

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-NOV-18, AT 3:00 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
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
K. Fry, Fire Chief (vacated 7:48 p.m.)
J. Holm, Director, Development Approvals
D. Blackwood, Client Support Specialist
S. Gurrie, Director, Legislative Services
K. Gerard, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 3:01 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;
- (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;
- (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 3:01 p.m.
Council moved out of “In Camera” at 6:59 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Add Agenda Item 8(b)(2) – Special Finance and Audit Committee Recommendations 2019-NOV-13.
- (b) Add Agenda Item 9(b) – Delegation Keith Wilson re: Council Support for Five Non-Profits Applying for Provincial Funding for Child Care Spaces.
- (c) Agenda Item 11(b) – Correct title to reflect the Bylaw number of 7187.01.

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-NOV-04, at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR’S REPORT:

Mayor Krog spoke regarding:

- Living History Speaker Series returns for one night on November 19th, from 6:30 p.m. to 8:00 p.m. and will be held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street. This year’s theme is “Choosing Nanaimo”.
- The City of Nanaimo (the City) is excited to announce the release of NanaimoMap. NanaimoMap is mobile friendly and includes features such as trails, bike routes and aerial imaging. The launch is scheduled for early 2020 and the City is looking for feedback from the public before the existing mapping system is retired in January 2020.

- The City is seeking artist proposals for a permanent artwork at Maffeo Sutton Park. The deadline for artist is January 20, 2020, no later than 3:00 p.m. Artists are invited to submit their proposals through the City website at www.nanaimo.ca/bid-opportunities/bid_details.aspx?id=1353
- Cambie Park in Harewood will soon include a half sport court, community bulletin board, fencing and play equipment thanks to community volunteers and a number of generous private donations. The improvement plan is neighbourhood initiated through the Partners in Parks Program.
- The City is currently reviewing zoning and business regulations related to short-term and bed and breakfast accommodations and is seeking community feedback. A drop-in Open House will be held on November 21st, from 5:00 p.m. to 7:00 p.m. at the Departure Bay Kin Hut, 2730 Departure Bay Road.
- Mayor, Council and City of Nanaimo employees wish to express their heartfelt sympathies to the Director of Human Resources, John Van Horne on the passing of his wife Jenny.

7. PRESENTATIONS:

- (a) Dr. David Coupland, President, Dr. Joe Foster, Vice President and Dr. Jodie Turner, Treasurer, Nanaimo Medical Staff Association

Dr. David Coupland, President, Dr. Jodie Turner, Treasurer, Nanaimo Medical Staff Association (MSA), provided Council with a presentation regarding the shared MSA and Island Health Authority's 5-year plan to transition Nanaimo Regional General Hospital (NRGH) to a tertiary hospital.

It was moved and seconded that Council provide a letter of support for a fully funded tertiary hospital at Nanaimo Regional General Hospital in a timeline approved by the Nanaimo medical staff and the patients of Central and North Island. The motion carried unanimously.

8. CONSENT ITEMS:

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

- (a) Advisory Committee Minutes

- Minutes of the Special Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-SEP-30, at 1:00 p.m.
- Minutes of the Governance and Priorities Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2019-OCT-07, at 1:00 p.m.
- Minutes of the Governance and Priorities Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2019-OCT-28, at 1:00 p.m.

- Minutes of the Committee of the Whole Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-OCT-28, at 4:30 p.m.

(b) Committee Recommendations

1. Governance and Priorities Committee Recommendations 2019-NOV-04

1. 2020 Governance and Priorities Key Date Calendar

That Council adopt the 2020 Governance and Priorities Committee Key Date Calendar.

2. Downtown Mobility Hub Project Update from Phase 1

That Council approve siting an on-street Transit Exchange on Front Street adjacent 1 Port Drive, and direct Staff to proceed to Phase 2 of the project to:

- work with the Regional District of Nanaimo to prepare a design for an on-street Transit Exchange,
- complete designs for the Downtown and Albert Street bikeways,
- complete a review of the Downtown Road Network to seek opportunities to enhance connectivity,
- finalize the Parking Management Strategy, and
- develop plans to optimize streetscapes and place making.

3. Governance and Priorities Committee Agenda Planning

That Council invite a representative from the Coastal Community Social Procurement Initiative to make a presentation during the next available Governance and Priorities Committee Meeting.

4. Governance and Priorities Committee Agenda Planning

That Council schedule a Governance and Priorities Committee Meeting on the topic of engagement, with an update on different emerging issues, and a focus on neighbourhood associations.

2. Special Finance and Audit Committee Recommendations 2019-NOV-13

1. 2020 Finance and Audit Committee Key Date Calendar

That Council approve the 2020 Finance and Audit Committee Key Date Calendar.

2. Nanaimo BMX Track Redevelopment Design

That Council:

1. consider funding of \$35,000, during the 2020 - 2024 Financial Plan review, for detailed design and cost estimates for the Nanaimo BMX track redevelopment; and,
2. direct Staff to work with Nanaimo BMX Association and other stakeholders on the development of detailed design and costing for the project.

3. Emergency Medical Responder

That Council consider funding an increase to the Nanaimo Fire Rescue training budget of \$66,750 in the first year (2020) and \$60,000 for the following five years (2021-2025) during the 2020 2024 Financial Plan review to raise the service level to Emergency Medical Responder (EMR).

4. Heritage Home Grant Application - 911 Wentworth Street

That Council approve a \$2,500 Heritage Home Grant for reroofing the Ivers/Honey Residence located at 911 Wentworth Street.

5. Procurement Policy Review

That Council direct Staff to undertake the planned review of the Procurement Policy with an increased focus on social, environmental and ethical elements for City purchases that specifically align with the desired outcomes of the Strategic Plan.

6. Delegation from Jennifer McAskill, Nanaimo Police Based Victim Services Society Co-Chair, and Cheryl Zapotichny, RCMP Victim Services Program Manager, requesting funding for Victim Services Program

That Council direct Staff to prepare a report regarding the \$100,000 funding request from the Victim Services Program and that letters be sent to the Ministry of Public Safety and Solicitor General, and the Regional District of Nanaimo requesting that they increase funding to the Victim Services Program.

The motion carried unanimously.

9. DELEGATIONS:

- (a) Shauna McAllister re: "Fire Protection and Life Safety Regulation Bylaw 2011 No. 7108"

Shauna McAllister spoke regarding amending the existing "Fire Protection and Life Safety Regulation Bylaw 2011 No. 7108" to reflect no open fires ½ km radius around Park Avenue Elementary School. Requested that Council amend the bylaw to reflect no burning on Fridays and/or within a ½ km radius around schools.

K. Fry vacated the Shaw Auditorium at 7:48 p.m.

- (b) Keith Wilson re: Council Support for Five Non-Profits Applying for Provincial Funding for Child Care Spaces

Keith Wilson provided Council with a presentation requesting the City support a group of five non-profits (Central Vancouver Island Multicultural Society, Nanaimo Aboriginal Centre, Nanaimo Boys and Girls Club, Nanaimo Foodshare Society and Nanaimo Youth Services Association) in applying for Child Care Spaces funding from the Province of British Columbia.

It was moved and seconded that Council work with the Central Vancouver Island Multicultural Society, Nanaimo Aboriginal Centre, Nanaimo Boys and Girls Club, Nanaimo Foodshare Society and Nanaimo Youth Services Association to submit an application to apply for childcare spaces funding from the Province of British Columbia. The motion was defeated.

Opposed: *Mayor Krog, Councillors Armstrong, Hemmens, Maartman, Thorpe and Turley*

10. REPORTS:

- (a) Rezoning Application No. RA398 – 307 Hillcrest Avenue and 308/326 Wakesiah Avenue

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that "Zoning Amendment Bylaw 2019 No. 4500.164" (To rezone 307 Hillcrest Avenue and 308 and 326 Wakesiah Avenue from Single Dwelling Residential [R1] and Residential Corridor [COR1] to Mixed Use Corridor [COR2] with site-specific student housing use) pass first reading. The motion carried unanimously.

It was moved and seconded that "Zoning Amendment Bylaw 2019 No. 4500.164" pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure the community amenity contribution, public walkway, road dedication, lot consolidation, and a housing agreement, should Council support the bylaw at third reading. The motion carried unanimously.

Councillor Bonner vacated the Shaw Auditorium at 8:41 p.m. declaring a conflict of interest.

- (b) Official Community Plan Amendment Application No. OCP90 and Rezoning Application No. RA423 – 4392 Jingle Pot Road

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that “Official Community Plan Amendment Bylaw 2019 No. 6500.041” (OCP90 – To re-designate 4392 Jingle Pot Road on the Future Land Use Plan (Map 1) from Neighbourhood to Corridor) pass first reading. The motion carried unanimously.

It was moved and seconded that “Official Community Plan Amendment Bylaw 2019 No. 6500.041” pass second reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.153” (RA423 – to rezone 4392 Jingle Pot Road from Single Dwelling Residential (R1) to Mixed Use Corridor (COR2)) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.153” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure road dedication, infrastructure upgrades, vehicle access across the adjacent property, and a community amenity contribution prior to adoption of the Bylaw should Council support the bylaw at third reading. The motion carried unanimously.

Councillor Bonner returned to the Shaw Auditorium at 8:43 p.m.

Councillor Brown vacated the Shaw Auditorium at 8:44 p.m.

- (c) Rezoning Application No. RA439 – 847 Bruce Avenue

Introduced by Dale Lindsay, General Manager, Development Services.

Delegation:

1. Keith Barbon spoke regarding Rezoning Application No. 847 Bruce Avenue and stated that they have support for this application from the surrounding businesses and residents.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.162” (To rezone 847 Bruce Avenue to allow “Cannabis Retail Store” as a site-specific use in the Neighbourhood Centre [CC2] zone) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.162” pass second reading. The motion carried unanimously.

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

Councillor Brown returned to the Shaw Auditorium at 8:46 p.m.

(d) Rezoning Application No. RA440 – 5800 Turner Road

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.163” (To rezone 5800 Turner Road to allow “Cannabis Retail Store” as a site-specific use in the City Commercial Centre [CC3] zone) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.163” pass second reading. The motion carried unanimously.

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

11. BYLAWS:

(a) "General Fund Asset Management Amendment Bylaw 2019 No. 7186.01"

It was moved and seconded that “General Fund Asset Management Amendment Bylaw 2019 No. 7186.01” (To amend the General Fund Asset Management Reserve Fund purpose) be adopted. The motion carried unanimously.

(b) "Sewer Fund Asset Management Amendment Bylaw 2019 No. 7187.01"

It was moved and seconded that “Sewer Fund Asset Management Amendment Bylaw 2019 No. 7187.01” (To amend the Sewer Fund Asset Management Reserve Fund purpose) be adopted. The motion carried unanimously.

(c) "Water Fund Asset Management Amendment Bylaw 2019 No. 7188.01"

It was moved and seconded that “Water Fund Asset Management Amendment Bylaw 2019 No. 7188.01” (To amend the Water Fund Asset Management Reserve Fund purpose) be adopted. The motion carried unanimously.

(d) "Highway Closure and Dedication Removal Bylaw 2019 No. 7292"

It was moved and seconded that “Highway Closure and Dedication Removal Bylaw 2019 No. 7292” (To provide highway closure and dedication removal of Lubbock Square adjacent to 618 Fitzwilliam Street and 285 Prideaux Street) be adopted. The motion carried unanimously.

(e) "911 Reserve Fund Establishing Bylaw 2019 No. 7295"

It was moved and seconded that "911 Reserve Fund Establishing Bylaw 2019 No. 7295" (To establish a 911 Call Answer Service Reserve Fund) be adopted. The motion carried unanimously.

(f) "Cart Replacement Reserve Fund Establishing Bylaw 2019 No. 7296"

It was moved and seconded that "Cart Replacement Reserve Fund Establishing Bylaw 2019 No. 7296" (To establish a residential solid waste Cart Replacement Reserve Fund) be adopted. The motion carried unanimously.

(g) "Copier Replacement Reserve Fund Establishing Bylaw 2019 No. 7297"

It was moved and seconded that "Copier Replacement Reserve Fund Establishing Bylaw 2019 No. 7297" (To establish a Copier Replacement Reserve Fund) be adopted. The motion carried unanimously.

(h) "Emission Reduction Reserve Fund Establishing Bylaw 2019 No. 7298"

It was moved and seconded that "Emission Reduction Reserve Fund Establishing Bylaw 2019 No. 7298" (To establish an Emission Reduction Reserve Fund) be adopted. The motion carried unanimously.

(i) "Housing Legacy Reserve Fund Establishing Bylaw 2019 No. 7299"

It was moved and seconded that "Housing Legacy Reserve Fund Establishing Bylaw 2019 No. 7299" (To establish a Housing Legacy Reserve Fund) be adopted. The motion carried unanimously.

(j) "Information Technology Reserve Fund Establishing Bylaw 2019 No. 7300"

It was moved and seconded that "Information Technology Reserve Fund Establishing Bylaw 2019 No. 7300" (To establish an Information Technology Reserve Fund) be adopted. The motion carried unanimously.

(k) "Nanaimo District Secondary School Community Field Reserve Fund Establishing Bylaw 2019 No. 7301"

It was moved and seconded that "Nanaimo District Secondary School Community Field Reserve Fund Establishing Bylaw 2019 No. 7301" (To establish a Nanaimo District Secondary School Community Field Reserve Fund) be adopted. The motion carried unanimously.

(l) "Parking Reserve Fund Establishing Bylaw 2019 No. 7302"

It was moved and seconded that "Parking Reserve Fund Establishing Bylaw 2019 No. 7302" (To establish a Parking Reserve Fund) be adopted. The motion carried unanimously.

(m) "Property Acquisition Reserve Fund Establishing Bylaw 2019 No. 7303"

It was moved and seconded that "Property Acquisition Reserve Fund Establishing Bylaw 2019 No. 7303" (To establish a Property Acquisition Reserve Fund) be adopted. The motion carried unanimously.

(n) "Strategic Infrastructure Reserve Fund Establishing Bylaw 2019 No. 7304"

It was moved and seconded that "Strategic Infrastructure Reserve Fund Establishing Bylaw 2019 No. 7304" (To establish a Strategic Infrastructure Reserve Fund) be adopted. The motion carried unanimously.

(o) "Sustainability Reserve Fund Establishing Bylaw 2019 No. 7305"

It was moved and seconded that "Sustainability Reserve Fund Establishing Bylaw 2019 No. 7305" (To establish a Sustainability/Energy Consumption Reduction Reserve Fund) be adopted. The motion carried unanimously.

(p) "Housing Agreement Bylaw 2019 No. 7306"

It was moved and seconded that "Housing Agreement Bylaw 2019 No. 7306" (To authorize a housing agreement for rental housing at 1400 Wingrove Street) be adopted. The motion carried unanimously.

12. NOTICE OF MOTION:

(a) Councillor Hemmens and Councillor Brown re: Women's Participation on City of Nanaimo Committees and Task Forces

Councillor Hemmens and Councillor Brown advised that they would be bringing forward the following notice of motion for consideration at a future meeting:

"That a report be prepared for Council with a draft policy and framework for ensuring gender parity on all City committees and task forces".

(b) Councillor Hemmens and Councillor Brown re: Childminding Reimbursement for Members of Council and City Committee Members

Councillor Hemmens and Councillor Brown advised that they would be bringing forward the following notice of motion for consideration at a future meeting:

"That a report be prepared for Council with a draft policy and framework for reimbursing childminding expenses for members of Council and City Committee Members that are incurred as a result of participation in official City of Nanaimo meetings".

13. OTHER BUSINESS:

- (a) Councillor Geselbracht - Agenda Item 9(a) - Shauna McAllister re: “Fire Protection and Life Safety Regulation Bylaw 2011 No. 7108”

Councillor Geselbracht requested a Staff report regarding amendments to “Fire Protection and Life Safety Regulation Bylaw 2011 No. 7108”, specifically regarding backyard burning around schools.

Jake Rudolph, Chief Administrative Officer, noted that Staff will draft an information report and return to a future Council meeting.

14. QUESTION PERIOD:

- Les Barclay re: Agenda Item 9(b) – Delegation Keith Wilson re: Council Support for Five Non-Profits Applying for Provincial Funding for Child Care Spaces, and asked why requests for funding are coming to a Council meeting.

15. ADJOURNMENT:

It was moved and seconded at 9:01 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER