

**MINUTES**  
REGULAR COUNCIL MEETING  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2019-JUN-17, AT 5:00 P.M.

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Present: Mayor L. Krog, Chair (arrived 6:07 p.m.)  
Acting Mayor, Councillor E. Hemmens, Chair  
Councillor S. D. Armstrong  
Councillor D. Bonner  
Councillor T. Brown  
Councillor B. Geselbracht  
Councillor Z. Maartman  
Councillor I. W. Thorpe

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer  
D. Lindsay, Director, Community Development (arrived 7:08 p.m.)  
K. Fry, Fire Chief (arrived 7:03 p.m.)  
L. Bhopalsingh, Manager, Community and Cultural Planning (arrived 7:09 p.m., vacated 7:14 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 5:00 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:

- (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;
- (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;
- (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*; and,

- (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,

*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 6:55 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 10(e) – Rezoning Application No. RA430 - 350 Terminal Avenue - Add Delegation from Sergio Pawar.
- (b) Agenda Item 10(f) – Development Permit No. DP1114 – 4800 Cedar Ridge Place - Add attachment – Delegation Request Form for Scott Butler, President of Highstreet Ventures and Bill Fisher, Architect.
- (c) Agenda Item 10(f) – Development Permit No. DP1114 – 4800 Cedar Ridge Place - Add delegations:
- Ed Dziejwior
  - Natalie Watt
  - Malcolm Threadgill
- (d) Agenda Item 11(d) – Bylaw Status Sheet - Add Attachment - Bylaw Status Sheet

4. APPROVAL OF THE AGENDA:

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

K. Fry entered the Shaw Auditorium at 7:03 p.m.

5. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- Public awareness during hot, dry weather, ensuring cigarettes are disposed of properly and to be aware of the rules for campfires and burning in Nanaimo and the surrounding area.
- Fire Station #4 Open House on Wednesday, June 19<sup>th</sup>, at 1425 Cranberry Avenue and stated there will be activities, educational resources and a fundraising BBQ
- Stage 2 watering restrictions
- Canada Day celebration to be held at Maffeo Sutton Park on July 1<sup>st</sup> from 11:00 a.m. to 3:30 p.m.

6. CONSENT ITEMS:

(a) Committee Minutes

It was moved and seconded that the following items be received by consent:

- Minutes of the Design Advisory Panel Meeting held 2019-MAY-09 at 5:00 p.m. in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC.
- Minutes of the Governance and Priorities Committee Meeting held 2019-MAY-13 at 10:00 a.m. in the Boardroom, Service and Resource Centre, 411 Dunsmuir, Nanaimo, BC.
- Minutes of the Governance and Priorities Committee Meeting held 2019-MAY-21 at 9:00 a.m. in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC.

The motion carried unanimously.

7. REPORTS:

(a) Committee Recommendations

1. Governance and Priorities Committee 2019-JUN-10

Introduced by Councillor Hemmens, Chair, 2019-JUN-10 Governance and Priorities Committee.

1. Strategic Plan Action Timelines

It was moved and seconded that Council direct Staff to embed the timelines as outlined in Attachment C of the report titled "Strategic Plan Action Timelines", dated 2019-JUN-10, in the Strategic Plan. The motion carried unanimously.

It was moved and seconded that Council include the appendix outlined in Attachment B of the report titled "Strategic Plan Action Timelines", dated 2019-JUN-10, in the Strategic Plan. The motion carried unanimously.

D. Lindsay entered the Shaw Auditorium at 7:08 p.m.  
L. Bhopalsingh entered the Shaw Auditorium at 7:09 p.m.

(b) Strategic Plan

Introduced by Jake Rudolph, Chief Administrative Officer.

It was moved and seconded that Council approve the 2019-2022 Strategic Plan including the change to bullet number seven on the Environmental Responsibility page of the Strategic Plan to "Work with the Regional District of Nanaimo and other community organizations to develop food security for the region." The motion carried unanimously.

(c) Implementing Truth and Reconciliation Call to Action #57

Introduced by Dale Lindsay, Director, Community Development.

It was moved and seconded that Council support the proposed Intercultural Competency Implementation Plan to support City of Nanaimo Staff learning about local, provincial, and national histories of Indigenous Peoples, including the history and legacy of residential schools, United Nations Declaration on the Rights of Indigenous Peoples, treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. The motion carried unanimously.

L. Bhopalsingh vacated the Shaw Auditorium at 7:14 pm.

(d) Rezoning Application No. RA425 - 6404 Metral Drive

Introduced by Dale Lindsay, Director, Community Development.

It was moved and seconded that "Zoning Amendment Bylaw 2019 No. 4500.150" (To rezone 6404 Metral Drive to allow "Cannabis Retail Store" as a site-specific use in the Woodgrove Urban Centre [CC4] zone) pass first reading. The motion carried unanimously.

It was moved and seconded that "Zoning Amendment Bylaw 2019 No. 4500.150" pass second reading. The motion carried unanimously.

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.

(e) Rezoning Application No. RA430 - 350 Terminal Avenue

Introduced by Dale Lindsay, Director, Community Development.

Delegation:

1. Sergio Pawar, applicant, stated that he was available for questions.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.152” (To rezone 350 Terminal Avenue to allow “Cannabis Retail Store” as a site-specific use in the Terminal Avenue [DT4] zone) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.152” pass second reading. The motion carried unanimously.

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.

(f) Development Permit No. 1114 - 4800 Cedar Ridge Place

Introduced by Dale Lindsay, Director, Community Development.

Delegations:

1. Scott Butler, President of Highstreet Ventures, provided a presentation and spoke regarding energy step codes for BC and ensuring safety and security to the property and surrounding area.
2. Bill Fisher, Architect, Highstreet Projects, provided a presentation and stated that the site is a difficult to build on and looked at numerous development options in order to accommodate the natural landscape.
3. Ed Dziejior stated he had concerns regarding blasting, designation of R6 zoning, shadowing effect on the properties behind the development and increase in traffic.
4. Natalie Watt provided a presentation and stated her concerns regarding blasting, increase in traffic, R6 zoning and shadowing of the neighbouring properties.
5. Malcolm Threadgill stated that he has concern regarding shadowing, traffic, blasting, zoning and people using the neighbouring properties as a trail or shortcut to Rutherford Road.

It was moved and seconded that Council issue Development Permit DP1114 at 4800 Cedar Ridge Place with the following variances:

- increase the maximum allowable building height for Building A from 14m to 15.75m;
- increase the maximum allowable building height for Building B from 7m to 11.5m;
- increase the maximum allowable building height for Building C from 7m to 10.35m;
- reduce the front yard setback for Building A from 6m to 4.13m;
- increase the height of a retaining wall within the front yard setback from 1.2m to 2.26m; and,
- reduce the landscape screening requirements for the proposed refuse receptacles.

The motion carried.

Opposed: *Councillors Armstrong and Thorpe*

(g) Development Permit No. DP1118 - 6010 Hammond Bay Road

Introduced by Dale Lindsay, Director, Community Development.

It was moved and seconded that Council issue Development Permit No. DP1118 at 6010 Hammond Bay Road with the following variances:

- increase the maximum front yard setback from 6m to 22.05m on the north property line; and
- increase the maximum front yard setback from 6m to 10.06m on the south property line.

The motion carried.

Opposed: *Councillor Armstrong*

(h) Development Permit No. DP001122 - 4745 Ledgerwood Road

Introduced by Dale Lindsay, Director, Community Development.

It was moved and seconded that Council issue Development Permit No. DP1122 at 4745 Ledgerwood Road with the following variances:

- increase the maximum allowable building height for Building 2 from 14m to 15.7m;
- increase the maximum allowable retaining wall height from 1.2m up to 3.66m in the front yard setback, and from 2.4m to 6.06m in the side and rear yard setback;
- increase the maximum allowable retaining wall height outside the yard setback areas from 3m up to 3.83m; and,
- allow parking spaces to extend beyond the front line of Building 1.

The motion carried unanimously.

8. BYLAWS:

(a) “Zoning Amendment Bylaw 2019 No. 4500.138”

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.138” (To rezone 3923 Victoria Avenue to allow “Cannabis Retail Store” as a site-specific use in the Neighbourhood Centre [CC2] Zone) be adopted. The motion carried unanimously.

(b) “Local Area Service (Morningside Drive) Establishing Bylaw 2019 No. 7281”

It was moved and seconded that “Local Area Service (Morningside Drive) Establishing Bylaw 2019 No. 7281” (To establish the Morningside Drive local area sewer and sanitary line service) be adopted. The motion carried unanimously.

(c) “Morningside Drive Local Service Area Parcel Tax Bylaw 2019 No. 7288”

It was moved and seconded that “Morningside Drive Local Service Area Parcel Tax Bylaw 2019 No. 7288” (To provide the authority to impose a parcel tax on the Morningside Drive local service area) be adopted. The motion carried unanimously.

9. ADJOURNMENT:

It was moved and seconded at 8:19 p.m. that the meeting terminate. The motion carried unanimously.

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ACTING CHAIR

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER