

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2020-APR-27, AT 4:30 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner (joined electronically)
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman (joined electronically)
Councillor I. W. Thorpe (joined electronically)
Councillor J. Turley (joined electronically)

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
S. Legin, General Manager, Corporate Services
L. Mercer, Director, Finance (arrived 7:00 p.m., vacated 7:32 p.m.)
J. Holm, Director, Development Approvals (arrived 7:00 p.m.)
B. Corsan, Director, Community Development
L. Bhopalsingh, Manager, Community Planning
F. Farrokhi, Manager, Communications
M. Desrochers, Technical Support Specialist - Network (arrived 7:00 p.m.)
D. Johnstone, Communications and Digital Content Specialist (arrived 7:00 p.m.)
S. Gurrie, Director, Legislative Services
K. Robertson, Deputy City Clerk
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:33 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;

- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); and,

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 4:33 p.m.
Council moved out of “In Camera” at 6:46 p.m.

Council recessed the Open Meeting 6:46 p.m.
Council reconvened the Open Meeting at 7:00 p.m.

Mayor Krog announced the meeting would be held in accordance Ministerial Order No. M083.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 8(b) – 2020 Property Tax Due Dates – Remove the date of 2020-NOV-12 from Option 2, “The advantages of this option:” to read “All property tax payers will be provided with some financial relief by delaying the penalty date to 2020-OCT-01”.
- (b) Add Agenda Item 11(a) – Correspondence from the Federation of Canadian Municipalities dated 2020-APR-23 re: Protecting Vital Municipal Services.

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 held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2020-APR-01, at 12:00 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-APR-06 at 5:00 p.m.

- Minutes of the Special Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Thursday, 2020-APR-09 at 8:30 a.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- Staff is working on a solution for Question Period which may involve the electronic submission of questions. More information will follow in the near future.
- Council is continuing to consider the municipal budget of which the bylaw needs to be adopted on 2020-MAY-15. Further discussion on the budget will be held at the 2020-MAY-04 and 2020-MAY-11 Council Meetings.
- No one is unaffected by impact of the pandemic and economic fall out.
- Additional physical distancing is recommended in parks in order to stop the spread of COVID-19. Joggers are recommended to stay 5 metres (16 feet) apart and cyclists to stay 10 metres (33 feet) apart. Park users should allow for single file passing only. These are recommendations and not health orders but are designed to ensure the City maintains a high degree of good citizenship by doing what is best for friends, family and neighbours.
- The doors at City Hall are closed but the City itself is open for business.
- COVID-19 has changed the way business is conducted and most of the business that the public would have done in-person at a City facility can be done online and by phone.
- The “Be Kind to All Kinds” poetry project has launched on Instragram. In partnership with the BCSPCA the Youth Poet Laureate, Valina Zanetti, put out a call to youth poets, inviting young people to reflect on the BCSPCA’s work and humans’ relationship to animals and nature.
- Councillor Hemmens, who is the City of Nanaimo’s representative on the Vancouver Island Regional Library (VIRL) Board, would like to remind everyone that although libraries are closed, they are open for business online. Online registration is offered for anyone who would like to take advantage of VIRL’s resources. The library offers 24/7 wifi to help everyone stay connected, an eLibrary for unlimited copies of ebooks and audio books and educational resources.
- Mayor Krog recognized the dreadful news of the shooting out of Nova Scotia. The City flew the flags at half mast in recognition and extends its deepest sympathies to the members of the RCMP.
- Mayor Krog stated that on behalf of Council, he is proud of the efforts residents have made during this time of great stress. We may be apart physically but are not apart emotionally and at the end of the day we will come through this together.

7. REPORTS:

(a) 2020 City Facility Leasing and Rental Relief

Introduced by Shelley Legin, General Manager, Corporate Services.

It was moved and seconded that Council grant temporary relief from lease and rental payment to organizations that occupy City facilities that have been closed and/or have been severely impacted due to the Province of BC Health Emergency issued as a result of the COVID-19 Pandemic. The motion carried unanimously.

(b) 2020 Property Tax Due Dates

Introduced by Laura Mercer, Director, Finance.

It was moved and seconded that Council:

- keep the property tax due at 2020-JUL-02; and,
- extend the tax penalty due for all property classes to 2020-OCT-01 at 5% and 2020-NOV-12 at 5%, applicable on any outstanding current year tax balances on those dates.

It was moved and seconded that Council amend the motion by changing the tax penalty for 2020-OCT-01 to 1% and 9% for 2020-NOV-12. The motion was defeated.
Opposed: Mayor Krog, Councillors Armstrong, Hemmens, Geselbracht, Maartman, Thorpe, Turley

The vote was taken on the main motion, as follows:

That Council:

- keep the property tax due at 2020-JUL-02; and,
- extend the tax penalty due for all property classes to 2020-OCT-01 at 5% and 2020-NOV-12 at 5%, applicable on any outstanding current year tax balances on those dates.

The motion carried unanimously.

(c) Deputy Subdivision Approving Officer

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council approve the appointment of Claire Negrin as Deputy Subdivision Approving Officer. The motion carried unanimously.

L. Mercer vacated the Shaw Auditorium at 7:32 p.m.

(d) Covenant Amendment Application No. CA11 – 6340 McRobb Avenue

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that:

1. Council rescind the following motions made on 2020-MAR-16:
 - a. Council direct Staff to proceed with a Public Hearing for Covenant Amendment Application No. CA11 at 6340 McRobb Avenue; and

- b. Council direct Staff to amend covenants FB226410 and FB287633, should Council support the application following Public Hearing.
2. Council direct Staff to proceed without a Public Hearing and proceed with public notification prior to Council's consideration of Covenant Amendment Application No. CA11 at an upcoming Council meeting.
3. Council direct Staff to amend covenants FB226410 and FB287633, should Council support the application.

The motion carried unanimously.

(e) Development Variance Permit Application No. DVP400 – 2665 Lynburn Crescent

Introduced by Jeremy Holm, Director, Development Approvals.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP No. 400 – 2665 Lynburn Crescent.

No one in attendance wished to speak with respect to DVP400.

It was moved and seconded that Council issue Development Variance Permit No. DVP400 at 2665 Lynburn Crescent with the following variance:

- to reduce the minimum required setback for carport entrance ways facing a street from 6m to 4.46m.

The motion carried unanimously.

(f) Development Variance Permit Application No. DVP401 – 27 Milton Street

Introduced by Jeremy Holm, Director, Development Approvals.

Mayor Krog requested that Council hear anyone wishing to speak with respect to DVP No. 401 – 27 Milton Street.

Anna Biegun advised she was in attendance to answer any questions Council may have.

It was moved and seconded that Council issue Development Variance Permit No. DVP401 at 27 Milton Street with the following variance:

- increase the maximum allowable principal building height for a roof pitch equal to or greater than 4:12 from 9m to 10.22m.

The motion carried unanimously.

(g) Rezoning Application No. RA449 – 5801 Turner Road

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council defer consideration of Rezoning Application No. RA449 – 5801 Turner Road to the 2020-MAY-04 Council Meeting. The motion carried. Opposed: Councillors Bonner, Brown, Geselbracht

(h) 507 Milton Street - Amendment of Project Under the Revitalization Tax Exemption Bylaw

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council approve the amended Revitalization Tax Exemption Agreement for a proposed 27-unit mixed-use building at 507 Milton Street. The motion carried unanimously.

(i) Economic Development Task Force Update

Introduced by Dale Lindsay, General Manager, Development Services.

8. BYLAWS:

(a) "Zoning Amendment Bylaw 2019 No. 4500.162"

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) be adopted. The motion carried unanimously.

(b) "Zoning Amendment Bylaw 2020 No. 4500.173"

It was moved and seconded that "Zoning Amendment Bylaw 2020 No. 4500.173" (To remove the definition for 'Drug Addiction Treatment Facility', amend the definition of 'Office Medical/Dental' to exclude Supervised Consumption Sites, and add a definition for Supervised Consumption Sites) be adopted. The motion carried unanimously.

(c) "Revenue Anticipation Borrowing Bylaw 2020 No. 7308"

It was moved and seconded that "Revenue Anticipation Borrowing Bylaw 2020 No. 7308" (To provide for temporary borrowing of funds required to meet the current lawful expenditures of the City of Nanaimo) be adopted. The motion carried unanimously.

9. OTHER BUSINESS:

- (a) Correspondence from the Federation of Canadian Municipalities dated 2020-APR-23 re: Protecting Vital Municipal Services.

10. ADJOURNMENT:

It was moved and seconded at 7:53 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER