

MINUTES
REGULAR COUNCIL MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2018-APR-23, AT 5:00 P.M.

Present: Mayor W. B. McKay, Chair
Councillor S. D. Armstrong
Councillor W. L. Bestwick (vacated 10:58 p.m.)
Councillor M. D. Brennan
Councillor G. W. Fuller (vacated at 11:19 p.m.)
Councillor J. Hong
Councillor J. A. Kipp
Councillor I. W. Thorpe
Councillor W. M. Yoachim (arrived 7:00 p.m.)

Staff: L. Mercer, Manager Accounting Services (arrived 6:57 p.m.)
D. Lindsay, Director of Community Development
B. Sims, Director of Public Works and Engineering (arrived 6:58 p.m.)
J. Van Horne, Director of Human Resources
B. Anderson, Manager of Community and Cultural Planning
K. Fry, Fire Chief
A. Coronica, Senior Financial Analyst (arrived 6:57 p.m.)
D. Blackwood, Client Support Specialist
K. Kronstal (arrived 10:15 p.m., vacated 11:21 p.m.)
S. Gurrie, City Clerk
S. Snelgrove, Recording Secretary

1. CALL THE REGULAR MEETING TO ORDER:

The Regular Council Meeting was called to order at 5:00 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;
- (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; and,
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

The motion carried unanimously.

Council moved “In Camera” at 5:00 p.m.
Council moved out of “In Camera” at 5:24 p.m.

It was moved and seconded that Council add *Community Charter* Section 90(1)(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, as a reason to move “In Camera”. The motion carried unanimously.

Council moved “In Camera” at 5:25 p.m.
Council moved out of “In Camera” at 7:02 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item - 9(b) - Replace Schedule A of “Property Tax Rates Bylaw 2018 No. 7264” with attached version to update Schedule A.
- (b) Agenda Item – 10(a) – Replace “Revitalization Tax Exemption Bylaw 2018 No. 7261” with version attached to addendum.

Councillor Bestwick entered the Shaw Auditorium at 7:06 p.m.

- (c) Agenda Item – 10(c) – Remove presentation from Bruce Anderson, Manager of Community and Cultural Planning, and add presentation from Noha Sedky, City Spaces Consulting.
- (d) Councillor Yoachim advised that Marty Roberts and Hilary Harlow were in attendance and wished to address Council as a late delegation regarding Amrikkos (1400 Wingrove Street).

It was moved and seconded that Council add Marty Roberts and Hilary Harlow as a late delegation regarding Amrikkos (1400 Wingrove Street) and that the item be placed under Agenda Item 6(a) Presentations. The motion carried.

Opposed: *Mayor McKay, Councillor Brennan.*

- (e) Councillor Hong advised that Kevan Shaw was in attendance and wished to address Council as a late delegation regarding Agenda Item 8(a)5 – Finance and Audit Committee Recommendation from 2018-APR-11 - Support for Parades.

It was moved and seconded that Council add Kevan Shaw as a late delegation with a five minute time limit regarding Agenda Item 8(a)5 – Finance and Audit Committee Recommendation from 2018-APR-11 - Support for Parades. The motion carried unanimously.

- (f) Councillor Hong advised that Kevan Shaw was in attendance and wished to address Council as a late delegation regarding Agenda Item 10(a) Downtown Revitalization Tax Exemption Program.

It was moved and seconded that Council add Kevan Shaw as a late delegation with a five minute time limit regarding Agenda Item 10(a) – Downtown Revitalization Tax Exemption Program. The motion carried unanimously.

- (g) Councillor Hong requested that Council defer consideration of Agenda Item 8(a)3 – 2017 Surplus Allocation Report until after consideration of Agenda Item 9(b) 2018 Property Tax Rates Bylaw.

It was moved and seconded that Council defer consideration of Agenda Item 8(a)3 – 2017 Surplus Allocation Report until after consideration of Agenda Item 9(b) 2018 Property Tax Rates Bylaw. The motion carried unanimously.

- (h) Mayor McKay advised that he would be providing a notice of motion regarding selection of a site for overdose prevention site.
- (i) Councillor Bestwick requested that Agenda Item 15(a) Councillor Bestwick Notice of Motion Regarding “Management Terms and Conditions of Employment Bylaw 2005 No. 7000” be removed from the agenda.

4. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda, as amended, be adopted. The motion carried unanimously.

5. ADOPTION OF 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 HR Training Room, 455 Wallace Street, Nanaimo, BC, on Thursday, 2018-MAR-08 at 2:00 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, 2018-MAR-19 at 2:00 p.m.
- Minutes of the Special Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-MAR-26 at 4:30 p.m.

- Minutes of the Public Hearing (Special Council) Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Thursday, 2018-APR-05 at 7:00 p.m.

The motion carried unanimously.

Councillor Kipp vacated the Shaw Auditorium at 7:14 pm declaring a conflict of interest regarding 1400 Wingrove Street as he worked previously on this project.

6. PRESENTATIONS:

- (a) Marty Roberts and Hilary Harlow spoke regarding their concerns with the inaction regarding the Amrikkos property at 1400 Wingrove Street.

Councillor Kipp returned to the Shaw Auditorium at 7:24 p.m.

7. MAYOR'S REPORT:

Mayor McKay advised he attended the Nanaimo Airport's ground breaking of their \$15-million project that will expand the building and create business and investment opportunities. It is expected that the Nanaimo Airport will see a passenger count of 400,000 in 2018, up from 358,000 in 2017. A new departure lounge and new screening facilities will be among the improvements.

Councillor Yoachim vacated the Shaw Auditorium at 7:25 p.m.

8. ADMINISTRATION:

- (a) Committee Recommendations

Introduced by Councillor Bestwick.

1. Smart Cities Challenge

It was moved and seconded that Council endorse the application for the project proposal addressing Nanaimo's housing crisis for the Smart Cities Challenge. The motion carried unanimously.

2. Tender#2095 - Beban Park Boiler Plan Upgrade & Replacement of HV-1 Heat Recovery Coils

It was moved and seconded that Council increase the budget for the Beban Park Boiler Plant Upgrade and Replacement of Heat Recovery Coils projects by \$68,080, to be funded by a FortisBC incentive grant of \$35,373 and an allocation of \$32,707 from the Facility Development Reserve Fund. The motion carried unanimously.

3. Nanaimo Pride Society - 2018 Nanaimo Pride Parade

It was moved and seconded that Council refer part three of the motion regarding the Nanaimo Pride Society – 2018 Nanaimo Pride Parade “...direct Staff to work on a protocol agreement or memorandum of understanding with the Nanaimo Pride Society to provide annual support of the Nanaimo Pride Parade...” to Staff to review the wording of the motion to ensure it is correct. The motion carried unanimously

It was moved and seconded that Council support Nanaimo Pride 2018 by providing blockades and City workers for the parade. The motion carried unanimously

Councillor Yoachim returned to the Shaw Auditorium at 7:35 p.m.

It was moved and seconded that Council ensure that the rainbow crosswalks on Commercial Street are touched up and/or repainted before the parade. The motion carried.
Opposed: *Councillors Bestwick and Hong*

4. Support for Parades

Delegation:

1. Kevan Shaw requested that the City support all downtown festivals by supplying roadblocks and related services.

It was moved and seconded that Council direct Staff to prepare a report providing options to address multiple requests received from community groups asking for City of Nanaimo support of parades. The motion carried unanimously.

It was moved and seconded that Council support other groups interested in having downtown events or parades by providing blockades and city workers, until such time as a report is complete. The motion carried.

Opposed: *Mayor McKay, Councillors Armstrong and Thorpe*

(b) Freedom of Information Request Requirements & Statistics

Introduced by Sheila Gurrie, City Clerk.

Presentation:

1. Sheila Gurrie, City Clerk.

It was moved and seconded that Council receive the Freedom of Information and Protection of Privacy Act Requests & Statistics report dated 2018-APR-23 for information. The motion carried unanimously.

(c) Advisory Committee Minutes

Sheila Gurrie, City Clerk, advised that the City has implemented a new system to post the actions stemming from committee meetings on the City's website as soon as possible after a meeting, as a committee summary.

Sheila Gurrie, City Clerk, advised that currently there is a call for applicants for various City committees.

It was moved and seconded that the Minutes of the Parks, Recreation and Wellness Committee Meeting held in the Training Room, 2nd Floor, City Hall, 455 Wallace Street, Wednesday, January 17, 2018 at 5:30 p.m. be received for information. The motion carried unanimously.

It was moved and seconded that the Minutes of the Special Public Works and Engineering Committee Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Tuesday, January 23, 2018 at 4:30 p.m. be received for information. The motion carried unanimously.

It was moved and seconded that the Minutes of the Community Planning and Development Committee Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Tuesday, February 20, 2018 at 5:00 p.m. be received for information. The motion carried unanimously.

It was moved and seconded that the Minutes of the Nanaimo Youth Advisory Council Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Wednesday, February 21, 2018 at 4:30 p.m. be received for information. The motion carried unanimously.

It was moved and seconded that the Minutes of the Community Engagement Taskforce Meeting held in the Service and Resource Centre, 411 Dunsmuir Street, Tuesday, February 27, 2018 at 4:30 p.m. be received for information. The motion carried unanimously.

The Council meeting recessed at 8:55 p.m. with the intention to reconvene at 9:05 p.m.

The Council meeting reconvened at 9:05 p.m.

Councillor Yoachim returned to the Shaw Auditorium at 9:06 p.m.

Councillor Fuller returned to the Shaw Auditorium at 9:08 p.m.

9. CORPORATE SERVICES:

(a) 2018-2022 Financial Plan Amendment Bylaw

Introduced by Laura Mercer, Manager of Accounting Services.

It was moved and seconded that “Financial Plan Amendment Bylaw 2017 No. 7253.01” (To amend the 2018 – 2022 Financial Plan), pass first reading. The motion was defeated. Opposed: *Councillors Bestwick, Fuller, Hong, Kipp and Yoachim*.

It was moved and seconded that Council direct Staff to return with a 2% 2018 tax increase at their earliest convenience. The motion carried.

Opposed: *Mayor McKay, Councillors Armstrong, Brennan and Thorpe*

(b) 2018 Property Tax Rates Bylaw

This item was not considered.

(c) Finance and Audit Committee Recommendation from 2018-APR-11

It was moved and seconded that Council approve the allocation of the 2017 surplus as follows:

1. General Fund	
a. Property Purchase Reserve	\$1,100,000
b. General Capital Reserve	752,919
c. General Financial Stability Reserve	500,000
d. RCMP Contract Adjustment Reserve	247,081
e. Unallocated General Surplus	112,000

	\$2,712,000
	=====
2. Sewer Fund	
a. Sewer Reserve	\$400,000
b. Unallocated Sewer Surplus	69,000

	\$469,000
	=====
3. Water Fund	
a. Water Supply Reserve	\$180,000
b. Water Distribution Reserve	720,000
c. Unallocated Water Surplus	112,000

	\$1,012,000
	=====

It was moved and seconded that Council defer consideration of Agenda Item 8(a)3 - 2017 Allocation Surplus Report until a future Special Council meeting to be held 2018-APR-30. The motion carried unanimously.

K. Kronstal, Social Planner, entered the Shaw Auditorium at 10:12 p.m.

10. PUBLIC SERVICES:

(a) Downtown Revitalization Tax Exemption Program

Introduced by Dale Lindsay, Director of Community Development.

Mayor McKay vacated the Shaw Auditorium at 10:30 p.m. Acting Mayor Armstrong assumed the Chair.

Delegations:

1. Lawrence Rieper spoke regarding his concerns with the boundaries of the plan and public consultation regarding the bylaw.

Mayor McKay returned to the Shaw Auditorium at 10:21 p.m. and resumed the Chair.

2. Kevan Shaw spoke regarding a 20 year tax exemption for downtown commercial property owners.

It was moved and seconded that “Revitalization Tax Exemption Bylaw 2018 No. 7261” (To create a new Downtown Revitalization Tax Exemption Program) pass first reading. The motion carried unanimously.

It was moved and seconded that “Revitalization Tax Exemption Bylaw 2018 No. 7261” pass second reading. The motion carried unanimously.

It was moved and seconded that “Revitalization Tax Exemption Bylaw 2018 No. 7261” pass third reading. The motion carried unanimously.

(b) Port Drive Waterfront Master Plan

Introduced by Dale Lindsay, Director of Community Development. Karin Kronstal provided a verbal presentation.

It was moved and seconded that “Official Community Plan Amendment Bylaw 2018 No. 6500.037” (To amend the Official Community Plan to include the Port Drive Waterfront Master Plan) pass first reading. The motion carried.

Opposed: *Councillor Yoachim*

It was moved and seconded that “Official Community Plan Amendment Bylaw 2018 No. 6500.037” pass second reading. The motion carried.

Opposed: *Councillor Yoachim*

(c) Development Variance Permit No. DVP344 – 5865 Turner Road

Introduced by Dale Lindsay, Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to DVP344.

No one in attendance wished to speak with respect to DVP344.

It was moved and seconded that Council issue Development Variance Permit No. DVP344 at 5865 Turner Road with the following variance:

- reduce the minimum lot frontage requirement from 15m to 14.48m for proposed Lots A and B.

The motion carried unanimously.

(d) Development Variance Permit No. DVP345 – 6142 Dennie Lane

Introduced by Dale Lindsay, Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to DVP345.

No one in attendance wished to speak with respect to DVP345.

It was moved and seconded that Council issue Development Variance permit No. DVP345 at 6142 Dennie Lane with the following variance:

- reduce the minimum flanking side yard setback from 4m to 2m.

The motion carried unanimously.

11. BYLAWS:

(a) "City of Nanaimo Development Cost Charge Bylaw 2017 No. 7252"

It was moved and seconded that "City of Nanaimo Development Cost Charge Bylaw 2017 No. 7252" (To impose development cost charges within the City of Nanaimo) be adopted. The motion carried unanimously.

(b) "Parcel Tax Roll Preparation Bylaw 2018 No. 7260"

It was moved and seconded that "Parcel Tax Roll Preparation Bylaw 2018 No. 7262" (To provide for the preparation of a parcel tax roll) be adopted. The motion carried unanimously.

9. CORPORATE SERVICES: (continued)

(e) Rezoning Application No. RA387 – 311 Selby Street

Introduced by Dale Lindsay, Director of Community Development.

It was moved and seconded that "Zoning Amendment Bylaw 2018 No. 4500.120" [To rezone 311 Selby Street from Community Service Three (CS3) to Fitzwilliam (DT2)] pass first reading. The motion carried unanimously.

It was moved and seconded that "Zoning Amendment Bylaw 2018 No. 4500.120" pass second reading. The motion carried unanimously.

It was moved and seconded Council direct Staff to secure the closure of the Selby Street access and the community contribution through a covenant prior to the adoption of the bylaw, should Council support the bylaw at third reading. The motion carried unanimously.

(f) Rezoning Application No. RA388 – 2202 Meredith Road

Introduced by Dale Lindsay, Director of Community Development.

It was moved and seconded that “Zoning Amendment Bylaw 2018 No. 4500.121” [To rezone 2202 Meredith Road from Single Dwelling Residential (R1) to Townhouse Residential (R6) with site-specific provisions to increase the maximum permitted building height to 9.2m and increase the maximum allowable floor area ratio to 0.7] pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2018 No. 4500.121” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure the road dedication and community contribution prior to the adoption of the bylaw, should Council support the bylaw at third reading. The motion carried unanimously.

It was moved and seconded the Council Meeting proceed past 11:00 p.m. The motion carried. Opposed: *Mayor McKay, Councillors Bestwick and Fuller*

Councillor Hong vacated the Shaw Auditorium at 10:57 p.m. declaring a conflict of interest as he has a liquor licence.

(g) Liquor License Application No. LA000128 – Unit 2, 940 Old Victoria Road

Introduced by Dale Lindsay, Director of Community Development.

It was moved and seconded that Council recommend that the Liquor Control and Licensing Branch approve the application to permit a lounge endorsement for an existing brewery manufacturing business located at 940 Old Victoria Road. The motion carried unanimously.

Councillor Hong returned to the Shaw Auditorium at 10:58 p.m.
Councillor Bestwick vacated the Shaw Auditorium at 10:58 p.m.

(h) Affordable Housing Strategy Discussion Paper

Introduced by Dale Lindsay, Director of Community Development.

Presentation:

1. Karin Kronstal, Social Planner, and Noha Sedky, City Spaces Consulting.

Councillor Fuller vacated the Shaw Auditorium at 11:19 p.m.

It was moved and seconded that the Affordable Housing Strategy Discussion Paper report dated 2018-APR-23 be received for information. The motion carried unanimously.

K. Kronstal, Social Planner, vacated the Shaw Auditorium at 11:21 p.m.

(i) Development Permit No. DP1051 – 548 Steeves Road

Introduced by Dale Lindsay, Director of Community Development.

It was moved and seconded that Council issue Development Permit No. DP1051 at 548 Steeves Road with the following variance:

- Increase the maximum building height from 9m to 10.5m.

The motion carried unanimously.

(j) “Highway Closure and Dedication Removal Bylaw 2018 No. 7258”

Introduced by Dale Lindsay, Director of Community Development.

It was moved and seconded that "Highway closure and Dedication Removal Bylaw 2018 No. 7258" (To provide Highway Closure and Dedication Removal of a Portion of Beadall Road Adjacent to Roberta Road East) be adopted. The motion carried unanimously.

(k) Development Permit No. DP1068 – 11 Roberta Road East

It was moved and seconded that Council issue Development Permit No. DP1068 at 11 Roberta Road East with the following variance:

- reduce the watercourse setback from 15m to 0m as measured from top of bank to permit a creek crossing.

The motion carried unanimously.

(l) Development Permit No. DP1078 – 3200 Island Highway North

Introduced by Dale Lindsay, Director of Community Development.

It was moved and seconded that Council issue Development Permit No. DP1078 at 3200 Island Highway with the following variance:

- permit fascia signage to project 2.1m above the roofline.

The motion carried unanimously.

(m) Development Permit No. DP1083 – 6975 Island Highway North

Introduced by Dale Lindsay, Director of Community Development.

It was moved and seconded that Council issue Development Permit No. DP1083 at 6975 Island Highway North with the following variances:

- increase the maximum building height of Buildings A, B, and C from 14m to 15.4m; and,
- reduce the required off-street parking from 250 parking spaces to 160 parking spaces.

The motion carried.

Opposed: Councillor Armstrong and Thorpe.

12. PUBLIC SAFETY:

(a) 2018 Strategic Directions – Public Safety Committee

Introduced by Karen Fry, Fire Chief and Director of Public Safety.

It was moved and seconded that Council approve the 2018 Strategic Directions of the Public Safety Committee:

- Fire Station #1 Rebuild
- City Bylaws
- Graffiti Strategy
- Fire Plan – Service Delivery Plan (2019-2021)
- Community Policing
- Public Disorder
- Cannabis Task Force
- Policing Priorities
- Emergency Management

The motion carried unanimously.

13. CORRESPONDENCE:

(a) Letter from the Regional District of Nanaimo Re: Drinking Water and Watershed Protection Service Amendment Bylaw No. 1556.03, 2018

It was moved and seconded that Council receive for information the letter from the Regional District of Nanaimo Re: Drinking Water and Watershed Protection Service Amendment Bylaw No. 1556.03. The motion carried unanimously.

It was moved and seconded that Council consent, on behalf of the electors, to the adoption of "Drinking Water and Watershed Protection Service Amendment Bylaw No. 1556.03, 2018" and further, that the Regional District be notified accordingly. The motion carried unanimously.

14. NOTICE OF MOTION:

(a) Councillor Kipp Notice of Motion Regarding Financial Policies

Councillor Kipp advised that at the May 7, 2018 Council Meeting he would be bringing forward the following motion for consideration:

Whereas Finance was working on a number of policies and some Administrative Procedures and Guidelines, that are not in place but are necessary such as; Budget and Fiscal Management Policy, Reserve Policy, Revenue Policy, Debt Management Policy that

stem from the Core Services Review and subsequent Council actions and Council requests an update and timeframe for these policies.

(b) Mayor McKay Notice of Motion Regarding Reconsideration "Zoning Amendment Bylaw 2017 No. 4500.118"

Mayor McKay advised that at the May 7, 2018 Council Meeting he would be bringing forward the following motion for reconsideration:

"It was moved and seconded that "Zoning Amendment Bylaw 2018 No. 4500.118" (To rezone 1615 Northfield Road from Single Dwelling Residential (R1) to Residential Corridor [COR1]) pass third reading. The motion was defeated. *Opposed: Councillors Bestwick, Fuller, and Kipp.*"

(c) Mayor McKay Notice of Motion Regarding Site Selection for Overdose Prevention Site

Mayor McKay advised that at the May 7, 2018, Council Meeting he would be bringing forward a motion for consideration:

"To identify sites available for a federally regulated and recognized overdose prevention site."

15. QUESTION PERIOD:

- No one in attendance wished to ask questions.

16. ADJOURNMENT:

It was moved and seconded at 11:29 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER