District of Lantzville

Agenda for the Regular Meeting of Council of the District of Lantzville to be held on Wednesday, June 12, 2024, at 6:00 pm in the Council Chamber, Municipal Hall - 2nd Floor, 7192 Lantzville Road, Lantzville, BC

Council members may attend this meeting in person, or electronically (except for the Mayor) for a hybrid meeting (per the *Community Charter* and the Council Procedure Bylaw). For in person and hybrid meetings, the Council Chamber will be open for the public to attend. Due to limited seating, the public is encouraged to view the open portion of the meeting starting at **7:00 pm** via the livestream, and to provide verbal public input on agenda items by registering in advance using the Zoom Webinar link provided for each Council meeting event at **lantzville.ca**, written comments by **noon** the day of the meeting and emailed to **district@lantzville.ca**, or in person. Prior to attending at Municipal Hall, please self-assess to ensure you are healthy and do not attend if you are ill. Members of the public must remain seated unless invited to address Council. Meetings recorded by the District of Lantzville may be viewed on demand at **lantzville.ca**.

Public input regarding personnel matters, legal action, nominated political candidates, applications for grants in aid or public hearing topics (EXCEPT DURING THE OFFICIAL PUBLIC HEARING) will not be included or will be severed.

Page No.

1. CALL TO ORDER

1-2 **2. ADOPTION OF THE AGENDA**

THAT Council adopts the June 12, 2024, Council meeting agenda, as presented.

3. MOTION TO CLOSE THE MEETING TO THE PUBLIC

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.**

Following adoption of the above motion, the meeting will be closed to the public.

MEETING REOPENS TO THE PUBLIC.

4. RECONVENE – (7:00 pm)

START OF CONSENT AGENDA

5. CONSENT AGENDA

THAT the recommendations listed for item 7a) in the Consent Agenda be approved.

3-7 a) **THAT the May 22, 2024, regular Council meeting minutes be approved, as presented.**

6. PUBLIC INPUT PERIOD *(Persons recognized by the Chair to speak must first state their name and address for the record, may speak once for up to 2 minutes (unless Council resolves otherwise), and are limited to providing comment regarding items listed on the Council agenda for this meeting (**EXCLUDING PUBLIC HEARING TOPICS**). **Comments must be directed to the Chair, are not to be directed to individual Council members, staff or the audience and must not include personnel issues.***

7. NEW BUSINESS (REPORTS & CORRESPONDENCE)

8 **1. Paul Chapman regarding "Future Old Growth Zones"**

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

9-11 a) **Update #2 regarding "District of Lantzville Water System Expansion "The Winds" Local Area Service Bylaw No. 336, 2023"**

9. INTRODUCTION OF LATE ITEMS (In accordance with Council Procedure Bylaw No. 141, 2020, subsection 18(8) for regular agenda)

10. INTRODUCTION OF "NOTICE OF MOTION" - Nil

11. PUBLIC CLARIFICATION *(Persons recognized by the Chair to speak must first state their name and address for the record and the agenda item regarding which they are seeking clarification (excluding public hearing topics) and may speak once for up to 2 minutes to ask clarification questions. E.g., How did the vote go? about technicalities – request interpretation of abbreviations or jargon, etc.*

12. ADJOURNMENT BY MAYOR

NEXT SCHEDULED COUNCIL MEETINGS:
Special, Wednesday, **June 19, 2024 @ 6:00 pm**
Regular, Wednesday, **June 26, 2024 @ 6:00 pm**

Minutes of the Regular Meeting of Council of the District of Lantzville held on Wednesday, May 22, 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 (*arrived at 6:06 pm*)
Councillor Ian Savage

STAFF: Glenn Morphy, Acting CAO|Director of Public Works
Rose Liu, Director of Finance
Aria Long, Deputy Director of Corporate Administration

CALL TO ORDER
The Mayor called the meeting to order at 6:02pm, 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 May 22, 2024, regular Council meeting agenda be adopted, as presented.
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), (g), (i) and (k), 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;
(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;
(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.

CARRIED UNANIMOUSLY

MEETING CLOSED TO THE PUBLIC: 6:03 pm
MEETING REOPENED: 7:04 pm with Mayor Swain and Councillors Jones, Lerner, Mundell and Savage in attendance. Also, Acting CAO/Director Morphy, Director Liu, and Deputy Director Long.

GENERAL MATTERS (Delegations)

Presentation:

1. Cory Vanderhorst, CPA, CA, Assurance Services, Partner, MNP LLP – Presentation Auditor's Year-End Findings Report & 2023 Draft Audited Annual Financial Statements

C24-122 MOVED AND SECONDED, THAT the draft audited Financial Statements for the District of Lantzville for the year ended December 31, 2023, be approved, as presented by MNP LLP.
CARRIED UNANIMOUSLY

START OF CONSENT AGENDA

CONSENT AGENDA

C24-123 MOVED AND SECONDED, THAT the recommendation listed for item 7a) in the Consent Agenda be approved.

a) MOVED AND SECONDED, THAT the May 8, 2024, regular Council meeting minutes be approved, as presented.
CARRIED UNANIMOUSLY

CARRIED BY CONSENT

END OF CONSENT AGENDA

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

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

C24-124 MOVED AND SECONDED, THAT "District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Sections 6, 18, 19 and 38) Bylaw No. 371, 2024" be given first reading.
CARRIED UNANIMOUSLY

C24-125 MOVED AND SECONDED, THAT "District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Sections 6, 18, 19 and 38) Bylaw No. 371, 2024" be given second and third readings.
CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

a) Draft Plan for Village Core Phase 2 Bike Parking

C24-126 MOVED AND SECONDED, THAT Council approves the draft plan included in the agenda for bike parking in the Village Core Phase 2.
CARRIED UNANIMOUSLY

C24-127 MOVED AND SECONDED, THAT Council authorize the purchase of six Sunset XS Racks from GoGreenSpoke Bike Parking Solutions, (4 in-ground mount and 2 surface mount, all in Bengal Silver), at the purchase cost of $5115.49 to be funded from Gas Tax; AND FURTHER THAT, the bike racks be installed in locations as shown in the Schedule A maps as presented during the May 22, 2024, Council meeting; AND FURTHER THAT, the 2 surface mount racks be installed in the two semicircle areas located in front of the pub including installation costs.
CARRIED UNANIMOUSLY

b) Draft Schedule A Legion Plaza Plan

C24-128 MOVED AND SECONDED, THAT Council instruct staff to post on the District website an invitation for public input of features residents would like to see in the Legion Plaza; AND FURTHER THAT, the link for feedback be included in the next Community Update.
CARRIED UNANIMOUSLY

NEW BUSINESS (Reports and correspondence)

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

- Council acknowledges the passing of Linda Westby, a long-time resident of Lantzville
- Council also acknowledges Karen Proctor's passing, who previously served on Council for the District last term
- Council thanks first responders on the recent power outage response as well as the Public Works Department who were out at 3:00 am regarding issues associated with the power outages on May 21, 2024

b) Community Update Newsletter

C24-129 MOVED AND SECONDED, THAT the report presented as additional information in the agenda of the May 22, 2024, regular Meeting of Council be included in the June 2024 edition of the Community Update newsletter, under the Council's Corner section.
CARRIED UNANIMOUSLY

c) Official Community Plan Amendments

C24-130 MOVED AND SECONDED, THAT Council directs staff to present to Council on or before the July 10, 2024, Council meeting, an amended Official Community Plan Bylaw No. 150 containing all of Council's amendments that Council approved on

November 8, 2023, February 21, 2024, and April 10, 2024; as well as presenting an amended Zoning Bylaw No. 180 containing the amendments Council approved on May 8, 2024.
CARRIED UNANIMOUSLY

d) Public Participation Policy No. 3000-9

C24-131 MOVED AND SECONDED, THAT Staff bring forward Policy No. 3000-9 Public Participation Policy, or another such policy if deemed more applicable, for the June 26, 2024, regular meeting of Council for insertion of text that would accomplish the following: for all communication received by the District of Lantzville that is specifically addressed to Mayor and Council, or specific members of Council, that a copy of the communication be provided to Council for reference.
CARRIED UNANIMOUSLY

INTRODUCTION OF LATE ITEMS – Nil

INTRODUCTION OF "NOTICE OF MOTION" – Nil

PUBLIC CLARIFICATION

Joan Macmillan, 7016 Peterson Road, spoke regarding concerns about availability of the public to see letters written to Mayor and Council in the Council agenda packages and to access Mayor and Council directly by letter and not through staff.

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), (g), (i) and (k), 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;
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(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;
(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.
CARRIED UNANIMOUSLY

MEETING CLOSED TO THE PUBLIC: 8:04 pm

MEETING REOPENED: 9:30 pm with Mayor Swain and Councillors Jones, Lerner, Mundell and Savage in attendance. Also, Acting CAO/Director Morphy, and Deputy Director Long.

MOVED AND SECONDED, THAT the May 22, 2024, regular Council meeting be adjourned.
CARRIED UNANIMOUSLY

MEETING ADJOURNED: 9:31 pm

Certified Correct:

_____
Delcy Wells, Director of Corporate Administration

Confirmed this 12th day of June, 2024.

_____
Mark Swain, Mayor

May 31st, 2024

To: Mayor Swain and Lantzville Council,

RE: Future Old Growth Zones

Dear Mayor Swain and Lantzville Council,

The Nanaimo & Area Land Trust (NALT) would like to congratulate you on the recent adoption of Future Old Growth (FOG) zoning on two parcels within the District of Lantzville. Lantzville is demonstrating forward thinking not only in what the land subject to FOG zoning will grow to become, but also in what a municipality can do to support, promote and protect nature and natural values.

FOG zonation not only allows for conservation of values that are present, but also provides the time for natural land to develop the complex web of connections present in older and Old Growth forests. This is a win for biodiversity and a great opportunity for a community to steward land and record restorative changes to the land over time. This takes the slogans of *resiliency* and *sustainability* from posture to practical implementation.

The NALT Board of Directors looks forward to other communities following Lantzville's lead, to create space for connected conservation and recreation lands, representative of all endemic ecosystems. These are the conditions that wow us as we catch our collective breath and give thanks for being fortunate enough to call this area home.

Thank you.

Sincerely,

Dean Gaudry, NALT Co-Chair

Nina Locke, NALT Co-Chair

Cc: Nanaimo Mayor and Council; Parksville Mayor and Council; Qualicum Beach Mayor and Council; Regional District of Nanaimo Board of Directors.

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: June 12, 2024

SUBJECT: Update #2 regarding "District of Lantzville Water System Expansion "The Winds" Local Area Service Bylaw No. 336, 2023"

PURPOSE

To provide Council with an update on the implementation of the "The Winds" Local Area Service establishment. A report was provided to Council on May 8, 2024, indicating that a 2nd report would be provided on June 12, 2024.

RECOMMENDATIONS

This Report is to update Council on the next steps required to establish "District of Lantzville Water System Expansion "The Winds" Local Area Service Bylaw No. 336, 2023". No motions are required at this time.

ALTERNATIVES AND IMPLICATIONS

Not applicable.

BACKGROUND/RELEVANT HISTORY

The May 8, 2024, Staff Report provided Council with a review of the history of this project. At that time, it was estimated that the process to establish the Service would be initiated on June 12, 2024. The file has been reviewed to ensure all information is current before beginning the legal process to establish this Service, and, due to updates in the cost of the project, it is necessary to delay the initiation of establishing the Service because the associated Loan Authorization Bylaw requires an amendment to account for the cost increase as detailed in the next paragraph.

A current cost estimate was required for the bylaws associated to the Service establishment. The estimated cost of the project has increased from $8,389,317 [April 2023] to $9,296,506 [May 2024]. This increase requires an amendment to the "District of Lantzville Loan Authorization Bylaw No. 299, 2022". Due to this Bylaw needing to be part of the Service establishment documents sent to the residents of "The Winds", the initiation of the Service establishment must be put on hold until this Bylaw can be amended by Council.

In addition, the legal process to be used has changed from the May 8, 2024, staff report. The May 8, 2024, staff report referred to the Alternative Approval Process in Section 86 of the *Community Charter*. However, after further review, the Petition Against process in Sections 210, 211, 213 and 217 of the *Community Charter* will apply to the Service establishment for "District of Lantzville Water System Expansion "The Winds" Local Area Service Bylaw No. 336, 2023". The timelines and process are very similar, so this change in procedures will not impact the timing of the Service establishment.

The documents required to initiate the Petition Against process are prepared so that they will be ready to present to Council for approval as soon as the amendment to the Loan Authorization Bylaw is completed, which staff expect to complete and present to Council for three readings at the June 26, 2024, Council meeting. This Bylaw requires Ministry approval until after the Petition Against process has been completed, which will take 6-8 weeks.

FUTURE STEPS

June 26, 2024	"District of Lantzville Loan Authorization Bylaw No. 299, 2022" amendment presented to Council; rescind 3rd reading; amend the cost and give it 3rd reading again. "District of Lantzville Water System Expansion "The Winds" Local Area Service Bylaw No. 336, 2023" presented to Council for 3 readings.
July 10, 2024	A report will be presented to Council, as per Section 210 of the *Community Charter*, to: (a) Establish the Elector Response Form; (b) Establish the deadline date for receipt of the Elector Response Forms; (c) Approve the Public Notice required as per Section 94 of the *Community Charter*.
Date must be 30 days after 2nd publication of the Public Notice	Deadline date for receipt of the Elector Response Forms must be determined. This date MUST be at least 30 days after the 2nd publication of the Public Notice in the newspaper. The 2nd ad would appear in the paper on July 24, 2024, so the earliest we can conclude the Petition Against is August 26, 2024. To avoid any potential problems with the time frame being sufficient, it is recommended that a few days be added and that it be closed on August 30, 2024. "Days" in this context counts every day including statutory holidays, weekends and other non-business days.
September 4, 2024	Report to Council confirming the results of the Petition Against process. Documents sent to the Ministry for approval; 6-8 week time line.
Upon receipt of Ministry approval	Both bylaws are presented to Council for adoption; the Service is established.
To be initiated by Finance	**Parcel Tax Bylaw:** prepare cost recovery bylaw (the District has historically used a parcel tax bylaw) and adopt. Parcel tax payments from those residents defined in the Local Area Service would repay the District's share of the project's capital cost.
To be initiated by Public Works	**Detailed Design**: surveying, detailed design work, and construction.

FINANCIAL IMPLICATIONS

The project costs have been included in the current five-year Financial Plan for 2024-2028. With the receipt of the Provincial grant; the use of a Parcel Tax to recover the remainder of the cost from the owners of the properties receiving the Service; and the approval of the Loan Authorization Bylaw by the Ministry, and all of the required funding is in place.

COMMUNICATION STRATEGY

The communication strategy will comply with the notice requirements for the Local Area Service on Council Initiative – Petition Against, defined in Sections 210, 211, 213 and 217 of the *Community Charter*. This report will be available for review by the public at a future Council meeting and be available on the District of Lantzville website. Per the terms of the grant, the District is also subject to the Communications Protocol referenced in the Shared Cost Agreement as set out in Schedule B of the Integrated Bilateral Agreement for the Investing in Canada Infrastructure Program (IBA-ICIP), but these do not impact the Petition Against process.

STRATEGIC PLAN ALIGNMENT

"The Winds" water service implementation is included on Council's 2023-2026 Strategic Priorities.

SUMMARY

If Council wishes to proceed with the "The Winds" water service establishment, the next steps will be as recommended above.

Prepared by:

Delcy Wells

Delcy Wells
Director of Corporate Administration

Date: May 28, 2024

Approved for submission to Council:

Glenn Morphy
Acting CAO / Director of Public Works

Date: May 28, 2024

REVIEWED WITH:			
☒ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☒ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	June 12, 2024	
In-Camera		