

MINUTES
GOVERNANCE AND PRIORITIES COMMITTEE MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
MONDAY, 2021-JAN-11, AT 1:00 P.M.

Present: Councillor D. Bonner, Chair
Mayor L. Krog
Councillor S. D. Armstrong (joined electronically, disconnected at 3:14 p.m.)
Councillor T. Brown (joined electronically)
Councillor B. Geselbracht (joined electronically)
Councillor E. Hemmens (joined electronically)
Councillor Z. Maartman (joined electronically)
Councillor I. W. Thorpe (joined electronically)

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture (joined electronically)
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works (joined electronically)
S. Legin, General Manager, Corporate Services (joined electronically)
T. Doyle, Acting Fire Chief, Nanaimo Fire Rescue Department (joined electronically)
L. Mercer, Director, Finance (joined electronically)
J. Rose, Manager, Transportation (joined electronically)
B. Thomas, Assistant Manager, Transportation (joined electronically)
M. Koch, Active Transportation Project Specialist (joined electronically)
D. Blackwood, Client Support Specialist
S. Gurrie, Director, Legislative Services
K. Robertson, Deputy City Clerk (joined electronically)
K. Lundgren, Recording Secretary

1. **CALL THE GOVERNANCE AND PRIORITIES COMMITTEE MEETING TO ORDER:**

The Governance and Priorities Committee Meeting was called to order at 1:00 p.m.

2. **APPROVAL OF THE AGENDA:**

It was moved and seconded that the Agenda be adopted. The motion carried unanimously.

3. ADOPTION OF THE MINUTES:

It was moved and seconded that the following minutes be adopted as circulated:

- 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-NOV-09, 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, 2020-NOV-23, at 1:00 p.m.

The motion carried unanimously.

4. REPORTS:

a. COMMUNITY WELLNESS/LIVABILITY:

1. Snuneymuxw First Nation and School District 68 Truth and Reconciliation

Introduced by Jake Rudolph, Chief Administrative Officer.

Presentation:

1. Joan Brown, Chief Administrative Officer, Snuneymuxw First Nation, and Scott Saywell, Superintendent, School District 68, provided a PowerPoint presentation. Highlights included:
 - Building a strong foundation based on the ancestral teachings of the lands
 - A sense of place plays an important role in maintaining both self identity and group identity
 - Reconciliation can have various meanings but is defined as establishing and maintaining a mutually respectful relationship between Aboriginal and non-aboriginal people
 - Awareness and acknowledgment of the harm inflicted in Canada's past
 - Journey of reconciliation in the Nanaimo-Ladysmith Public School's strategic plan
 - "Nothing about us, without us" slogan means no policy should be made without the direct participation of those affected by the policy
 - Strategic plan encompasses the vision and values of the Syeyutsus Reconciliation Framework
 - The vital connection between land, language and culture
 - Partnership between Snuneymuxw First Nation and School District 68
 - Overview of Te'tuxwtun project, Qwam Qwum Stuwixwulh and Franklyn/Selby Street

- Several ways to better understand Indigenous history and culture include:
 - Learning the name of the territory in which you live
 - Learning how First People where you live prefer to be identified
 - Reading indigenous authors
 - Sharing what you have learned about history and reconciliation

Committee discussion took place. Highlights included:

- The City's role moving forward
- Gratitude and thanks for the presentation and the opportunity to have this conversation
- Language lessons, support and assistance available for language pronunciation
- How First Nation education is woven though the school district curriculum

2. Animal Responsibility Bylaw – Engagement Results

Introduced by Sheila Gurrie, Director, Legislative Services.

Presentation:

1. Karen Robertson, Deputy City Clerk, provided a PowerPoint presentation. Highlights included:
 - Purpose of report is to provide the committee with the public engagement results regarding the draft animal responsibility bylaw
 - Provided background on what prompted the project and the process leading up to now
 - Noted model bylaws used as guides for provisions associated with responsible pet ownership
 - Various stakeholders provided feedback on aspects of the draft bylaw
 - The public requested more opportunity to comment on the bylaw and an engagement period was held for three weeks
 - "Frequently asked Questions" (FAQ) document was developed to address misinformation
 - Feedback provided by 444 individuals during the engagement period
 - Additional feedback, received after the engagement deadline, was forward to Council but not included in the report
 - From the feedback collected, six major themes were identified:
 - Theme 1 – Cats at Large
 - Theme 2 – Mandatory Identification of Cats
 - Theme 3 – Mandatory Sterilization of Cats

- Theme 4 – Breed Specific Legislation (BSL) and Aggressive Dog Provisions
- Theme 5 – Limit on Pets
- Theme 6 – The Bylaw in General
- Public engagement results regarding Theme 1 – “Cats at Large”
- Statistics on feedback showed 43% supported prohibiting cats at large, while 57% were opposed
- Presented the most commonly referred to reasons for both supporting and not supporting the provisions
- Clarification regarding some misconceptions surrounding bylaw enforcement
- Presented three options for the committee’s consideration and direction:
 - Option 1: Prohibiting cats from roaming at large
 - Option 2: Cats allowed to roam freely on public property and prohibited from being a nuisance on private property
 - Option 3: Cats would continue to be allowed to roam freely both on public and private property
- Phased approach to enforcement by implementing a “Promise to Return” policy

Committee discussion took place. Highlights included:

- Lack of public support for option 1 and 2 and the difficulty in controlling cats
- Option 1 follows best practice and allows reasonable forgiveness
- Support from the Canadian Veterinary Medical Association
- The intent of the bylaw is not about punishing cat owners, but rather about having provisions in place to support responsible pet ownership

Carley Colclough, Pound and Adoption Coordinator, Nanaimo Animal Control, informed the committee of how cat related complaints are addressed as well as the different types of commonly received complaints.

Committee discussion continued. Highlights included:

- More common to receive complaints of cats roaming on private property than on public property
- Bylaws only being acted upon on the basis of complaints
- Cats roaming in public gardens and playgrounds
- Exempting public property from the bylaw, as described in option 2, may unnecessarily limit the bylaw
- The need to think long term as the population density increases

It was moved and seconded that the Governance and Priorities Committee re-affirm inclusion of the following two clauses within “Animal Responsibility Bylaw 2020 No. 7316”:

- Section 41 - *“the Owner of an Animal must not allow the Animal to trespass on any private property without the consent of the occupier or Owner of the lands or premise.”* and
- Section 47 - *“the owner of an Animal, other than a Dog, must not allow the Animal to be in any public place unless the Animal is under the direct control of a competent person.”*

And that the Committee support a “Promise to Return” Council policy for a two year period (until December 31, 2022) whereby any seizure and impoundment fees be waived for any cat that is impounded that is sterilized and has identification.

The motion carried.

Opposed: *Councillors Bonner and Hemmens*

Karen Robertson, Deputy City Clerk, continued her presentation.
Highlights included:

- Public engagement regarding Theme 2 – “Mandatory Identification of Cats” resulted in strong support in favour of the provision

It was moved and seconded that that the Governance and Priorities Committee reaffirm the provision that states: “Every Owner of a Cat over the age of 12 weeks shall affix and keep affixed sufficient Identification on the Cat by means of a collar, harness, traceable tattoo, microchip or other suitable device.” The motion carried unanimously.

Karen Robertson, Deputy City Clerk, continued her presentation.
Highlights included:

- Public engagement regarding Theme 3 – “Mandatory Sterilization of Cats” resulted in strong support in favour of the provision
- Some opposition came from cat breeders; however, this provision does not apply for breeding purposes
- Incentivize cat sterilization by refunding impoundment fines if the owner presents proof of sterilization within 30 days of impoundment

Committee discussion took place regarding the leniency of the 30-day timeframe for the owner to present proof of sterilization.

It was moved and seconded that the Governance and Priorities Committee:

- a) reaffirm the provision which states: “No Person shall own, keep, possess or harbour any Cat apparently over the age of 6 months in the City unless: (a) the Cat has been Sterilized by a veterinarian; or (b) the Person has a valid and subsisting business licence to breed Cats; and

- b) Direct staff to add the following seizure and impoundment fee provisions within the Fees and Charges bylaw to incentivize mandatory sterilization of Cats:

Type of Animal	Description	1 st Offence	2 nd Offence	3 rd and Subsequent Offences
Cat	Sterilized with Adequate Identification	\$10.00	\$25.00	\$50.00
Cat	Sterilized without Adequate Identification	\$25.00	\$50.00	\$75.00
Cat	Unsterilized, regardless of Identification <i>(Note: upon proof of sterilization within 30 days of the impoundment date, the Owner will be refunded \$75.00)</i>	\$100.00	\$125.00	\$150.00

The motion carried unanimously.

Karen Robertson, Deputy City Clerk, continued her presentation.
 Highlights included:

- Public engagement results regarding Theme 4 – “Breed Specific Legislation (BSL) and Aggressive Dog Provisions”

Committee discussion took place. Highlights included:

- Clarification regarding the criteria to deem an “aggressive dog” and the role of the animal control officer in making the judgement
- The term “companion animal” in the criteria to deem an “aggressive dog”
- Health insurance coverage

It was moved and seconded that the Governance and Priorities Committee:

1. reaffirm the definition for “Aggressive Dog” as outlined in “Animal Responsibility Bylaw 2020 No. 7316”:

“Aggressive Dog”	<p>means any Dog that meets any one of the following criteria:</p> <p>(a) has attacked, bitten or caused injury to a Person or has demonstrated a propensity, tendency or disposition to do so;</p> <p>(b) has bitten, killed or caused injury to a Companion Animal or to Livestock;</p> <p>(c) has aggressively pursued or harassed a Person or Companion Animal or Livestock;</p> <p>(d) has a known propensity to attack or injure a Person without provocation;</p> <p>(e) is owned or kept primarily, or in part, for the purpose of dog fighting or is trained for dog fighting; or</p> <p>is a Dangerous Dog as defined by Section 49 of the <i>Community Charter</i>.</p>
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And:

2. direct staff to do a bylaw amendment to reflect the following Dog Licence fees to be effective January 1, 2022:

Dog Licence Fees

Description	Paid by February 28 th	Paid After February 28 th
Sterilized	\$25.00	\$30.00
Unsterilized	\$50.00	\$60.00
Dog Deemed Aggressive	\$75.00	\$90.00
Replacement Licence Tag	\$5.00	\$5.00
Licence Transfer Fee	\$5.00	\$5.00
A Guide Dog or Service Dog certified under the <i>Guide Dog and Service Dog Act</i>	No Charge	
A Dog owned and utilized as an R.C.M.P. Service Dog	No Charge	

The motion carried.

Opposed: *Councillors Bonner and Brown*

Karen Robertson, Deputy City Clerk, continued her presentation.
Highlights included:

- Public engagement results regarding Theme 5 – “Limit on Pets”
- Statistics on feedback showed 63% opposed to a limit on pets and 37% in favour
- Addressed some of the misconceptions on the provision, reasons for opposition and reasons for support
- In response to feedback, Staff put forward a revised limit of pets

It was moved and seconded that the Governance and Priorities Committee direct Staff to replace Sections 6, 7, 8, and 9 of the Bylaw (Limits on Pets) and replace with the following:

Limits on Animals

6. Unless expressly permitted by this Bylaw, no Person shall keep, on any Property, more than 12 Animals.
7. No Person shall keep, on any Property, more than:
 - (a) 12 Soft Bill Birds, domestic mice, domestic rats, gerbils, or hamsters, or combination thereof;
 - (b) 4 Hook Bill Birds, chinchillas, domestic ferrets, hedgehogs, Rabbits, sugar gliders, or combination thereof;
 - (c) 6 guinea pigs or Reptiles, or combination thereof.

8. A Person who is a member of a certified pigeon racing club may keep up to a maximum of fifty (50) racing pigeons on any parcel of land over .4 hectares.
- 9.1 No Person shall keep, on any Property, more than:
 - (a) 4 Dogs over the age of 16 weeks; or
 - (b) 5 Cats over the age 12 weeks; or
 - (c) 6 Companion Animals.
- 9.2 Notwithstanding Section 9.1, a Person may temporarily care for more than 4 Dogs over the age of 16 weeks, or more than 5 Cats over the age of 12 weeks on any Property as part of an Animal rescue organization operated by a society registered under the Societies Act, (SBC 2015) c.18, as amended, subject to notifying the Poundkeeper of the number and species of the Dogs or Cats, the reason for and estimated length of time they will be providing care.
- 9.3 Notwithstanding Section 9.1, a Person may keep or maintain more than 4 Dogs, or board Dogs for purposes of utility or profit, if that Person meets the Boarding Kennel requirements as outlined in the City of Nanaimo's Zoning Bylaw and has obtained a valid Business Licence and paid the applicable fee as prescribed in the Business Licence Bylaw.
- 9.4 The limits on Animals do not apply to:
 - (a) the premises of a local government facility used for keeping impounded Animals;
 - (b) the premises operated by the BC Society for the Prevention of Cruelty to Animals;
 - (c) the premises of a veterinarian licensed by the College of Veterinarians of BC;
 - (d) the keeping of Livestock or Poultry on a Property on which agriculture is a permitted use pursuant to the applicable zoning bylaw.

The motion carried unanimously.

Karen Robertson, Deputy City Clerk, continued her presentation.
Highlights included:

- Overview of public engagement feedback regarding Theme 6 – “Bylaw in General”
- No other changes are recommended at this time; however, amendments may be made to the bylaw in the future

Committee discussion took place. Highlights included:

- The language of choke collar versus slip collar
- The time reference of 72 hours as opposed to business days
- The discretion in enforcement
- Two year period for appeal on aggressive dog is in line with other jurisdictional bylaws

It was moved and seconded that the Governance and Priorities Committee:

1. direct Staff to incorporate the Committee's preferred options into the Animal Responsibility Bylaw; and
2. direct Staff to forward the revised Animal Responsibility Bylaw to Council for consideration of first three readings.

The motion carried unanimously.

Karen Robertson, Deputy City Clerk, continued her presentation.
Highlights included:

- Recommendations from this meeting will be incorporated into the bylaw
- Once the bylaw receives its first three readings, it will be referred to the minister for approval
- Upon adoption, a press release and a FAQ sheet on the changes will be distributed

Councillor Armstrong disconnected at 3:14 p.m.

The Governance and Priorities Committee Meeting recessed at 3:14 p.m.

The Governance and Priorities Committee Meeting reconvened at 3:23 p.m.

3. Active Transportation Plan

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

Presentation:

1. Madeleine Koch, Active Transportation Project Specialist, provided a PowerPoint presentation. Highlights included:
 - Update on active transportation planning as part of REIMAGINE NANAIMO
 - The integrative and collaborative approach of REIMAGINE NANAIMO
 - Opportunity to look at the current active transportation plan and make any adjustments if necessary
 - Overview of phase 1 of community engagement
 - Stakeholder engagement involved the following groups: accessibility groups, cyclist, trail users, skateboarders, environmental advocates, reconciliation advocates, neighbourhood associations, MODO car share and electric vehicle users
 - Collaboration with the Parks, Recreation and Culture Department
 - Overview of background research and data collection:
 - Study on pedestrian prioritization review processes
 - Strava metro dashboard data compiles information to present preferred routes to a destination

- Maps showing demographics and walkability
- “Bike-ability” map
- Community questionnaire
- Streetlight dashboard uses cellphone and car bluetooth data to track movement throughout the city

Committee discussion took place regarding the use of the Strava application used to collect data.

Madeleine Koch, Active Transportation Project Specialist, continued her presentation. Highlights included:

- Results of the engagement have not been finalized; however, some emerging themes include: diverse and well integrated transportation, sustainable transportation, user conflicts, and being active outdoors
- Phase 2 will begin data analysis and explore options and scenarios for Nanaimo
- Opportunities to revise Nanaimo’s Transportation Master Plan

Committee discussion took place. Highlights included:

- Integration of plans is a key part to ensure alignment of plans
- Revision of goals and targets set in the Active Transportation Plan
- Engagement summary to be brought back to a future Governance and Priorities Committee (GPC) meeting and phase 2 includes presenting scenario options for Nanaimo

b. AGENDA PLANNING:

1. Governance and Priorities Committee Agenda Planning

Introduced by Sheila Gurrie, Director, Legislative Services.

- REIMAGINE NANAIMO a standing Item for GPC Meetings
- Training session scheduled on 2021-JAN-25
- Items currently scheduled for the 2021-JAN-25 GPC meeting will be moved to the 2021-FEB-08 GPC Meeting
- Health and Housing Task Force and Economic Development final report/update expected for the 2021-FEB-22 GPC Meeting

2. Agenda Planning Prioritization

Introduced by Sheila Gurrie, Director, Legislative Services.

- Strategic Plan Update, scheduled for 2020-FEB-08, may provide better insight on the priority of future GPC topics

- Noted that the timeline of some future GPC topics, listed on the GPC Agenda Planning document, are dependant on their completion by Staff

5. ADJOURNMENT:

It was moved and seconded at 4:00 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER