

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-MAR-04, AT 3:30 P.M.

Present: Mayor L. Krog
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Absent: Councillor S. D. Armstrong

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, Director of Community Development
L. Mercer, Acting Director, Financial Services (arrived 7:00 p.m.)
B. Sims, Director of Engineering and Public Works (arrived 7:00 p.m.,
vacated 7:31 p.m.)
D. Blackwood, Sr. Client Support Specialist (arrived 7:00 p.m.)
S. Gurrie, City Clerk
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 3:28 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:

- (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;
- (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;
- (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;
- (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 3:28 p.m.
Council moved out of “In Camera” at 6:52 p.m.

The Open meeting recessed at 6:53 p.m.
The Open meeting reconvened at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 10(a) Add delegation from Geoff Griffiths.
- (b) Remove from Agenda Item 9(a) Consent Items 2 - Council Resolutions Update in order to be voted on separately.

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 Minutes of the Special Council Meeting (Public Hearing) held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC on Thursday, 2019-FEB-07 at 7:00 p.m. be adopted as circulated. The motion carried unanimously.

6. PRESENTATIONS:

- (a) Julie Pisani, Program Coordinator, Drinking Water and Watershed Protection, Regional District of Nanaimo, provided a presentation regarding Drinking Water and Watershed Protection which included a detailed analysis of watersheds in the

Nanaimo area, surface water quality monitoring sites, trend analysis to detect areas of concern, and recommendations to support improved watershed protection.

7. CONSENT ITEMS:

It was moved and seconded that Council approve the consent items as follows:

(a) Approval of the Committee of the Whole Recommendations 2019-FEB-25

1. Governance and Priorities Committee

- (a) That Council establish a Governance and Priorities Committee and adopt the associated Terms of Reference as presented in the report titled “Governance and Priorities Committee” dated 2019-FEB-25.

The motion carried unanimously.

(b) Separately Addressed Consent Items

It was moved and seconded that Council approve the consent items as follows:

2. Council Resolutions Update

- (a) That Council rescind the following resolutions carried at the Committee of the Whole meeting held 2017-JUN-26:

“It was moved and seconded that Council direct Staff to commence a review of the existing “Innovative Housing for Neighbourhoods: Triplex and Quadruplex Infill Design Guidelines” with consideration given to adding guidelines for other forms of infill housing.”

“It was moved and seconded that Council direct that the associated consultation with the community include neighbourhood associations.”

- (b) That Council rescind the following resolution carried at the Council meeting held 2018-MAY-07:

“It was moved and seconded that Council direct Staff to identify sites available for a federally regulated and recognized supervised consumption service.”

- (c) That Council rescind the following resolution carried at the Council meeting held 2017-DEC-04:

“It was moved and seconded that Council direct Staff to make recommendations on the scope of Phase 2 of the Core Review with the intent upon Council approval of moving forward as early in 2018 as possible.”

- (d) That Council rescind the following resolution carried at the Council meeting held 2017-AUG-14:

“It was moved and seconded that Council direct Staff to coordinate a meeting between Snuneymuxw First Nation representatives, Greater Nanaimo Harbour Association representatives and the City of Nanaimo representatives to further discuss the next steps regarding the Nation-to-Nation discussions.”

- (e) That Council rescind the following resolution carried at the Council meeting held 2018-JUL-09:

“It was moved and seconded that Council refer review of Zoning Bylaw Amendments related to Supervised Consumption Services to the Community Planning and Development Committee, and the Public Safety Committee, for recommendations.”

- (f) That Council rescind the following resolution carried at the Council meeting held 2017-DEC-18:

“It was moved and seconded that Council direct Staff to engage and review with Regional District of Nanaimo participating members stakeholder agreements and return in early 2018 with a report on their findings.”

The motion carried unanimously.

8. REPORTS:

- (a) Rezoning Application No. RA410 - Unit 9, 1599 Dufferin Crescent

Introduced by Dale Lindsay, Director, Community Development.

Delegation:

1. Geoff Griffiths was in attendance but did not speak.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.133” (To rezone Unit 9, 1599 Dufferin Crescent to allow “Cannabis Retail Store” as a site-specific use in the Hospital Urban Centre [CC5] Zone) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.133” pass second reading. The motion carried unanimously.

Bill Sims vacated the Shaw Auditorium at 7:31 p.m.

It was moved and seconded that Council direct Staff to secure the amenity contribution and BC Liquor and Cannabis Regulation Branch approval prior to adoption of the bylaw, should Council support the bylaw at third reading. The motion carried unanimously.

(b) “Inter-Community Business Licence Amendment Bylaw 2019 No. 7176.01”

Introduced by Dale Lindsay, Director, Community Development.

It was moved and seconded that “Inter-Community Business Licence Amendment Bylaw 2019 No. 7176.01” (To expand the participants in the inter-municipal business licensing program) pass first reading. The motion carried unanimously.

It was moved and seconded that “Inter-Community Business Licence Amendment Bylaw 2019 No. 7176.01” pass second reading. The motion carried unanimously.

It was moved and seconded that “Inter-Community Business Licence Amendment Bylaw 2019 No. 7176.01” pass third reading. The motion carried unanimously.

(c) Council Appointments to the Parcel Tax Roll Review Panel

Introduced by Sheila Gurrie, City Clerk.

It was moved and seconded that Council appoint Councillors Turley, Brown, and Hemmens to the Parcel Tax Roll Review Panel for a term ending 2019-DEC-31. The motion carried unanimously.

9. BYLAWS:

(a) “Parks, Recreation and Culture Regulation Amendment Bylaw 2019 No. 7073.07”

It was moved and seconded that “Parks, Recreation and Culture Regulation Amendment Bylaw 2019 No. 7073.07” (To allow for overnight shelter in City parks, and other regulatory matters) be adopted. The motion carried unanimously.

(b) “Bylaw Notice Enforcement Amendment Bylaw 2019 No. 7159.04”

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2019 No. 7159.04” (To update enforcement penalty rates) be adopted. The motion carried unanimously.

(c) “Public Nuisance Bylaw 2019 No. 7267”

It was moved and seconded that “Public Nuisance Bylaw 2019 No. 7267” (To update and consolidate offences relating to nuisances, disturbances and uncivil behavior) be adopted. The motion carried unanimously.

(d) “Bylaw Notice Enforcement Amendment Bylaw 2019 No. 7159.05”

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2019 No. 7159.05” (To include new offences and an updated fine schedule) be adopted. The motion carried unanimously.

(e) “Cross Connection Control Amendment Bylaw 2019 No. 7249.01”

It was moved and seconded that “Cross Connection Control Amendment Bylaw 2019 No. 7249.01” (To adopt amendments for consistent enforcement) be adopted. The motion carried unanimously.

(f) “Bylaw Notice Enforcement Amendment Bylaw 2019 No. 7159.06”

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2019 No. 7159.06” (For ticketing and enforcement of penalty sections of the new Cross Connection Control Bylaw) be adopted. The motion carried unanimously.

(g) “Financial Plan Amendment Bylaw 2019 No. 7253.04”

It was moved and seconded that “Financial Plan Amendment Bylaw 2019 No. 7253.04” (To amend the 2018 – 2022 Financial Plan) be adopted. The motion carried unanimously.

10. QUESTION PERIOD:

- Ms. Heather Ambo requested to ask a question regarding the Special Committee of the Whole meeting held earlier in the day.

11. ADJOURNMENT:

It was moved and seconded at 7:45 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER