



MINUTES
REGULAR COUNCIL MEETING

Monday, September 9, 2024, 4:00 P.M.
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

- Members:
- Mayor L. Krog, Chair (vacated 7:10 p.m., returned 7:38 p.m.)
 - Councillor H. Eastmure, Acting Chair
 - Councillor S. Armstrong
 - Councillor T. Brown (vacated 10:43 p.m.)
 - 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 Chief Administrative Officer
 - L. Mercer, General Manager, Corporate Services
 - B. Sims, General Manager, Engineering and Public Works
 - T. Doyle, Fire Chief
 - S. Gurrie, Director, Legislative Services
 - J. Holm, Director, Planning and Development
 - N. Vracar, Deputy Corporate Officer
 - L. Brinkman, Manager, Community Planning
 - N. Skeels, Acting Manager, Real Estate
 - N. Sponaugle, Communications Advisor
 - A. Chanakos, Recording Secretary

1. CALL THE MEETING TO ORDER:

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

- (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;
- (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,

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 4:00 p.m.

Council moved out of In Camera at 5:43 p.m.

Council recessed the Open Meeting at 5:43 p.m.

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

3. INTRODUCTION OF LATE ITEMS:

- (a) Remove Agenda Item 11(d) Alan Clarke, re: Amendment to the “Respectful Spaces Bylaw 2024 No. 7381”.
- (b) Agenda Item 12(a) Update Lease Disposition to BC Housing – Portion of 1030 Old Victoria Road – Add the following delegations:
 - Patricia Egeli
 - Brianne McDaniel

- (c) Add – Agenda Item 14(b) Royal Canadian Legion Mount Benson Branch Request for Letter of Support re: Grant Application for New Horizons for Seniors Program.

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-JUL-08, at 4:29 p.m.
- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2024-JUL-18, at 7:00 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2024-JUL-22, at 7:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- 2024-SEP-08 marks Firefighters' National Memorial Day, and Mayor Krog recognized those who lost their lives to protect their community
- Staff are in the final stages of planning a celebration in recognition of Ethan Katzberg winning an Olympic gold medal for the men's hammer throw at the 2024 Summer Olympics held in Paris, France
- Ryder Wilson won the U17 expert men's division at the Downhill Mountain Bike Championships in August 2024. In addition, Westley Corrigan and Nate Kirby finished fourth and fifth in the 13-14-year-old division
- The Mid-Island Pirates Baseball Club have earned a silver medal in the U18 national championship game
- A poem of Kamal Parmar, former poet laureate, has been added to Nanaimo's poetry walk downtown outside the Port Theatre, and Mayor Krog expressed appreciation to Kamal

- Construction on Commercial Street started 2024-SEP-03, and all businesses remain open and accessible. Construction is expected to continue until May 2025
- Liberal Party of Canada caucus meeting being held in Nanaimo with Mayor Krog providing a welcome message the evening of 2024-SEP-09

Mayor Krog vacated the Shaw Auditorium at 7:10 p.m. and Councillor Eastmure assumed the Acting Chair.

7. RISE AND REPORT:

The Acting Chair advised that at the In Camera portion of the 2024-JUL-29 meeting, Council:

- Appointed Sahara Roden as an at-large member of the Advisory Committee on Accessibility and Inclusiveness for a term ending 2026-OCT-16; and,
- Appointed Angie Boileau and Harry Law as at-large members to the Design Advisory Panel for a three-year term ending 2027-AUG-30.

8. PRESENTATIONS:

a. Recreation and Culture Summer 2024

Introduced by Richard Harding, General Manager, Community Services/Deputy Chief Administrative Officer.

Presentation:

1. Darcie Osborne, Director, Recreation and Culture, provided a presentation outlining the initiatives that took place throughout the summer. Highlights included:
 - Overview of the updated registration process, including phone lines and recreation facilities opening at 6:00 a.m., in addition to the regular online registration beginning at 6:00 a.m., to accommodate additional early registrations
 - Spring/Summer registrations have increased by 10,465 compared to 2023
 - 50 summer leaders were hired to organize and run the camps, including 12 inclusion leaders
 - Temporary public art installments included Chimes for the South End and Moon Snail House. The ReWilders is planned for installment in September
 - A video was played during the meeting recess at 9:51 p.m.

9. COMMITTEE MINUTES:

The following Committee Minutes were received:

- 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, 2024-MAY-08, at 4:01 p.m.
- Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2024-MAY-23, at 5:04 p.m.

10. DELEGATIONS:

- a. Michael Bassili, Strong Towns Nanaimo, re: Elimination of Parking Requirements

Caelen Middleton, Strong Towns Nanaimo, provided a presentation regarding elimination of parking requirements. Highlights included:

- Parking minimums are the minimum amount of parking spaces that a property must provide per bylaw and appear to be arbitrary
- Underground parking costs approximately \$100,000 per stall to construct, and is paid for by the end user through mortgages, rent, and increased costs of consumer goods
- Recommended expansion of Transit Oriented Areas (TOAs) to cover all reliable and regular bus stops
- Recommended abolishment of minimum parking mandates city wide
- Removing parking requirements allows developers and businesses to provide the amount of parking they feel necessary

Mayor Krog entered Shaw Auditorium at 7:38 p.m. and assumed the Chair.

Council discussion took place. Highlights included:

- Many BC jurisdictions have amended their parking bylaws to make small-scale multi-unit housing more feasible
- Currently, TOAs are concentric rings and there is no flexibility in how the TOA parking reductions for residential parking is applied within those areas
- Policy in Section D4.3 of City Plan supports elimination of parking requirements in the downtown

- The desire to charge market rate for parking to avoid clogging side streets with vehicles in response to a scarcity of parking provided within developments
- Request to put forward a motion to review parking minimums at a future Governance and Priorities Committee (GPC) Meeting under Other Business of the 2024-SEP-09 Council Meeting Agenda

b. Bob Brash, Truck Loggers Association; Doug Pauze, Coastland Wood Industries Ltd.; Daryl Jones, Jones Marine Group Ltd.; and Paul Sadler, Nanaimo Forest Products Ltd., re: Forestry Works for BC, Request for Letter of Support

Bob Brash, Truck Loggers Association, Doug Pauze, Coastland Wood Industries Ltd., Daryl Jones, Jones Marine Group Ltd., and Paul Sadler, Nanaimo Forest Products Ltd., spoke regarding a request for a letter of support. Highlights included:

- The BC forest sector is a top contributor to government revenues and provincial wealth; however, today's revenue numbers are approximately half of what was provided eight years ago
- In 2019, Nanaimo was BC's fourth largest supplier of services to the forest sector
- A forestry worker provides the Provincial Government \$32,900 more than what the Government spends per BC worker
- The allowable annual cut (AAC) is 0.3% of the province's forested lands; however, rapid changes to rules and regulations are hindering access to the AAC for BC forestry companies

Council discussion took place. Highlights included:

- The AAC has dropped 42% in last six years due to provincial changes to forestry policies restricting access to timber
- A ban on log exports would be bad policy; however, it would be preferable to see more timber harvested locally
- Notice to Exporters No. 102 requires every log to be offered to domestic manufacturers, and only those that have been turned down can be exported
- The requested proposal is for Mayor and Council to recognize the value of forestry industry and to persuade the policy makers to encourage the forest industry to return to former state

By unanimous consent, Council agreed to consider Forestry Works for BC's request for a letter of support under Other Business.

c. Shauna McAllister, re: Signage at Colliery Dam Park

Shauna McAllister, resident, spoke regarding the need for signage at Colliery Dam Park, noting concerns regarding individuals fishing in close proximity to both swimmers and dogs, as well as an increase in fishing line being left behind in the park. They suggested signage be put in place to identify “no fishing” areas in designated swimming areas.

11. REPORTS:

a. Update Lease Disposition to BC Housing - Portion of 1030 Old Victoria Road

Introduced by Laura Mercer, General Manager, Corporate Services.

Nancy Skeels, Acting Manager, Real Estate, noted that in July 2024, Staff presented a report to Council outlining the purchase of 1030 Old Victoria Road. The purchase was subject to a Good Neighbour Agreement and Community Advisory Committees (CACs) from BC Housing; however, since that time, BC Housing has advised they are moving away from CACs and are no longer implementing Good Neighbourhood Agreements. BC Housing has provided a proposal to implement Neighbourhood Integration Plans in lieu.

Presentation:

1. Stuart Andrie, Supportive Housing Advisor, Jennifer Fox (via Zoom), Regional Director, and Heidi Hartman, Associate Vice President, Supportive Housing and Homelessness Programs, BC Housing, provided a presentation. Highlights included:
 - The Neighbourhood Integration Plan enhances former CACs as they are more inclusive and responsive than CACs, and are customized to the neighbourhood
 - 1030 Old Victoria Road will provide 24/7 services on site, in house supports, overdose prevention response and a daily meal service
 - Neighbourhood Integration Plan will provide up to four neighbourhood meetings, in collaboration with the operator, BC Housing and the City of Nanaimo. In addition, the operator would be encouraged to facilitate regular neighbourhood meetings to ensure consistent communication with the surrounding neighbourhood

- BC Housing would assign a BC Housing staff member to serve as the site liaison to the operator, and contact information would be provided to the City to ensure direct communication
- Operations will be provided by the HEART and HEARTH framework
- A Who to Call/When to Call sheet would be provided to immediate neighbours of housing sites to ensure concerns are directed to the appropriate party

Council discussion took place. Highlights included:

- The concern regarding lack of emphasis on the housing site lessee to engage with the neighbourhood and BC Housing handling requests for operational commitments separately
- The desire for start time of the Neighbourhood Integration Plan to be flexible to ensure neighbours have a chance to meet with the operator prior to the housing being fully occupied
- Neighbourhood Integration Plan's responsiveness to issues and engagement with community noting CAC's role in addressing previous issues at 702 Nicol Street
- Confirmation that residents for 1030 Old Victoria Road will be thoughtfully placed and pre-assessed prior to moving in and will sign an agreement
- BC Housing's commitment to continued engagement with residents annually, or as issues arise
- Operator agreements identify standards and requirements that non-profits must follow. The operator will enter into a program agreement that allows for flexibility to find a new placement if a residency does not work out
- Security measures, including BC Housing's experience that additional trained staff on site are more effective than a security guard and presence of a minimum of three staff at HEARTH sites at any time

Delegations:

1. Patricia Egeli advised of safety concerns in the neighbourhood. As a direct neighbour to the HEARTH site, they expressed concern regarding potential encampments on their property, safety of future residents due to lack of sidewalks, and reduction in property value.

2. Brianne McDaniel was not in attendance to speak.

Council discussion took place regarding concerns with the number of housing units proposed, lack of housing supports for seniors, BC Housing's removal of CACs, and potential downloading of issues to the City. The responsibility to look after vulnerable citizens, respectful reputation of the operator and security measures were cited as potential positive aspects. Concern was also expressed regarding missing out on future offers of housing if the proposal at 1030 Old Victoria Road is denied.

It was moved and seconded that Council direct Staff to amend the 2024-JUL-08 Regular Council Meeting motion relative to the report 9.a. titled "Update Lease Disposition to BC Housing – Portion of 1030 Old Victoria Road", by replacing "a good neighbour agreement and a Community Advisory Committee" as a condition of the lease with "Neighbourhood Integration Plan", approving the disposition of a 3-year lease, with the option for two 2-year renewals, for a portion of City-owned land located at 1030 Old Victoria Road to the Provincial Rental Housing Corporation. The motion carried.

Opposed: *Councillors Armstrong, Brown, Eastmure and Thorpe*

Council recessed the meeting at 9:51 p.m.

Council reconvened the meeting at 10:05 p.m.

b. Fire Protection and Life Safety Bylaw Amendment

Introduced by Tim Doyle, Fire Chief.

It was moved and seconded that "Fire Protection and Life Safety Regulation Amendment Bylaw 2024 No. 7108.04" (a bylaw to amend the provision associated with fuel tank installation, removal, or withdrawing a fuel tank from service) pass first reading. The motion carried unanimously.

It was moved and seconded that "Fire Protection and Life Safety Regulation Amendment Bylaw 2024 No. 7108.04" pass second reading. The motion carried unanimously.

It was moved and seconded that "Fire Protection and Life Safety Regulation Amendment Bylaw 2024 No. 7108.04" pass third reading. The motion carried unanimously.

c. Consideration of New Permissive Tax Exemption Applications

Introduced by Laura Mercer, General Manager, Corporate Services.

Jamie Slater, Manager, Financial Services and Special Projects, spoke regarding the high number of permissive tax exemptions applications received, and noted that Risebridge Society is not in good standing with the *Societies Act* and they have not yet provided their financial information to the City.

It was moved and seconded that Council award the permissive tax exemptions for the 2025 taxation year in accordance with the table in "Attachment A" of the report titled "Consideration of New Permissive Tax Exemption Applications" dated 2024-SEP-09, with the exception of applications number 1, 17 and 20 to be considered separately. The motion carried unanimously.

Councillor Armstrong vacated the Shaw Auditorium at 10:15 p.m. declaring a conflict of interest on application number 1 as she sits on the Board of the Nanaimo Alano Club.

It was moved and seconded that Council award the permissive tax exemption for application number 1 for the 2025 taxation year in accordance with the table in "Attachment A" of the report titled "Consideration of New Permissive Tax Exemption Applications" dated 2024-SEP-09. The motion carried unanimously.

Councillor Armstrong returned to the Shaw Auditorium at 10:16 p.m.

Councillor Manly vacated the Shaw Auditorium at 10:16 p.m. declaring a conflict of interest on application number 20 as he is the Executive Director of the Unitarian Shelter.

It was moved and seconded that Council award the permissive tax exemption for application number 20 for the 2025 taxation year in accordance with the table in "Attachment A" of the report titled "Consideration of New Permissive Tax Exemption Applications" dated 2024-SEP-09. The motion carried unanimously.

Councillor Manly returned to the Shaw Auditorium at 10:17 p.m.

It was moved and seconded that Council deny the permissive tax exemption for application number 17 for the 2025 taxation year in accordance with the report titled "Consideration of New Permissive Tax Exemption Applications" dated 2024-SEP-09. The motion carried unanimously.

d. Commercial Street Construction Project - Parking Management

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

Poul Rosen, Director, Engineering, spoke and noted that during construction Commercial Street will see a temporary loss of approximately

30 parking spaces, and Staff have provided suggestions to Council for addressing concerns as requested by the Downtown Nanaimo Business Association.

Council discussion took place regarding a request to offer two hours of free parking with a fee applying afterwards; however, the parking kiosks technology cannot be programmed in a way to implement fees after a time period.

Delegation:

1. Steven Johns, Downtown Nanaimo Business Association, spoke and requested the City assist with parking by providing free on-street and parkade parking downtown during the construction period.

Council and Staff discussion took place regarding potentially offering free parkade parking in a designated portion of the parkade.

It was moved and seconded that Council direct Staff to suspend pay street parking in the downtown for the duration of Commercial Street Phase One project and replace it with a 2-hour time limit. The motion carried unanimously.

A desire was expressed for staff to consider potentially providing free parking in 10-25% of a parkade space.

e. E-Mobility Technical Study

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council:

1. adopt a “Lead in the Gaps” approach on e-mobility as recommended in the E-Mobility Landscape and Options for Nanaimo Technical Report (Attachment A); and,
2. direct Staff to identify key actions to address all critical barriers identified in the E-Mobility Landscape and Options for Nanaimo Technical Report and report back to Council for consideration, and as a first step:
 - a) prepare a business case for consideration for the 2026-2030 Financial Plan to provide long-term, sustainable resources to improve active transportation networks for Council’s consideration; and,

- b) leverage external funding and partnerships to expand and improve electric vehicle charging infrastructure in the role of a facilitator, partner, and/or landowner.

The motion carried unanimously.

f. Housing Accelerator Fund 2

Introduced by Jeremy Holm, Director, Planning and Development.

Council and Staff discussion took place regarding any successful applicants in the first phase of Housing Accelerator Fund with sewer upgrades proposals, and factors used to evaluate applications.

It was moved and seconded that Council:

- a. direct Staff to submit an application to the round two Canada Mortgage and Housing Corporation – Housing Accelerator Fund (HAF2);
- b. commit to Staff providing overall grant management; and,
- c. direct Staff to include an Action Plan and funding allocation in the HAF2 application as outlined in the report, titled “Housing Accelerator Fund 2”, dated 2024-SEP-09.

The motion carried unanimously.

g. Development Permit Application No. DP1315 - 821 Haliburton Street

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council issue Development Permit No. DP1315 for a multi-family residential development at 821 Haliburton Street. The motion carried unanimously.

Councillor Brown vacated the Shaw Auditorium at 10:43 p.m.

h. Development Permit Application No. DP1342 - 116 Pryde Avenue

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council issue Development Permit No. DP1342 for a multi-family residential infill development at 116 Pryde Avenue with variances as outlined in the “Proposed Variances” section of the Staff report, titled “Development Permit Application No. DP1342 - 116 Pryde Avenue”, dated 2024-SEP-09. The motion carried unanimously.

i. Development Variance Permit Application No. DVP465 - 124 Haida Trail

Introduced by Jeremy Holm, Director, Planning and Development.

Mayor Krog invited anyone in attendance who wished to speak with respect to Development Variance Permit No. DVP465 - 124 Haida Trail.

There were no speakers with respect to Development Variance Permit No. DVP465 - 124 Haida Trail.

It was moved and seconded that Council issue Development Variance Permit No. DVP465 for a residential addition at 124 Haida Trail with a variance as outlined in the "Proposed Variance" section of the Staff report, titled "Development Variance Permit Application No. DVP465 - 124 Haida Trail", dated 2024-SEP-09. The motion carried unanimously.

j. Development Variance Permit Application No. DVP467 - 1870 East Wellington Road

Introduced by Jeremy Holm, Director, Planning and Development.

Mayor Krog invited anyone in attendance who wished to speak with regard to Development Variance Permit No. DVP467 - 1870 East Wellington Road.

There were no speakers with respect to Development Variance Permit No. DVP467 - 1870 East Wellington Road.

It was moved and seconded that Council issue Development Variance Permit No. DVP467 to increase the maximum allowable gross floor area for an individual retail use at 1870 East Wellington Road as outlined in the "Proposed Variance" section of the Staff report, titled "Development Variance Permit Application No. DVP467 - 1870 East Wellington Road", dated 2024-SEP-09. The motion carried unanimously.

k. Housing Agreement Application No. HA11 - 350 and 398 Franklyn Street

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that "Housing Agreement Bylaw 2024 No. 7387" (To secure rental tenure and non-market rental housing) pass first reading. The motion carried unanimously.

It was moved and seconded that "Housing Agreement Bylaw 2024 No. 7387" pass second reading. The motion carried unanimously.

It was moved and seconded that:

- “Housing Agreement Bylaw 2024 No. 7387” pass third reading; and,
- Council direct Staff to register a covenant to reinforce the terms of the Housing Agreement.

The motion carried unanimously.

I. Liquor Licence Application No. LA156 - 2373 Rosstown Road

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council receive the report and recommend that the Liquor and Cannabis Regulation Branch approve the application for a liquor primary licence at 2373 Rosstown Road. The motion carried unanimously.

12. BYLAWS:

a. “Traffic and Highways Regulation Bylaw Amendment Bylaw 2024 No. 5000.048”

It was moved and seconded that “Traffic and Highways Regulation Bylaw Amendment Bylaw 2024 No. 5000.048” (micromobility traffic and safety on highways) be adopted. The motion carried unanimously.

b. “Zoning Amendment Bylaw 2021 No. 4500.189”

It was moved and seconded that “Zoning Amendment Bylaw 2021 No. 4500.189” (To rezone 3679 Shenton Road from Single Dwelling Residential [R1] to Residential Corridor [COR1]) be adopted. The motion carried unanimously.

13. CORRESPONDENCE:

a. Mid Vancouver Island Elder College Society Request for Letter of Support re: Grant Application for New Horizons for Seniors Program

It was moved and seconded that the Mayor, on behalf of Council, provide a letter of support to Mid Vancouver Island Elder College Society, for their application to New Horizons for Seniors Program. The motion carried unanimously.

b. Royal Canadian Legion Mount Benson Branch Request for Letter of Support re: Grant Application for New Horizons for Seniors Program

It was moved and seconded that the Mayor, on behalf of Council, provide a letter of support to Royal Canadian Legion Mount Benson Branch, for their application to New Horizons for Seniors Program. The motion carried unanimously.

14. OTHER BUSINESS:

It was moved and seconded that Council direct Staff to include in the report for the upcoming GPC Meeting on parking minimums a review of the recommendation put forward by Strong Towns Nanaimo delegation and options for Council to consider. The motion carried unanimously.

It was moved and seconded that the Mayor, on behalf of Council, provide a letter of support for Forestry Works for BC to the Honourable David Eby, Premier of British Columbia.

It was moved and seconded that Council defer the motion until a draft letter is received. The motion was defeated.

Opposed: Mayor Krog, Councillors Armstrong, Hemmens and Thorpe

It was moved and seconded that the Mayor, on behalf of Council, provide a letter of support for Forestry Works for BC to the Honourable David Eby, Premier of British Columbia. The motion was defeated.

Opposed: Councillors Eastmure, Geselbracht, Hemmens, Manly and Perrino

15. QUESTION PERIOD:

Council received two questions from the public regarding agenda items.

16. ADJOURNMENT:

It was moved and seconded at 11:09 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

ACTING CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER