

MINUTES
SPECIAL COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-JUN-10, AT 5:30 P.M.

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

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, Director, Parks and Recreation (arrived 9:26 p.m., vacated 10:02 p.m.)
D. Lindsay, Director, Community Development (arrived 8:05 p.m.)
B. Sims, Director, Engineering and Public Works (vacated 7:41 p.m.)
K. Fry, Fire Chief
L. Mercer, Acting Director, Financial Services (vacated 7:41 p.m.)
M. Desrochers, 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 5:30 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;
- (c) labour relations or other employee relations; 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 5:30 p.m.
Council moved out of “In Camera” at 6:46 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 8 – Delegations – Add Delegation from the Grade 4/5 Class from Cedar Elementary School.
- (b) Agenda Item 10(a) and (b) – Development Variance Permit Applications No. DVP376 – 903 Park Avenue and DVP383 – 917 Park Avenue – Add Delegation from Tamara Rowland, Tectonica Inc., under Agenda Item 10(a).
- (c) Agenda Item 10(c) – Rezoning Application No. RA422 – 111 Terminal Avenue – Add Delegation from Joyti Gandham on behalf of the applicant, Cannabis Stores Company.
- (d) Add Agenda Item 11(a) – Bylaw Status Sheet (For information)
- (e) Agenda Item 14(a) – Councillor Hemmens – Motion re: Department of National Defense Lands – Add the following Delegations:
 - 1. Jake Thorburn
 - 2. Shelby Drope
 - 3. Lawrence Rieper

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 following Minutes be adopted as circulated:

- Minutes of the Special Council Meeting (Public Hearing) held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2019-MAY-02, at 7:00 p.m.

- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2019-MAY-23, at 7:00 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-MAY-27, at 5:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- Pride Week held June 4 – 9th and included festivities such as the parade, bastion lighting and flag raising
- Canada Day celebration held on July 1st, 11:00 a.m. to 3:30 p.m. at Maffeo Sutton Park, and the many activities and family friendly entertainment that will be occurring downtown
- Breakdown of two garbage trucks and apologized to residents of Nanaimo that have been negatively affected. He stated that repairs are currently being completed and thanked Staff for their hard work
- Congratulated Karen Fry, Fire Chief, on her appointment as the 2nd Vice President of the Association of British Columbia Fire Chiefs
- Congratulated Jake Rudolph, Chief Administrative Officer, on his appointment as the 1st Vice President of the Canadian Association of Municipal Administrators

7. PRESENTATIONS:

(a) Fire Station #1 Project Update

Introduced by Jake Rudolph, Chief Administrative Officer.

Karen Fry, Fire Chief, provided Council with a presentation and an update regarding Fire Station #1 including timelines for construction, possible completion dates, layout of the building and consultation with Snuneymuxw First Nations for potential art work.

8. DELEGATIONS:

(a) Cedar Elementary School, Grade 4/5 Class regarding the Impact of Plastics on the Environment

The Grade 4/5 Class at Cedar Elementary School presented a petition to Council along with a presentation regarding the impact of plastics on the environment and requested Council ban plastics bags and the sale of plastic water bottles in Nanaimo.

It was moved and seconded that Council receive the petition, dated 2019-JUN-10, from the Grade 4/5 class of Cedar Elementary regarding banning plastics bags and the sale of plastic water bottles in Nanaimo. The motion carried unanimously.

K. Fry, L. Mercer and B. Sims vacated the Shaw Auditorium at 7:41 p.m.

(b) Holden Southward regarding destruction of the natural environment

Holden Southward spoke regarding how to help avert destruction of the planet by changing the way we live.

(c) John Barsby Student Council re: Youth Climate Action Network

Members of the John Barsby Student Council spoke regarding starting a Youth Climate Action Network and requested:

- Council's support to start a Youth Climate Action Network and Council look into supplying students, 18 and under, with free bus passes
- Council re-instate the Nanaimo Youth Council with a focus on climate change and the environment
- Council's assistance in re-establishing the Green Network in all schools in Nanaimo

(d) John Dacombe regarding Revenues and Costs Associated with the Bylaw Department

John Dacombe spoke regarding increasing revenues and reducing costs associated with bylaw enforcement which included comparisons to other municipalities in British Columbia and suggestions of re-writing out-of-date bylaws.

D. Lindsay entered the Shaw Auditorium at 8:05 p.m.

(e) Michael Houle, Chief Project Officer, regarding Nanaimo Correctional Centre Project

Michael Houle, Chief Project Officer, Nanaimo Correctional Centre Project, provided Council information on the Province of British Columbia's plans for the future of the Nanaimo Correctional Centre, which included building and seismic upgrades and the expected timeline for the project to be completed.

(f) Deane Strongitharm, MCIP, CitySpaces Consulting Ltd. & Strongitharm Consulting Ltd., regarding Sandstone Masterplan Updates

Deane Strongitharm, MCIP, CitySpaces Consulting Ltd., and Strongitharm Consulting Ltd., on behalf of Seacliff Properties, provided a presentation regarding updates to the Sandstone Masterplan, consultation with other governmental bodies, potential growth of this area, new development opportunities and stated that traffic and transportation studies will be completed.

9. REPORTS:

(a) Development Variance Permit Application No. DVP376 – 903 Park Avenue

Introduced by Dale Lindsay, Director, Community Development.

Delegation:

1. Tamara Rowland, Tectonica Inc., provided Council with a presentation regarding Development Variance Permit Application No. DVP376 – 903 Park Avenue and Development Variance Permit No. DP383 – 917 Park Avenue, and stated that the retaining wall is being completed because of safety and privacy concerns from the adjacent resident.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP No. 376.

No one in attendance wished to speak with respect to DVP376.

It was moved and seconded that Council issue Development Variance Permit No. DVP376 at 903 Park Avenue with the following variances:

- increase the maximum combined height for a retaining wall and fence within the front yard setback from 1.2m to 3m, and within the side yard setback from 2.4m to 3m.

The motion carried unanimously.

(b) Development Variance Permit No. DP383 – 917 Park Avenue

Introduced by Dale Lindsay, Director, Community Development.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP No. 383.

No one in attendance wished to speak with respect to DVP383.

It was moved and seconded that Council issue Development Variance Permit No. DVP383 at 917 Park Avenue with the following variances:

- increase the maximum combined height for a retaining wall and fence within the front yard setback from 1.2m to 3m, and within the side yard setback from 2.4m to 3m.

The motion carried unanimously.

(c) Rezoning Application No. RA422 – 111 Terminal Avenue

Introduced by Dale Lindsay, Director, Community Development.

Delegations:

1. Joyti Gandham spoke regarding the applicant, Cannabis Stores Company, and stated that the application is in good standing with the Province and the company has made contact with the principle of Pauline Haarer Elementary School.
2. Robert W. E. Laurie, Ad Lucem Law Corporation, spoke regarding the distance to Pauline Haarer Elementary School.
3. Mark Haden, Adjunct Professor, University of British Columbia, School of Population and Public Health and Executive Director of Multidisciplinary Association for Psychedelic Studies (MAPS) Canada, stated that the store will have a simple design that will not be attractive to children.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.146” (To rezone 111 Terminal Avenue in order to permit “Cannabis Retail Store” as a site-specific use in the Terminal Avenue [DT4] Zone) pass first reading. The motion carried.

Opposed: *Councillors Armstrong, Thorpe, Turley*

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.146”, pass second reading. The motion carried.

Opposed: *Councillors Armstrong, Thorpe, Turley*

It was moved and seconded that Council direct Staff to secure the community amenity contribution, should Council support third reading of the bylaw. The motion carried unanimously.

(d) 531 Kennedy Street – Acceptance of Project Under “Revitalization Tax Exemption Bylaw 2018 No. 7261”

Introduced by Dale Lindsay, Director, Community Development.

It was moved and seconded that Council approve the Revitalization Tax Exemption Agreement for a proposed eight-unit multi-family rental building at 531 Kennedy Street. The motion carried unanimously.

D. Lindsay vacated the Shaw Auditorium at 9:01 p.m.
The Regular Council Meeting recessed at 9:02 p.m.
The Regular Council Meeting reconvened at 9:13 p.m.
K. Fry entered the Shaw Auditorium at 9:16 p.m.

10. OTHER BUSINESS:

(a) Councillor Hemmens – Motion re: Department of National Defense Lands

Delegations:

1. Jake Thorburn spoke regarding Westwood Ridges access to the Department of National Defence Lands, (DND) the dangers of using these lands and suggested a compromise where a schedule is created for running groups and trail users when the gun range is not in use.

R. Harding entered the Shaw Auditorium at 9:26 p.m.

2. Shelby Drope spoke regarding DND Lands neighbouring Westwood Lake and Morrell Nature Sanctuary, and stated that there is no recorded accidents on the DND Lands and encouraged a public awareness campaign and a schedule for recreational users.
3. Lawrence Rieper spoke regarding DND Lands and stated that the this area should not be used by the public and there is evidence of explosives and/or dangerous materials on site.

It was moved and seconded that correspondence be sent from Mayor and Council to the Department of National Defence requesting they convene a meeting with representatives of recreational user groups that have been using the Department of National Defence lands near Nanaimo with the intention of reaching a use agreement which works for all parties. The motion carried.

Opposed: *Councillors Armstrong, Thorpe and Turley*

R. Harding vacated the Shaw Auditorium at 10:02 p.m.

D. Lindsay entered the Shaw Auditorium at 10:02 p.m.

11. QUESTION PERIOD:

- Ron Bolin re: Agenda Item 10(d) - 531 Kennedy Street – Acceptance of Project Under “Revitalization Tax Exemption Bylaw 2018 No. 7261”.

12. ADJOURNMENT:

It was moved and seconded at 10:07 p.m. that the meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER