

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2020-JUL-20, AT 4:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong (vacated 11:02 p.m.)
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
S. Legin, General Manager, Corporate Services
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
J. Holm, Director, Development Approvals
B. Corsan, Director, Community Development
L. Bhopalsingh, Manager, Community Planning
J. Rose, Manager, Transportation
D. Fox, Manager, Building Inspections
J. Bevan, Manager, Culture and Special Events
B. Thomas, Assistant Manager, Transportation
F. Farrokhi, Manager, Communications
D. LaBerge, Manager, Bylaw Services
M. Koch, Active Transportation 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:

- (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;
- (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; 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 4:00p.m.
Council moved out of In Camera at 6:45 p.m.

Council recessed the Open Meeting 6:45 p.m.
Council reconvened the Open Meeting at 7:00 p.m. in the Shaw Auditorium.

3. INTRODUCTION OF LATE ITEMS:

- (a) Add Agenda Item 10(b) – Delegation from Sydney Robertson regarding Emterra Environmental, 255 Eaton Street.
- (b) Agenda Item 11(h) – Add delegation from Natalie Cunliffe regarding Nuisance Property – 560 Milton Street.

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 Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2020-JUN-29 at 1:00 p.m.
- Minutes of the Special Council Meeting (Public Hearing) held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2020-JUN-18, 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, 2020-JUL-06, at 7:00 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog spoke regarding:

- Join the ParkIt Challenge. Parks, Recreation and Culture are encouraging residents to discover the parks in their own neighbourhood. Participate in activities at your local park and send us a photo through Instagram at @nanaimoparksandrecreation using the hashtag #ilovemyparksandrec or email to parksandrecreation@nanaimo.ca for a chance to win prizes.
- The City of Nanaimo now has its first lit baseball field at Serauxmen Stadium.
- The City of Nanaimo is re-opening arenas. The first sheet of ice will be open on July 27th, at the Nanaimo Ice Centre, a second on August 3rd, at Cliff McNabb and if demand is high, a third sheet will be opened on September 1st, at Nanaimo Ice Centre. Safety protocols will be in place and communicated to user groups who reserve the ice sheets.
- A COVID-19 Recovery Plan has been released and includes a phased approach to re-opening facilities and a resumption of City services that have been suspended during COVID-19. The COVID-19 Recovery Plan is available on our website at www.nanaimo.ca/COVID19.
- Artists were invited to create street banners that recognize the 100 years of service the Rotary Clubs of Nanaimo have provided the community. An eye-catching design by Amy Pye was selected for 2020 from a number of submissions.
- Updated changes to Council meeting procedures due to COVID-19 have been implemented and are effective July 20, 2020. Please see the City of Nanaimo website at www.nanaimo.ca for more information regarding these changes.
- July 19 – 25, 2020 is National Drowning Prevention Week. Residents are asked to check out the City's Facebook page, the Nanaimo Parks and Recreation Instagram page and connect with the Water Safety Education Team, for more information on ways to stay safe in, on and around water.

7. PRESENTATIONS:

(a) Development Services Mid-Year Update

Jeremy Holm, Director, Development Approvals, provided Council with a presentation. Highlights included:

- Residential, commercial/industrial building permits issued and applied for are on target with previous years statistics with a small decrease during April due to COVID-19
- Building permits and construction value spiked in 2019 but are on average for years 2011 to 2020 excluding 2019

- Provided statistics showing building permits issued and applied for during the first six months of 2020 and COVID-19
- Reviewed the new online building permit application process
- Reviewed current and completed residential, commercial and major building and rezoning projects

Darcy Fox, Manager, Building Inspections, continued the presentation. Highlights included:

- Changes to building and rezoning application process due to COVID-19 which included:
 - Using DocuSign
 - Internal referrals are completed electronically
 - Building inspectors can review the permit online while on site
 - No paper records are required on site

(b) Engineering Projects – Mid-Year Project Review

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

Phil Stewart, Manager, Engineering Projects, provided Council with a PowerPoint presentation. Highlights included:

- New COVID-19 safe work procedures were quickly initiated
- Reviewed the completed and upcoming engineering projects
- 67% of the work being completed in Nanaimo is through local contractors

Council discussion took place. Highlights include:

- Cost of the Front Street cycle track
- Upgrades and improvements to Extension Road and Lost Lake Road
- Plans to construct a connector road from Labieux Road to Northfield Road

8. CONSENT ITEMS:

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

(a) Environment Committee Meeting 2020-MAR-11

- Minutes of the Environment Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-MAR-11, at 5:00 p.m.

(b) Health and Housing Task Force Meeting 2020-JUN-10

- Minutes of the Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-JUN-10, at 3:00 p.m.

- (c) Special Mayor's Task Force on Recovery and Resilience Meeting 2020-JUN-19
- Minutes of the Special Mayor's Task Force on Recovery and Resilience Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Friday, 2020-JUN-19 at 10:00 a.m.

The motion carried unanimously.

9. DELEGATIONS:

- (a) Holden Southward regarding Graffiti

Holden Southward spoke regarding graffiti, challenges and the potential for an uprising of society.

- (b) Sydney Robertson regarding Emterra Environment, 255 Eaton Street

Sydney Robertson, spoke on behalf of the South End Community Association, regarding the negative impacts on residents, large vehicle traffic near areas where children play and previous mitigation strategies implemented following complaints for Emterra Environmental at 255 Eaton Street.

10. REPORTS:

- (a) Transportation Semi-Annual Update

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

Presentation:

1. Jamie Rose, Manager, Transportation, provided Council with a presentation. Highlights included:
 - Interest in transportation and active transportation in Nanaimo is at an all time high throughout the community
 - Priorities include safety, efficiency, liveability and sustainability
 - Reviewed traffic patterns statistics from 2019 to present including daily traffic volume, pedestrians and cyclists
 - Staff will be implementing a traffic control software program that enables Staff to see real time intersections and traffic flow
 - Traffic and highway bylaw update will coincide with the Official Community Plan (OCP) and will be amended and adopted along with the new Official Community Plan

The Regular Council Meeting recessed at 8:53 p.m.
The Regular Council Meeting reconvened at 9:05 p.m.

(b) REIMAGINE NANAIMO – Public Engagement Launch

Introduced by Dale Lindsay, General Manager, Development Services.

Lisa Bhopalsingh, Manager, Community Planning, spoke regarding REIMAGINE NANAIMO. Highlights included:

- Methods of engaging with the community in a creative and productive way during COVID-19
- Introduced each City of Nanaimo department and spoke regarding the role of each department in the launch of REIMAGINE NANAIMO

Presentation:

1. Kate Evans, Principle Landscape Architect, Lanarc, provided Council with a PowerPoint presentation. Highlights included:
 - REIMAGINE NANAIMO will work in conjunction with all department plans within the City including Active Transportation Plan, Climate Action Plan and the Official Community Plan update
 - The goal is to create a collective vision for the future of Nanaimo
2. Lisa Bhopalsingh, Manager, Community Planning, continued the presentation. Highlights included:
 - Engagement will include a three phase approach which will involve gathering ideas, exploring options and developing plans
 - Success of the plan will include a clear path forward, realistic and measurable directions, understanding of priorities and an involved community
 - www.getinvolvednanaimo.ca is the main public engagement platform and includes project details, ways to get involved, polls, mapping and questionnaires
 - There will be a weekly focus topic including environmental issues, housing, economy, employment and transportation
 - Kids activity book will be handed out to school age children through School District 68 and pop up kiosks around Nanaimo will engage with residents in person

It was moved and seconded that Council receive the report titled “REIMAGINE NANAIMO – Public Engagement Launch” dated 2020-JUL-20, and direct Staff to formally launch the process. The motion carried unanimously.

(c) Nuisance Property – 484 Nova Street

Introduced by Dale Lindsay, General Manager, Development Services.

Delegations:

1. Dale and Julie Dekowny, advised Council that they have installed a fence in the backyard, cameras around the property and evicted the problem tenants. They have spoken with the Bylaw Department and there have been no complaints since the previous tenants moved.

It was moved and seconded that Council defer “Nuisance Property – 484 Nova Street, to the next Regular Council Meeting 2020-AUG-31, subject to a Staff update on the nuisance issues at 484 Nova Street. The motion was defeated.

Opposed: *Councillors Armstrong, Brown, Geselbracht, Maartman, and Turley.*

It was moved and seconded that Council declare 484 Nova Street a “Nuisance” pursuant to the “Nuisance Abatement and Cost Recovery Bylaw 2019 No. 7250”, and to authorize Staff to record and charge for municipal services, including police, required to abate nuisance activity. The motion carried.

Opposed: *Councillors Armstrong, Bonner, Hemmens and Turley*

(d) Nuisance Property – 560 Milton Street

Introduced by Dale Lindsay, General Manager, Development Services.

Dave Laberge, Manager, Bylaw Services, spoke regarding the ownership, history and RCMP investigations at 560 Milton Street.

Delegation:

1. Natalie Cunliffe, spoke regarding the impact noise, yelling, screaming, threats, criminal activity, RCMP calls and visitors to the property have had on the neighbours and community.

It was moved and seconded that Council declare 560 Milton Street a “Nuisance” pursuant to the “Nuisance Abatement and Cost Recovery Bylaw 2019 No. 7250”, and to authorize Staff to record and charge for municipal services, including police, required to abate nuisance activity. The motion carried unanimously.

(e) Rezoning Application No. RA434 – 3500 Rock City Road

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.169” (To rezone portions of 3500 Rock City Road from Low Density Residential [R6] to Medium Density Residential [R8] with site-specific Floor Area Ratio) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.169” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure the community amenity contribution, intersection improvements contribution, sanitary sewer covenant, wildfire assessment covenant, and subdivision of the subject property should Council support the bylaw at third reading. The motion carried unanimously.

(f) Development Permit Application No. DP1148 – 602 Franklyn Street

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council issue Development Permit No. DP1148 at 602 Franklyn Street with the following variances to:

- reduce the minimum front yard setback for the first floor from 3.0m to 2.92m;
- reduce the minimum front yard setback for the second and third floors from 4.0m to 2.92m;
- reduce the minimum flanking side yard setback from 3.0m to 1.49m and reduce the minimum rear yard setback from 3.0m to 0.0m for an accessory building;
- increase the maximum fence height from 1.8m to 2.74m; and,
- reduce the minimum number of required parking spaces from seven spaces to six spaces.

The motion carried unanimously.

(g) Development Permit Application No. DP1158 – 2126 Meredith Road

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council issue Development Permit No. DP1158 at 2126 Meredith Road with the following variances to:

- reduce the front yard setback from 6.0m to 3.5m;
- reduce the rear yard setback from 7.5m to 3.25m; and,
- increase the percentage of small car spaces from 40% to 48%.

The motion carried unanimously.

9. DELEGATIONS (continued):

(b) Sydney Robertson regarding Emterra Environment, 255 Eaton Street

It was moved and seconded that Council direct Staff organize a joint meeting with Emterra Environmental, Regional District of Nanaimo and South End Community Association representatives to address longstanding neighborhood concerns of runoff, odor, noise control, safety, site cleanliness, security, and material storage; and ensure that responsibility, jurisdiction and enforcement of site use standards are clearly understood by all parties and captured within city bylaws, the waste stream management license and site operation plan. The motion carried unanimously.

10. REPORTS (continued):

(h) 2019 Annual Municipal Report

Introduced by Shelley Legin, General Manager, Corporate Services.

It was moved and seconded that Council approve the 2019 Annual Municipal Report. The motion carried unanimously.

(i) 2020 Tax Sale and Tax Sale Redemption Period Postponements to 2021

Introduced by Shelley Legin, General Manager, Corporate Services.

It was moved and seconded that “Tax Sale Postponement Bylaw 2020 No. 7311” (To postpone the 2020 Tax Sale to 2021), pass first reading. The motion carried unanimously.

It was moved and seconded that “Tax Sale Postponement Bylaw 2020 No. 7311” pass second reading. The motion carried unanimously.

It was moved and seconded that “Tax Sale Postponement Bylaw 2020 No. 7311” pass third reading. The motion carried unanimously.

It was moved and seconded that “Tax Sale Postponement Bylaw 2020 No. 7311” be adopted. The motion carried unanimously.

It was moved and seconded that “Tax Sale Redemption Period Postponement Bylaw 2020 No. 7312” (To postpone the 2020 Tax Sale redemption period to 2021), pass first reading. The motion carried unanimously.

It was moved and seconded that “Tax Sale Redemption Period Postponement Bylaw 2020 No. 7312” pass second reading. The motion carried unanimously.

It was moved and seconded that “Tax Sale Redemption Period Postponement Bylaw 2020 No. 7312” pass third reading. The motion carried unanimously.

It was moved and seconded that “Tax Sale Redemption Period Postponement Bylaw 2020 No. 7312” be adopted. The motion carried unanimously.

(j) Pilot Sites for Remotely Piloted Aircraft Systems

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

It was moved and seconded that Council extend the one-year pilot project that allows members of the Nanaimo Model Airs Club, or individuals who qualify for a permit from the General Manager of Parks, Recreation and Culture, to fly remotely piloted aircraft systems in designated locations at designated times, for one additional year. The motion carried unanimously.

(k) Te'tuxwtun Project Update

Dale Lindsay, General Manager, Development Services, provided Council with a verbal update. Highlights included:

- Updated timeline for the project includes:
 - Public engagement beginning Fall 2020
 - Design development and corresponding public engagement beginning Summer 2021
 - Rezoning Summer 2022
 - Construction beginning 2023 to 2024
 - Construction of first phase completed within one to two years

11. BYLAWS:

(a) "Zoning Amendment Bylaw 2019 No. 4500.135"

It was moved and seconded that "Zoning Amendment Bylaw 2019 No. 4500.135" (To rezone 2220 Bowen Road to allow "Cannabis Retail Store" as a site-specific use in the Community Corridor [COR3] Zone) be adopted. The motion carried unanimously.

(b) "Zoning Amendment Bylaw 2020 No. 4500.174"

It was moved and seconded that "Zoning Amendment Bylaw 2020 No. 4500.174" (To rezone 5801 Turner Road to allow "Cannabis Retail Store" as a site-specific use in the CC3 [City Commercial Centre] zone) be adopted. The motion carried unanimously.

It was moved and seconded that the Council meeting proceed past 11:00 p.m. The motion carried unanimously.

Councillor Armstrong vacated the Shaw Auditorium at 11:02 p.m.

12. OTHER BUSINESS:

(a) Councillor Geselbracht Motion re: Nanaimo Neighbourhood Zero Emission Vehicle Bylaw

It was moved and seconded that Staff prepare a report with options for the timely implementation of a bylaw to allow the operation of Neighbourhood Zero Emission Vehicles in Nanaimo. The motion carried unanimously.

(b) Councillor Hemmens - Update regarding Vancouver Island Regional Library

Councillor Hemmens, City of Nanaimo Council representative and Board Member, Vancouver Island Regional Library (VIRL), provided an update regarding VIRL. Highlights included:

- The Board has been working on how to re-open the library to the public
- Library cards can now be applied for and provided to customers online
- On June 4, 2020, the library added new programs that allow for online accessibility to ebooks and a take out service where books can be ordered online and picked up at the library branch of your choice
- Working on a pilot program for walk thru services

The Open Meeting recessed at 11:05 p.m.

The Open Meeting reconvened at 11:15 p.m.

Council moved In Camera at 11:15 p.m.

Council rose without report from the In Camera Meeting at 11:49 p.m.

13. ADJOURNMENT:

It was moved and seconded at 11:50 p.m. that the meeting adjourn. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER