outlined in the “Proposed Variances” section of the Staff Report titled “Development Permit Application No. DP1299 – 880 Hecate Street” dated 2024-FEB-26. The motion carried unanimously.

Councillor Armstrong returned to the Shaw Auditorium at 7:33 p.m.

- c. Development Permit Application No. DP1321 – 345 Newcastle Avenue and 360 Stewart Avenue

Introduced by Jeremy Holm, Director, Planning & Development.

It was moved and seconded that Council issue Development Permit No. DP1321 at 345 Newcastle Avenue and 360 Stewart Avenue with variances as outlined in the “Proposed Variances” section of the Staff Report titled “Development Permit Application No. DP1321 – 345 Newcastle Avenue and 360 Stewart Avenue” dated 2024-FEB-26. The motion carried unanimously.

- d. Development Permit Application No. DP1294 – 6004 Nelson Road

Introduced by Jeremy Holm, Director, Planning & Development.

It was moved and seconded that Council issue Development Permit No. DP1294 for a multi-family townhouse development at 6004 Nelson Road with variances as outlined in the “Proposed Variances” section of the Staff Report titled “Development Permit Application No. DP1294 – 6004 Nelson Road” dated 2024-FEB-26. The motion carried unanimously.

- e. Electric Vehicle Supply Equipment Cost Recovery Bylaw

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

Jennifer McAskill, Manager, Facility Asset Planning, spoke regarding the “Electric Vehicle Recharging Bylaw 2024 No. 7365” as well as the amendments to existing bylaws.

Electric Vehicle Recharging Bylaw

It was moved and seconded that Council give first reading to “Electric Vehicle Recharging Bylaw 2024 No. 7365” (a bylaw to collect electric vehicle supply equipment and energy cost charges within the City of Nanaimo). The motion carried unanimously.

It was moved and seconded that Council give second reading to “Electric Vehicle Recharging Bylaw 2024 No. 7365”. The motion carried unanimously.

It was moved and seconded that Council give third reading to “Electric Vehicle Recharging Bylaw 2024 No. 7365”. The motion carried unanimously.

Fees and Charges Amendment Bylaw

It was moved and seconded that Council give first reading to “Fees and Charges Amendment Bylaw 2024 No. 7336.07” (a bylaw to add electric vehicle charging connection fees). The motion carried unanimously.

It was moved and seconded that Council give second reading to “Fees and Charges Amendment Bylaw 2024 No. 7336.07”. The motion carried unanimously.

It was moved and seconded that Council give third reading to “Fees and Charges Amendment Bylaw 2024 No. 7336.07”. The motion carried unanimously.

Bylaw Notice Enforcement Amendment Bylaw

It was moved and seconded that Council give first reading to “Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.19” (a bylaw to assign fines associated with electric vehicle charging). The motion carried unanimously.

It was moved and seconded that Council give second reading to “Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.19”. The motion carried unanimously.

It was moved and seconded that Council give third reading to “Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.19”. The motion carried unanimously.

f. Property Disposition - District Lot 9 Lands

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

It was moved and seconded that Council:

1. approve the disposition of District Lot 9 to the Province of British Columbia as represented by the Ministry of Indigenous Relations and Reconciliation for \$1,455,000; and
2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

The motion carried unanimously.

g. 421 Prideaux Street - Acceptance of Project Under Revitalization Tax Exemption Bylaw 2018 No. 7261

Introduced by Bill Corsan, Corporate & Business Development.

It was moved and seconded that Council approve the Revitalization Tax Exemption Agreement for a proposed 16-unit, multi-family development at 421 Prideaux Street. The motion carried.

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

10. BYLAWS:

- a. "Financial Plan Amendment Bylaw 2024 No. 7359.02"

It was moved and seconded that "Financial Plan Amendment Bylaw 2024 No. 7359.02" (To amend the 2023 – 2027 Financial Plan) be adopted. The motion carried unanimously.

11. NOTICE OF MOTION:

- a. Councillor Manly Notice of Motion re: Harewood Plains

Councillor Manly advised that he will be bringing forward the following motions for consideration at a future Council Meeting:

"That the City of Nanaimo request that the Province of British Columbia work with the City of Nanaimo, the Regional District of Nanaimo, Snuneymuxw First Nation, Nanaimo and Area Land Trust and the Federal Government to protect the ecologically and culturally sensitive areas within the area known as the Harewood Plains including the protection of identified species at risk."

"That the City of Nanaimo request that the Federal Government work with the City of Nanaimo, the Regional District of Nanaimo, Snuneymuxw First Nation, Nanaimo and Area Land Trust and the Province of British Columbia to protect the ecologically and culturally sensitive areas within the area known as the Harewood Plains including the protection of identified species at risk."

12. OTHER BUSINESS:

- (a) Radio Malaspina Society/CHLY 101.7FM Request for Letter of Support re: Grant Application to the Community Radio Fund of Canada's Radiometres Program

It was moved and seconded that the Mayor provide a letter of support to Radio Malaspina Society/CHLY 101.7 regarding a grant application to the Community Radio Fund of Canada's Radiometres Program. The motion carried unanimously.

13. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

14. ADJOURNMENT:

It was moved and seconded at 7:55 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER