

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE REGULAR BOARD MEETING

Tuesday, January 28, 2020
7:03 P.M.
Board Chambers

In Attendance:	Director I. W. Thorpe	Chair
	Director V. Craig	Vice Chair
	Director K. Wilson	Electoral Area A
	Director M. Young	Electoral Area C
	Director B. Rogers	Electoral Area E
	Director L. Salter	Electoral Area F
	Director L. Wallace	Electoral Area G
	Director S. McLean	Electoral Area H
	Director L. Krog	City of Nanaimo
	Director S. Armstrong	City of Nanaimo
	Director D. Bonner	City of Nanaimo
	Director B. Geselbracht	City of Nanaimo
	Director E. Hemmens	City of Nanaimo
	Director J. Turley	City of Nanaimo
	Director E. Mayne	City of Parksville
	Alternate	
	Director T. Patterson	City of Parksville
Director M. Swain	District of Lantzville	
Director B. Wiese	Town of Qualicum Beach	
Regrets:	Director A. Fras	City of Parksville
	Director T. Brown	City of Nanaimo
Also in Attendance:	P. Carlyle	Chief Administrative Officer
	R. Alexander	Gen. Mgr. Regional & Community Utilities
	G. Garbutt	Gen. Mgr. Strategic & Community Development
	T. Osborne	Gen. Mgr. Recreation & Parks
	D. Pearce	Gen. Mgr. Transportation & Emergency Services
	D. Wells	Gen. Mgr. Corporate Services
	J. Hill	Mgr. Legislative Services
	C. Golding	Recording Secretary
C. Jefferies	Recording Secretary	

CALL TO ORDER

The Chair called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

The Chair welcomed Alternate Director Patterson to the meeting.

APPROVAL OF THE AGENDA

20-001

It was moved and seconded that the agenda be approved, as amended, to include Item 5.1 under Delegations and Item 6.1 under Correspondence.

5.1 Richard Dowker, Cedar Organics Ltd., re Organic Cannabis Farm on Quennell Road

6.1 Tom Lundgren and Jean Powell, re Development Variance Permit Application No. PL2019-113 - 1540 Haida Way, Electoral Area E

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Regular Board Meeting - December 10, 2019

20-002

It was moved and seconded that the minutes of the Regular Board meeting held December 10, 2019, be adopted.

CARRIED UNANIMOUSLY

INVITED PRESENTATIONS

Maurice Primeau, Deputy Assessor, BC Assessment, re Annual Presentation

Maurice Primeau, Deputy Assessor, BC Assessment, provided an overview of the role of BC Assessment and the 2020 completed Assessment Roll within the region, and summarized the impact of changes in assessed value on taxes.

DELEGATIONS - AGENDA ITEMS

Richard Dowker, Cedar Organics Ltd., re Organic Cannabis Farm on Quennell Road

Richard Dowker, representative for the property owner, confirmed the plan for an organic regenerative outdoor cannabis farm at the Quennell Road property and that it will be in compliance with all federal, provincial and municipal regulations, and asked the Board to consider all sides of outdoor cannabis farming before requesting a moratorium from the Province.

CORRESPONDENCE

20-003

It was moved and seconded that the following correspondence be received for information:

Tom Lundgren and Jean Powell, re Development Variance Permit Application No. PL2019-113 - 1540 Haida Way, Electoral Area E

CARRIED UNANIMOUSLY

COMMITTEE MINUTES

20-004

It was moved and seconded that the following minutes be received for information:

Electoral Area Services Committee - January 14, 2020

Committee of the Whole - January 14, 2020

Transit Select Committee - January 21, 2020

CARRIED UNANIMOUSLY

CONSENT AGENDA

20-005

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

- 8.1.1. Regional Emergency Resource Agreement
- 8.1.2. Modernizing BC’s Emergency Management Legislation
- 8.2.1. Parcel Tax Roll Review Panel
- 8.2.2. Contract Award for the Supply and Delivery of Office Supplies
- 8.2.3. 2020 Proposed Budget and Public Engagement Review
- 8.2.4. Regional Context Statements – Request for Continued Acceptance
- 8.2.5. Consulting Engineering for Operational Projects for Wastewater Services – 3 Year Standing Offer
- 8.2.6. Petition Unsuccessful – San Pareil Water Service Area Expansion
- 8.3.1. handyDART Fleet 2020
- 8.3.2. Downtown Nanaimo Exchange
- 8.3.3. North Nanaimo Transit Exchange Development
- 8.3.4. Innovate to Increase Transit Ridership (Lessons from Kingston, ON)
- 8.3.5. Transit Connections between the Cowichan Valley Regional District and the Regional District of Nanaimo
- 8.3.6. Transit Connections between the Comox Valley Regional District and the Regional District of Nanaimo

CARRIED UNANIMOUSLY

The items and recommendations referred to above are as follows:

ELECTORAL AREA SERVICES COMMITTEE RECOMMENDATIONS

Regional Emergency Resource Agreement

20-006

That the Regional Emergency Resource Agreement be renewed for a one-year term until December 31, 2020.

ADOPTED ON CONSENT

Modernizing BC’s Emergency Management Legislation

20-007

That the Board endorse the submission (attachment 3) on the Modernizing BC’s Emergency Management Legislation discussion paper.

ADOPTED ON CONSENT

COMMITTEE OF THE WHOLE RECOMMENDATIONS

Parcel Tax Roll Review Panel

20-008

That the Board appoint the Chair, the Manager of Legislative Services, and the Director of Finance to preside as the parcel tax roll review panel.

ADOPTED ON CONSENT

20-009

That the 2020 parcel tax roll review panel be held at 12:00 pm on February 11, 2020 in the Board Chambers, 6300 Hammond Bay Road, if required.

ADOPTED ON CONSENT

Contract Award for the Supply and Delivery of Office Supplies

20-010

That the Regional District of Nanaimo Board approve the award of a three (3) year office supplies contract to Madill – The Office Company resulting from the multi-agency buying group RFP No. 2228 Office Supplies.

ADOPTED ON CONSENT

2020 Proposed Budget and Public Engagement Review

20-011

That the public consultation results be incorporated into the Board’s deliberations on the proposed 2020 budget.

ADOPTED ON CONSENT

Regional Context Statements – Request for Continued Acceptance

20-012

That the Board accept the City of Nanaimo’s request for continued acceptance of their Regional Context Statement as submitted to the Regional District of Nanaimo on May 9, 2019.

ADOPTED ON CONSENT

20-013

That the Board accept the City of Parksville’s request for continued acceptance of their Regional Context Statement as submitted to the Regional District of Nanaimo on December 6, 2019.

ADOPTED ON CONSENT

Consulting Engineering for Operational Projects for Wastewater Services – 3 Year Standing Offer

20-014

That the Board authorize three (3) year agreements with the eight firms as set out in Table 1, to support Wastewater Services with operational projects.

ADOPTED ON CONSENT

Petition Unsuccessful – San Pareil Water Service Area Expansion

20-015

That the residents of the San Pareil neighbourhood be informed that the petition to expand the water service area to include the 41 unconnected properties was not successful.

ADOPTED ON CONSENT

TRANSIT SELECT COMMITTEE RECOMMENDATIONS

handyDART Fleet 2020

20-016

That the Board support BC Transit replacing the existing 15 ARBOC light duty buses with 15 Blue Bird light duty buses.

ADOPTED ON CONSENT

Downtown Nanaimo Exchange

20-017

That the Board not extend the agreement at 575 Fitzwilliam Street (Prideaux Exchange) beyond June 30, 2020.

ADOPTED ON CONSENT

20-018

That the Regional District of Nanaimo continue to work with the City of Nanaimo to develop a long term agreement for the Downtown Nanaimo Exchange.

ADOPTED ON CONSENT

North Nanaimo Transit Exchange Development

20-019

That the Board support entering into a partnership with BC Transit and Ivanhoé Cambridge to develop a Project Term Sheet for an upgraded transit exchange.

ADOPTED ON CONSENT

Innovate to Increase Transit Ridership (Lessons from Kingston, ON)

20-020

That a report be prepared for the Transit Select Committee's consideration that reviews the successful initiatives implemented by Kingston, ON, and other Regional District models, to increase transit ridership and outline options and implications for similar initiatives that could be implemented in the Regional District of Nanaimo context.

ADOPTED ON CONSENT

Transit Connections between the Cowichan Valley Regional District and the Regional District of Nanaimo

20-021

That representatives from the Cowichan Valley Regional District and BC Transit be invited to meet with representatives from the Regional District of Nanaimo to discuss and explore potential options for connecting the Regional District of Nanaimo public transit system with the Cowichan Valley Regional District transit system.

ADOPTED ON CONSENT

Transit Connections between the Comox Valley Regional District and the Regional District of Nanaimo

20-022

That representatives from the Comox Valley Regional District and BC Transit be invited to meet with representatives from the Regional District of Nanaimo to discuss and explore potential options for connecting the Regional District of Nanaimo public transit system with the Comox Valley Regional District transit system

ADOPTED ON CONSENT

ITEMS REMOVED FROM THE CONSENT AGENDA

None

ITEMS NOT INCLUDED IN CONSENT AGENDA

COMMITTEE RECOMMENDATIONS

Electoral Area Services Committee

Development Variance Permit Application No. PL2019-113 - 1540 Haida Way, Electoral Area E

Lorne Johnson, property owner, spoke in support of the application.

20-023

It was moved and seconded that the Board approve Development Variance Permit No. PL2019-113 to reduce the interior lot line setback from 2.0 m to 1.6 m for a proposed garage, subject to the terms and conditions of Attachment 2.

CARRIED UNANIMOUSLY

Committee of the Whole

Association of Vancouver Island and Coastal Communities Resolutions

20-024

It was moved and seconded that the Board approve the following resolution to forward to the Association of Vancouver Island and Coastal Communities for consideration at its Annual General Meeting and Convention in April 2020:

Expand Extended Producer Responsibility Programs to Include Industrial, Commercial and Institutional Packaging and Printed Paper

WHEREAS eighteen Regional Districts met with the Minister of Environment and Climate Change Strategy at the 2019 UBCM Convention to petition the Ministry to amend the Recycling Regulation to include packaging and printed paper from the ICI sector;

AND WHEREAS Minister Heyman issued a letter December 18, 2019 responding to the request and noting that the Province recently undertook research and focused engagement concerning additional products that might prove suitable to manage under the Recycling Regulation and that any work to explore regulatory amendments involving ICI materials would be accompanied by further consultation:

THEREFORE BE IT RESOLVED that the UBCM thank the Minister of Environment and Climate Change Strategy for considering the 2019 Regional Districts' joint submission and requesting the Province to commit to further consultation on the issue of amending the Recycling Regulation to include packaging and printed paper from the ICI sector.

CARRIED UNANIMOUSLY

20-025

It was moved and seconded that the Board approve the following resolution to forward to the Association of Vancouver Island and Coastal Communities for consideration at its Annual General Meeting and Convention in April 2020:

Amend Recycling Regulation to Include Mattresses and Bulky Furniture

WHEREAS the inclusion of mattresses and bulky furniture in an Extended Producer Responsibility (EPR) program ensures the costs associated with recycling and disposal are borne by manufacturers;

AND WHEREAS an EPR program for mattresses would create jobs, divert materials that are difficult to manage at disposal facilities, save landfill space, reduce GHG emissions and save energy through recycling:

THEREFORE BE IT RESOLVED that the Ministry of Environment and Climate Change Strategy be urged to amend the Recycling Regulation to include mattresses and bulky furniture to shift the cost and responsibility of these materials from local governments to manufacturers.

CARRIED UNANIMOUSLY

20-026

It was moved and seconded that the Board approve the following resolution to forward to the Association of Vancouver Island and Coastal Communities for consideration at its Annual General Meeting and Convention in April 2020:

Harmonize BC Plastics Action Plan and Canada-wide Strategy on Zero Plastic Waste

WHEREAS the Ministry of Environment and Climate Change Strategy's Plastics Action Plan Policy Consultation Paper requested feedback regarding bans on single-use packaging, reducing and recycling more plastics, and higher returns of plastic bottles;

AND WHEREAS harmonization of the BC Plastics Action Plan and Canada-wide Strategy on Zero Plastic waste regulations regarding reduction of single-use plastics shifts the costs and responsibility of restricting single-use plastics from local governments to producers:

THEREFORE BE IT RESOLVED that the Ministry of Environment and Climate Change Strategy be urged to collaborate with the Canadian Council of Ministers of the Environment to ensure consistent regulations across Canada to reduce single-use products and increase producers' responsibility for end-of-life management of single-use products.

Opposed (1): Director Turley

CARRIED

20-027

It was moved and seconded that the Board approve the following resolution to forward to the Association of Vancouver Island and Coastal Communities for consideration at its Annual General Meeting and Convention in April 2020:

Standards and Labelling of "Flushable" Wipes

WHEREAS some items labelled as "flushable", such as disposable wipes, cause significant problems in sewer systems, damaging infrastructure and risking environmental pollution;

AND WHEREAS public awareness and education campaigns sponsored by local governments can only partially mitigate the problem in the absence of consistent standards and proper labelling and advertising:

THEREFORE BE IT RESOLVED that UBCM work with FCM to advocate at the federal level for the development of clear standards for products labelled "flushable" and to increase regulatory oversight of labelling and advertising of such products.

CARRIED UNANIMOUSLY

20-028

It was moved and seconded that the Board approve the following resolution to forward to the Association of Vancouver Island and Coastal Communities for consideration at its Annual General Meeting and Convention in April 2020:

Streamline Building Officials Certification Process

WHEREAS the Building Officials Association of British Columbia, under an administrative agreement with the Province, is responsible for education and examinations for persons applying for membership, and certification of members as registered building officials;

AND WHEREAS the current lengthy process for certifying a Level One Building Official affects local governments' ability to hire and retain qualified staff and provide building inspection services in a timely manner:

THEREFORE BE IT RESOLVED that the Province and BOABC be urged to streamline the examination and certification process by reducing the two year local government experience requirement to one year and reviewing reasons for the high failure rate in the Level 1 examination.

CARRIED UNANIMOUSLY

20-029

It was moved and seconded that the Board approve the following resolution to forward to the Association of Vancouver Island and Coastal Communities for consideration at its Annual General Meeting and Convention in April 2020:

Voting Rights for Alternate Directors

WHEREAS the *Local Government Act* provides that an Electoral Area Director must appoint an Alternate Electoral Area Director who may take the place of, vote and generally act in all matters for the absent Electoral Area Director;

AND WHEREAS the bylaws of UBCM disqualify Alternate Electoral Area Directors from participating in debate and voting at the Annual and Special Conventions;

AND WHEREAS this provision of the UBCM bylaws:

- prevents an Electoral Area from having a voice at UBCM Conventions when the Electoral Area Director is absent; and
- could be improved by permitting an Alternate Electoral Area Director to participate in debate and vote at the Annual and Special Conventions of the UBCM:

THEREFORE BE IT RESOLVED that UBCM change its bylaws to enable an Alternate Electoral Area Director, in the absence of the Electoral Area Director, to participate in debate and vote at Annual and Special Conventions of the UBCM.

CARRIED UNANIMOUSLY

20-030

It was moved and seconded that the Board approve the following resolution to forward to the Association of Vancouver Island and Coastal Communities for consideration at its Annual General Meeting and Convention in April 2020:

Costs of Keeping Prisoners

WHEREAS Corrections BC has a fixed quarterly budget to reimburse RCMP detachments for all provincial prisoners kept in local government owned RCMP buildings;

AND WHEREAS this funding allocation per prisoner fluctuates in accordance with the number of prisoners kept each quarter, but does not reflect the true operating cost to the local government for keeping these prisoners:

THEREFORE BE IT RESOLVED that the Province of BC fully fund the costs to keep prisoners in locally owned RCMP buildings.

CARRIED UNANIMOUSLY

20-031

It was moved and seconded that the Board approve the following resolution to forward to the Association of Vancouver Island and Coastal Communities for consideration at its Annual General Meeting and Convention in April 2020:

Provincial Support for Victims' Services

WHEREAS Victim Services Programs provide support and assistance to victims of crime;

AND WHEREAS the Ministry of Public Safety has the ultimate responsibility for the Victim Services Programs and yet does not fully fund these programs:

THEREFORE BE IT RESOLVED that the Province of British Columbia fully fund all Victim Services Programs.

CARRIED UNANIMOUSLY

20-032

It was moved and seconded that the Board issue a letter to the Association of Vancouver Island and Coastal Communities requesting assistance in advocating for the preparation of a Vancouver Island Transportation Master Plan with the Ministry of Transportation and Infrastructure, including striking a subcommittee to work with the Ministry.

CARRIED UNANIMOUSLY

Notice of Motion - Amendment to Board Procedure Bylaw

20-033

It was moved and seconded that "Regional District of Nanaimo Board Procedure Amendment Bylaw No. 1754.04, 2020" be introduced and read three times.

Opposed (2): Director Wallace, and Director Bonner

CARRIED

20-034

It was moved and seconded that "Regional District of Nanaimo Board Procedure Amendment Bylaw No. 1754.04, 2020" be adopted.

Opposed (2): Director Wallace, and Director Bonner

CARRIED

Transit Select Committee

RDN Transit Bylaws

20-035

It was moved and seconded that “Southern Community Transit Service Area Amendment Bylaw No. 1230.06, 2020” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.

CARRIED UNANIMOUSLY

20-036

It was moved and seconded that “Northern Community Transit Service Amendment Bylaw No. 897.07, 2020” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.

CARRIED UNANIMOUSLY

REPORTS

Green Infrastructure Fund – Project Endorsement

20-037

It was moved and seconded that the Board endorse the following projects for submission under the Investing in Canada Infrastructure Program - Green Infrastructure: Environmental Quality Sub-stream, with a commitment to contribute the Regional District of Nanaimo’s share of the project costs:

- French Creek Pollution Control Centre Expansion and Odour Control Project
- Departure Bay Pump Station and Forcemain Upgrade
- Nanoose Bay Pollution Control Centre Secondary Treatment Upgrade
- Duke Point Pollution Control Centre UV Upgrade

CARRIED UNANIMOUSLY

MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Quennell Road Cannabis Farm

It was moved and seconded:

That the Chair of the Regional District of Nanaimo write a letter to the Ministers of Agriculture, Environment and Forests, Lands, Natural Resource Operations and Rural Development requesting a provincial moratorium on outdoor cannabis production until such time as the province prepares a Ministers Standard for outdoor growing, similar to those developed for indoor cannabis production, and a Farm Practices Guide for cannabis; and

That staff be directed to review opportunities to increase the Regional District of Nanaimo’s role in the regulation of cannabis production activities (indoor and outdoor) to avoid potential impacts to the community such as traffic, public health hazards, water and air pollution.

20-038

It was moved and seconded that the Board consider the Quennell Road Cannabis Farm motions separately.

Opposed (1): Director Salter

CARRIED

20-039

It was moved and seconded that the Chair of the Regional District of Nanaimo write a letter to the Ministers of Agriculture, Environment and Forests, Lands, Natural Resource Operations and Rural Development requesting a provincial moratorium on outdoor cannabis production until such time as the province prepares a Ministers Standard for outdoor growing, similar to those developed for indoor cannabis production, and a Farm Practices Guide for cannabis.

Opposed (7): Director Krog, Director Bonner, Director Hemmens, Director Turley, Director Mayne, Director Patterson, and Director Wiese

CARRIED

20-040

It was moved and seconded that staff be directed to review opportunities to increase the Regional District of Nanaimo's role in the regulation of cannabis production activities (indoor and outdoor) to avoid potential impacts to the community such as traffic, public health hazards, water and air pollution.

Opposed (12): Director Thorpe, Director Craig, Director Rogers, Director McLean, Director Krog, Director Bonner, Director Hemmens, Director Turley, Director Mayne, Director Patterson, Director Swain, and Director Wiese

DEFEATED

Electoral Area F Official Community Plan Review

20-041

It was moved and seconded that the public engagement plan for the Electoral Area F Official Community Plan review be amended to add Town Hall Meetings when required to enhance public engagement, and further amended to leave the end date of the Electoral Area F Official Community Plan open in order to allow flexibility and community input and adoption of the Official Community Plan in Electoral Area F.

CARRIED UNANIMOUSLY

NEW BUSINESS

Access Issues in the Corcan Road Corridor

Director Salter provided the following Notice of Motion:

That at the next Ministry of Transportation and Infrastructure Update Meeting, Directors from Electoral Area F and H, along with staff from the Regional District of Nanaimo and Ministry of Transportation and Infrastructure, discuss options to address access issues in the Corcan Road Corridor.

IN CAMERA

20-042

It was moved and seconded that pursuant to the following sections of the *Community Charter* the Board proceed to an In Camera meeting:

- 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;
- 90(1)(g) litigation or potential litigation affecting the municipality; and
- 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY

TIME: 8:46 PM

RISE AND REPORT

Board Appointments

20-043

It was moved and seconded that Barbara Smith be appointed to the Electoral Area F Parks and Open Space Advisory Committee for a term ending December 31, 2021.

CARRIED UNANIMOUSLY

20-044

It was moved and seconded that Leigh Mathews and Wendy Sears be appointed to the Electoral Area E Parks and Open Space Advisory Committee for terms ending December 31, 2021.

CARRIED UNANIMOUSLY

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 8:58 PM

CHAIR

CORPORATE OFFICER