

**MINUTES**  
REGULAR COUNCIL MEETING  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2019-DEC-02, AT 4:00 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  
R. J. Harding, General Manager, Parks, Recreation and Culture (vacated 10:10 p.m.)  
D. Lindsay, General Manager, Development Services  
B. Sims, General Manager, Engineering and Public Works  
J. Van Horne, Director, Human Resources  
K. Fry, Fire Chief (vacated 8:13 p.m.)  
L. Mercer, Director, Finance (vacated 10:24 p.m.)  
J. Elliot, Director, Public Works (vacated 10:09 p.m.)  
J. Holm, Director, Development Approvals (arrived 9:30 p.m.)  
F. Farrokhi, Manager, Communications  
B. Wardill, Manager, Revenue Services (arrived 7:37 p.m., vacated 10:24 p.m.)  
D. Stevens, 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 4:00 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;
- (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;
- (f) law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (g) litigation or potential litigation affecting the municipality;
- (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the Council or a delegate of Council;
- (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;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under Section 98 [annual municipal report]; 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 4:00 p.m.  
Council moved out of “In Camera” at 6:32 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 9(a) – Delegations – Add Delegation from Deborah Fraess re: Noise Pollution from Nanaimo Bar located at #2 - 75 Front Street.
- (b) Agenda Item 13(a) and 13(b) – Add Delegation from Janina Stajic and Maeve O’Byrne, Equal Voice Central Vancouver Island.

- (c) Agenda Item 8(d) - Separately Addressed Consent Items - Add the following two motions from the Special Finance and Audit Committee Meeting held on 2019-DEC-02.

“It was moved and seconded that Council increase the Bylaw Enforcement Officers schedule from 35 hours to 40 hours per week and that the increase be partially funded from Parking Revenues with the rest to be funded from taxation.

It was moved and seconded that Council remove the Council Contingency Fund from the 2020 Draft budget, that the Emergency Medical Responder training be funded from the Strategic Infrastructure Reserve in 2020 and that the Deputy City Clerk position be added to the draft budget.”

- (d) Councillor Bonner requested that Agenda Item 13 – Other Business be moved to follow Agenda Item 9 – Delegations and re-order items accordingly.

It was moved and seconded that Agenda Item 13 – Other Business, be moved to follow Agenda Item 9 – Delegations. The motion carried.

Opposed: Mayor Krog, Councillors Armstrong, Thorpe and Turley

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-NOV-07, 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-NOV-18, at 3:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- Welcomed residents and the community to the 10<sup>th</sup> eTOWN Hall. The format allows for participants to submit questions online as well as in person. The Institute of Public Administration of Canada awarded a Bronze medal to the City of Nanaimo for Innovation Management after the first eTOWN Hall Meeting held in March of 2013.
- The Metral Drive redesign unveiling took place on Wednesday, November 27<sup>th</sup>.

- The following people have been appointed to the Economic Development Task Force:
  - Councillor Turley, Chair
  - Councillor Maartman, Co-chair
  - Douglas Backhouse
  - Chris Beaton
  - Cathy Carlile
  - Jolynn Green
  - Mike Hooper
  - Ian Marr
  - Bob Moss
  - Erralyn Thomas
  - Deborah Saucier
  - Kim Smythe
  - Andre Sullivan
- The City of Nanaimo reminds residents to prepare for winter weather. Property owners and/or occupants are required to remove snow and ice from sidewalks in front of their properties within 24 hours of a snowfall. Please use caution when walking along sidewalks and trailways. A reminder also, to use caution when snow plows and salt trucks are working, drivers must keep back a safe distance back and may not pass

7. PRESENTATIONS:

(a) eTOWN Hall to Discuss the 2020 – 2024 Financial Plan

Farnaz Farrokhi, Manager, Communications, introduced the eTOWN Hall and explained the format for asking questions.

Council conducted an eTOWN Hall regarding the 2020 – 2024 Financial Plan.

B. Wardill entered the Shaw Auditorium at 7:37 p.m.

8. CONSENT ITEMS:

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

- (a) Rise and Report – To Release “In Camera” Motions Approved at the 2019-NOV-04, Health and Housing Task Force “In Camera” Meeting
  - 1. That Council direct Staff to hire a contractor until June 2020 with funds re-purposed from the Drop-In Centre to coordinate the activities of the Health and Housing Task Force.
  - 2. Council request Service Canada to engage Turner Strategies to assist the Health and Housing Task Force with its work starting January 2020.
- (b) Advisory Committee Minutes

1. Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2019-SEP-26, at 5:00 p.m.
2. 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-OCT-02, at 3:00 p.m.
3. Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2019-OCT-10, at 5:00 p.m.
4. Minutes of the Finance and Audit Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2019-OCT-16, at 9:00 a.m.
5. Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, Nanaimo, BC, on Monday, 2019-OCT-21, at 4:30 p.m.
6. Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2019-OCT-24, at 5:00 p.m.
7. Minutes of the Special Health and Housing Task Force Meeting held at St. Paul's Anglican Church, St. Matthews Meeting Room, 27 Church Street, Nanaimo, BC, on Tuesday, 2019-OCT-29, at 11:30 a.m.
8. Minutes of the Environment Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2019-OCT-29, at 5:00 p.m.

(c) Committee Recommendations

1. Environment Committee Recommendations 2019-NOV-20
  1. That Council adopt the 2020 Environment Committee Key Date Calendar.
2. Special Finance and Audit Committee Recommendations 2019-NOV-25
  1. 2020 - 2024 Draft Financial Plan Recap

That Council direct Staff to update the 2020 – 2024 budget to cap the annual contribution to the Strategic Infrastructure Reserve at the 2019 level of 100% of annual Fortis Revenues and 67% of annual Casino Revenues.

2. 2020 - 2024 Draft Financial Plan Recap

That Council direct Staff to update the 2020 – 2024 budget to fund the design phase of the Marie Davidson Bike Park infrastructure upgrade at a cost of \$35,000 to be funded from the Strategic Infrastructure Reserve.

3. 2020 - 2024 Draft Financial Plan Recap

That Council direct Staff to update the 2020 – 2024 budget to increase the Nanaimo Fire Rescue training budget for six years to implement Emergency Medical Responder Training of \$66,750 in 2020 and \$60,000 a year for 2021 to 2025.

4. 2020 - 2024 Draft Financial Plan Recap

That Council direct Staff to update the 2020 – 2024 budget to fund the one time increase of \$30,756 to the Vancouver Island Symphony.

5. 2020 - 2024 Draft Financial Plan Recap

That Council direct Staff to update the 2020 – 2024 budget to fund the one time increase of \$30,756 to the Vancouver Island Symphony from the Strategic Infrastructure Reserve.

6. 2020 - 2024 Draft Financial Plan Recap

That Council defer consideration of potential Vancouver Island Symphony funding sources for future years until policies are developed.

7. 2020 - 2024 Draft Financial Plan Recap

That Council direct Staff to update the 2020 – 2024 budget to increase the Nanaimo Victim Services annual operating grant by \$50,000 to fund 1 additional staff member funded from General Revenue.

8. 2020 - 2024 Draft Financial Plan Recap

That Council direct Staff to update the 2020 – 2024 budget to increase the Nanaimo Area Land Trust operating grant by \$5000 a year funded from General Revenue.

9. 2020 - 2024 Draft Financial Plan Recap

That Council defer consideration of the Manager of Sustainability position until the 2021 – 2025 Financial plan to allow for review and updating of the Community Sustainability Action Plan.

10. 2020 - 2024 Draft Financial Plan Recap

That Council direct Staff to update the 2020 – 2024 budget to fund the design of the Loudon Boathouse from the Strategic Infrastructure Reserve.

The motion carried unanimously.

K. Fry vacated the Shaw Auditorium at 8:13 p.m.

(d) Separately Addressed Consent Items

1. Special Finance and Audit Committee Recommendations 2019-DEC-02

1. Budget Recap

It was moved and seconded that Council increase the Bylaw Enforcement Officers schedule from 35 hours to 40 hours per week and that the increase be partially funded from Parking Revenues with the rest to be funded from taxation. The motion carried unanimously.

2. Budget Recap

It was moved and seconded that Council remove the Council Contingency Fund from the 2020 Draft budget, that the Emergency Medical Responder training to be funded from the Strategic Infrastructure Reserve in 2020 and that the Deputy City Clerk position be added to the draft budget. The motion carried.

Opposed: Councillor Turley

9. DELEGATIONS:

(a) Deborah Fraess re: Noise Pollution from Nanaimo Bar Located at #2 - 75 Front Street

Deborah Fraess spoke regarding noise pollution from Nanaimo Bar located at #2 75 Front Street, and stated there is constantly loud music and noise from the Nanaimo Bar. Residents of 38 Front Street have called the Bylaw Department and RCMP numerous times and there has been no action taken to reduce the noise.

10. OTHER BUSINESS:

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

Delegations:

1. Janina Stajic and Maeve O'Bryne, Equal Voice Central Vancouver Island, spoke regarding Women's Participation on the City of Nanaimo Committees and Task Forces and stated that Equal Voice Central Vancouver Island encourages women to take leadership and political roles and that policies are needed to remove barriers and create solutions that assist with gender parity.

It was moved and seconded that Council defer consideration of the following motion to a future Governance and Priorities Committee meeting:

“It was moved and seconded that a report be prepared for Council with a draft policy and framework for ensuring gender parity on all City committees and task forces.”

The motion carried.

Opposed: *Councillors Bonner, Brown, Geselbracht, Hemmens*

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

Delegations:

1. Janina Stajic and Maeve O’Byrne, Equal Voice Central Vancouver Island, spoke regarding the challenges related to attending meetings held after hours for families. How subsidized or free childcare can largely impact women wanting to participate in politics and advised many municipalities, cities and organizations are looking at ways to implement reimbursement for childcare.

It was moved and seconded that Council defer consideration of the following motion to a future Governance and Priorities Committee 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.”

The motion carried.

Opposed: *Councillors Bonner, Geselbracht and Hemmens*

The Regular Council Meeting recessed at 9:27 p.m.

J. Holm entered the Shaw Auditorium at 9:30 p.m.

The Regular Council Meeting reconvened at 9:42 p.m.

11. REPORTS:

- (a) Snow and Ice Removal Communications Overview

Introduced by Bill Sims, General Manager, Engineering and Public Works, and Farnaz Farrokhi, Manager, Communications.

Presentation:

1. Bill Sims, General Manager, Engineering and Public Works, and Farnaz Farrokhi, Manager, Communications provided Council with a presentation regarding Snow and Ice Removal procedures and communication, which included the following information:



- Snow and ice control equipment throughout the city and levels of service after, during and before snowfalls
- Budget for 2019 and costs involved in a 24 hour snowfall period
- Winter driving/walking conditions

Farnaz Farrokhi, Manager, Communications, continued the presentation and spoke regarding:

- Key messages and various ways of communicating to the public prior to, during and after snow events
- Potential amplification of communication opportunities

Bill Sims, General Manager, Engineering and Public Works, continued the presentation and stated:

- Staff are continuing to meet and look at way to adjust priorities and optimizing equipment between departments
- Communications with School District 68 and public are ongoing
- Climate change and its effect on snowfall

J. Elliot vacated the Shaw Auditorium at 10:09 p.m.

(b) 2020 Acting Mayor Schedule

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council approve the 2020 Acting Mayor Schedule. The motion carried unanimously.

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

(c) 2020 Council Key Date Calendar

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council approve the 2020 Council Key Date Calendar as presented. The motion carried unanimously.

(d) 2020 Appointment to the Vancouver Island Regional Library Board of Directors

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council appoint Councillor Hemmens as trustee and Councillor Thorpe as alternate to the Vancouver Island Regional Library Board for a one-year term, 2020-JAN-01 to 2020-DEC-31. The motion carried unanimously.

(e) Affordable Housing Strategy 2019 Annual Update

Dale Lindsay, General Manager, Development Services, provided Council with update regarding the 2019 Affordable Housing Strategy.

(f) Global Covenant of Mayors Canada and Showcase Cities Pilot Project

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council support participation in the Global Covenant of Mayors Canada Showcase Cities pilot project and endorse the Mayor's Letter of Commitment. The motion carried unanimously.

(g) Amendment to Rates and Charges for Sanitary Sewer

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that "Sewer Regulation and Charge Amendment Bylaw 2019 No. 2496.32" (To set the 2020 rates for sanitary sewer) pass first reading. The motion carried unanimously.

It was moved and seconded that "Sewer Regulation and Charge Amendment Bylaw 2019 No. 2496.32" pass second reading. The motion carried unanimously.

It was moved and seconded that "Sewer Regulation and Charge Amendment Bylaw 2019 No. 2496.32" pass third reading. The motion carried unanimously.

(h) Amendment to Rates and Charges for Water

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that "Waterworks Rate and Regulation Amendment Bylaw 2019 No. 7004.15" (To set the 2020 water rates) pass first reading. The motion carried unanimously.

It was moved and seconded that "Waterworks Rate and Regulation Amendment Bylaw 2019 No. 7004.15" pass second reading. The motion carried unanimously.

It was moved and seconded that "Waterworks Rate and Regulation Amendment Bylaw 2019 No. 7004.15" pass third reading. The motion carried unanimously.

(i) Amendment to Rates and Charges for Municipal Solid Waste Collection

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that "Municipal Solid Waste Collection Amendment Bylaw 2019 No. 7128.11" (To update the bylaw to set rates for 2020) pass first reading. The motion carried unanimously.

It was moved and seconded that "Municipal Solid Waste Collection Amendment Bylaw 2019 No. 7128.11", pass second reading. The motion carried unanimously.

It was moved and seconded that "Municipal Solid Waste Collection Amendment Bylaw 2019 No. 7128.11", pass third reading. The motion carried unanimously.

(j) Amendment to Bulk Water Rates for South West Extension

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2019 No. 7099.08” (To set the 2020 bulk water rates for South West Extension) pass first reading. The motion carried unanimously.

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2019 No. 7099.08” pass second reading. The motion carried unanimously.

It was moved and seconded that “South West Bulk Water Rate Amendment Bylaw 2019 No. 7099.08” pass third reading. The motion carried unanimously.

L. Mercer and B. Wardill vacated the Shaw Auditorium 10:24 p.m.

(k) Appointment of Bylaw Enforcement Officer

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council appoint Mike Sherman as a Bylaw Enforcement Officer to enforce provisions of City of Nanaimo “Licencing and Control of Animals Bylaw 1995 No. 4923” and “Parks, Recreation and Culture Regulation Bylaw 2008 No. 7073”. The motion carried unanimously.

(l) Development Permit Application No. DP1132 – 4474 Wellington Road

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council issue Development Permit No. DP1132 at 4474 Wellington Road with the following variances to:

- increase the maximum permitted building height from 14.0m to 14.15m;
- reduce the minimum rear yard setback from 7.5m to 3.18m;
- reduce the minimum landscape buffer for a garbage enclosure adjacent to a property zoned for residential use from 3m to 0m;
- allow surface parking to the front of a building; and,
- reduce the minimum dimensions of a loading space from 10m long and 3m wide to 5.8m long and 2.75m wide.

The motion carried.

Opposed: *Councillors Bonner, Brown and Geselbracht*

(m) Development Variance Permit Application No. DVP398 – 5485 Godfrey Road

Introduced by Dale Lindsay, General Manager, Development Services.

Mayor Krog requested that Council hear anyone wishing to speak regarding Development Variance Permit No. DVP398 – 5485 Godfrey Road.

No one in attendance wished to speak to DVP398 – 5485 Godfrey Road.

It was moved and seconded that Council issue Development Variance Permit No. DVP398 at 5485 Godfrey Road with the following variance:

- increase the maximum gross floor area for all accessory buildings from 90m<sup>2</sup> to 119m<sup>2</sup>.

The motion carried unanimously.

(n) Liquor Licence Application No. LA140 – 6359 Hammond Bay Road

Introduced by Dale Lindsay, General Manager, Development Services

12. BYLAWS:

(a) “Zoning Bylaw Amendment Bylaw 2019 No. 4500.158”

It was moved and seconded that "Zoning Bylaw Amendment Bylaw 2019 No. 4500.158" (To make general text and mapping amendments to City of Nanaimo Zoning Bylaw 2011 No. 4500) be adopted. The motion carried unanimously.

(b) “Zoning Amendment Bylaw 2019 No. 4500.161”

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.161” (To rezone 120 Commercial Street to allow Cannabis Retail Store as a site-specific use in the Core [DT1] zone) be adopted. The motion carried unanimously.

13. QUESTION PERIOD:

- Bill Manners re: Agenda Item 10(b) - Councillor Hemmens and Councillor Brown re: Childminding Reimbursement for Members of Council and City Committee Members and asked if Council had considered, in their discussion that the Vancouver Island Library Board appointees are reimbursed for childminding during meetings times.

14. ADJOURNMENT:

It was moved and seconded at 10:39 p.m. that the meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

---

CHAIR

---

CORPORATE OFFICER