

AGENDA
REGULAR COMMITTEE OF THE WHOLE MEETING
SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2016-MAR-14, AT 4:30 P.M.

1. **CALL THE REGULAR COMMITTEE OF THE WHOLE MEETING TO ORDER:**

2. **INTRODUCTION OF LATE ITEMS:**

3. **ADOPTION OF AGENDA:**

4. **ADOPTION OF MINUTES:**

- (a) Minutes of the Regular Committee of the Whole Meeting held in the Shaw Auditorium, 80 Commercial Street, on Monday, 2016-FEB-22 at 4:30 p.m. *Pg. 4-10*

5. **PRESENTATIONS:**

- (a) Dr. Paul Hasselback, Medical Health Officer, Island Health, and Dr. Debra Parry, to provide an update regarding overdoses and drug use in Nanaimo.
- (b) Mr. Ken Kaminski, Nanaimo Disability Resource Centre, to provide a presentation regarding a new accessibility icon.
- (c) Mr. John Van Horne, Director of Human Resources, to provide a presentation regarding how the City has addressed accessibility in the City of Nanaimo.
- (d) Mr. Poul Rosen, Senior Manager of Engineering, to provide an update on the Manual of Engineering Standards and Specifications.

6. **ADMINISTRATION:**

NONE

7. **CORPORATE SERVICES:**

- (a) **Downtown Nanaimo Business Improvement Association Grant Application for Terminal Avenue Drinking Water Exemption Study**

Purpose: To obtain Council support for the Downtown Nanaimo Business Improvement Association's grant application to the Federation of Canadian Municipalities Green Municipal Fund to assist with the revitalization of Terminal Avenue.

Delegation:

1. Mr. Darren Moss.

Staff Recommendation: That Council support the Downtown Nanaimo Business Improvement Association's application for grant funding under the Federation of Canadian Municipalities "Green Municipal Fund" to assist with the costs to perform a Drinking Water Exemption Study for the Terminal Avenue Precinct.

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(b) **Advisory Committee/Commission Minutes**

- Board of Variance Meeting held 2016-JAN-21

Pg. 14-17

8. **COMMUNITY SERVICES:**

(a) **Howden Drive Water Main Cost Share**

Purpose: To obtain Council's approval to conduct a budget transfer of Capital funds for a new water main cost share project.

Staff Recommendation: That Council direct Staff to proceed with a budget transfer of \$105,000 from the 2016 Water Infrastructure project to share the cost to upgrade the water main on Howden Drive with the Developer.

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9. **CORRESPONDENCE (not related to a Report to Council):**

NONE

10. **NOTICE OF MOTION:**

11. **OTHER BUSINESS:**

12. **DELEGATIONS (not related to a Report to Council): (10 MINUTES)**

- (a) Ms. Nancy Mitchell, regarding the relationship between RFP 1702: Terminal Avenue South Road Rehabilitation and implementation of the Newcastle-Brechin Neighbourhood Plan.

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- (b) Ms. Amanda Poch, regarding organ donor awareness and requesting Council's support for Nanaimo being a community that supports raising organ donor awareness.

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- (c) Mr. Allan Davidson, regarding the subdivision of large lots in the Departure Bay Area.

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- (d) Mr. Don Duddridge, regarding the subdivision of large lots in the Departure Bay Area. *Pg. 23*
- (e) Ms. Angela Chan, regarding proposed modifications to a bakery at 5491 Rutherford Road. *Pg. 24*
- (f) Mr. William Baker, regarding proposed modifications to a bakery at 5491 Rutherford Road. *Pg. 25*

13. **QUESTION PERIOD:** *(Agenda Items Only)*

14. **ADJOURNMENT:**

ACTING MAYOR: COUNCILLOR HONG
2016-MAR-09 to 2016-APR-26

MINUTES
REGULAR COMMITTEE OF THE WHOLE MEETING
SHAW AUDITORIUM, 80 COMMERCIAL STREET,
MONDAY, 2016-FEB-22 AT 4:30 P.M.

PRESENT: Mayor W. B. McKay, Chair

Members: Councillor W. L. Bestwick (arrived at 4:34 p.m.)
Councillor M. D. Brennan
Councillor G. W. Fuller
Councillor J. Hong
Councillor J. A. Kipp
Councillor W. L. Pratt
Councillor I. W. Thorpe
Councillor W. M. Yoachim (arrived at 4:46 p.m.)

Staff: T. Samra, City Manager
T. P. Seward, Senior Director of Strategic Operations
G. Goodall, Director of Engineering & Public Works
D. Lindsay, Director of Community Development
V. Mema, Director of Finance
M. DesRochers, Client Support Specialist
C. Jackson, Manager of Legislative Services
P. Humphreys, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Committee of the Whole Meeting was called to order at 4:32 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 7.(a) Nanaimo Volunteer & Information Centre Society Other Grant Funding Request – Replace report with document handed out at meeting.
- (b) Add Agenda Item 7.(c) Colliery Dam Update.
- (c) Remove Agenda Item 8.(a) Social Development Grants.
- (d) Agenda Item 8.(b) Syrian Refugee Update – Add delegation Mr. Feras Saedam.
- (e) Add Agenda Item 9.(a) Email dated 2016-FEB-17 to Mayor and Council from Ms. Lisa Slakov, Bike Right Campaign Coordinator.
- (f) Add Agenda Item 11.(b) Governance Review Update.
- (g) Remove Agenda Item 12.(b) Dr. C. Stewart Vinnels, President, Island Ferry Services Ltd. delegation.
- (h) Remove Agenda Item 12.(c) Mr. Dave Negrin and Mr. Joe Negrin delegation.

- (i) Councillor Kipp advised that Mr. Leon Cake was in attendance and wished to address Council as a late delegation regarding the Colliery Dam Update.
- (j) Councillor Kipp advised that Mr. Leo Boon was in attendance and wished to address Council as a late delegation regarding Bike Right Campaign.
- (k) Councillor Brennan advised that Mr. Terry Wiens was in attendance and wished to address Council as a late delegation regarding representation of the disability community on the Planning and Transportation Advisory Committee.
- (l) Councillor Hong advised that the Snuneymuxw Chief and Council were in attendance and wished to address Council as a late delegation regarding inter-government cooperation.

Councillor Bestwick entered the Shaw Auditorium at 4:34 p.m.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Committee of the Whole Meeting held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2016-JAN-25 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

- (a) Mr. Scott M. Harrold, Civil RCAF Snowbird Coordinator and Team Liaison, provided a presentation regarding the Snowbirds Fly for CH.I.L.D. air demonstration performance to be held 2016-AUG-10 over Nanaimo Harbour.

Councillor Yoachim entered the Shaw Auditorium at 4:46 p.m.

It was moved and seconded that Council receive the presentation from Mr. Scott M. Harrold regarding the Snowbirds Fly for CH.I.L.D. air demonstration performance. The motion carried unanimously.

By unanimous consent of Council, the Snuneymuxw Council delegation was moved forward to Agenda Item 5.(b).

- (b) Snuneymuxw Chief John Wesley, Councillor Doug White and Councillor Erralyn Thomas spoke regarding the need for closer communication between the City of Nanaimo and the Snuneymuxw Nation for mutual success in the future.

It was moved and seconded that Council receive the delegation from the Snuneymuxw Chief and Council. The motion carried unanimously.

6. CORPORATE SERVICES:

(a) Nanaimo Volunteer & Information Centre Society Other Grant Funding Request

It was moved and seconded that Council award an Other Grant to the Nanaimo Volunteer & Information Centre Society (OG-01) in the amount of \$1,551.46 to cover the cost of the rental of Beban Park Auditorium on 2016-APR-14 for their 2016 Volunteer Appreciation Luncheon. The motion carried unanimously.

It was moved and seconded that Council direct Staff to include the Nanaimo Volunteer & Information Society Annual Volunteer Appreciation Luncheon as a budget line item through the balance of this Council's term. The motion was carried unanimously.

(b) Advisory Committee/Commission Minutes

It was moved and seconded that Council receive for information the Minutes of the following Advisory Committee/Commission meetings:

- Design Advisory Panel Meeting held 2016-JAN-14.
- Board of Variance Meeting held 2015-NOV-19.

The motion carried unanimously.

(c) Colliery Dam Update

Delegations:

1. Mr. Leon Cake spoke regarding the accuracy of engineering costs detailed in the Colliery Dam Update report.

It was moved and seconded that Council receive the delegation from Mr. Leon Cake. The motion carried unanimously.

It was moved and seconded that Mr. Kevin Storrie be added as a late delegation regarding the Colliery Dam update and given 5 minutes to speak. The motion carried unanimously.

2. Mr. Kevin Storrie spoke regarding a forensic audit of the Colliery Dam project.

It was moved and seconded that Council receive the delegation from Mr. Kevin Storrie. The motion carried unanimously.

Mayor McKay vacated the Chair and the Shaw Auditorium at 6:26 p.m. Councillor Kipp assumed the Chair.

It was moved and seconded that that Council receive for information the report pertaining to the Colliery Dam Update. The motion carried.
Opposed: *Acting Mayor Kipp and Councillor Fuller.*

Mayor McKay returned to the Shaw Auditorium at 6:37 p.m. and resumed the Chair.

7. COMMUNITY SERVICES:

(b) Syrian Refugee Update

Delegation:

1. Mr. Feras Saedam spoke of his experiences as a recent immigrant from Syria and the welcome and support he and his family have received since arriving in Nanaimo two years ago.

It was moved and seconded that Council receive the delegation of Mr. Feras Saedam. The motion carried unanimously.

It was moved and seconded that Council direct Staff to publicize the need for rental housing for Syrian refugees, as noted in the Syrian Refugee Update report. The motion carried unanimously.

(c) Appointment of Bylaw Enforcement Officers

Councillor Fuller vacated the Shaw Auditorium at 7:01 p.m.

It was moved and seconded that Council appoint Ian Stewart Fraser and Carley Elizabeth Laura Colclough as bylaw enforcement officers to enforce the provisions of City of Nanaimo “Licencing and Control of Animals Bylaw 1995 No. 4923” and “Parks, Recreation and Culture Regulation Bylaw 2008 No. 7073”. The motion carried unanimously.

Councillor Fuller returned to the Shaw Auditorium at 7:03 p.m.

8. CORRESPONDENCE (not related to a Report to Council):

- (a) Email dated 2016-FEB-17 to Mayor and Council from Ms. Lisa Slakov, Bike Right Campaign Coordinator

Delegation:

1. Mr. Leo Boon spoke in support of the Bike Right education initiative and an active transportation policy that supports cycling infrastructure.

It was moved and seconded to receive the delegation from Mr. Leo Boon. The motion carried unanimously.

Councillor Thorpe vacated the Shaw Auditorium at 7:13 p.m.

It was moved and seconded that Council send a letter of support to the Province to encourage the development and funding of a province-wide child and youth cycling education program and permit Bike Right to use the City of Nanaimo's logo on their webpage of supporters. The motion carried unanimously.

9. OTHER BUSINESS:

- (a) Councillor Brennan re: Representation of Cycling and Disability Community on Planning and Transportation Committee
-

Delegations:

1. Mr. Leo Boon, Greater Nanaimo Cycling Coalition, spoke in support of encouraging more representatives from the cycling and disability communities on committees to best reflect the needs of the community.

Councillor Thorpe returned to the Shaw Auditorium at 7:14 p.m.

It was moved and seconded that Council receive the delegation from Mr. Leo Boon, Greater Nanaimo Cycling Coalition. The motion carried unanimously.

2. Mr. Terry Wiens spoke regarding the value of having insight on access issues in the community from the perspective of the disabled community.

It was moved and seconded that Council receive the delegation of Mr. Terry Wiens. The motion carried unanimously.

It was moved and seconded that Council request a Staff report that discusses ways, including dedicated seats for representatives from the cycling and disability communities, to ensure that the Planning and Transportation Committee has a clear and in depth understanding of accessibility issues and solutions related to transportation and planning. The dedicated seats would be filled by:

- a representative from a biking advocacy group that represents all forms of cycling including those who are involved in active transportation and urban development planning; and,
- a representative with personal knowledge of ways to share roads safely with pedestrians who use ambulatory assistive devices like wheelchairs and walkers."

The motion was defeated.

Opposed: Councillors Bestwick, Fuller, Hong, Kipp, Pratt, Thorpe and Yoachim.

It was moved and seconded that Council direct Staff to provide a report that includes ways that all Council committees have appointed representatives from a variety of areas including broad diversity and disability needs. The motion carried unanimously.

(b) Governance Review Update

The City Manager advised that recommendations from the Watson Governance Report completed in 2013 related to committees and commissions are being examined.

10. DELEGATIONS (not related to a Report to Council):

- (a) Ms. Sheila Rea spoke regarding suggestions to improve unsightly litter problems in areas of Nanaimo.

Councillor Bestwick vacated the Shaw Auditorium at 8:35 p.m.

It was moved and seconded that Council receive the delegation from Ms. Sheila Rea. The motion carried unanimously.

11. QUESTION PERIOD:

- Mr. Fred Taylor, re: enhancing City-supported volunteer litter pick up programs and the Nanaimo Network Association committee representative.

Councillor Bestwick returned to the Shaw Auditorium at 8:42 p.m.

- Mr. Kevin Storrie, re: Colliery Dam expenses and request for a forensic audit.
- Mr. Robert Fuller, re: litter problems and solid waste issues.
- Mr. Tim McGrath, re: Colliery Dam cost update.

12. 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;
- (f) law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

- (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;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (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; and,
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); and,

Section 90(2): A part of a Council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

- (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 into "In Camera" at 9:27 p.m.

Council moved out of "In Camera" at 9:30 p.m.

13. ADJOURNMENT:

It was moved and seconded at 9:31 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

DATE OF MEETING March 14, 2016

AUTHORED BY BILL CORSAN, MANAGER, REAL ESTATE

SUBJECT DNBIA GRANT APPLICATION FOR TERMINAL AVENUE DRINKING WATER EXEMPTION STUDY

OVERVIEW

Purpose of Report

To obtain Council support for the DNBIA's grant application to the Federation of Canadian Municipalities (FCM) Green Municipal Fund to assist with the revitalization of Terminal Avenue.

Recommendation

That Council support the DNBIA's application for grant funding under the "Green Municipal Fund" to assist with the costs to perform a Drinking Water Exemption Study.

BACKGROUND

There are around 100 properties within the Terminal Avenue Precinct (Attachment A) which are represented by 60 property owners. Redevelopment of individual properties is challenging given the potential for contamination and the associated remediation costs that would be passed onto individual property owners.

In 2012, the DNBIA and the private property owners in the Terminal Avenue corridor were successful in leveraging \$55,000 of DNBIA funds against a \$217,500 BC Brownfields Grant to undertake an area wide assessment of the Terminal/Nicol corridor.

To continue to reduce the environmental impediments to redevelopment in the Terminal Avenue corridor, the property owners and DNBIA voted to move forward with a Drinking Water Exemption application to the MoE.

If successful, a Drinking Water Exemption would remove the drinking water criteria for sites included in the exemption. This will significantly relax the concentration limits that need to be met to be classified as non-contaminated. This will remove a large barrier for future development.

At the 2015-JUN-22 Special Open Council meeting, Council received a delegation from the DNBIA and approved \$63,291 towards the Nanaimo Business Improvement Association's \$250,000 area wide Drinking Water Exemption Study for the Terminal Avenue Precinct.

To date, the DNBIA has had mixed success in achieving buy-in from the property owners in the area. The FCM has a Brownfield Grant program that will cover up to 50 per cent of eligible costs to a maximum of \$175,000.

To apply for the grant from FCM, a Council resolution showing support is required.

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OPTIONS

1. Support the DNBIA's Funding Request to FCM
 - **Budget Implication:** Council committed \$63,291 towards the Drinking Water Exemption Study at the 2015-JUN-22 Special Open Council meeting.
 - **Legal Implication:** The DNBIA will be responsible for the study.
 - **Policy Implication:** Encouraging redevelopment in the downtown core is supported in a number of policy documents including the OCP and Downtown Plan.
 - **Strategic Priorities Implication:** Taking responsibility and building community partnerships.
 - **Add Other Implications:** If DNBIA are successful in receiving the grant from FCM it should encourage more property owners to sign on to the Drinking Water Exemption Study and ultimately lead to redevelopment in the area.
2. Not support the DNBIA's Funding Request to FCM

SUMMARY POINTS

- The DNBIA is seeking a resolution from Council that supports the organization's efforts to secure a grant associated with the Drinking Water Exemption study proposed for the Terminal Avenue area.
- Council has previously supported this project by committing \$63,291 at the 2015-JUN-22 Special Open Council meeting.
- The completion of a Drinking Water Exemption Study will remove the drinking water criteria for sites included in the exemption area, significantly relaxing the concentration limits that need to be met to be classified as non-contaminated.

ATTACHMENTS

Attachment A - Terminal Avenue Precinct Area

Submitted by:



Bill Corsan
Manager, Real Estate

Concurrence by:



Dale Lindsay
Director, Community Development

ATTACHMENT A





**MINUTES OF THE MEETING
OF THE BOARD OF VARIANCE
HELD IN THE BOARDROOM AT 411 DUNSMUIR STREET
ON TUESDAY, 2016-JAN-21 COMMENCING AT 5:30 PM**

PRESENT: **Members:** Mr. Tyler Brown – Chair
 Mr. Gordon Turgeon
 Mr. Gerald (Gerry) Johnson
 Mr. Richard Finnegan
 Mr. Mark Dobbs

Staff: Dave Stewart, Planner, Planning & Design Section

1. CALL MEETING TO ORDER

 The regular meeting was called to order at 5:30 p.m.

2. ADOPTION OF MINUTES:

 It was moved and seconded that the Minutes of the meeting of the Board of Variance held on Thursday, 2015-NOV-19 be adopted. The motion carried unanimously.

3. APPLICATIONS:

APPEAL NO: **BOV670**

Applicant: Mr. Chris Bragg, on behalf of Nathan Chapman & Christine Shayer

Civic Address: 335 Black Creek Drive

Legal Description: LOT 65, SECTION 10, RANGE 8, MOUNTAIN DISTRICT, PLAN 30870

Purpose: Zoning Bylaw No. 4500 requires a side yard setback of 1.5m for a principal dwelling. The applicant is requesting to vary provisions of Zoning Bylaw 4500 in order to permit the reconstruction of an existing open deck 1.08m from the side yard property line. This represents a variance of 0.42m.

Zoning Regulations: Single Dwelling Residential – R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

*"Section 7.5.1 – Yard Requirements
A side yard setback of 1.5m is required."*

The variance is requested in order to permit a recently constructed retaining wall. This represents a front yard fence height variance of 0.59m and a rear yard fence height variance of 0.20m.

Please Note: The retaining wall encroaches into City property and the neighbouring property (6753 Oak Crest Place) to the north. The variance will not authorize the retaining wall on City property. A separate application (BOV673) is included on the BOV agenda package for the portion of the retaining wall on 6753 Oak Crest Place.

Zoning Regulations: Single Dwelling Residential – R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

"Section 6.10.2 states the height of a flanking side yard fence shall not exceed 1.8m within the R1 zone"

"Section 6.10.2 states the height of a side yard fence shall not exceed 2.4m within the R1 zone"

Local Government Act: The property is considered legal-conforming and, as such; Local Government Act, Section 911 - Non-conforming Uses and Siting, does not apply.

Discussion: Dr. Sharon Wall and Mr. Don Bayus were in attendance for their appeal.

Decision: It was moved and seconded that the variance request be **approved**. The motion carried.

APPEAL NO: BOV673

Applicant: Mr. Steve Stacey on behalf of Seann Madill

Civic Address: 3753 Oak Crest Place

Legal Description: LOT 15, DISTRICT LOT 39, WELLINGTON DISTRICT, PLAN VIP60366

Purpose: The applicant is requesting to vary the provisions of Zoning Bylaw No. 4500 in order to increase the maximum allowable height for a retaining wall within the side yard from 2.4m to 2.98m in order to permit a recently constructed retaining.

Please Note: The majority of the retaining wall was constructed on the property to the south (3747 Oak Crest Place). A separate application (BOV672) is included within the BOV agenda for 3747 Oak Crest Place. The purpose of this variance application is to permit the over height portion of the retaining which encroaches onto the subject property.

Zoning Regulations: Single Dwelling Residential – R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

"Section 6.10.2 states the height of a side yard fence shall not exceed 2.4m within the R1 zone"

Local Government Act: The property is considered legal-conforming and, as such; Local Government Act, Section 911- Non-conforming Uses and Siting, does not apply.

Discussion: Mr. Chris Bragg was in attendance for his appeal.

Decision: It was moved and seconded that the variance request be **approved**. The motion carried.

APPEAL NO: BOV671

Applicant: Mr. Jim Bradley

Civic Address: 1543 Extension Road

Legal Description: LOT C, SECTION 18, RANGE 4, CANBERRY DISTRICT, PLAN EEPP20284

Purpose: The applicant is requesting to vary the provisions of Zoning Bylaw No. 4500 in order to increase the maximum allowable height of a retaining wall in a front yard from 1.2m to 2.24m in order to increase the height of an existing retaining wall. This represents a variance request of 1.04m.

Zoning Regulations: Single Dwelling Residential – R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

"Section 6.10.2 states the height of a front yard fence shall not exceed 1.2m within the R1 zone"

Local Government Act: The property is considered legal-conforming and, as such; Local Government Act, Section 911 - Non-conforming Uses and Siting, does not apply.

Discussion: Mr. Jim Bradley was in attendance for his appeal.

Decision: It was moved and seconded that the variance request be **approved**. The motion carried.

APPEAL NO: BOV672

Applicant: Dr. Sharon Wahl

Civic Address: 3747 Oak Crest Place

Legal Description: LOT 14, DISTRICT LOT 39, WELLINGTON DISTRICT, PLAN VIP60366

Purpose: The applicant is requesting to vary the provisions of Zoning Bylaw No. 4500 in order to increase the maximum allowable height for a retaining wall as follows:

- Flanking side yard: from 1.80m to 2.39m
- Side yard: from 2.40m to 2.60m

Local Government Act: The property is considered legal-conforming and, as such; Local Government Act, Section 911 - Non-conforming Uses and Siting, does not apply.

Discussion: Mr. Steve Stacey was in attendance for his appeal.

Decision: It was moved and seconded that the variance request be **approved**. The motion carried.

4. OTHER BUSINESS:

None

5. ADJOURNMENT

It was moved and seconded at 6:01 p.m. that the meeting terminate. The motion carried.



CHAIR
CERTIFIED CORRECT

Feb 18/16

DATE:



CORPORATE OFFICER

DATE OF MEETING MARCH 14, 2016

AUTHORED BY S. RICKETTS, MANAGER, CONSTRUCTION

SUBJECT HOWDEN DRIVE WATER MAIN COST SHARE

OVERVIEW

Purpose of Report

To obtain Council's approval to conduct a budget transfer of Capital funds for a new water main cost share project.

Recommendation

That Council direct Staff to proceed with a budget transfer of \$105,000 from the 2016 Water Infrastructure project to share the cost to upgrade the water main on Howden Drive with the Developer.

BACKGROUND

KSG Developments and Jagats Holdings are developing a subdivision at 3280 Crystal Place. In order for this development to proceed, the Developer is required to upsize the asbestos cement water main on Howden Drive to provide fire flows to the new subdivision.

The existing City infrastructure located on Howden Drive includes road and water main infrastructure that are near the end of their service life. The 2016-2020 Financial Plan already includes replacement of the road's asphalt surface in 2016. The cost of asphalt renewal is expected to be approximately \$90,000. The renewal of the water main will now be completed as part of the Developer Cost Share project.

The total cost of the combined project is approximately \$250,000. The Developer will contribute \$55,000 towards the cost of the water main. A budget reallocation from the 2016 Water Infrastructure project for \$105,000 will provide the remaining funding. The 2016 Water Infrastructure project budget is \$300,000 and is used to enable the City to respond to developer cost share opportunities as they arise.

OPTIONS

1. The primary option is to proceed with the project as outlined.
 - **Budget Implication:** The 2016 Water Infrastructure \$300,000 budget is for Developer Cost Share projects and is within budget.
 - **Policy Implication:** Finance Policy 5.1-1 Budget Transfers requires Council approval for new projects.

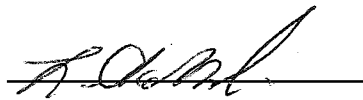
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- **Strategic Priorities Implication:** Asset Management is a strategic priority that ensures sufficient funds are available to address replacement costs.
2. Council may choose not to fund the Cost Share project.
- **Budget Implication:** If we do not enter into a cost share, it will impact the ability to complete the Road Rehab project, and the City will lose the opportunity to share the cost with the Developer.
 - **Strategic Priorities Implication:** The Strategic Plan priorities include Asset Management to address infrastructure replacement needs, and the infrastructure is near the end of its service life.
 - **Other Implications:** Without the Cost Share, the Developer will be left on their own to upsize the water main, and their business plans will be significantly impacted.

SUMMARY POINTS

- Council approval is required to transfer \$105,000 of Capital funds from the 2016 Water Infrastructure budget to this new project.
- The total cost of the combined project is approximately \$250,000.
- City Construction crews will replace the water main and the water services.
- The Developer is only obligated to upsize the water main.
- Following the water main installation, Howden Drive will be repaved under the City's annual paving program.

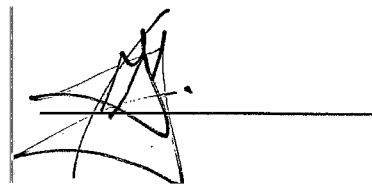
Submitted by:



L. McLeod
Construction Project Manager

on behalf of S. Ricketts, Manager of
Construction

Concurrence by:



G. Goodall
Director, Engineering & Public Works

Delegation Request

Nancy Mitchell has requested an appearance before Council.

The requested date is March 14, 2016.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: No

Details of Presentation:

Concern regarding relationship between RFP 1702: Terminal Ave South Road Rehabilitation and implementation of Newcastle-Brechin neighbourhood plan

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Delegation Request

Amanda Poch has requested an appearance before Council.

The requested date is March 14, 2016.

The requested meeting is:
COW

Presenter's Information:

City: Port Moody
Province: BC
Bringing a presentation: Yes

Details of Presentation:

I am celebrating my 10-year anniversary of my liver transplant and am touring the Province raising organ donor awareness and to register 10,000 new registrations by the end of 2016, called the Live Then Give Tour.

I would like to present my story, my mission of the tour and present a Provincial map in which I would ask the Mayor to sign as one of the communities who support raising organ donation awareness in their communities.

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Delegation Request

Allan Davidson has requested an appearance before Council.

The requested date is March 14, 2016.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: Yes

Details of Presentation:

Subdivision of large lots on Departure Bay Road and impact on surrounding community

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Delegation Request

Don Duddridge has requested an appearance before Council.

The requested date is March 14, 2016.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: No

Details of Presentation:

Subdivision of large lots on Departure Bay Road and impact on surrounding community

Regular Committee of the Whole
2016-MAR-14

Delegation Request

Angela Chan has requested an appearance before Council.

The requested date is March 14, 2016.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: No

Details of Presentation:

I would like to discuss the proposed bakery at 5491 Rutherford Road and the negative impact on our neighbourhood. The erosion of R1 neighbourhoods by commercial businesses and the need for additional guidelines to protect our neighbourhoods.

Regular Committee of the Whole
2016-MAR-14

Delegation Request

William G. Baker has requested an appearance before Council.

The requested date is March 14, 2016.

The requested meeting is:
COW

Presenter's Information:

City: Nanaimo
Province: BC
Bringing a presentation: No

Details of Presentation:

I am speaking against the proposed modification of, and the addition to, an accessory building to be used as a Production Bakery at 5491 Rutherford Road- BP application file number 121523 I reside at 5481 Rutherford Road next door to the subject property. This is a R1 zoned neighbourhood. Subject property has no direct access to Rutherford Road. Access is through a relatively narrow 15.28 ft wide by 54.06ft easement at the front of my property, to a single Rutherford Road entrance/ exit serving 3 properties. This sloped section of Rutherford Road does not lend itself to increased stop and turn traffic. Production bakeries operate mainly at night often starting at 2or 3 am and tend to emit odour, light and noise, while neighbourhood residents are trying to sleep. This proposed Production Bakery is about 50ft from the corner of my home.

Regular Committee of the Whole
2016-MAR-14