

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2018-OCT-15, AT 5:00 P.M.

Members: Mayor W. B. McKay, Chair
Councillor S. D. Armstrong
Councillor W. L. Bestwick (arrived 5:05 p.m.)
Councillor M. D. Brennan
Councillor G. W. Fuller
Councillor J. Hong
Councillor W. M. Thorpe
Councillor J. A. Kipp
Councillor W. M. Yoachim

Staff: D. Lindsay, Acting Chief Administrative Officer (arrived 7:11 p.m.)
B. Sims, Director, Engineering and Public Works (arrived 7:08 p.m.)
B. Corsan, Deputy Director of Community Development (arrived 7:00 p.m.)
Supt. C. Miller, OIC, Nanaimo Detachment RCMP (vacated 7:02 p.m.)
L. Fletcher, Inspector, RCMP, Nanaimo Detachment (vacated 7:02 p.m.)
K. Fry, Fire Chief
D. Laberge, Manager, Public Safety (arrived 7:09 p.m.)
D. Stevens, Client Support Specialist
S. Gurrie, City Clerk
K. Gerard, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 5:00 p.m.

2. PROCEDURAL MOTION TO PROCEED IN CAMERA:

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;
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); 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 5:00 p.m.

Council moved out of “In Camera” at 7:01 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 5(b) – Replace Minutes of the Regular Council Meeting 2018-OCT-01 with the version attached to the Addendum.
- (b) Agenda Item 10(b) – Property Disposition – 897 Albert Street, 474 Pine Street and 478 Pine Street – Add delegation from Jessie Chalmers, Habitat for Humanity Mid-Vancouver Island.
- (c) Remove Agenda Item 11(c) – City of Nanaimo “Public Nuisance Bylaw 2018 No. 7267” and City of Nanaimo “Bylaw Notice Enforcement Amendment Bylaw 2018 No. 7159.03”.
- (d) Remove Agenda Item 11(b) – Nuisance Property Abatement – 3796 Victoria Avenue.
- (e) Councillor Kipp advised that Mike Preston was in attendance and wished to address Council as a late delegation regarding Agenda Item 10 (b) – Property Disposition – 897 Albert Street, 474 Pine Street and 478 Pine Street.

It was moved and seconded that Mike Preston be permitted to address Council as a late delegation with a five-minute time limitation regarding Agenda Item 10 (b) – Property Disposition – 897 Albert Street, 474 Pine Street and 478 Pine Street. The motion carried.

Opposed: *Mayor McKay, Councillors Armstrong and Thorpe*

- (f) Councillor Kipp advised that Tim McGrath was in attendance and wished to address Council as a late delegation regarding Agenda Item 10(b) – Property Disposition – 897 Albert Street, 474 Pine Street and 478 Pine Street.

It was moved and seconded that Tim McGrath be permitted to address Council as a late delegation with a five-minute time limitation regarding Agenda Item 10 (b) – Property Disposition – 897 Albert Street, 474 Pine Street and 478 Pine Street. The motion carried unanimously.

- (g) Councillor Kipp advised that Tim McGrath was in attendance and wished to address Council as a late delegation regarding Agenda Item 12(g) – “Council Procedure Bylaw 2018 No. 7272”.

It was moved and seconded that Tim McGrath be permitted to address Council as a late delegation with a five minute time limit regarding Agenda Item 12(g) - "Council Procedure Bylaw 2018 No. 7272". The motion carried unanimously.

B. Sims entered the Shaw Auditorium at 7:08 p.m.

4. ADOPTION OF AGENDA:

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

5. ADOPTION OF 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, 2018-SEP-24 at 3:00 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-OCT-01 at 4:00 p.m.

The motion carried unanimously.

D. Laberge entered the Shaw Auditorium at 7:09 p.m.

6. MAYOR'S REPORT:

Mayor McKay spoke regarding the upcoming General Election on October 20, 2018, and encouraged all residents of the City of Nanaimo to vote. Mayor McKay expressed his support and well wishes to the new Mayor and Council.

7. ADMINISTRATION:

(a) Advisory Committee Minutes

It was moved and seconded that the following committee minutes be received for information:

1. Minutes of the Board of Variance Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2017-DEC-21, at 5:30 p.m.
2. Minutes of the Board of Variance Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2018-FEB-15, at 5:30 p.m.

3. Minutes of the Board of Variance Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2018-JUN-21, at 5:30 p.m.
4. Minutes of the Parks, Recreation and Wellness Committee Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2018-JUN-27, at 5:30 p.m.
5. Minutes of the Nanaimo Youth Advisory Council Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2018-JUL-18, at 4:30 p.m.
6. Minutes of the Board of Variance Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2018-JUL-19, at 5:30 p.m.
7. Minutes of the Special Community Engagement Task Force Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2018-AUG-07, at 4:30 p.m.
8. Minutes of the Special Community Planning and Development Committee Meeting held in the Training Room, Second Floor, City Hall, 455 Wallace Street, Nanaimo, BC, on Thursday, 2018-SEP-06, at 5:00 p.m.

The motion carried unanimously.

D. Lindsay entered the Shaw Auditorium at 7:11 p.m.

8. PUBLIC SERVICES:

(a) Subdivision Approving Officer

Introduced by Dale Lindsay, Acting Chief Administrative Officer.

It was moved and seconded that Council approve the appointment of Jeremy Holm as the City's Approving Officer. The motion carried unanimously.

(b) Property Disposition - 897 Albert Street, 474 Pine Street and 478 Pine Street

Introduced by Bill Corsan, Deputy Director, Community Development.

Delegations:

1. Jessie Chalmers, Habitat for Humanity Mid-Vancouver Island, spoke regarding the development area and the geotechnical and environmental concerns. He stated that the community engagement session went well and that support for this project was evident.

2. Mike Preston spoke regarding concerns for the project costs, concentration of affordable housing in this area and concerns over the environmental affect on the Cat Stream.
3. Tim McGrath spoke and stated that he represents the Harewood Neighbourhood Association. The association reviewed the information provided by for Habitat for Humanity and the Harewood Neighbourhood Association is in favour of this project.

It was moved and seconded that Council:

1. approve the disposition of City-owned land at 897 Albert Street, 474 and 478 Pine Street and adjacent road closure area to Habitat for Humanity Mid-Vancouver Island Society for \$1.00; and,
2. direct the Mayor and Corporate Officer to execute the necessary documents to effect the transaction.

The motion carried.

Opposed: *Councillor Bestwick*

(c) Proposed Telecommunications Tower - 821 Maughan Road

Introduced by Dale Lindsay, Acting Chief Administrative Officer.

It was moved and seconded that Council direct Staff to provide a letter of concurrence to Industry Canada in response to a proposed 45m telecommunications facility at 821 Maughan Road. The motion carried unanimously.

9. PUBLIC SAFETY:

(a) Nuisance Property Abatement - #204 - 311 Mt Benson Street

Introduced by David Laberge, Manager of Community Safety.

Councillor Armstrong vacated the Shaw Auditorium at 7:40 p.m.

It was moved and seconded that Council declare #204 – 311 Mt. Benson Street a “Nuisance” pursuant to the “Nuisance Abatement and Cost Recovery Bylaw 2003 No. 4645”, and to authorize Staff to record and charge for municipal services including police required to abate nuisance activity. The motion carried unanimously.

Councillor Armstrong entered the Shaw Auditorium at 7:43 p.m.

10. BYLAWS:

(a) "Business Licence Amendment Bylaw 2018 No. 5351.13"

It was moved and seconded that "Business Licence Amendment Bylaw 2018 No. 5351.13" (To amend the mobile food vending licence process to permit food trucks and trailers to operate in specified on-street and City park locations) be adopted. The motion carried unanimously.

(b) "Financial Plan Amendment Bylaw 2018 No. 7253.03"

It was moved and seconded that "Financial Plan Amendment Bylaw 2018 No. 7253.03" (To amend the 2018 - 2022 Financial Plan) be adopted. The motion carried.

Opposed: *Councillor Kipp*

(c) "Highway Closure and Dedication Removal Bylaw 2018 No. 7255"

It was moved and seconded that "Highway Closure and Dedication Removal Bylaw 2018 No. 7255" (To provide for highway closure and dedication removal of a portion Newcastle Avenue adjacent to 400 Newcastle) pass third reading. The motion carried unanimously.

(d) "Highway Closure and Dedication Removal Bylaw 2018 No. 7265"

It was moved and seconded that "Highway Closure and Dedication Removal Bylaw 2018 No. 7265" (To provide for highway closure and dedication removal of an unnamed lane adjacent to 897 Albert Street and 474 and 478 Pine Street) pass third reading. The motion carried unanimously.

(e) "Housing Agreement Bylaw 2018 No. 7269"

It was moved and seconded that "Housing Agreement Bylaw 2018 No. 7269" (To increase the maximum permitted occupancy of 2185 Salmon Road to ten persons for the purpose of providing shelter to women and children fleeing violence) be adopted. The motion carried unanimously.

(f) "Housing Agreement Bylaw 2018 No. 7270"

It was moved and seconded that "Housing Agreement Bylaw 2018 No. 7270" (To secure 38 affordable rental units within a new 74-unit development at 2020 Estevan Road in Nanaimo) be adopted. The motion carried unanimously.

(g) "Council Procedure Bylaw 2018 No. 7272"

Delegation:

1. Tim McGrath spoke regarding the "Council Procedure Bylaw 2018 No. 7272" and stated concerns regarding advertising, Minutes and change in wording.

It was moved and seconded that Council defer “Council Procedure Bylaw 2018 No. 7272” to the next Regular Open Council meeting, to be held on 2018-NOV-19. The motion was defeated.

Opposed: *Mayor McKay, Councillors Armstrong, Brennan, Hong and Thorpe*

It was moved and seconded that "Council Procedure Bylaw 2018 No. 7272" (To establish the Rules of Procedure for Council, Committee of the Whole and Committee Meetings) be adopted. The motion carried.

Opposed: *Councillors Bestwick, Fuller and Kipp*

11. ADJOURNMENT:

It was moved and seconded at 7:50 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER