Minutes of the Regular Meeting of Council of the District of Lantzville held on Wednesday, April 10, 2024, at 6:00 pm in the Council Chamber, Municipal Hall - 2nd Floor, 7192 Lantzville Road, Lantzville, BC

PRESENT:

Council: Mayor Mark Swain
Councillor Joan Jones
Councillor Jonathan Lerner
Councillor Rachelle Mundell* [*joined at 7:00 pm*]
Councillor Ian Savage

Staff: Glenn Morphy, Acting CAO | Director of Public Works
Delcy Wells, Director of Corporate Administration
Rose Liu, Director of Financial Services
George Robinson [*joined at 7:00 pm*]

**participated electronically*

CALL TO ORDER
The Mayor called the meeting to order at 6:04 pm, and acknowledged that the meeting was being held on the traditional territory of the Snaw-naw-as, the Nanoose First Nation.

ADOPTION OF THE AGENDA
MOVED AND SECONDED, THAT the April 10, 2024, regular Council meeting agenda be adopted, with the Additional Information submitted for Items 5a, 9d, 12e and 12g.
CARRIED UNANIMOUSLY

MOVED AND SECONDED, THAT the Additional Information regarding Agenda Item 12(e) from Mr. Geselbracht be struck from the agenda and removed from the website in its entirety due to the profanity contained in the letter; AND FURTHER THAT Council directs staff to inform Mr. Geselbracht that his letter with profanity will not be accepted; AND FURTHER THAT all correspondence with profanity be returned with the opportunity provided to resubmit such correspondence with the profanity removed.
CARRIED UNANIMOUSLY

MOTION TO CLOSE THE MEETING TO THE PUBLIC
MOVED AND SECONDED, THAT the regular Council meeting be closed to the public, pursuant to sections 90(1) (a), (c), (d), (e) and (i), of the *Community Charter*, for the purpose of considering:

(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;
(c) labour relations or other employee relations;
(d) the security of the property of 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; and
(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY

MEETING CLOSED TO THE PUBLIC: 6:15 pm

MEETING REOPENED: 7:00 pm with Mayor Swain and Councillors Jones, Lerner, Mundell*, and Savage in attendance. Also, Acting CAO/Director Morphy, Director Wells, Director Robinson and Director Liu.

The Mayor called the meeting to order, noting the previous acknowledgement of the traditional territory.

PUBLIC AND STATUTORY HEARINGS

a) "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024"

At 7:00 pm, Mayor Swain declared open the electronic public hearing, convened in order to receive and consider input regarding "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024".

The Mayor noted items included in the agenda and distributed: Notice of Public Hearing posted March 27, 2024, Bylaw No. 362 at Second Reading March 6, 2024, Report to Council March 6, 2024 and written public input received between posting Notice of Public Hearing on March 27, 2024 until 12:00 noon April 10, 2024:

a) Brian Dempsey, 6530 Owen Road
b) Shawna, Bob and Julia Magrath, 7507 Clark Crescent
c) Lance Geselbracht, 7365 Spence's Way
d) Jon Slater, 7000 Owen Road

The Mayor:

- reviewed the purpose of the public hearing and procedures to follow during the hearing for anyone in attendance remotely or in the Council Chamber, its location and limited seating available in the Council Chamber, how to speak or register to speak, and noted the information available in the agenda and on the District website
- reviewed restrictions and procedures to follow
- noted that after the conclusion of the public hearing Council may, without further notice, give whatever effect Council believes proper to the representations made at the hearing and must not receive further submissions or correspondence from the public and questions can be directed to staff.

The Mayor called on George Robinson, Director of Planning and Community Services, to introduce the proposed Bylaw. Director Robinson provided context, including noting:

- purpose of Bylaw 362 is to create a Future Old Growth (FOG) zone
- if adopted, the amending bylaw, Bylaw 362, 2024, will rezone the subject properties from Foothills zone to Future Old Growth zone

The Mayor called for the first time for persons registered to speak who believed that their interest in property was affected by proposed Bylaw 362 and gave instructions to follow when called upon to speak and reiterated the instructions to register to speak.

Harriet Rueggebert, 7187 Lancrest Terrace, spoke in support of the bylaw.

Dave Scott, 6898 Harwood Drive, reviewed the history of the Foothills property. Mr. Scott spoke about the area having been logged and suggested other locations for a Future Old Growth zone.

Brian Dempsey, 6930 Owen Road, commented that the bylaw does not protect old growth and referenced the letter submitted.

The Mayor called for a second time for speakers who have new information and wished to speak again.

The Mayor called for a third time for speakers and for any new registrations for speakers remotely and in the gallery and reiterated the instructions to register.

The Mayor again called for speakers to register, and before declaring the public hearing closed, reiterated that Council must not accept or consider submissions for comments from the public regarding Bylaw 362 after the hearing closes.

The Mayor called for a third and final time for speakers and seeing no one who wished to speak, the Mayor declared the public hearing for "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024" closed at 7:18 pm.

GENERAL MATTERS (Delegations/recognitions) - Nil

START OF CONSENT AGENDA

C24-65 MOVED AND SECONDED, THAT the recommendations listed for item 7a) to 7d) in the Consent Agenda be approved as amended by removing Item 7c).
CARRIED UNANIMOUSLY

C24-65 a) MOVED AND SECONDED, THAT the March 20, 2024, 6:00 pm regular Council meeting minutes be approved, as presented.
CARRIED by Consent

C24-65 b) MOVED AND SECONDED, THAT the March 21, 2024, 6:00 pm special Council meeting minutes be approved, as presented.
CARRIED by Consent

d) Q1 2024 Report for Planning and Community Services – For Information
CARRIED by Consent

END OF CONSENT AGENDA

Item 7c Removed From Consent Agenda

c) Q1 2024 Report Financial Plan – For Information
Councillor Lerner asked about whether there were any concerns of note. Director Liu indicated that there was nothing to note.

PUBLIC INPUT PERIOD
No written comments were received; no members of the public spoke via Zoom; and two members in the gallery provided public input on the Council agenda.

LEGISLATIVE MATTERS (Bylaws, development variance permits, agreements, contracts, grants, budgets)

a) **Bylaw No. 362** [refer to item 5.a) for background materials]
Recommendation, subject to Public Hearing input

C24-66 MOVED AND SECONDED, THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024" be given third reading.
CARRIED UNANIMOUSLY

C24-67 MOVED AND SECONDED, THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (Future Old Growth Zone) Bylaw No. 362, 2024" be adopted.
CARRIED UNANIMOUSLY

b) **Bylaw No. 341**

C24-68 MOVED AND SECONDED, THAT "District of Lantzville Building Bylaw No. 182, 2020, Amendment (Step Codes) Bylaw No. 341, 2024" be postponed to the April 24, 2024, regular Council meeting to match the City of Nanaimo energy step code; AND FURTHER THAT the zero carbon step code options be brought to the May 8, 2024, regular Council meeting.
CARRIED

c) **Bylaw No. 366**

C24-69 MOVED AND SECONDED, THAT "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment (Sched E Cart Exchange) Bylaw No. 366, 2024" be given first reading.
CARRIED UNANIMOUSLY

C24-70 MOVED AND SECONDED, THAT "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26, 2004, Amendment (Sched E Cart Exchange) Bylaw No. 366, 2024" be given second and third readings.
CARRIED UNANIMOUSLY

d) **Bylaw No. 367**

C24-71 MOVED AND SECONDED, THAT "District of Lantzville 2024 Tax Rates Bylaw No. 367, 2024" be given first reading.
CARRIED UNANIMOUSLY

C24-72 MOVED AND SECONDED, THAT "District of Lantzville 2024 Tax Rates Bylaw No. 367, 2024" be given second and third readings.
CARRIED UNANIMOUSLY

e) **Bylaw No. 368**

C24-73 MOVED AND SECONDED, THAT "District of Lantzville 2024 Alternative Municipal Tax Collection Scheme Bylaw No. 368, 2024" be given first reading.
CARRIED UNANIMOUSLY

C24-74 MOVED AND SECONDED, THAT "District of Lantzville 2024 Alternative Municipal Tax Collection Scheme Bylaw No. 368, 2024" be given second and third readings.
CARRIED UNANIMOUSLY

UNFINISHED BUSINESS - Nil

COMMITTEE/COMMISSION RECOMMENDATIONS

a) **March 27, 2024, Committee of the Whole Meeting Recommendation**

Amendment 1 – Future Study Area OCP Designation

C24-75 MOVED AND SECONDED, THAT staff be instructed to bring forward a draft amendment to Official Community Plan Bylaw No. 150, 2019 for Council consideration to add a new land designation titled Future Study Area 1 and that this designation be assigned to 7035 Owen Road legally described as LOT 10, DISTRICT LOT 37, WELLINGTON DISTRICT, PLAN 24659 and 7050 Lantzville Road legally described as LOT 8, DISTRICT LOT 37, WELLINGTON DISTRICT, PLAN 18898; and this new land designation shall have the following characteristics:

i) Small homes clustered in order to preserve parkland, the biodiversity of the forest, and the environmentally sensitive area around Bloods Creek.
ii) Promote active transportation with a trail over Bloods Creek to the Village via the new Caillet Drive Bloods Creek trail.
iii) A target of 29.9% parkland not including the environmentally sensitive area of Bloods Creek.
iv) A target of 60 small homes in the size range of 800 sf to 1400 sf to serve the needs of downsizing seniors.

CARRIED

NEW BUSINESS (Reports and correspondence)

a) **Mayor & Councillors** – Verbal Updates

Councillor Lerner spoke about looking forward to the Association of Vancouver Island Coastal Communities (AVICC) conference; Councillor Jones spoke about looking forward to the farm tours that she will be attending at AVICC and to bringing back what she learns from the conference; Councillor Savage spoke about the decrease in the credit rating of the Provincial government as well as the issues with health care and housing; Councillor Mundell recognized the Fire Department for getting their Superior Tanker Shuttle Service accreditation; Mayor Swain congratulated the Fire Department on their accreditation and mentioned the important benefit to the community of reduced insurance premiums as a result, and recognized Finance for receiving the Canadian Award for Financial Reporting (CAnFR) award from the Government Finance Officers Association (GFOA) for the 2022 Annual Report.

b) **Appointment of Director of Corporate Administration**

C24-76 MOVED AND SECONDED, THAT Delcy Wells be appointed as Director of Corporate Administration for the District of Lantzville.

CARRIED UNANIMOUSLY

c) **Land Use and Development Procedures and Fee Bylaw No. 37, 2005** (*Item postponed to April 24, 2024, meeting*)

C24-77 MOVED AND SECONDED, THAT Council directs staff to bring to the May 22, 2024, regular Council meeting, for Council consideration and amendments, the "Land Use and Development Procedures and Fee Bylaw No. 37, 2005".

CARRIED UNANIMOUSLY

d) **Council-initiated Rezoning for 7704, 7780 & 7840 Superior Road**

C24-78 MOVED AND SECONDED, THAT Council directs staff to assemble any and all information on file with the District related to the property known colloquially and in the Official Community Plan as the "Gee property" and the Council-initiated rezoning process for this property, including any rezoning and "masterplan" documents on file,

and to provide this information printed, in binders, for Council no later than April 30, 2024; AND FURTHER THAT the Council-initiated rezoning of this property be on the agenda of the July 17, 2024, Committee of the Whole Meeting for recommendations and next steps in the process.
CARRIED UNANIMOUSLY

e) **Phase II of the Core Village Project**

Phase 2 Landscape Plan for the Village Core

C24-79 MOVED AND SECONDED, THAT Council directs staff to implement the attached landscape plan titled "Phase 2 Landscape Plan" by hiring as soon as possible a landscape company to:

i) install and prepare the soil then install the plants, the landscape cloth, the birds eye pea gravel and the big stones and coordinate with the installer of the benches and the bike racks on the south side of Lantzville Road;
ii) prepare the soil then install the swale plants recommended by a qualified nursery in the swale on the north side of Lantzville Road; AND FURTHER THAT this be funded using the funds previously allotted by Council for landscaping and other finishes of the Phase 2 Village Improvement, and if needed, the Gas Tax fund; AND FURTHER THAT Council directs staff, while nursery stock is available, to purchase the plants needed including three reserve pine trees added to the design and determine the timing and cost of an appropriate irrigation system for gardens one two, three, four; AND FURTHER THAT Council recommends to staff that all bike racks, benches and other landscape objects be brought back in a report for Council's consideration.

CARRIED

f) **Revising District of Lantzville Policy No. 6000-1 – Purchasing, Consulting & Publicly Tendered Contracts**

C24-80 MOVED AND SECONDED, THAT Council amends Section D5, page 14 of Policy No. 6000-1 – Purchasing, Consulting & Publicly Tendered Contracts by adding as highlighted in bold italics below:

Large Projects: Consultants for large projects should be selected using a two-part Proposal Call. Firstly, consultants will be short-listed from an Expression of Interest Call, and normally three consultants will be invited to respond to the formal Proposal Call. Approval by the CAO is required for consultants selected to provide consulting services for large-sized projects. ***Engineering consulting costs on an infrastructure project where the construction costs are expected to exceed $500,000 are subject to the District's tendering process, unless exempted by Council.*** An **Expression of Interest** call is a request to various firms or companies for an expression of interest in a particular project. There are no project details or prices in an Expression of Interest. Rather, this is a document setting out the expertise of the firm in the area covered by the project, and details the qualifications of the persons who will be involved in the project as well as the qualifications and relevant history of the firm; AND FURTHER THAT Policy 6000-1 – Purchasing, Consulting & Publicly Tendered Contracts be amended by removing, on page 6 of the Policy, the $5000 to $10,000 value; increasing the $1 to $5,000 value to a maximum of $10,000; and adding the words "or issue a purchase order" in the procedures for the $10,001 to $50,000 value.
CARRIED UNANIMOUSLY

g) **Beach Road Ends**

C24-81 MOVED AND SECONDED, THAT Item 12g be postponed to the April 24, 2024, regular Council meeting.
CARRIED UNANIMOUSLY

INTRODUCTION OF LATE ITEMS - Nil

INTRODUCTION OF "NOTICE OF MOTION" - Nil

PUBLIC CLARIFICATION - Nil

ADJOURNMENT
MOVED and SECONDED, THAT the April 10, 2024, regular Council meeting be adjourned.
CARRIED UNANIMOUSLY

MEETING ADJOURNED: 9:30 pm

Certified Correct:

ORIGINAL SIGNED

_____
Delcy Wells, Director of Corporate Administration

Confirmed this 24th day of April, 2024.

ORIGINAL SIGNED

_____
Mark Swain, Mayor