



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

Monday, May 6, 2024, 4:30 P.M.  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC

Members: Mayor L. Krog, Chair  
Councillor S. Armstrong  
Councillor T. Brown  
Councillor H. Eastmure  
Councillor B. Geselbracht\*  
Councillor E. Hemmens  
Councillor P. Manly  
Councillor I. Thorpe

Absent: Councillor J. Perrino

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  
Insp. A. Burton, Nanaimo RCMP  
T. Doyle, Fire Chief  
B. Corsan, Director, Corporate and Business Development  
S. Gurrie, Director, Legislative Services  
J. Holm, Director, Planning and Development  
L. Brinkman, Manager, Community Planning  
D. Burgos, Manager Corporate Communication and Community Relation  
K. Biegun, Planner, Community Development  
C. Horn, Planner  
N. Sponaule, Communications Advisor  
J. Vanderhoef, 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 4:30 p.m.

**2. INTRODUCTION OF LATE ITEMS:**

- (a) Agenda Item 2 Procedural Motion – 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;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (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 interest 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 6:12 p.m.

Council recessed the Open Meeting at 6:12 p.m.

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

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

- (b) Agenda Item 12(c) Development Permit Application No. DP1307 - 924 Old Victoria Road – add delegation from Sid Landolt.
- (c) Agenda Item 12(e) Increasing Housing Options and Small-Scale Multi-Unit Housing – add PowerPoint presentation.

- (d) Remove Agenda Item 15(b) Request from Councillor Brown re: Attendance at the annual Local Government Management Association (LGMA) conference.

**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 Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2024-APR-29 at 11:00 a.m. be adopted as circulated. The motion carried unanimously.

**6. MAYOR'S REPORT:**

Mayor Krog advised of the following:

- On 2024-MAY-22 the City's Public Works Department will host grade four and five elementary school students as part of National Public Works Week. Students will learn about public works services and maintaining public services
- Effective 2024-MAY-01 the new provincial short-term rental requirements came into force and requires short-term rentals to post a valid City of Nanaimo business licence in order to operate
- 2024-MAY-05 was Red Dress Day which is held annually in honor of the national day of awareness for missing and murdered indigenous women, girls, and two spirit people
- Announced the launch of the new e-bike share program 2024-MAY-01
- Reviewed the schedule for the 2024 Concerts in the Parks series

**7. RISE AND REPORT:**

a. Appointment to the Advisory Committee on Accessibility and Inclusiveness

Mayor Krog advised that during the In Camera portion of the 2024-APR-22 meeting, Council appointed Sarah Pump as an at large member to the Advisory Committee on Accessibility and Inclusiveness for a term ending 2026-OCT-16.

**8. PRESENTATIONS:**

a. 2024 - 2025 Nanaimo Detachment Annual Performance Plan Priorities

Inspector Andrew Burton, Nanaimo RCMP provided an overview of the Nanaimo Detachment's Annual Performance Plan (APP) priorities. Highlights included:

- APP are required annually and are prepared through engagement with local municipalities and RCMP headquarters
- The APP provides the framework for priorities for the year
- RCMP plan to target crime reduction through:
  - The Repeat Violent Offending Intervention Initiative (REVOII) and the Special Investigation and Targeted Enforcement (SITE)
  - The Provincial Tactical Enforcement Priority (PTEP)
  - Gang awareness strategies through presentations in schools
  - Road safety to combat impaired driving
- Off duty sickness (ODS) is impacting staffing levels and the detachment is looking at strategies to bring members back to work and improve morale, but also to mitigate instances where people need to be off
- Increasing inclusion and reconciliation with the Indigenous Police Services unit which is a two-unit team
- Police staffing levels are down so recruiting is being done proactively
- Gangs targeting youth in schools and RCMP officers increasing their presence in schools to become a familiar presence
- Unstamped cigarette sales are a new commodity being pedaled on the streets
- Beginning 2024-JUN-01 four officers will be assigned to hotspots in the downtown core focusing on community concerns and targeting repeat offenders

## **9. 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, 2024-MAR-11, 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, 2024-APR-29, at 1:00 p.m.

## 10. CONSENT ITEMS:

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

### (a) Governance and Priorities Committee Meeting 2024-APR-29

#### 1. Draft Monitoring Strategy

That Council endorse in principle the draft Monitoring Strategy and engagement framework and direct Staff to proceed with next steps as outlined in the 2024-APR-29 Staff Report by the Manager, Sustainability.

