



AGENDA REGULAR COUNCIL MEETING

Monday, October 19, 2020

4:30 p.m. to Proceed In Camera, Reconvene Regular Council Meeting 7:00 p.m.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 9:00 P.M.

1. CALL THE MEETING TO ORDER:

2. PROCEDURAL MOTION:

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 the 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;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and,

(n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

3. INTRODUCTION OF LATE ITEMS:

4. APPROVAL OF THE AGENDA:

5. ADOPTION OF THE MINUTES:

a. Minutes

Minutes of the Special Council Meeting (Public Hearing) held in the Shaw Auditorium,

Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2020-SEP-17, at 7:00 p.m.

b. Minutes

Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-SEP-28, at 4:29 p.m.

c. Minutes

Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-OCT-05, at 4:30 p.m.

6. MAYOR'S REPORT:

7. RISE AND REPORT

8. PRESENTATIONS:

a. Rotary Centennial Garden Opening

Richard Harding, General Manager, Parks, Recreation and Culture, to provide Council with a PowerPoint presentation regarding the opening of the Rotary Centennial Garden.

Delegation:

1. Dave Hammond, Rotary Club of Nanaimo.

9. COMMITTEE MINUTES:

a. Minutes

Minutes of the Environment Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-JUL-15, at 3:00 p.m.

b. Minutes

Minutes of the Board of Variance Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-JUL-16 at 5:30 p.m.

c. Minutes

Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-AUG-13, at 5:00 p.m.

d. Minutes

Minutes of the Board of Variance Meeting held in the Boardroom, Service and Resource Centre,

411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-AUG-20 at 5:30 p.m.

e. Minutes

Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-SEP-10, at 5:00 p.m.

f. Minutes

Minutes of the Advisory committee on Accessibility and Inclusiveness Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2020-SEP-30, at 3:00 p.m.

g. Minutes

Minutes of the Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-OCT-01, at 3:02 p.m.

h. Minutes

Minutes of the Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-OCT-05, at 1:00 p.m.

10. CONSENT ITEMS:

a. Advisory Committee on Accessibility and Inclusiveness 2020-SEP-30

[Note: A link to the Agenda for the 2020-SEP-30 Advisory Committee on Accessibility and Inclusiveness is attached for information]

1. Madeleine Koch, Active Transportation Project Specialist re: "Intro to the City's Transportation Group"
 1. That Council direct Staff to make all transit stops within the City of Nanaimo uniform and highly visible so they are accessible for all citizens.
 2. That Council direct Staff to prepare a bylaw which prevents garbage cans and recycling cans from being placed on sidewalks, in order to improve accessibility in the City of Nanaimo.

b. Governance and Priorities Committee 2020-OCT-05

[Note: A link to the Agenda for the 2020-OCT-05 Governance and Priorities Committee is attached for information.]

1. Program Review of Cultural Grants

That Council to endorse a review of the three grant funding programs administered by Culture & Events (Culture & Heritage Operating Grants, Culture & Heritage Project

Grants, and Downtown Event Revitalization Grants), including research on best practices and dialogue with community stakeholders, and return with recommendations to improve and evolve processes to continue to meet the needs of the Nanaimo cultural community.

2. Art in Public Spaces Working Group

That Council to endorse the creation of an Art in Public Spaces Working Group to be facilitated by Culture & Events Staff.

c. Separately Addressed Consent Items

1. Health and Housing Task Force Meeting 2020-OCT-01

[Note: A link to the Agenda for the 2020-OCT-01 Health and Housing Task Force Meeting is attached for information.]

1. Emergency Food and Nutrition Security Strategy

Delegation:

1. Jen Cody, Executive Director, Nanaimo FoodShare.

That Council:

1. endorse the Emergency Food and Nutrition Strategy as formal stakeholder input into the REIMAGINE NANAIMO process; and,
2. support the creation of a Nanaimo Food Policy Council as an independent, arms-length body that would continue collaborative work to strengthen the local food system and request that Staff bring forward a report on how the City can facilitate this work.

11. **DELEGATIONS:**

12. **REPORTS:**

a. Bylaw and Policy Renewal Project Timeline

To be introduced by Sheila Gurrie, Director, Legislative Services.

Purpose: To provide Council with a timeline of the Bylaw and Policy Renewal Project as identified in Council's 2019 – 2022 Strategic Plan.

b. Bylaw Notice Enforcement Bylaw Amendment - Fines for Zoning and Tree Protection Regulations

To be introduced by Sheila Gurrie, Director, Legislative Services.

Purpose: To introduce amendments to "Zoning Bylaw 2011 No. 4500", "Management and Protection of Trees Amendment Bylaw 2020 No. 7126", and "Bylaw Notice Enforcement

Amendment Bylaw 2020 No. 7159” so that fines for violations under those bylaws can be administered through the City’s Dispute Adjudication Registry System (DARS).

Recommendation:

Zoning Amendment Bylaw:

1. That “Zoning Amendment Bylaw 2020 No. 4500.179” (To replace the Violation and Penalty section and delete the fine schedule) pass first reading;
2. That “Zoning Amendment Bylaw 2020 No. 4500.179” pass second reading; and
3. Whereas 464(2) of the *Local Government Act* permits Council to waive the holding of a public hearing where a proposed zoning amendment bylaw is consistent with the Official Community Plan;

And Whereas "Zoning Amendment Bylaw 2020 No. 4500.179" is consistent with Official Community Plan Bylaw 2008 No. 6500;

Be it resolved that Council waives the holding of a public hearing with respect to "Zoning Amendment Bylaw 2020 No. 4500.179".

Management and Protection of Trees Amendment Bylaw:

1. That “Management and Protection of Trees Amendment Bylaw 2020 No. 7126.01” (To replace the Violation and Penalty section and delete the fine schedule) pass first reading;
2. That “Management and Protection of Trees Amendment Bylaw 2020 No. 7126.01” pass second reading;
3. That “Management and Protection of Trees Amendment Bylaw 2020 No. 7126.01” pass third reading.

Bylaw Notice Enforcement Amendment Bylaw:

1. That “Bylaw Notice Enforcement Bylaw 2020 No. 7159.08” (To replace the fine schedule for the Zoning Amendment Bylaw, add a fine schedule for the Management of Trees Bylaw, and replace Schedule B - Registry Agreement) pass first reading;
2. That “Bylaw Notice Enforcement Bylaw 2020 No. 7159.08” pass second reading;
3. That “Bylaw Notice Enforcement Bylaw 2020 No. 7159.08” pass third reading.

c. Options for Prohibiting Bottling of Groundwater Within the City of Nanaimo

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To present options and a recommendation regarding the prohibiting of commercial bottling of groundwater within the city of Nanaimo.

Recommendation: That Council deny consideration of adopting a bylaw to prohibit the commercial bottling of groundwater within the City of Nanaimo.

- d. Covenant Amendment Application No. CA13 - 1060, 1070, 1074 and 1098 Douglas Avenue and 280 Tenth Street

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To seek direction from Council regarding Covenant Amendment application No. CA13.

Recommendation: That Council direct Staff to proceed with public notification prior to Council's consideration of Covenant Amendment Application No. CA13 at an upcoming Council meeting.

- e. Development Permit Application No. DP1138 - 600 Ninth Street

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To present for Council's consideration a development permit application for 47-unit townhouse development at 600 Ninth Street.

Recommendation: That Council issue Development Permit No. DP1138 at 600 Ninth Street with the following variances:

- to increase the maximum permitted building height from 9m to 11.07m; and
- to increase the maximum permitted perimeter wall height from 7.32m to 8.23m.

- f. Development Permit Application No. DP1160 - 145 Stewart Avenue

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To present for Council's consideration, a development permit application for a 15-unit multifamily development at 145 Stewart Avenue.

Recommendation: That Council issue Development Permit No. DP1160 at 145 Stewart Avenue with a variance to:

- increase the maximum allowable percentage of small car spaces from 40% to 56%.

- g. Development Variance Permit Application No. DVP407 - 3602 Overlook Drive

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To present for Council's consideration, a development variance permit application to allow the construction of a covered patio on an existing single family dwelling at 3602 Overlook Drive.

Recommendation: That Council issue Development Variance Permit No. DVP407 at 3602 Overlook Drive with the following variance:

- reduce the minimum required front yard setback for a covered patio from 4.5m to 2.9m.

- h. Property Disposition - 2230 Boxwood Road, 2221 and 2241 Bowen Road Mid-Town Gateway Project

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To obtain Council approval to dispose of portions of two City-owned properties at 2230 Boxwood Road and 2241 Bowen Road.

Recommendation: That Council:

1. authorize the disposition of a portion of City-owned lands located at 2241 Bowen Road to Christ Community Church in exchange for a portion of the Church's property at 2221 Bowen Road;
2. authorize the disposition of a portion of City-owned lands located at 2230 Boxwood Road and the portion of property the City will receive from the Church's property at 2221 Bowen Road to Island West Coast Developments; and
3. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transactions.

13. BYLAWS:

a. "Zoning Amendment Bylaw 2020 No. 4500.167"

That "Zoning Amendment Bylaw 2020 No. 4500.167" (To rezone 3841 and 3817 Victoria Avenue and 3896, 3874, 3852, 3848 and 3816 Island Highway North from Single Dwelling Residential [R1] to Community Corridor [COR3]) be adopted.

b. "Property Tax Exemption Bylaw 2020 No. 7315"

That "Property Tax Exemption Bylaw 2020 No. 7315" (To provide exemption from 2021 property taxes) be adopted.

c. Bylaw Status Sheet (For Information)

14. NOTICE OF MOTION:

a. Councillor Bonner - Notice of Motion re: Free Menstrual Products in City Facilities

Councillor Bonner advised that he would be bringing forward the following notice of motion for consideration at a future Council meeting:

That Council direct Staff to prepare a report within 30 days outlining options to provide free menstrual products in city facilities in the Spring of 2021, including:

- A list of City facilities and the cost and feasibility to provide barrier-free menstrual product distribution at each location; and
- Outline how the lessons learned from the pilot projects undertaken by the cities of Coquitlam, Port Moody and Victoria (in their civic facilities) can benefit a similar program in Nanaimo and evaluate partnership opportunities such as with the United Way's "Period Promise" campaign and provide future recommendations to Council as part of on-going program sustainment.

b. Councillor Armstrong - Notice of Motion re: Residential Street Parking

Councillor Armstrong advised that she would be bringing forward the following notice of motion for consideration at a future Council meeting:

That Council direct Staff to prepare a report outlining options for Council to consider in order to permit residents to park on residential streets for more than twenty-four hours without having to move their vehicles.

15. OTHER BUSINESS:

16. ADJOURNMENT: