

**MINUTES**  
ENVIRONMENT COMMITTEE MEETING  
ELECTRONIC MEETING  
WEDNESDAY, 2021-OCT-20, AT 5:05 P.M.

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Present: Councillor D. Bonner, Chair  
Councillor B. Geselbracht, Chair  
H. DesRoches, At Large Member  
J. Lesemann, At Large Member  
L. McCunn, At Large Member

Absent: E. Boulanger, At Large Member  
D. Chen, At Large Member  
L. Frey, At Large Member  
W. Wells, At Large Member

Staff: J. Rudolph, Chief Administrative Officer  
B. Sims, General Manager, Engineering and Public Works  
J. Holm, Director, Development Approvals  
L. Bhopalsingh, Manager, Community Planning  
K. Brydges, Environmental Protection Officer  
K. MacDonald, Parks and Open Space Planner  
D. Stewart, Social Planner  
S. Snelgrove, Deputy Corporate Officer  
K. Lundgren, Recording Secretary

1. CALL THE ENVIRONMENT COMMITTEE MEETING TO ORDER:

The Environment Committee meeting was called to order at 5:05 p.m.

2. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda, be adopted. The motion carried unanimously.

3. ADOPTION OF MINUTES:

It was moved and seconded that the following Minutes be adopted as circulated:

- Minutes of the Environment Committee Meeting held virtually on Wednesday, 2021-MAY-12, at 5:01 p.m.
- Minutes of the Environment Committee Meeting held virtually, on Wednesday, 2021-JUL-14, at 5:01 p.m.

The motion carried unanimously.

4. PRESENTATIONS:

(a) Introduction of Newly Appointed Co-Chair Councillor Bonner

Councillor Geselbracht introduced Councillor Bonner as the newly appointed co-chair of the Environment Committee.

(b) REIMAGINE NANAIMO Environmental Policy Update

Kirsty MacDonald, Parks and Open Space Planner, provided a PowerPoint presentation. Highlights included:

- Engaging the committee for input on crucial policy decisions
- Shared a creative community submission from local First Nation artist
- Currently finishing Phase 2 of REIMAGINE Nanaimo and starting Phase 3
- Key priorities identified in Phase 1 community engagement include environment and concern for loss of natural areas
- Phase 2 community engagement includes workshops, surveys and community outreach projects
- Hope to bring Phase 2 community engagement summary to Council by end of November
- Emerging workshop themes include conserving natural assets, walkability, transit, wildlife corridors, and addressing climate change
- Decisions guided by the Nanaimo Doughnut Economic Model
- Provided an overview of the five REIMAGINE Nanaimo goals (A Green Nanaimo, A Healthy Nanaimo, A Connected Nanaimo, An Empowered Nanaimo and An Enabled Nanaimo)
- Structure of the Nanaimo City Plan
- Provided examples of City of Nanaimo (City) policies and action plans that address topics related to climate change
- Plan to return to the 2021-DEC-01 Environment Committee meeting to seek feedback on new policies, policy gaps and identifying potential conflicts
- The City has nine existing Development Permit Areas (DPAs)
- New DPAs under consideration include Sea Level Rise, Coal Mine Hazard and Wildfire Interface
- Following best practices for municipalities
- Addressing the need for behavioural change within the community in order to meet targets, and identifying ways to influence this change
- Overview of next steps and project timeline including engaging the public on the draft City plan in January 2022

Committee discussion took place. Highlights included:

- Grandfathering existing infrastructure with the new DPAs
- Awareness of hazards, such as potential for sea level rise, should be expected
- Concern for the project timeline allowing adequate time for Council input

Lisa Bhopalsingh, Manager, Community Planning, noted upcoming workshops, and that the draft document expected to be brought forward in January 2022 will be easier to critique.

Committee discussion continued. Highlights included:

- Assistance from the Committee regarding guidance in respect to community behaviour change
- The majority of data for the Phase 1 community engagement was collected through closed-ended questions in the form of a scale
- Concerns regarding the constricted timeline and allowing adequate time to discuss the targets and indicators related to greenhouse gas (GHG) emissions
- Outdated numbers in the current Official Community Plan
- GHG emission targets changed when Council declared a climate change emergency
- Aggressive approach in GHG emission targets and importance of GHG emissions in all five goals

Lisa Bhopalsingh, Manager, Community Planning, advised what can be influenced in regards to shifting behavioural change within the community. Will be returning with draft policy options for the Committee to consider on 2021-DEC-01 and hope to receive feedback on additional considerations.

Committee discussion continued. Highlights included:

- The length of time between committee meetings limits time to influence course correction
- Aspirational framing of a policy in order to set a tone
- Many environmental type policies and topics permeate all of the REIMAGINE Nanaimo goals
- Committee's role in reviewing policies and bylaws going to Council

(c) Watercourse Protection Framework Review

Introduced by Kevin Brydges, Environmental Protection Officer.

- Overview of the Federal and Provincial legislation currently in place
- The *Local Government Act* allows municipalities to protect the local environment through bylaws
- Overview of current bylaws in place for environmental protection
- Overview of Zoning Bylaw 4500 – Watercourses
  - 30m set back from top of back of a stream
  - 15m setback from wetland boundary of a lake or wetland
  - 3m and 7.5m on non fish-bearing watercourses
- Schedule 'C' of "City of Nanaimo Zoning Bylaw 2011 No. 4500" identifies watercourses and their setbacks, and triggers more detailed assessments
- Many factors come into play when measuring setbacks
- Adopted watercourse protection regulations in 1996

- There are two options for compliance with the Riparian Area Protection Regulation (RAPR)
  1. Riparian Assessment Areas (a blanket 30m assessment area)
  2. Meet or exceed RAPR requirement
- City of Nanaimo watercourse setbacks meet or exceed RAPR requirements
- RAPR protects fish and fish habitat only, and does not consider wildlife habitat
- Development Permit Area (DPA) 1 is specific to fish bearing watercourses and identify and protect aquatic and Environmentally Sensitive Area (ESA) setbacks
- Differences between the City setback and Streamside Protection and Enhancement Areas (SPEAS)
- Council approval is required when an application is made to vary setback
- Watercourse setbacks are protected in new development
- Overview of the development review process in DPA
- DPA 2 is non-fish-bearing-watercourses and wetlands
- Potential changes identified in the DPA 1 and 2 review include:
  - Changing no net lost to net gain
  - Stronger wording around priority guidelines
  - Updated mapping
  - Required Qualified Environmental Professional (QEP) monitoring, post development inspection and reporting
  - Improved planting and maintenance standards for riparian restoration

Committee discussion took place regarding limiting variance applications.

Jeremy Holm, Director, Development Approvals, spoke regarding the property owners' right to apply for consideration of variances to bylaw requirements. Bylaws are blunt tools and don't reflect specific context of a property. He also spoke regarding improving the guidelines and noted that the City participates in Green Bylaw Tool Kit that sets out best practice standards regarding local government implementing environmental protection measures.

Committee discussion continued. Highlights included:

- Cohesion between riparian setbacks and slope stability setbacks
- Cohesion between the City and the Regional District of Nanaimo (RDN) requirements

Kevin Brydges, Environmental Protection Officer, noted that the City has a "meet or exceed" approach to the Riparian Area Protection Act while the RDN uses a Riparian Assessment Area of blanket 30m.

Committee discussion continued. Highlights included:

- Reasoning behind the DPA review being brought forward
- Importance of changing no net loss to net gain
- RAPR only protects fish and fish habitat and the need for measuring other values, such as wildlife and public well-being, to be used as a metric for Staff

- Methodologies to evaluate other values in the riparian area to determine what is the appropriate setback
- Enacting a bylaw to be implemented in the future to give developers notice of incoming changes

Kevin Brydges, Environmental Protection Officer, spoke regarding the process for considering a development permit variance and Staff's intent to minimize encroachment. He explained that when large development are on ESA or steep slopes, a biophysical inventory is requested to identify environmental attributes of the site and from there, apply protection.

Jeremy Holm, Director, Development Approvals, spoke regarding the wording of the guidelines, providing clarity and exploring different language options to consider in the guidelines.

Committee discussion continued. Highlights included:

- Policy set up to only allow the minimal possible development on a site to protect as much land as possible
- Looking at a home plate approach in relation to watercourse protection

Jeremy Holm, Director, Development Approvals, spoke regarding addressing the the home plate idea in the guidelines to provide more clarity on what rational, limitations and values are up for consideration in requesting a variance. It is anticipated that options will be brought back to the Committee for feedback in December.

Committee discussion continued. Highlights included:

- Stronger wording in the guidelines to increase Staff's ability to set clear boundaries and expectations
- Rare instances of "sterilized" lots in undeveloped areas
- Reasoning behind incorporating the required QEP monitoring, post development inspection and reporting into the guidelines

5. REPORTS:

(a) 2022 Environment Committee Key Date Calendar

Sky Snelgrove, Steno Coordinator, Legislative Services, advised the Committee that the 2022 Environment Committee Key Date Calendar is provided for information.

6. OTHER BUSINESS:

(a) Next Meeting Date

The 2021-NOV-10 Environment Committee Meeting has been rescheduled to Wednesday, 2021-DEC-01, from 5 p.m. to 7 p.m.

7. QUESTION PERIOD:

There was no one was in attendance to ask questions.

8. ADJOURNMENT:

It was moved and seconded at 7:03 p.m. that the meeting adjourn. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER