

**MINUTES**  
REGULAR COUNCIL MEETING  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2019-SEP-16, AT 3:30 P.M.

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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, General Manager, Parks, Recreation and Culture  
D. Lindsay, General Manager, Development Services  
J. Van Horne, Director, Human Resources  
K. Fry, Fire Chief  
L. Mercer, Director, Finance  
J. Holm, Director, Development Approvals (vacated 8:30 p.m.)  
A. Groot, Director, Facilities and Parks Maintenance  
E. Williams, A/Director, Recreation & Culture (vacated 7:37 p.m.)  
F. Farrokhi, Manager, Communications  
D. LaBerge, Manager, Community Safety (arrived 7:09 p.m.)  
D. Fox, Manager, Building Inspections (vacated 8:30 p.m.)  
R. Lawrance, Environmental Planner (vacated 8:30 p.m.)  
M. Desrochers, Technical Support Specialist - Network  
S. Gurrie, Director, Legislative Services  
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 3:33 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Add *Community Charter* Section 90(1)(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.

3. 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:

- (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;
- (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 3:35 p.m.  
Council moved out of “In Camera” at 6:53 p.m.

The Open Council meeting reconvened in the Shaw Auditorium at 7:02 p.m.

2. INTRODUCTION OF LATE ITEMS (continued):

- (b) Agenda Item 9(b)(1) – Consent Items – Add Committee Recommendations – Governance and Priorities Committee Meeting 2019-SEP-09.
- (c) Agenda Item 10(b) Municipal and Regional District Tax Renewal Bylaw replace presenter Dan Brady with Calum Matthews.

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 Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2019-SEP-09 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised the City is accepting applications for the 2020 Culture and Heritage Awards and applications for the 2020 Culture and Heritage Grants. Funds are available under operating grants and project grants. Guidelines, criteria and more information is available at [www.nanaimo.ca](http://www.nanaimo.ca).

Mayor Krog advised the City has acquired Five Acre Farm at 933 Park Avenue in Harewood. The acquisition is consistent with the vision set out in the Harewood Neighbourhood Plan and the Parks, Recreation and Culture Master Plan. Future use of the property will be determined through a master plan process with the neighbourhood and the wider community.

7. CONSENT ITEMS:

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

(a) Advisory Committee Minutes

- Minutes of the Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Wednesday, 2019-AUG-07, at 3:00 p.m.

(b) Committee Recommendations

1. Governance and Priorities Committee Meeting 2019-SEP-09

1. 2020 Strategic Policy Development

That Council endorse the draft work plan and guiding principles for the 2020 strategic policy development process:

1. Build on successful policies in existing documents;
2. Incorporate Council's strategic themes identified in the Strategic Plan: Environmental Responsibility, Governance Excellence, Livability, and Economic Health;
3. Acknowledge and address the priorities of climate change, reconciliation, and sustainable service delivery;
4. Include robust community engagement in the creation of plans and strategies;
5. Provide a clear and coordinated vision to guide community-building for the next 25 years; and,

6. To provide a method which allows for the evaluation and measurement of plans and strategies.

The motion carried unanimously.

8. REPORTS:

- (a) 195 and 191 Fourth Street Co-Management Agreement Disposition - Nanaimo Search and Rescue

Introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

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

Presentation:

1. Donna Hais provided a verbal presentation regarding Nanaimo Search and Rescue which included call out statistics, membership numbers, training space and fundraising efforts raising over a million dollars and restoring the building with that money.

It was moved and seconded that Council:

1. approve a 25-year co-management agreement with the Nanaimo Search and Rescue at 195 and 191 Fourth Street; and,
2. authorize the Mayor and Corporate Officer to execute the agreement.

The motion carried unanimously.

- (b) Municipal and Regional District Tax Renewal Bylaw

Introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

Presentation:

1. Calum Matthews, Director, Destination Development, Tourism Vancouver Island, provided a presentation regarding the Municipal and Regional Tax Renewal Bylaw (MRDT), including what MRDT funds are used for, process for approval of tax increase, Nanaimo as a destination, goals to increase awareness of Nanaimo, and collaborative tactics to encourage tourism.

It was moved and seconded that “Accommodation Tax Request Bylaw 2019 No. 7294” (To increase the Municipal and Regional District Tax (MRDT) rate from two percent to three percent) pass first reading. The motion carried unanimously.

It was moved and seconded that “Accommodation Tax Request Bylaw 2019 No. 7294” pass second reading. The motion carried unanimously.

It was moved and seconded that “Accommodation Tax Request Bylaw 2019 No. 7294” pass third reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to submit an application to Destination BC to request that the Municipal and Regional District Tax rate be increased to three percent. The motion carried unanimously.

E. Williams vacated the Shaw Auditorium at 7:37 p.m.

(c) City of Nanaimo Privacy Policy & Whistleblower Policy

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council approve the City of Nanaimo Privacy Policy as presented in the report titled “City of Nanaimo Privacy Policy & Whistleblower Policy” dated 2019-SEP-16. The motion carried unanimously.

It was moved and seconded that Council approve the City of Nanaimo Whistleblower Policy as presented in the report titled “City of Nanaimo Privacy Policy & Whistleblower” dated 2019-SEP-16. The motion carried unanimously.

(d) Building Bylaw Amendments

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Rob Lawrance, Environmental Planner, provided a presentation regarding the energy step code implementation strategy:
  - The Step Code Implementation Strategy was adopted by Council July 2018
  - Engagement and education regarding the BC Energy Step Code took place with the building community, home builders association, and partners at the Regional District of Nanaimo
  - Going forward the City will continue raising awareness by working with the building community

Councillor Armstrong vacated the Shaw Auditorium at 8:18 p.m.

It was moved and seconded that “Building Amendment Bylaw 2019 No. 7224.02” (To introduce BC Energy Step Code regulations, amend demolition permit expiration, amend works and services exemptions, and amend Schedule A - Fine Schedule) pass first reading. The motion carried unanimously.

It was moved and seconded that “Building Amendment Bylaw 2019 No. 7224.02” pass second reading. The motion carried unanimously.

It was moved and seconded that “Building Amendment Bylaw 2019 No. 7224.02” pass third reading. The motion carried unanimously.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2019 No. 7159.07” (To update Building Bylaw penalty fees in Schedule A - Designated Bylaw Contraventions and Penalties) pass first reading. The motion carried unanimously.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2019 No. 7159.07” pass second reading. The motion carried unanimously.

Councillor Armstrong returned to the Shaw Auditorium at 8:21 p.m.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2019 No. 7159.07” pass third reading. The motion carried unanimously.

It was moved and seconded that the Step Code Implementation Strategy be referred to the Environment Committee for review including consideration of a potentially expedited implementation plan. The motion carried unanimously.

(e) Step Code Implementation - Zoning Bylaw Schedule D and Rezoning Policy

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.154” (To amend Schedule D of the Zoning Bylaw to modify Category 5 – Energy Management to include reference to the BC Energy Step Code) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.154” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to develop a building energy efficiency rezoning policy. The motion carried unanimously.

D. Fox, J. Holm, and R. Lawrance vacated the Shaw Auditorium at 8:30 p.m.

10. BYLAWS:

(a) "Zoning Amendment Bylaw 2019 No. 4500.144"

It was moved and seconded that "Zoning Amendment Bylaw 2019 No. 4500.144" (To rezone 52 Victoria Crescent to allow "Cannabis Retail Store" as a site-specific use in the Terminal Avenue [DT4] zone) be adopted. The motion carried unanimously.

(b) "Traffic and Highways Regulation Amendment Bylaw 2019 No. 5000.046"

It was moved and seconded that Council rescind third reading of "Traffic and Highways Regulation Amendment Bylaw 2019 No. 5000.046". The motion carried unanimously.

It was moved and seconded that Council refer "Traffic and Highways Regulation Amendment Bylaw 2019 No. 5000.046" (To remove the time-limit and payment exemptions for vehicles displaying disabled parking permits in City parkades) to Staff for consideration as part of the downtown transportation and mobility study and include consultation with relevant stakeholders. The motion carried unanimously.

11. CORRESPONDENCE:

- (a) Correspondence dated 2019-AUG-13 from the Office of the Ombudsperson regarding their quarterly report: April 1 - June 30, 2019.

12. QUESTION PERIOD:

- Mr. Manners, re: Municipal and Regional District Tax Renewal Bylaw and definition of fixed roof accommodation.

13. ADJOURNMENT:

It was moved and seconded at 8:38 p.m. that the meeting terminate. The motion carried unanimously.

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C H A I R

CERTIFIED CORRECT:

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CORPORATE OFFICER