

**REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE REGULAR BOARD MEETING**

**Tuesday, April 26, 2022
1:00 P.M.**

Board Chambers (Webstreamed)

In Attendance:	Director T. Brown	Chair
	Director V. Craig	Vice Chair (joined electronically)
	Director K. Wilson	Electoral Area A (joined electronically)
	Alternate	
	Director C. Pinker	Electoral Area C
	Director B. Rogers	Electoral Area E
	Alternate	
	Director J. Fell	Electoral Area F
	Director L. Wallace	Electoral Area G (joined electronically)
	Director S. McLean	Electoral Area H (joined electronically)
	Director L. Krog	City of Nanaimo (joined electronically)
	Director S. Armstrong	City of Nanaimo
	Director D. Bonner	City of Nanaimo (joined electronically)
	Director B. Geselbracht	City of Nanaimo (joined electronically)
	Director E. Hemmens	City of Nanaimo (joined electronically)
	Director Z. Maartman	City of Nanaimo (joined electronically)
	Director I. W. Thorpe	City of Nanaimo (joined electronically)
	Director E. Mayne	City of Parksville
	Director A. Fras	City of Parksville (joined electronically)
	Director W. Geselbracht	District of Lantzville
	Director B. Wiese	Town of Qualicum Beach (joined electronically)
 Regrets	 Director L. Salter	 Electoral Area F
 Also in Attendance:	 S. Cruikshank	 Alternate Director, Electoral Area E (joined electronically)
	D. Holmes	Chief Administrative Officer
	L. Grant	Gen. Mgr. Planning and Development (joined electronically)
	T. Osborne	Gen. Mgr. Recreation & Parks (joined electronically)
	E. Tian	Gen. Mgr. Engineering & Utilities (joined electronically)
	J. Hill	Corporate Officer (joined electronically)
	J. Bagnall	Deputy Corporate Officer
	C. Golding	Zoom Moderator
	S. Commentucci	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 Fell to the meeting.

APPROVAL OF THE AGENDA

22-247

It was moved and seconded that the agenda be approved, as amended, to add items under Item 4. Correspondence and updated voting entitlement for Items 9.6 and 10.1 as follows:

- 4.1 Letters, re Development Variance Permit Application No. PL2022-007 - 3811 Mallard Place, Electoral Area E (Agenda Item 8.1.1)
- 4.2 M. Albert, re Review of Options for District 69 Swimming Pool Service Amendment Bylaw No. 899.02 (Agenda Item 9.1)
- 9.6 Voting entitlement updated to All Directors - One Vote
- 10.1 Voting entitlement updated to All Directors - One Vote

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Regular Board Meeting - April 12, 2022

22-248

It was moved and seconded that the minutes of the Regular Board meeting held April 12, 2022, be adopted.

CARRIED UNANIMOUSLY

Port Theatre Society Contribution Agreement Renewal

22-249

It was moved and seconded that the following resolution from the April 12, 2022, Board meeting be reconsidered:

That the Contribution Agreement with the Port Theatre Society for a term from April 1, 2022, to March 31, 2027, be approved.

Opposed (2): Director Brown, and Director Wilson

CARRIED

The Chair called the question on the motion:

22-250

That the Contribution Agreement with the Port Theatre Society for a term from April 1, 2022, to March 31, 2027, be approved.

Opposed (13): Director Craig, Director Wilson, Director Pinker, Director Rogers, Director Fell, Director Wallace, Director McLean, Director Armstrong, Director B. Geselbracht, Director Mayne, Director Fras, Director W. Geselbracht, and Director Wiese

DEFEATED

The Chair brought back the following motion for reconsideration from the April 12, 2022, meeting:

22-251

That the Contribution Agreement with the Port Theatre Society for a term from April 1, 2022, to March 31, 2027, as outlined be approved, but without including an annual Consumer Price Index (CPI) increase.

CARRIED UNANIMOUSLY

CORRESPONDENCE

22-252

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

Letters, re Development Variance Permit Application No. PL2022-007 - 3811 Mallard Place, Electoral Area E (Agenda Item 8.1.1)

M. Albert, re Review of Options for District 69 Swimming Pool Service Amendment Bylaw No. 899.02 (Agenda Item 9.1)

CARRIED UNANIMOUSLY

COMMITTEE MINUTES

22-253

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

Electoral Area Services Committee Meeting - April 7, 2022

CARRIED UNANIMOUSLY

CONSENT AGENDA

22-254

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

6.1.1 Non-Medical cannabis Retail Store Application No. PL2021-089 - 1211/12221 Meadowood Way, Electoral Area F

6.1.2 Homeless Camping in the 707 Community Park

CARRIED UNANIMOUSLY

The items and recommendations referred to above are as follows:

ELECTORAL AREA SERVICES COMMITTEE RECOMMENDATIONS

Non-Medical Cannabis Retail Store Application No. PL2021-089 - 1211/1221 Meadowood Way, Electoral Area F

22-255

That the Board consider the submissions or comments from the public regarding Non-Medical Cannabis Retail Store Licence Application No. PL2021-089.

ADOPTED ON CONSENT

22-256

That the Board endorse the resolution in support of the proposed Non-Medical Cannabis Retail Store Licence Application No. PL2021-089 contained in the draft letter included as Attachment 6 and authorize staff to send the letter to the Liquor and Cannabis Regulation Branch.

ADOPTED ON CONSENT

Homeless Camping in the 707 Community Park

22-257

That homeless camping be prohibited in the 707 Community Park and that Schedule B of the Regional District of Nanaimo Park Use Regulations Bylaw No. 1801, 2019 be amended by adding the 707 Community Park to the list of prohibited parks.

ADOPTED ON CONSENT

ITEMS REMOVED FROM THE CONSENT AGENDA

None

ITEMS NOT INCLUDED IN THE CONSENT AGENDA

COMMITTEE RECOMMENDATIONS

Electoral Area Services Committee

Director Craig left the meeting at 1:26 P.M. citing a conflict of interest regarding Item 8.1.1.

Development Variance Permit Application No. PL2022-007 - 3811 Mallard Place, Electoral Area E

Guy Fletcher, J.E. Anderson, agent for the applicant, addressed community concerns regarding the application and requested that the Board approve the application.

22-258

It was moved and seconded that the Board approve Development Variance Permit No. PL2022-007 to reduce the minimum front lot line setback for an existing house to facilitate a two-lot subdivision subject to the terms and conditions outlined in Attachment 2.

CARRIED UNANIMOUSLY

Director Craig returned to the meeting at 1:32 P.M.

Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022 Introduction

22-259

It was moved and seconded that the Board read “Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022” a first time.

OPPOSED: (1) Director Fell

CARRIED

22-260

It was moved and seconded that the Board read “Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022” a second time.

Opposed: (1) Director Fell

CARRIED

22-261

It was moved and seconded that the Board read “Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022” a third time.

Opposed: (1) Director Fell

CARRIED

REPORTS

Review of Options for District 69 Swimming Pool Service Amendment Bylaw No. 899.02

Mike Smith, Fairwinds Community Association, spoke in support of an engagement process including Electoral Area E residents.

Randy Henderson, Electoral Area E resident, spoke in opposition to the Amending Bylaw No. 899.02.

22-262

It was moved and seconded that second and third reading of “Regional District of Nanaimo District 69 Swimming Pool Service Amendment Bylaw No. 899.02, 2022” be rescinded.

Opposed (10): Director Brown, Director Craig, Director Wilson, Director Wallace, Director McLean, Director Bonner, Director B. Geselbracht, Director Hemmens, Director Fras, and Director Wiese

DEFEATED

22-263

It was moved and seconded that the Board receive the report titled “Review of Options for District 69 Swimming Pool Service Amendment Bylaw No. 899.02” dated April 26, 2022.

CARRIED UNANIMOUSLY

22-264

It was moved and seconded that Review of Options for District 69 Swimming Pool Service Amendment Bylaw No. 889.02 be deferred to the May 10, 2022, Board Meeting.

CARRIED UNANIMOUSLY

Water Services Supervisory Control and Data Acquisition Phase 2 Project Budget Amendment Requests

22-265

It was moved and seconded that the budget for the Englishman River Water Service Area SCADA Phase 2 project be increased by \$36,099 to \$90,599 with the increase funded from the capital reserves, and that the 2022-2026 financial plan be amended accordingly.

CARRIED UNANIMOUSLY

22-266

It was moved and seconded that the budget for the French Creek Water Service Area SCADA Phase 2 project be increased by \$7,777 to \$38,277 with the increase funded from the capital reserves, and that the 2022-2026 financial plan be amended accordingly.

CARRIED UNANIMOUSLY

22-267

It was moved and seconded that the budget for the Melrose Terrace Water Service Area SCADA Phase 2 project be increased by \$8,273 to \$38,273 with the increase funded from the capital reserves, and that the 2022-2026 financial plan be amended accordingly.

CARRIED UNANIMOUSLY

22-268

It was moved and seconded that the budget for the Westurne Heights Water Service Area SCADA Phase 2 project be increased by \$1,385 to \$33,635 with the increase funded from the capital reserves, and that the 2022-2026 financial plan be amended accordingly.

CARRIED UNANIMOUSLY

Northern and Southern Communities Wastewater Development Cost Charges 2022

22-269

It was moved and seconded that the Board give first and second readings to “Northern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1442.04, 2022”.

CARRIED UNANIMOUSLY

22-270

It was moved and seconded that the Board give first and second readings to “Southern Community Sewer Service Area Development Cost Charges Amendment Bylaw No. 1547.02, 2022”.

CARRIED UNANIMOUSLY

22-271

It was moved and seconded that the Board direct staff to undertake public consultation for the proposed bylaw amendments, and to report on the public consultation process prior to the third reading.

CARRIED UNANIMOUSLY

Jack Bagley Community Park Phase One Award Report

22-272

It was moved and seconded that the Jack Bagley Community Park Phase One Development Construction Project contract be awarded to Milestone Equipment Contracting for a value of \$852,375 (exclusive of refundable taxes).

CARRIED UNANIMOUSLY

22-273

It was moved and seconded that authorization is granted to the Chief Administrative Officer and the Corporate Officer to execute the contract.

CARRIED UNANIMOUSLY

2022 Community Works Fund Update

22-274

It was moved and seconded that the Board receive the 2022 Community Works Fund Project List (Attachment 1).

CARRIED UNANIMOUSLY

Volunteer Fire Department Transitions

22-275

It was moved and seconded that Item 9.6 Volunteer Fire Department Transitions be referred to the May 5, 2022, Electoral Area Services Committee meeting for discussion including related matters to the in-camera portion of the meeting as permitted under the Local Government Act.

CARRIED UNANIMOUSLY

Grant Application to CleanBC Communities Fund (ICIP/CCF)

22-276

It was moved and seconded that the Regional District of Nanaimo apply to the 2022 Investing in Canada Infrastructure Program CleanBC Communities Fund to support the Oceanside Place Arena Emission Reduction and Energy Retrofit Project.

CARRIED UNANIMOUSLY

22-277

It was moved and seconded that the Regional District of Nanaimo allocate up to \$650,000 of assigned funds from the Regional District of Nanaimo's Climate Action Reserve Incentive Program - Corporate Climate Action Reserve Fund and \$70,000 from the Arena Services budget (total \$720,000) to cover up-front Project costs, subject to the receipt of an Investing in Canada Infrastructure Program CleanBC Communities Fund grant to cover 73% of eligible project costs (\$525,600).

CARRIED UNANIMOUSLY

22-278

It was moved and seconded that that \$20,000 additional funds from the Regional District of Nanaimo's Climate Action Reserve Incentive Program - Corporate Climate Action Reserve Fund be allocated for ineligible project costs determined by the grant program, plus potential overruns.

CARRIED UNANIMOUSLY

22-279

It was moved and seconded that that the 2022 – 2026 Financial Plan be amended accordingly if the Investing in Canada Infrastructure Program CleanBC Communities Fund grant is approved by CleanBC.

CARRIED UNANIMOUSLY

MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Email Communication between Regional District of Nanaimo and Local Fire Departments

It was moved and seconded that email communication between the Regional District of Nanaimo and local fire departments include the Director of that electoral area.

22-280

It was moved and seconded that Email Communication between Regional District of Nanaimo and Local Fire Departments be deferred to obtain further clarification.

Opposed (17): Director Brown, Director Craig, Director Wilson, Director Rogers, Director Wallace, Director McLean, Director Krog, Director Armstrong, Director Bonner, Director B. Geselbracht, Director Hemmens, Director Maartman, Director Thorpe, Director Mayne, Director Fras, Director W. Geselbracht, and Director Wiese

DEFEATED

The vote was taken on the main motion:

22-281

That email communication between the Regional District of Nanaimo and local fire departments include the Director of that electoral area.

Opposed (17): Director Brown, Director Craig, Director Wilson, Director Rogers, Director Wallace, Director McLean, Director Krog, Director Armstrong, Director Bonner, Director B. Geselbracht, Director Hemmens, Director Maartman, Director Thorpe, Director Mayne, Director Fras, Director W. Geselbracht, and Director Wiese

DEFEATED

Director Armstrong left the meeting at 3:42 P.M.

Temporary Operating Permits for 1010 Shearme Road and 999 Price Road, Electoral Area F

22-282

It was moved and seconded that the Board of Directors pause land use bylaw enforcement in Electoral Area F until the completion of the Official Community Plan unless the matter relates to Health and Safety concerns.

Opposed (3): Director Wallace, Director Bonner, and Director Thorpe

CARRIED

IN CAMERA

22-283

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)(c) labour relations or other employee relations;
- 90(1)(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; and
- 90(1)(m) a matter that, under another enactment, is such that the public may be excluded from the meeting.

CARRIED UNANIMOUSLY

RISE AND REPORT

Board Appointments

Nanoose Bay Parks and Open Spaces Advisory Committee Electoral Area E Application

22-284

It was moved and seconded that Wendy Sears be appointed to the Nanoose Bay Parks and Open Space Advisory Committee for a 2-year term ending December 31, 2023.

CARRIED UNANIMOUSLY

Exempt Compensation Survey Results 2022

22-285

It was moved and seconded that the Management Salary Administration system be adjusted by 2% retroactive to January 1, 2022, to maintain exempt salary bands as compared to the results of the 2022 Compensation Survey conducted per Board policy A3.30: Management Compensation.

CARRIED UNANIMOUSLY

TIME: 3:44 P.M.

ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

CARRIED UNANIMOUSLY

TIME: 4:33 P.M.

CHAIR

CORPORATE OFFICER