#### 2. Downtown Nanaimo Community Safety Action Plan Evaluation and Strategy Alignment

That Council direct Staff to proceed with a cost analysis of the preferred scenarios found in the Downtown Nanaimo Community Safety Action Plan Evaluation and Strategy Alignment Report, dated 2024-APR-29, for the expansion of the Community Safety Officer and Clean Team programs and to prepare a business case for 2025 budget deliberations.

#### 3. Keeping of Poultry in Residential Areas

That Council direct Staff to prepare amendments to the City of Nanaimo "Zoning Bylaw 2011 No. 4500", as outlined in the Staff Report titled "Keeping of Poultry in Residential Areas" dated 2024-APR-29.

The motion carried unanimously.

## 11. DELEGATIONS:

### a. Cailan Libby, Happipad, and Jeremy Bellsmith, Nanaimo Churches, re: Happipad App

These delegations will be rescheduled to a future meeting as Cailan Libby, Happipad, was unable to attend this meeting.

### b. Alan Clarke re: Housing in Nanaimo and BC

Alan Clarke spoke regarding concerns with increased housing costs and drug use within BC Housing facilities.

Council recessed the Open Meeting at 7:40 p.m.

Council reconvened the Open Meeting at 7:42 p.m.

## 12. REPORTS:

a. Municipal and Regional District Tax Renewal Bylaw

Introduced by Laura Mercer, General Manager, Corporate Services.

It was moved and seconded that “Accommodation Tax Request Bylaw 2024 No. 7383” (To renew the Municipal and Regional District Tax [MRDT]) pass first reading. The motion carried unanimously.

It was moved and seconded that “Accommodation Tax Request Bylaw 2024 No. 7383” pass second reading. The motion carried unanimously.

It was moved and seconded that “Accommodation Tax Request Bylaw 2024 No. 7383” pass third reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to submit an application to Destination BC for a renewal of the Municipal Regional District Tax effective 2025-JAN-01 to 2029-DEC-31 following adoption of the bylaw. The motion carried unanimously.

b. Development Variance Permit Application No. DVP463 – 4978 Fillinger Crescent

Introduced by Jeremy Holm, Director, Planning and Development.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP463 – 4978 Fillinger Crescent.

No one in attendance wished to speak with respect to DVP463 – 4978 Fillinger Crescent.

It was moved and seconded that Council issue Development Variance Permit No. DVP463 to reduce the parking requirement at 4978 Fillinger Crescent as outlined in the “Proposed Variance” section of the Staff Report titled “Development Variance Permit Application No. DVP463 – 4978 Fillinger Crescent” dated 2024-MAY-06. The motion carried unanimously.

c. Development Permit Application No. DP1307 – 924 Old Victoria Road

Introduced by Jeremy Holm, Director, Planning and Development.

Delegation:

1. Sid Landolt was not in attendance or online.

It was moved and seconded that Council issue Development Permit No. DP1307 for a light industrial development at 924 Old Victoria Road with variances as outlined in the “Proposed Variances” section of the Staff

Report titled “Development Permit Application No. DP1307 – 924 Old Victoria Road” dated 2024-MAY-06. The motion carried unanimously.

d. Development Procedures and Notification Bylaw

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that “Development Procedures and Notification Bylaw 2024 No. 7375” (to establish development and notification procedures) pass first reading. The motion carried unanimously.

It was moved and seconded that “Development Procedures and Notification Bylaw 2024 No. 7375” pass second reading. The motion carried unanimously.

It was moved and seconded that “Development Procedures and Notification Bylaw 2024 No. 7375” pass third reading. The motion carried unanimously.

e. Increasing Housing Options and Small-Scale Multi-Unit Housing

Introduced by Jeremy Holm, Director, Planning and Development.

Presentation:

1. Caleb Horn, Planner, provided a PowerPoint presentation. Highlights included:

- Staff began work on the Increasing Housing Options project in 2023 with community engagement during the fall 2023
- The Province introduced Bill 44 in the fall 2023 which includes the Small-Scale Multi-Unit Housing (SSMUH) component
- The SSMUH has requirements around secondary suites as well as the number of dwelling units
- The City of Nanaimo is required to permit three or four dwellings units
- The Province has identified restricted zones and Staff are suggesting the following zones be pre-zoned to meet the Provincial requirements:
  - R5 – three and four unit residential (all areas in the City except the Old City Neighbourhood and Corridor designations)
  - R14 – Old City Fourplex Residential – within the Old City Neighbourhood designation
  - COR1 – Residential Corridor “Interim Corridor Area” – within the Corridor designation

- Outlined some of the exemptions where pre-zoning would not apply
- Provided a map of areas being pre-zoned across the city
- Noted some of the text amendments being proposed for the R5 and R14 zones
- Reviewed some of the proposed zoning changes such as additional density for older homes in the Old City Neighbourhood, limit of two principal buildings on a lot in the R5 zone, introduce secondary suites in duplexes and row houses
- Provided examples of building scenarios in R5 and R14 zones
- Noted that the number of units are the maximum allowable and will not necessarily be feasible for all lots
- Staff are planning a more fulsome review of the Zoning Bylaw during the latter half of 2024 and into 2025

It was moved and seconded that Council direct Staff to bring forward the draft Zoning Amendment Bylaw and draft Building Amendment Bylaw to implement the Increasing Housing Options initiatives and Provincial Small-Scale Multi-Unit Housing legislation. The motion carried unanimously.

f. Transit-Oriented Area Designation Bylaw and Off-Street Parking Bylaw Amendments

Introduced by Jeremy Holm, Director, Planning and Development.

Lisa Brinkman, Manager, Community Planning, and Kasia Biegun, Planner, Community Development, spoke:

- The proposed Transit-Oriented Area Designation Bylaw includes definitions, density framework, and mapping of the three transit-oriented areas (TOA) within in the city: Woodgrove TOA, Country Club TOA and Vancouver Island University TOA
- Local governments have raised concerns regarding the impact of the prescribed density and height framework impacting their ability to secure community benefits; therefore, the Province has placed an interim pause on enforcing the framework and granted local governments the continued use of the density bonus tool until new proactive planning measures are implemented
- Bill 47 requires that the City amend the Off-Street Parking Bylaw to not require parking spaces for any residential use in a TOA



- There were some unintended consequences from Bill 47 which required amendments to terminology in the Off-Street Parking Bylaw
- One proposed change includes the requirement for one long-term bicycle storage space be provided for each multifamily residential unit within a TOA
- The review of these bylaws has been focused on key changes that are necessary in relation to TOAs and a more fulsome review of bylaws related to parking is a priority project for the Transportation Department

It was moved and seconded that “Transit-Oriented Areas Designation Bylaw 2024 No. 7382” (to implement transit-oriented areas as required by Bill 47 – Housing Statutes and associated regulations) pass first reading. The motion carried.

Opposed: *Councillor Armstrong*

It was moved and seconded that “Transit-Oriented Areas Designation Bylaw 2024 No. 7382” pass second reading. The motion carried.

Opposed: *Councillor Armstrong*

It was moved and seconded that “Transit-Oriented Areas Designation Bylaw 2024 No. 7382” pass third reading. The motion carried.

Opposed: *Councillor Armstrong*

It was moved and seconded that “Off-Street Parking Regulations Amendment Bylaw 2024 No. 7266.03” (to implement amendments related to Transit Oriented Areas - Bill 47 – Housing Statutes and associated regulations) pass first reading. The motion carried.

Opposed: *Councillors Armstrong and Thorpe*

It was moved and seconded that “Off-Street Parking Regulations Amendment Bylaw 2024 No. 7266.03” pass second reading. The motion carried.

Opposed: *Councillors Armstrong and Thorpe*

It was moved and seconded that Council direct Staff to proceed to a public hearing for Bylaw 7266.03 prior to consideration of third reading and final adoption, as required by Section 2.3 of the “Off-Street Parking Regulations Bylaw 2018, No. 7266”. The motion carried unanimously.

**13. BYLAWS:**

a. “Zoning Amendment Bylaw 2023 No. 4500.216”

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]) be adopted. The motion carried.

Opposed: *Councillor Armstrong*

b. “2024 – 2028 Financial Plan Amendment Bylaw”

It was moved and seconded that “Financial Plan Amendment Bylaw 2024 No. 7371.01” (To amend the 2024 – 2028 Financial Plan) be adopted. The motion carried unanimously.

c. “Property Tax Rates Bylaw 2024 No. 7380”

It was moved and seconded that “Property Tax Rates Bylaw 2024 No. 7380” (a bylaw to set the property tax rates for 2024) be adopted. The motion carried unanimously.

**14. OTHER BUSINESS:**

a. Correspondence dated 2024-FEB-29 re: Office of the Ombudsperson Quarterly Report: October 1 - December 31, 2023

**15. QUESTION PERIOD:**

Council received one question from the public regarding agenda items.

**16. ADJOURNMENT:**

It was moved and seconded at 8:50 p.m. that the meeting adjourn. The motion carried unanimously.

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MAYOR

CERTIFIED CORRECT:

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CORPORATE OFFICER