

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2020-JUN-15, AT 4:30 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 (joined electronically)

Staff: J. Rudolph, Chief Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture
D. Lindsay, General Manager, Development Services
L. Mercer, Director, Finance
J. Van Horne, Director, Human Resources
P. Rosen, Director, Engineering
J. Holm, Director, Development Approvals
B. Corsan, Director, Community Development
F. Farrokhi, Manager, Communications
K. Gonzales, Manager, Aquatics
J. Rose, Manager, Transportation
D. LaBerge, Manager, Bylaw Services
D. Johnstone, Communication and Digital Content Specialist
S. Gurrie, Director, Legislative Services
K. Robertson, Deputy City Clerk
N. Sponaugle, Legislative Services Clerk
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:30 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 4:29 p.m.
Council moved out of “In Camera” at 6:48 p.m.

Council recessed the Open Meeting 6:48 p.m.
Council reconvened the Open Meeting at 7:00 p.m. in the Shaw Auditorium.

Mayor Krog advised the meeting would be held in accordance with the *Community Charter*, “Council Procedure Bylaw 2018 No. 7272” and Ministerial Order M139.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 8(a)(1) – Attach Minutes of the Special Health and Housing Task Force Meeting 2020-MAY-06.
- (b) Agenda Item 8(b)(1) – Replace Minutes of the Special Environment Committee Meeting 2020-JUN-03.
- (c) Agenda Item 10(a) Development Permit Application No. DP001171 – 3258 Stephenson Point Road – add the following delegations:
 - Paul Chapman
 - Jean-Michel Hanssens
 - Mary Ellen Konyer
- (d) Move Agenda Item 12(a) – Councillor Hemmens – Motion re: Position Statement – City’s Role in Health and Housing to Agenda Item 13(a) Other Business.
- (e) Add Agenda Item 12(b) – Councillor Armstrong – Notice of Motion re: Council Voting Records.

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 Meeting of the Council of the City of Nanaimo held in the Boardroom, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2020-MAY-25 at 2:30 p.m.
- Minutes of the Regular Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-MAY-25 at 4:00 p.m.
- Minutes of the Regular Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-JUN-01 at 4:30 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- Jake Rudolph, Chief Administrative Officer, was named President of the Canadian Association of Municipal Administrators. This is a recognition of his ability, talent, dedication and professionalism. Mr. Rudolph has had a distinguished career in public service and the City is delighted to continue to have him work here.
- Nanaimo Fire Rescue Inspector Umesh Lal received the 2020 Fire Educator of the Year Award from the Fire Prevention Officers of British Columbia. He has been integral in assisting and developing numerous fire safety and education programs in the City of Nanaimo.
- Bastion Street Bridge is closed for repairs June 8-26th. Access is available for pedestrians only and is closed to vehicular traffic. During the closure a detour for traffic will be in place.
- Starting on June 8th the City will be upgrading the underground infrastructure on Bowen Road between the Old Island Highway and Labieux Road. Construction will take place at night from 7:00 p.m. to 7:00 a.m. and is expected to be completed in November 2020. Please expects traffic disruptions and delays.
- Horticulture Staff have planted a new vegetable demonstration garden at Beban Park. Each plant is identified with interpretive signage. The garden bed used to be filled with roses but was cleared to make way for vegetables; a change that many residents may want to consider for themselves.

- In Nanaimo and around the world there have been public demonstrations around Black Lives Matter. It is important that it be made known on behalf of Council, that this Council supports an inclusive society and that discrimination has no place in this City and community. The Board of the Vancouver Island Economic Alliance phrased it quite well: “The Board of Directors stands against racism and discrimination in all of its forms. We will make every effort to combat systemic racism, intolerance and injustice and promote and celebrate equity, diversity and inclusion for all.”
- The Mayor acknowledged it was the first anniversary of an immigrant family's arrival from Syria, sponsored by a local charity. Canadians should be grateful everyday that we live here and to strive to make it an even better place with a more tolerant society.
- Every year in Nanaimo thousands of interactions take place between citizens and the police. Our local police are doing the best they can in the circumstances. The community is feeling social strain brought on by historic policies and exacerbated most recently by COVID-19 and the economic pressures placed on so many residents. It is a time to be kind and thoughtful, think about who needs support and to call out bad behaviour.
- Mayor Krog offered compliments to those involved with the Nanaimo Broom Busters team who have completed 799 volunteer broom busting hours and 140 administrative hours with over 60 volunteers participating. They have seen an increasing number of requests from private property owners to have broom removed due to the work of the City Bylaw Department as well as more awareness of the invasive plant.
- This year for Canada Day residents will not gather in celebration at Maffeo Sutton Park. Residents can find more information about virtual celebrations on the City of Nanaimo's website, Facebook and Instagram pages. Follow the Parks and Recreation Instagram page from June 22nd to July 1st to view themed videos. On July 1st Canada Day ambassadors will be on site at four parks around the City demonstrating random acts of kindness and handing out Canada themed items.

7. RISE AND REPORT:

(a) Special "In Camera" Council Meeting 2020-JUN-08

1. District 68 Sports Field and Recreation Committee

Council rose and reported the following from the June 8, 2020 Special "In Camera" Meeting:

Council established a District 68 Sports Field and Recreation Committee; Council approved the Terms of Reference (as attached); and Council appointed Councillors Thorpe and Turley to the Committee and Councillor Armstrong as an Alternate for a term ending 2020-OCT-14.

8. CONSENT ITEMS:

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

(a) Special Health and Housing Task Force Meeting 2020-MAY-06

- Minutes of the Special Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Center, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-MAY-06 at 3:00 p.m.
- (b) Special Environment Committee Meeting 2020-JUN-03
- Minutes of the Special Environment Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-JUN-03 at 3:00 p.m.
 - Recommendation re: Climate Resiliency Public Engagement Working Group

That Council support establishing a working group in order to prepare a plan on how the City can communicate and engage with the public on the issue of climate resiliency.
 - Recommendation re: BC Energy Step Code Rezoning Policy

That the Environment Committee endorse the draft BC Energy Step Code Rezoning Policy.

The motion carried unanimously.

9. PRESENTATIONS:

(a) Canada Day Celebration

Darcy Osborne, Manager, Recreation Services, and Tracy Stuart, Recreation Coordinator, provided Council with a verbal presentation regarding the upcoming virtual Canada Day Celebration. Highlights included:

- Success of Canada Day Celebration previously measured by attendance which fluctuates from 10,000 to 15,000 people at Maffeo Sutton Park
- Due to the health order, adaptations have been made and the Recreation Department has modified ways to engage with the community
- Virtual platforms will be used which allow anyone to join from anywhere
- Goals have been redefined to inspire community pride, celebrate being Canadian, unite family, create unity among all community members, build happiness and fun into the day during tough times, recognize our multicultural community, and to provide our community with tools and resources so residents can build their own backyard Canada Day celebrations
- Planning started in January and was reformatted with the onset of COVID-19 in March
- Canada strong message was adopted “#NanaimoCanadaStrong”
- Staff plan to build awareness by providing teaser posts and prizes
- Multiple video clips will be posted between June 22nd and July 1st which showcase recreation coordinators in action
- Canada Day on July 1st will be a compilation of the #NanaimoCanadaStrong videos

- On Canada Day recreation coordinators and youth volunteers will be in local parks celebrating national pride by doing random acts of kindness and handing out Canadian flags
- Residents are encouraged to embrace the new normal by celebrating in their own back yards

10. REPORTS:

(a) Development Permit Application No. DP001171 - 3258 Stephenson Point Road

Introduced by Dale Lindsay, General Manager, Development Services.

Delegations:

1. Fraser Wilson advised that he submitted a list of over 70 people who oppose the development and many would be present at the meeting but were not able to attend due to COVID-19 restrictions. He spoke regarding concerns with tree removal, the lot being used as a wildlife corridor, related court cases, the connection between Council's climate change emergency declaration and the loss of Douglas Fir among other tree species.
2. Doug Jarvie, property owner, advised of the history of the lot, compliance with regulations, clean up of the property after it was purchased, meetings with various authorities and experts, the footprint of the proposed residence, trees that will be planted and preserving the beauty of the land.
3. Paul Chapman, Executive Director, Nanaimo Area Land Trust, spoke regarding how and why watersheds are protected, environmental values of the creek and riparian areas, ecological assets in the community, creeks as frontline climate change system and solutions for healthy, functioning watersheds.
4. Jean-Michel Hanssens spoke regarding the strategic location of the property linking the ocean to the Cottle Creek watershed, the vegetation management plan, sensitivity of the property, property representative of a coastal Douglas Fir bio-geo climatic zone, wildlife uses and biodiversity of the property and the landscape restoration strategy.
5. Mary Ellen Konyer spoke regarding properties upstream complying with setbacks, wildlife in the area, location of the proposed house in the setback area, damage to the bank and opportunities for Council to honour commitments to citizens.

Council discussion took place regarding:

- History of the property
- Watercourse Development Permit Area process for building within riparian zones
- Streamside Protection Enhancement Area setback and wildlife corridor
- Permanent loss of corridor

- Review of watercourse policies during Official Community Plan review
- Lot designed when different regulations were in place

It was moved and seconded that Council issue Development Permit No. DP1171 at 3258 Stephenson Point Road with the following variance:

- reduce the minimum watercourse setback from 30m to 6.9m as measured from the top of bank of Cottle Creek in order to permit the construction of a proposed single residential dwelling and site improvements.

The motion carried

Opposed: *Councillor Geselbracht*

(b) Water Safety Education Team

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

Kathy Gonzales, Manager, Aquatics, provided a verbal presentation regarding the activities of the Water Safety Education Team. Highlights included:

- The Life Saving Society of BC advised that 10 people have drowned in our region since the beginning of the year
- 66% of drownings occur between May and September
- The primary goal of Nanaimo Aquatics is drowning prevention
- Two personal floatation device (PFD) loan programs will be implemented which allow for the free use of PFDs beginning June 28th
- The Water Safety Education Team features two fulltime aquatics staff who for 10 weeks throughout the summer travel to different waterfront locations and provide water safety education
- Curriculum provided by Water Safety Education Team includes drowning awareness, PFD fittings and sun safety
- Staff on the team are equipped to respond to various safety needs and questions from waterfront users

(c) Bastion Street at Commercial Street Quick Win Update

Introduced by Poul Rosen, Director, Engineering.

Jamie Rose, Manager, Transportation, provided a verbal presentation regarding:

- Intersection currently signalized and controller is beyond useful life
- Trial will take place for approximately six months then Staff will report back to Council with results

Council discussion took place regarding:

- Options to put in a four way stop pilot project
- Vehicle dynamics when multiple cars approach an intersection at the same time
- Volume of traffic in each direction

It was moved and seconded that Council direct Staff to implement a four way stop at the intersection of Bastion Street at Commercial Street. The motion carried.

Opposed: *Mayor Krog and Councillor Turley*

(d) Revised Public Hearing Schedule

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council support amending the Public Hearing dates from the first Thursday each month (except for August) to the following dates in order to accommodate public input on as many development applications as possible:

- July 23, 2020
- September 17, 2020
- October 22, 2020
- November 19, 2020
- December 17, 2020

The motion carried unanimously.

11. NOTICE OF MOTION:

(a) Councillor Armstrong – Notice of Motion re: Council Voting Records

Councillor Armstrong advised that she would be bringing forward the following notice of motion for consideration at the 2020-JUL-06 Regular Council Meeting:

"That Council direct Staff to prepare a report for Council outlining alternative tracking methods available for capturing each Councillors vote on motions, other than the official meeting minutes, that allows for easy access of Council voting records by members of the public."

12. OTHER BUSINESS:

(a) Councillor Hemmens - Motion re: Position Statement - City's Role in Health and Housing

Introduced by Councillor Hemmens.

It was moved and seconded that Council discuss and refer the attached draft position statement on defining the City's role in health and housing to staff for review and comment. The motion carried unanimously.

13. ADJOURNMENT:

It was moved and seconded at 9:30 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER