

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-JAN-13, 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. Harding, General Manager, Parks, Recreation and Culture (vacated 7:06 p.m.)
B. Sims, General Manager, Engineering and Public Works (vacated 9:03 p.m.)
P. Rosen, Director, Engineering (vacated 7:30 p.m.)
J. Holm, Director, Development Approvals
B. Corsan, Director, Community Development (vacated 10:13 p.m.)
J. Rose, Manager, Transportation (vacated 7:30 p.m.)
L. Bhopalsingh, Manager, Community Planning (arrived 7:07 p.m., vacated 10:03 p.m.)
F. Farrokhi, Manager, Communications
M. Desrochers, Client Support Specialist
S. Gurrie, Director, Legislative Services
N. Sponaugle, Steno, Legislative Services
K. Gerard, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 5:31 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 5:31 p.m.
Council moved out of “In Camera” at 6:52 p.m.

Council recessed the Open meeting at 6:52 p.m.
Council reconvened the Open meeting at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 10(c) – Supervised Consumption Site Zoning Amendments – Add the following delegations:

1. Old City Quarter Association
2. Dr. Paul Hasselback, Vancouver Island Health Authority

(b) Agenda Item 10(f) – Development Permit Application No. DP1133 – 930 Terminal Avenue – Add Delegation from Joyce Troost, Joyce Reid Troost Architecture.

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 Monday, 2019-DEC-05, 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-DEC-16, at 4:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- Winter weather and advised that City employees will be focusing on clearing priority routes first. Mayor Krog asked that everyone use extra caution when driving and to keep driveways, sidewalks and storefronts clear of snow.
- He thanked the City employees, RCMP members and the Fire Department for their efforts to keep the public safe.
- Mayor Krog welcomed Council and Staff back after the holidays.

7. CONSENT ITEMS:

Councillors Geselbracht and Turley requested that Consent Item 8(c)(1) – 2020 Culture and Heritage Operating Grants Recommendations be removed from the Consent Items for separate consideration.

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

- (a) Correspondence
 - 1. Correspondence dated 2019-DEC-05: The Office of the Ombudsperson – Quarterly Report: July 1 – September 30, 2019.
- (b) Advisory Committee Minutes
 - 1. Minutes of the Special Finance and Audit Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2019-NOV-13, at 9:00 a.m.
 - 2. Minutes of the Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2019-NOV-20, at 8:30 a.m.
 - 3. Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Friday, 2019-NOV-22, at 9:00 a.m.
 - 4. Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-NOV-25, at 9:00 a.m.
 - 5. Minutes of the Special Finance and Audit Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-DEC-02, at 1:00 p.m.
- (c) Committee Recommendations Finance and Audit Committee 2019-DEC-18
 - 1. 2020 Downtown Event Grant Recommendations

That Council approve the 2020 Downtown Event Grant recommendations of \$150,000 as follows:

<u>Applicant Name</u>	<u>Event/Project Name</u>	<u>Recommend</u>
A Capella Plus Choral Society	A Capella Plus Fall Concert	\$473
B. Gallant Homes	B. Gingerbread Homes	\$7,500
Friends of Heritage Society	Nanaimo Heritage Festival	\$13,000
Friends of Nanaimo Jazz Society	Jazz Affair	\$4,000
Greater Nanaimo Chamber of Commerce	Commercial Street Night Market	\$24,750
Humanity in Community	Hub City Walls	\$15,000
Malaspina Choral Society	50 th Anniversary Gala	\$2,000
Men's Resource Centre	Hub City Soapbox Derby	\$7,325

Nanaimo Artwalk Committee	Nanaimo Artwalk 2020	\$2,700
Nanaimo Chapter Federation of Canadian Artists	Nanaimo Fine Art Show	\$2,100
Nanaimo Craft Beer Society	Nanaimo Craft Beer Week	\$3,500
Nanaimo Downtown Farmers Market Society	Nanaimo Downtown Farmers Market	\$6,695
Nanaimo Dragon Boat Festival Society	Nanaimo Dragon Boat Festival	\$10,000
Nanaimo International Jazz Festival Association	10-Day Concert Series and 3-Day Festival	\$17,000
Nanaimo Pride Society	Nanaimo Pride 2020	\$9,500
Old City Quarter Association	Christmas in the OCQ	\$2,500
Old City Quarter Association	Halloween in the OCQ	\$2,850
Old City Quarter Association	Hop Into Spring in the OCQ	\$1,450
Old City Quarter Association	Sounds of Summer in the OCQ	\$6,000
TheatreOne	Emerging Voices	\$4,000
Vancouver Island Regional Library	Big Names, Little City – Canadian Author Reading Series	\$806
Vancouver Island Regional Library	Vancouver Island Childrens' Book Festival (BookFest)	\$3,750
Volume Studio Ltd.	SHINE2020 Nanaimo	\$2,656
Wordstorm Society of the Arts	Poetry SlamFest	\$445

2. Heritage Home Grant Application – 442 Milton Street

That Council approve a \$1,624 Heritage Home Grant for window repair to the Leynard Residence located at 442 Milton Street.

3. 2020 Social Planning Grant Recommendations

That Council approve a total of \$85,000 for the 2020 Social Planning Grant allocations as follows:

2020 Community Vitality Grants

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Take a Hike Youth at Risk Foundation	Nanaimo Take a Hike Program- Vehicle Purchase	\$10,000

Spinal Cord Injury Organization of BC	Healthy Active Island Life with SCI	\$5,000
Society for Equity, Inclusion and Advocacy (SEIA): Central Vancouver Island	Project Keep SEIA Housed	\$10,000

2020 Social Response Grants

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Nanaimo Region John Howard Society	Circles of Support	\$15,000
United Way Central and Northern Vancouver Island	Nanaimo Homeless Coalition Communications Strategy Implementation Project	\$15,000
Literacy Central Vancouver Island	Word on the Street	\$30,000

The motion carried unanimously.

Councillor Geselbracht and Councillor Turley vacated the Shaw Auditorium at 7:05 p.m., stating a conflict of interest.

(d) Separately Addressed Consent Items

1. Committee Recommendations Finance and Audit Committee 2019-DEC-18
 1. 2020 Culture and Heritage Grant Recommendations

That Council approve the 2020 Culture & Heritage Grant funding (Operating and Projects) recommendations of \$350,092 as follows:

<u>Applicant Name</u>	<u>Recommend</u>
A Capella Plus Choral Society	\$3,250
Friends of Nanaimo Jazz Society	\$4,500
Heart of the Island Chorus Society	\$2,300
Hub City Cinema Society	\$10,500
Island Bel Canto Singers	\$1,500
Island Consort Society	\$1,750
L'Association des francophones de Nanaimo	\$21,000
Malaspina Choral Society	\$3,500
Mid Island Metis Nation Association	\$11,000
Nanaimo Chamber Orchestra	\$4,512
Nanaimo Chinese Cultural Society	\$3,350
Nanaimo Concert Band Society	\$7,750

Nanaimo International Jazz Festival Association	\$20,000
Nanaimo Tidesmen (BC Chapter of SPEBSQSA)	\$2,375
Opera Nanaimo	\$1,000
Pacific Coast Stage Company	\$6,000
Pacific Institute of Bagpiping and Celtic Music	\$3,250
Wordstorm Society of the Arts	\$2,750
Crimson Coast Dance Society **	\$23,200
Nanaimo Conservatory of Music **	\$18,400
TheatreOne **	\$42,450
Vancouver Island Symphony **	\$89,244
Western Edge Theatre **	\$13,850

*** Recommended for continued three-year funding (2019 / 2020 / 2021)*

2. 2020 Culture and Heritage Project Grant Recommendations

<u>Applicant Name</u>	<u>Project Name</u>	<u>Recommend</u>
Brechin United Church – Mission and Outreach Team	Reconciliation Workshop – Building Bridges and Paddling Together	\$800
Crimson Coast Dance Society	Leadership Development	\$611
Crimson Coast Dance Society	Mixed Ability Dance Jams	\$1,800
Crimson Coast Dance Society	Qwuyulush Nuwilum Xwa'alum Sumshàthut Youth & Elder	\$3,750
Federation of BC Writers	Journaling Workshops at Salish Lelum	\$500
Harbour City Jazz Society	JazzFest 2020	\$2,250
Mid Island Community Band Society	MICoba “Massed Bands” Project	\$500
Nanaimo Ballroom Dance Society	Island Fantasy ball	\$5,363
Nanaimo Blues Society	Summertime Blues	\$20,000
Nanaimo Sings! Choral Festival Society	Sing With Your Ears – A listening workshop for singers	\$537
Pacific Institute of Bagpiping and Celtic Music Society	Pacific Gael Youth Band	\$1,500

South End Community Association	South End Day	\$4,750
Vancouver Island Danish Canadian Club	2020 Federation of Danish Associations in Canada (Conference & AGM)	\$3,000
Vancouver Island Short Film Festival Society	Vancouver Island Short Film Festival	\$6,200
Wordstorm Society of the Arts	Wordstorm Website Redesign	\$1,100

The motion carried unanimously.

Councillor Geselbracht and Councillor Turley returned to the Shaw Auditorium at 7:05 p.m.

R. Harding vacated the Shaw Auditorium at 7:06 p.m.

L. Bhopalsingh entered the Shaw Auditorium at 7:07 p.m.

8. REPORTS:

(a) Opal Road Traffic Calming

Introduced by Poul Rosen, Director, Engineering and Jamie, Rose, Manager, Transportation.

J. Rose and P. Rosen vacated the Shaw Auditorium at 7:30 p.m.

(b) Health and Housing Task Force Six-Month Update

Introduced by Bill Corsan, Director, Community Development and Lisa Bhopalsingh, Manager, Community Planning.

Presentation:

1. Dena Kae Beno, Turner Strategies, provided Council with a presentation regarding Nanaimo's Systems/Asset Mapping and Social Impact Project, which included next steps, key deliverables and community engagement.

(c) Supervised Consumption Site Zoning Amendments

Introduced by Bill Corsan, Director, Community Development.

Presentation:

1. Lisa Bhopalsingh, Manager, Community Planning, provided Council with a presentation regarding Supervised Consumption Site (SCS) Zoning Amendments including guidelines and a review of options.

Delegations:

1. Gloria Wells, Old City Quarter Association, spoke regarding the options, whether the SCS would be temporary or permanent, impacts on the community and businesses and support from the Old City Quarter Association for a community consultant process.
2. Dr. Paul Hasselback, Vancouver Island Health Authority, spoke regarding past and present obstacles regarding the zoning bylaw, implementing a SCS, wording of the current zoning bylaw, and the lack of progress.

The Regular Council Meeting recessed at 9:03 p.m.
The Regular Council meeting reconvened at 9:14 p.m.

F. Farrokhi returned to the Shaw Auditorium at 9:20 p.m.

It was moved and seconded that:

- a) Council endorse the proposed Siting Guidelines for Supervised Consumption Sites; and;
- b) Council direct Staff to bring forward “Zoning Amendment Bylaw 2019 No. 4500.166” (A bylaw to remove the definition for ‘Drug Addiction Treatment Facility’, amend the definition of ‘Office Medical/Dental’ to include supervised consumption sites, and add a definition for “Supervised Consumption Site” and a restriction on their operation within 200m of an Academic School) for first and second reading.

The motion was defeated.

Opposed: *Mayor Krog, Councillors Armstrong, Bonner, Geselbracht, Hemmens, Maartman, and Thorpe.*

It was moved and seconded that Council direct Staff to bring forward a zoning bylaw amendment to amend the definition of office/medical dental to be interpreted more broadly but exclude Supervised Consumption Sites (SCS), and that the topic of SCS be forwarded to the Health and Housing Task Force. The motion carried.

Opposed: *Councillors Thorpe and Turley*

L. Bhopalsingh vacated the Shaw Auditorium at 10:03 p.m.

(d) Home Based Business Regulations

Introduced by Bill Corsan, Director, Community Development.

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.149” (To amend the home-based business regulations) pass first reading. The motion carried.

Opposed: *Councillor Bonner*

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.149” pass second reading. The motion carried.

Opposed: *Councillor Bonner*

It was moved and seconded that “Sign Amendment Bylaw 2020 No. 2850.22” (To amend sign regulations pertaining to home-based businesses) pass first reading. The motion carried unanimously.

It was moved and seconded that “Sign Amendment Bylaw 2020 No. 2850.22” pass second reading. The motion carried unanimously.

It was moved and seconded that “Sign Amendment Bylaw 2020 No. 2850.22” pass third reading. The motion carried unanimously.

B. Corsan vacated the Shaw Auditorium at 10:13 p.m.

(e) Rezoning Application No. RA422 – 200 Hansen Road

Introduced by Jeremy Holm, Director, Development Approvals.

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.172” (To rezone 200 Hansen Road from Low Density Residential [R6] and Residential Corridor [COR1] to Medium Density Residential [R8]) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.172” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure the vehicle turnaround covenant, blanket right-of-way, and residential units covenant should Council support the bylaw at third reading. The motion carried unanimously.

(f) Development Permit Application No. DP1133 – 930 Terminal Avenue North

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Joyce Troost, Joyce Reid Troost Architecture, spoke in support regarding Development Permit Application No. DP1133 – 930 Terminal Avenue.

It was moved and seconded that Council issue Development Permit No. DP1133 at 930 Terminal Avenue North with the following variances to:

- reduce the watercourse setback for St. George Creek from 15m to 7.5m;
- increase the building height from 18.0m to 18.6m;
- reduce the front yard setback from 5.5m to 3.6m;
- reduce the required number of parking spaces from 56 to 54; and,
- increase the maximum allowable percentage of small car spaces from 40% to 45%

The motion carried unanimously.

(g) Development Variance Permit Application No. DVP392 – 3358 Stephenson Point Road

Introduced by Jeremy Holm, Director, Development Approvals.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP392.

No one in attendance wished to speak with respect to DVP392.

It was moved and seconded that Council issue Development Permit No. DVP392 at 3358 Stephenson Point Road with the following variance:

- to increase the total gross floor area for accessory buildings on a lot from 90m² to 171.8m² to allow for the construction of an oversized accessory building at 3358 Stephenson Point Road.

The motion carried unanimously.

(h) Development Variance Permit Application No. DVP396 – 4461 Wellington Road

Introduced by Jeremy Holm, Director, Development Approvals.

Delegation:

1. Mike Plavetic, MJP Homes Ltd., spoke regarding DVP 396 – 4461 Wellington Road and the reasons for building the retaining wall at the back of the property.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP396.

No one in attendance wished to speak with respect to DVP396.

It was moved and seconded that Council issue Development Permit No. DVP396 at 4461 Wellington Road with the following variance:

- increase the maximum combined height for a fence and retaining wall within the rear and side yard setbacks from 2.4m to 3.51m.

The motion carried unanimously.

(i) Development Variance Permit Application No. DVP397 – 3945 Biggs Road

Introduced by Jeremy Holm, Director, Development Approvals.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP397.

No one in attendance wished to speak with respect to DVP397.

It was moved and seconded that Council issue Development Variance Permit No. DVP397 at 3945 Biggs Road to vary “Building Bylaw 2016 No. 7224”, subject to the terms and conditions specified in Attachment A of the report. The motion carried unanimously.

(j) Development Variance Permit Application No. DVP399 – 3951 Jingle Pot Road

Introduced by Jeremy Holm, Director, Development Approvals.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP399.

No one in attendance wished to speak with respect to DVP399.

It was moved and seconded that Council issue Development Permit No. DVP399 at 3951 Jingle Pot Road with the following variance:

- reduce the minimum rear yard setback requirement for the principle dwelling from 7.5m to 5.1m.

The motion carried unanimously.

(k) Liquor Licence Application No. LA141 – 11 Cliff Street

Introduced by Jeremy Holm, Director, Development Approvals.

9. BYLAWS:

(a) “Zoning Amendment Bylaw 2019 No. 4500.133”

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.133” (To rezone Unit 9, 1599 Dufferin Crescent to allow “Cannabis Retail Store” as a site-specific use in the Hospital Urban Centre [CC5] Zone) be adopted. The motion carried unanimously.

(b) “Financial Plan Bylaw 2019 No. 7307”

It was moved and seconded that “Financial Plan Bylaw 2019 No. 7307” (To confirm and adopt the 2020 – 2024 Financial Plan) be adopted. The motion carried unanimously.

10. ADJOURNMENT:

It was moved and seconded at 10:44 p.m. that the meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER