



MINUTES
REGULAR COUNCIL MEETING

Monday, September 23, 2024, 5:00 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* (arrived 7:00 p.m.)
 - Councillor E. Hemmens
 - Councillor P. Manly*
 - Councillor J. Perrino
 - Councillor I. Thorpe (arrived 7:00 p.m.)
- 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
 - S. Gurrie, Director, Legislative Services
 - J. Holm, Director, Planning and Development
 - D. LaBerge, Director, Public Safety
 - P. Rosen, Director, Engineering
 - N. Vracar, Deputy Corporate Officer
 - L. Brinkman, Manager, Community Planning
 - C. Wood, Manager, Social Planning
 - N. Sponaule, Communications Advisor
 - A. Chanakos, Steno, Legislative Services
 - 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 5:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Add – *Community Charter* Section 90(1)(m) to procedural motion required to proceed to In Camera Meeting.

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:

- (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;
- (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;
- (m) a matter that, under another enactment, is such that the public may be excluded from the meeting; 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 5:01 p.m.

Council moved out of In Camera at 5:49 p.m.

Council recessed the Open Meeting at 5:50 p.m.

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

2. INTRODUCTION OF LATE ITEMS: (Continued)

- (b) Add Agenda Item 5(b) Minutes of the Regular Council Meeting 2024-SEP-09.

- (c) Agenda Item 8(a) - Add PowerPoint Presentation from the Nanaimo Prosperity Corporation.
- (d) Agenda Item 8(b) - Add PowerPoint Presentation from Tourism Nanaimo.
- (e) Agenda Item 8(c) - Add PowerPoint Presentation from the Nanaimo Systems Planning Organization.

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 Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2024-JUL-29, at 4:30 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-SEP-09, at 4:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

- Mayor Krog invited Councillor Eastmure to provide the following updates arising from the Union of BC Municipalities (UBCM) Convention: Council members and Staff met with Provincial ministers to advocate on the matters of importance to the community
- The following Council resolutions were endorsed:
 - The need for a Provincial Housing Coordinator
 - The need to establish reasonable variances to the BC Building Code and BC Fire Code to enable emergency shelters to remain open
 - The need for provincial funding for mental health liaison officers
 - Investments in more complex care beds to address impacts of substance use disorders
 - Provincial funding for the evolving role of public libraries

Mayor Krog presented awards received by the City of Nanaimo during the Convention.

Jeremy Holm, Director, Planning and Development, Poul Rosen, Director, Engineering, Lisa Brinkman, Manager, Community Planning, and Christy Wood, Manager, Social Planning, accepted the following awards on behalf of the City:

- UBCM's Community Excellence Award for Excellence in Sustainability
- The Community Energy Association's 2024 Climate and Energy Action Award

Mayor Krog advised of the following:

- The alternative approval process (AAP) for borrowing up to \$90 million for replacement of the Public Works Yard buildings has started and will conclude at 4:30 p.m. on 2024-OCT-31
- The City is accepting applications for the 2025 Social Planning Grants Program until 4:30 p.m. on 2024-OCT-21
- Appreciation for the volunteers who run the Vancouver Island Exhibition (VIEx) which was held 2024-SEP-20 to 2024-SEP-22
- Monday 2024-SEP-30 is the National Day for Truth and Reconciliation and there are a number of events scheduled across the City

7. PRESENTATIONS:

- a. Colin Stansfield, Chief Executive Officer, and Richard Horbachewski, Board Chair, Nanaimo Prosperity Corporation re: Quarterly Update

Colin Stansfield, Chief Executive Officer, and Richard Horbachewski, Board Chair, Nanaimo Prosperity Corporation, appeared before Council to provide a quarterly update, including the following:

- Ongoing work on transitioning to a full governance board, building efficient and effective communications and renovating new office space
- The importance of working closely with City staff to leverage strengths, ensure consistent standards of service, and leverage resources among different organizations for economic success

Upcoming initiatives and events in the fall 2024

Discussion ensued regarding the Nanaimo Prosperity Corporation's (NPO) outreach to local businesses to better understand business closures, the desire from Council to understand if Nanaimo is competitive for different industries and feedback the NPO has received from investors.

b. Carly Pereboom, Executive Director, and Aggie Weighill, Board Chair, Tourism Nanaimo re: Quarterly Update

Carly Pereboom, Executive Director, and Aggie Weighill, Board Chair, Tourism Nanaimo, appeared before Council to provide a quarterly update, including the following:

- Tourism Nanaimo's focus on the following intentions: Allyship, Empowering Better Change, and Empowering Better Futures
- The Ministry of Finance has approved the 2025-2030 Destination Development Strategy
- Challenges and opportunities related to economic growth and collaboration
- Successes in 2024 and future events such as the BC Squash and BC School Sports Track and Field Championships bringing economic and regional opportunities for provincial and global sporting events
- Ongoing projects such as working with the Nanaimo Airport on route development opportunities, reviewing a memorandum of understanding with hoteliers, and supporting shop local initiatives

In response to a question from Council, Tourism Nanaimo advised that visitors from the Lower Mainland represent the greatest potential for growth.

c. John McCormick, Executive Director, and Don Bonner, Board Chair, Nanaimo Systems Planning Organization re: Quarterly Update

John McCormick, Executive Director, and Don Bonner, Board Chair, Nanaimo Systems Planning Organization, appeared before Council to provide a quarterly update, including the following:

- Nanaimo Systems Planning Organization (SPO) has developed good relationships with members of the SPO Organizational Society
- Overview of the SPO's mandate and governance structure
- Recently updated the estimated numbers of Nanaimo's homeless count and presentation of the revised numbers to Council in the near future
- The cancellation of the Out Shop Survival Supplies program which provided tents and supplies to those in need
- Travellers Lodge initiative with BC Housing to provide 78 units through the HEART and HEARTH funding
- Focus on expanding housing, reconstituting the Health and Housing Task Force, and expanding BC Housing's extreme weather response

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Design Advisory Panel meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2024-MAY-09, at 5:00 p.m.

9. DELEGATIONS:

- a. Dan Hula provided a PowerPoint presentation regarding challenges associated with Public and Private Partnerships.
- b. Alan Clarke expressed concerns regarding the “Respectful Spaces Bylaw 2024 No. 7381”, BC Housing project at 1030 Old Victoria Road and the AAP for Public Works Yard.

Councillor Brown raised a point of order regarding Alan Clarke’s delegation as the subject matter was not relevant to the delegation’s stated topic and was not appropriate.

Mayor Krog ruled the delegation to be out of order due to disrespectful conduct and requested the delegation leave the podium.

Council recessed the Open Meeting at 8:14 p.m.

Council reconvened the Open Meeting at 8:24 p.m.

10. REPORTS:

- a. Bylaw Notice Enforcement Amendment Bylaw - To Authorize the Cowichan Valley Regional District to Participate in the Dispute Adjudication Registry System

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.21” (to amend Schedules B and C – Registry Agreement to authorize the Cowichan Valley Regional District to participate in the City’s Dispute Adjudication Registry System), pass first reading. The motion carried unanimously.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.21”, pass second reading. The motion carried unanimously.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.21”, pass third reading. The motion carried unanimously.

Councillor Armstrong declared a conflict of interest as they sit on the Alano Club Board of Directors, and vacated the Shaw Auditorium at 8:27 p.m.

Councillor Manly declared a conflict of interest as they are the Executive Director of the Unitarian Shelter, and left the meeting at 8:27 p.m.

b. 2025 Permissive Tax Exemption Bylaw

Introduced by Laura Mercer, General Manager, Corporate Services.

It was moved and seconded that “Permissive Tax Exemption Bylaw, 2024 No. 7388” (a bylaw to exempt certain land and buildings from taxation), pass first reading. The motion carried unanimously.

It was moved and seconded that “Permissive Tax Exemption Bylaw, 2024 No. 7388”, pass second reading. The motion carried unanimously.

It was moved and seconded that “Permissive Tax Exemption Bylaw, 2024 No. 7388”, pass third reading. The motion carried unanimously.

Councillor Armstrong returned to the Shaw Auditorium at 8:30 p.m.

Councillor Manly rejoined the meeting at 8:30 p.m.

c. Sustainable Building Policy

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

Presentation:

1. Jennifer McAskill, Manager, Facility Asset Planning, provided a PowerPoint presentation. Highlights included:
 - Nanaimo’s Doughnut model is an example of balance being sought towards sustainability
 - A need to balance buildings being fit-for-purpose, operational efficiencies and costs
 - The minimum assessments and considerations for sustainable buildings within the proposed policy
 - The proposed policy would allow for more flexibility between different types of buildings and their purposes

Council discussion ensued regarding cost benefit analysis for projects, opportunities for Council to provide future direction on projects, and a desire for a simplified approach.

It was moved and seconded that Council adopt Policy Number COU-229 – Sustainable Building Policy. The motion carried.

Opposed: *Councillors Brown and Geselbracht*

d. Development Permit Application No. DP1347 - 6330 McRobb Avenue

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council issue Development Permit No. DP1347 for a multi-family development at 6330 McRobb Avenue with variances as outlined in the “Proposed Variance” section of the Staff Report dated 2024-SEP-23. The motion carried unanimously.

e. Small-Scale Multi-Unit Housing Zoning Amendment - 2498 Rosstown Road

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that “Zoning Amendment Bylaw 2024 No. 4500.231” (amendment to implement the Provincial Small-Scale Multi Unit Housing legislation), pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2024 No. 4500.231”, pass second reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2024 No. 4500.231”, pass third reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2024 No. 4500.231” (amendment to implement the Provincial Small-Scale Multi-Unit Housing legislation) be adopted. The motion carried unanimously.

11. BYLAWS:

a. “Fire Protection and Life Safety Regulation Amendment Bylaw 2024 No. 7108.04”

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) be adopted. The motion carried unanimously.

b. “Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.22”

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.22” (fines for micromobility devices) be adopted. The motion carried unanimously.

c. “Housing Agreement Bylaw 2024 No. 7387”

It was moved and seconded that “Housing Agreement Bylaw 2024 No. 7387” (to secure rental tenure and non-market rental housing) be adopted. The motion carried unanimously.

12. OTHER BUSINESS:

a. Forestry Works for BC Request for Letter of Support

Mayor Krog requested that Council reconsider the request from Forestry Works for BC, for a letter of support, in accordance with Section 131 of the *Community Charter*. The request was previously declined by Council during the 2024-SEP-09 Regular Council Meeting.

Council discussion ensued regarding the importance of supporting the forestry sector, a concern relative to supporting a specific campaign that may not reflect the community’s values, contributions of the forestry industry to the community through employment opportunities and property taxes, and a desire to advocate for recommendations put forward during the 2019 provincial consultation process.

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 mirroring the letter issued by the City of Campbell River. The motion was defeated.

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

Dale Lindsay, Chief Administrative Officer, addressed Council in regard to the delegation 9. b., affirming Staff’s ongoing commitment to high ethical standards in the course of performing their duties.

Mayor Krog noted that there is no legislated requirement for Council to hear delegations at Council meetings.

13. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

14. ADJOURNMENT:

It was moved and seconded at 9:21 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER