

MINUTES
REGULAR COUNCIL MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
MONDAY, 2018-MAY-28, AT 4:30 P.M.

Present: Mayor W. B. McKay, Chair
Councillor S. D. Armstrong (via telephone at 6:57 p.m.)
Councillor W. Bestwick (vacated 5:54 p.m.)
Councillor M. D. Brennan
Councillor G. W. Fuller (vacated 5:58 p.m.)
Councillor J. Hong
Councillor I. W. Thorpe
Councillor W. M. Yoachim (arrived at 7:05 p.m.)

Absent: Councillor J. A. Kipp

Staff: B. Sims, Director of Engineering and Public Works
B. Corsan, Deputy Director of Community Development
C. Davis, Manager of Sanitation, Recycling and Public Works
Administration (vacated 8:14 p.m.)
D. Thompson, A/Manager of Sanitation, Recycling and Public Works
Administration (vacated 8:14 p.m.)
K. MacDonald, Parks and Open Space Planner (vacated 8:05 p.m.)
M. Smith, Manager, Recreation Services (vacated 8:13 p.m.)
D. Blackwood, Client Support Specialist
S. Gurrie, City Clerk
K. Gerard, 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*:

It was moved and seconded that 'In Camera' Agenda Item 4(c), be moved to the Regular Council Meeting Agenda this evening.

The motion was defeated.

Opposed: Mayor McKay, Councillors Armstrong, Brennan, Hong, Thorpe and Yoachim

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;

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

The motion carried.

Opposed: Councillor Fuller

Council moved “In Camera” at 4:54 p.m.

Council moved out of “In Camera” at 6:02 p.m.

The Regular Council Meeting recessed at 6:02 p.m.

The Regular Council Meeting reconvened at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 8(a)1 - Parks, Recreation and Wellness Committee Recommendations – 2018-APR-25 – add delegations from:
 - 1. Shirley Gremyachev;
 - 2. Jocelyn Dewar; and,
 - 3. Justin Mundy.
- (b) Agenda Item 10(d) – Liquor Licence Application No. LA130 – 240 Skinner Street - add delegation from Sebastian Barkovic.
- (c) Add Agenda Item 12(e) – “Official Community Plan Amendment Bylaw 2018 No. 6500.038” to correct error in Bylaw.
- (d) Sheila Gurrie, City Clerk advised that Councillor Kipp was withdrawing Agenda Item 16(a) – Notice of Motion Regarding Financial Policies.

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 Council Meeting held in the Boardroom, Service and Resource Centre on Monday, 2018-APR-30, at 9:00 a.m.

- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, on Wednesday, 2018-MAY-09, at 1:00 p.m.
- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, on Friday, 2018-MAY-11, at 9:00 a.m.
- Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, on Monday, 2018-MAY-14, at 4:30 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor McKay welcomed the new committee members who were appointed at the "In Camera" Meeting held on 2018-MAY-14, and read aloud the "Process on Reading of Bylaws".

7. ADMINISTRATION:

(a) Committee Recommendations

1. Parks, Recreation and Wellness Committee Recommendations – 2018-APR-25

Introduced by Councillor Thorpe.

Cambie Neighbourhood Park Improvement Request under the Partners in Parks Program.

Delegation:

1. Jocelyn Dewar spoke regarding the growth of residents and families in the area which has created the need for a safe place for children to play.

It was moved and seconded that Council allocate \$25,000 from the 2018 Partner In Parks Program for Cambie Neighbourhood Park improvements. The motion carried unanimously.

(b) Advisory Committee Minutes

Introduced by Councillor Armstrong.

It was moved and seconded that the Minutes of the Public Safety Committee Meeting, held on Thursday, 2018-MAR-01 at 3:30 p.m. be received for information. The motion carried unanimously.

Introduced by Councillor Brennan.

It was moved and seconded that the Minutes of the Special Finance and Audit Committee Meeting held on 2018-APR-04 at 9:00 a.m. be received for information. The motion carried unanimously.

Introduced by Councillor Armstrong.

It was moved and seconded that the Minutes of the Public Safety Committee Meeting held on Thursday, 2018-APR-05 at 3:30 p.m. be received for information. The motion carried unanimously.

Introduced by Councillor Brennan.

It was moved and seconded that the Minutes of the Finance and Audit Committee Meeting held on Wednesday, 2018-APR-11 at 9:00 a.m. be received for information. The motion carried unanimously.

Introduced by Councillor Armstrong.

It was moved and seconded that the Minutes of the Special Community Engagement Task Force Meeting held on Monday, 2018-APR-16, at 4:30 p.m. be received for information. The motion carried unanimously.

8. PUBLIC SERVICES:

(a) Development Variance Permit Application No. DVP347 – 5744 Linyard Road

Introduced by Bill Corsan, Deputy Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to DVP347 at 5744 Linyard Road.

Michael Plavetic, the applicant, stated that all servicing issues have been addressed and there are no parking issues with this Development Variance Permit.

It was moved and seconded that Council issue Development Variance Permit No. DVP347 for a proposed subdivision at 5744 Linyard Road with the following variance:

- reduce the minimum lot frontage for proposed Lot B from 10m to 6.05m.

The motion carried unanimously.

(b) Development Variance Permit Application No. DVP348 – 6470 Ptarmigan Way

Introduced by Bill Corsan, Deputy Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to DVP348 – 6470 Ptarmigan Way.

No one in attendance wished to speak with respect to DVP348.

It was moved and seconded that Council issue Development Variance Permit No. DVP348 at 6470 Ptarmigan Way with the following variances:

- reduce the west side yard setback for a pool deck from 1.5m to 0.07m;
- reduce the west side yard setback from 1.5m to 0.22m and the east side yard setback from 1.5m to 0.33m for wooden stairs;
- increase the permitted front yard fence height from 1.2m to 1.43m;
- increase the permitted side yard fence height from 2.4m to 3.72m (east side yard) and from 2.4m to 3.33m (west side yard); and,
- increase the permitted interior yard fence height from 3m to 3.18m.

The motion carried unanimously.

(c) Development Variance Permit Application No. DVP349 – 6250 Hammond Bay Road

Introduced by Bill Corsan, Deputy Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to DVP349 at 6250 Hammond Bay Road.

No one in attendance wished to speak with respect to DVP349.

It was moved and seconded that Council issue Development Variance Permit No. DVP349 at 6250 Hammond Bay Road with the following variance:

- increase the allowable side and rear yard fence height from 1.2m to 1.8m.

The motion carried unanimously.

(d) Liquor Licence Application No. LA130 – 240 Skinner Street

Introduced by Bill Corsan, Deputy Director of Community Development.

Councillor Hong vacated the Boardroom at 7:24 p.m. declaring a conflict of interest as he has a liquor licence.

Delegation:

1. Sebastian Barkovic, owner of Koncept Nightclub at 240 Skinner Street, spoke in support of the request to increase the licensed capacity of the night club from 200 to 220 person.

It was moved and seconded that Council recommend the Liquor Control and Licensing Branch deny an application for a structural change to a liquor primary licence in order to increase the licensed capacity of the night club from 200 to 220 persons.

The motion was defeated.

Opposed: Councillors Brennan, Fuller and Yoachim

It was moved and seconded that Council recommend the Liquor Control and Licensing Branch approve an application for a structural change to a liquor primary licence in order to increase the licensed capacity of the night club from 200 to 220 persons.

The motion was defeated.

Opposed: Mayor McKay, Councillors Armstrong and Thorpe

It was moved and seconded that Council take no position regarding the application for a structural change to a liquor primary licence in order to increase the licensed capacity of the night club from 200 to 220 persons.

The motion carried.

Opposed: Councillors Fuller and Yoachim

Councillor Hong returned to the Boardroom at 7:34 p.m.

(e) Sort Toss Roll Phase Two Implementation Update

Introduced by Bill Sims, Director of Engineering and Public Works.

Bills Sims, Director of Engineering and Public Works, introduced David Thompson, A/Manager of Sanitation, Recycling and Administration, who will be taking over for Charlotte Davis, Manager Sanitation, Recycling and Administration, in her absence.

Charlotte Davis, Manager Sanitation, Recycling and Administration and David Thompson, A/Manager of Sanitation, Recycling and Administration, provided Council with a presentation regarding Sort Toss Roll Phase Two Implementation Update including a review of the Phase 1 implementation plan, risks and communications plan for residents of Phase 2.

It was moved and seconded that the report "Sort Toss Roll Phase Two Implementation Update" dated 2018-MAY-28, be received for information. The motion carried unanimously.

C. Davis and D. Thompson vacated the Boardroom at 8:14 p.m.

9. BYLAWS:

(a) "Zoning Amendment Bylaw 2018 No. 4500.118"

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]) be adopted. The motion carried unanimously.

(b) "Building Bylaw Amendment Bylaw 2018 No. 7224.01"

It was moved and seconded that "Building Amendment Bylaw 2018 No. 7224.01" (To bring Building Bylaw 2016 No. 7224 into conformance with the Building Act) be adopted. The motion carried unanimously.

(c) "Housing Agreement Bylaw 2018 No. 7262"

It was moved and seconded that "Housing Agreement Bylaw 2018 No. 7262" (To authorize a housing agreement for a 24-unit affordable housing complex at 1406 Bowen Road) be adopted. The motion carried unanimously.

(d) "Highway Closure and Dedication Removal Bylaw 2018 No. 7263"

It was moved and seconded that "Highway Closure and Dedication Removal Bylaw 2018 No. 7263" (To provide for highway closure and dedication removal of a portion of Emil Road adjacent to 5901 Hammond Bay Road) pass third reading. The motion carried unanimously.

(e) "Official Community Plan Amendment Bylaw 2018 No. 6500.038"

It was moved and seconded that "Official Community Plan Amendment Bylaw 2018 No. 6500.038" (OCP87 – To re-designate 40 Maki Road on the Future Land Use Plan [Map 1] from 'Neighbourhood' to 'Light Industrial'; and to re-designate 40 Maki Road on the Chase River Neighbourhood Plan Land Use schedule A-7.3 from 'Low-Medium Density Residential' to 'Service Industrial Enterprise Area') rescind second reading. The motion carried unanimously.

It was moved and seconded that "Official Community Plan Amendment Bylaw 2018 No. 6500.038" (OCP87 – To re-designate 40 Maki Road on the Future Land Use Plan (Map 1) from 'Neighbourhood' to 'Light Industrial'; and to re-designate 40 Maki Road on the Chase River Neighbourhood Plan Land Use Schedule A from 'Low-Medium Density Residential' to 'Service Industrial Enterprise Area') pass second reading as amended. The motion carried unanimously.

10. QUESTION PERIOD:

- Ron Bolin re: Sort Toss Roll Phase 1 Implementation.

11. ADJOURNMENT:

It was moved and seconded at 8:22 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER