

MINUTES
GOVERNANCE AND PRIORITIES COMMITTEE MEETING
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2022-MAY-09, AT 1:00 P.M.

Present: Councillor Z. Maartman, Chair
Mayor L. Krog
Councillor D. Bonner
Councillor T. Brown (joined electronically, disconnected at 5:03 p.m.)
Councillor B. Geselbracht
Councillor I. W. Thorpe
Councillor J. Turley (vacated the Shaw Auditorium at 3:58 p.m.)
Councillor S. D. Armstrong
Councillor E. Hemmens

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, General Manager, Development Services/Deputy Chief
Administrative Officer
R. Harding, General Manager, Parks, Recreation and Culture
B. Sims, General Manager, Engineering and Public Works
G. Whiting, Deputy Fire Chief
L. Bhopalsingh, Director, Community Development
B. Corsan, Director, Corporate and Business Development
L. Brinkman, Manager, Community Planning
T. Pan, Manager, Sustainability
K. Biegun, Planner
S. Gurrie, Director, Legislative Services
N. Sponaugle, Legislative Communications Clerk
K. Lundgren, Recording Secretary

1. CALL THE GOVERNANCE AND PRIORITIES COMMITTEE MEETING TO ORDER:

The Governance and Priorities Committee Meeting was called to order at 1:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Agenda Item 6(a)(6) Next Steps – Add a PowerPoint presentation and the following delegations:

1. Toby Seward, Seward Developments Inc.
2. Glenn Brower

3. APPROVAL OF THE AGENDA:

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

4. ADOPTION OF THE MINUTES:

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

- Minutes of the Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, Nanaimo, BC, on Monday 2022-APR-11 at 1:00 p.m.
- Minutes of the Special Governance and Priorities Committee Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, Nanaimo, BC, on Thursday, 2022-APR-21 at 3:30 p.m.

The motion carried unanimously.

5. AGENDA PLANNING:

1. Governance and Priorities Committee Agenda Planning

Sheila Gurrie, Director, Legislative Services, spoke regarding upcoming scheduled Governance and Priorities Committee (GPC) meeting topics and noted that some of the topics that are still to be scheduled may be looked at in a different format than a GPC.

6. REPORTS:

(a) REIMAGINE NANAIMO:

1. Introduction - REIMAGINE NANAIMO

Dale Lindsay, General Manager, Development Services/Deputy Chief Administrative Officer, spoke regarding the process for the meeting and provided a brief overview of the upcoming items on the agenda.

Presentation:

1. Lisa Bhopalsingh, Director, Community Development, provided a PowerPoint presentation and gave an overview of the REIMAGINE NANAIMO process so far, the engagement process that has taken place and the next steps for the draft City Plan.

Delegations

1. Toby Seward, Seward Developments Inc. spoke on behalf of Nanaimo Forest Products who purchased the lands next to Cable Bay Trail. He spoke regarding the GPC recommendation to increase the Cable Bay Trail buffer from 50m to 100m. He also spoke regarding the substantial amount of land included in the buffer, the developer's intention to maintain a natural experience for users and respect environmentally

sensitive areas. He requested that the Cable Bay Trail buffer be changed back to the 50m.

2. Glenn Brower spoke on behalf of the owners of Oceanview Golf Resort & Spa Ltd., regarding the Oceanview properties being removed from the Urban Containment Boundary.

Committee and Staff discussion took place. Highlights included:

- The topography of Cable Bay Trail would limit the ability for development
- Protected buffer would still be a part of the properties and BC Assessment would reflect that in the value of the lands
- The policy is high level, and Staff would work out the specific details with the applicant at the time of an application
- Waving community amenity contributions (CACs) to compensate for the buffer

2. Draft City Plan - Review of Land Use Designations

Introduced by Lisa Bhopalsingh, Director, Community Development. She noted the following:

- Colliers Strategy and Consulting Group (Colliers) produced a Land Inventory and Capacity Analysis Report in 2020, and were retained again to access the draft City Plan
- The Colliers report noted a slight shortfall in industrial land uses
- The Colliers report confirmed that the proposed land use designations/policies are on track to meeting the capacity demands for residential, commercial and industrial land uses

Committee discussion took place. Highlights included:

- The accuracy of the population projections in the Colliers report considering the population growth rate in the last year being off base with the projections
- 2021 census was lower than the projections and confidence in the Colliers analysis
- General review of the Official Community Plan to be done in 5 years and there is opportunity to amend
- Difficulty in population projection due to migration

3. REIMAGINE NANAIMO - Phase 3 Public Engagement Summary

Introduced by Lisa Bhopalsingh, Director, Community Development.

Presentation:

1. Jana Zelenski, Lanarc, provided a PowerPoint presentation. Highlights included:

- Phase 3 offered an opportunity for the community to review the draft directions before the final stage
- A broad range of engagement tactics were used and more than 13,700 inputs of feedback were received from the community
- Compared to other communities; Nanaimo showed a very dedicated response
- The survey response demographics showed an even distribution of age and input was received from all areas of Nanaimo
- Results show support for 79 out of 84 draft directions on the community survey and statistical survey
- The following five draft directions received mixed-feedback from the engagement:
 1. “Support for large format retail that is designed to be pedestrian – friendly and mixed use”
 2. “Support low to modest infill in Neighbourhoods”
 3. “Encouraging a thriving downtown through density mobility and employment”
 4. “Manage parking supply city-wide”
 5. “Increase and Protect Industrial Lands”
- Community feedback will be considered by Council as part of the City Plan revisions review
- The draft City Plan will be shared with the community as part of the bylaw review and adoption process

Committee discussion took place. Highlights included:

- Potentially conflicting policies (e.g. some policies increase expense to building, while others are related to housing affordability)
- Concerns with the format of some of the survey questions used in the public engagement survey
- Concerns with the process being steered by Council’s vision rather than a community vision
- Addressing parking needs

The Governance and Priorities Committee Meeting recessed at 2:24 p.m.

The Governance and Priorities Committee Meeting reconvened at 2:34 p.m.

4. Draft City Plan Amendments

Lisa Bhopalsingh, Director, Community Development, spoke regarding the procedure for addressing the proposed amendments to the draft City Plan.

- “Draft City Plan Amendments” report contains Attachments A, B and C that outline proposed amendments to the draft City Plan

Mayor Krog requested that item 32 in Attachment A: Draft City Plan – GPC Amendments, be removed to be considered separately.

Councillor Thorpe requested that items 1 and 17 in Attachment A: Draft City Plan – GPC Amendments, be removed to be considered separately.

Councillor Turley requested that item 10 in Attachment A: Draft City Plan – GPC Amendments, be removed to be considered separately.

It was moved and seconded that the Governance and Priorities Committee recommend that Council support the amendments to the February 2022 draft City Plan as detailed in Attachment A: Draft City Plan – GPC Amendments, excluding items 1, 10, 17, and 32. The motion carried unanimously.

Separately Considered Items:

1. Doughnut Economic Model

Committee discussion took place regarding item 1 in Attachment A, related to the City Donut Economic Model.

The vote was taken on item 1 Doughnut Economic Model in Attachment A: Draft City Plan – GPC Amendments as follows:

“Include the following two elements of language in the start of the Green Policies section:

1. Tying the green policies to the goal of staying within the ecological limits as outlined in the City doughnut
2. Connecting services to the ‘human needs’ inner circle of the doughnut”

The motion carried.

Opposed: *Councillors Armstrong, Thorpe and Turley*

2. Fruit and Tree Nut Planting

Committee discussion took place regarding item 10 in Attachment A: Draft City Plan – GPC Amendments. Highlights included:

- Concern regarding fruit trees attracting wildlife, rodents and wasps
- Concern for additional costs associated with fruit tree maintenance
- Amending the motion to remove the word “prioritize” from the policy
- Inflation, food cost, and food security being a top priority
- Policy is very general and Staff are capable in determining where it is appropriate to plant fruit trees

It was moved and seconded that item 10 in Attachment A: Draft City Plan – GPC Amendments, be amended to remove the word “prioritize”. The motion was defeated.

Opposed: *Councillors Bonner, Brown, Geselbracht, Hemmens, and Maartman*

Committee and Staff discussion took place regarding Staff working with a group or organization regarding fruit tree planting, and trees would only be planted where they can be maintained.

The vote was taken on item 10 in Attachment A: Draft City Plan – GPC Amendments, as follows:

“Include a policy in section C1.3 that states that the City will endeavour to increase, prioritize and include the planting of fruit and nut trees in public spaces where hard infrastructure and safe transportation will not be impacted by falling fruit.”

The motion carried.

Opposed: *Councillors Armstrong, Thorpe, Turley*

4. Artificial Lighting and Dark Skies

Committee discussion took place regarding item 17 in Attachment A: Draft City Plan – GPC Amendments, related to dark sky preservation. Highlights included:

- Concerns that the concept around safety principles was not included in the new proposed language
- Concerns with supporting this policy without knowing the specific actions that would be applied
- The principle of dark sky is all about being safe
- Five dark sky principles include light being useful, targeted, low levels, controlled and colour
- Negative impact of LED lights on insects and wildlife
- Current existing policy enables Staff to make appropriate decisions
- New policy realizes the need for much more focus and intention in regards to targeting lighting

The vote was taken on item 17 in Attachment A: Draft City Plan – GPC Amendments, as follows:

“Edit policies C1.8.2, C1.8.3 and C1.8.4, within section C1.8 – Artificial Lighting and Dark Skies, to express the City of Nanaimo’s intention to optimize dark sky preservation in the design of street lighting, redevelopment of sites and redevelopment of public buildings.”

The motion was defeated.

Opposed: *Mayor Krog and Councillors Armstrong, Hemmens, Maartman, Thorpe and Turley*

5. Cable Bay Trail Buffer

Committee and Staff discussion took place regarding item 32 in Attachment A: Draft City Plan – GPC Amendments, related to increasing the Cable Bay Trail buffer. Highlights included:

- Cable Bay Trail is already a substantial pathway and there may be alternative ways to preserve land
- The trend that more and more land is going to be developed in years to come
- There is no buffer for the lands to the east of the trail
- Balancing the need for industrial land with the protection natural area
- Adding flexibility in the policy language by stating an “average of 100m buffer” to allow the buffer to be greater in some places and lesser in others

- Conflicting with draft plan policies related to the desire to protect and increase industrial land
- Using community amenity contributions (CACs) negotiations to come to an agreement with proponents as way to mitigate the loss of revenue, due to the buffer, during the development of those industrial lands
- By the time the land is rezoned there will be a different Council at the table
- 50m is sufficient in protecting the trail value
- Potential for a smaller buffer being blown down by winds
- The developers of the land have indicated that they will be respectful and mindful of the trail
- Areas of the trail that would naturally have a 100m buffer due to the topography
- Without the detailed work of surveying that is done at the rezoning stage, Staff does not have the information to determine specifically which areas that would naturally provide larger buffers
- Negotiations with proponents on CACs could be added as an additional policy
- The buffer is measured from the edge of the right-of-way

It was moved and seconded that item 32 in Attachment A: Draft City Plan – GPC Amendments, be amended to include the word “average”. The motion carried.

Opposed: *Mayor Krog and Councillors Armstrong, Thorpe and Turley*

The vote was taken on item 32 in Attachment A: Draft City Plan – GPC Amendments, as amended, as follows:

“Change the buffer between industrial lands and the Cable Bay Trail from 50 metres to an average of 100 metres.”

The motion carried.

Opposed: *Mayor Krog and Councillors Armstrong, Thorpe and Turley*

Councillor Turley vacated the Shaw Auditorium at 3:58 p.m.

The Governance and Priorities Committee Meeting recessed at 3:58 p.m.

The Governance and Priorities Committee Meeting reconvened at 4:10 p.m.

Committee and Staff discussion took place regarding Attachment B, and the request from Snuneymuxw First Nation related to enabling the Snuneymuxw People to participate in the representation of the local government.

It was requested the item 25 detailed in Attachment B: Draft City Plan – Recommended Amendments, be removed to be considered separately.

It was moved and seconded that the Governance and Priorities Committee recommend that Council support the list of recommendations in the February 2022 draft City Plan as detailed in Attachment B: Draft City Plan – Recommended Amendments, excluding item 25. The motion carried. Opposed: *Councillor Brown*

Separately Considered Items:

1. Designation Change from Resource Management to Industrial

Committee discussion took place regarding item 25 in Attachment B, related to a request from Mosaic that the area west of the Cable Bay Trail be re-designated for industrial use.

The vote was taken on item 25 in Attachment B: Draft City Plan – Recommended Amendments, as follows:

“That the area west of the Cable Bay Trail be re-designated for Industrial Use, contiguous with adjacent proposed industrial lands and further provide much needed industrial capacity in this area.”

The motion was defeated.

Opposed: *Councillors Armstrong, Brown, Geselbracht, and Thorpe*

It was moved and seconded that the Governance and Priorities recommend that Council deny the requested amendments outlined in the February 2022 draft City Plan as detailed in Attachment C: Draft City Plan – Not Recommended Amendments. The motion carried unanimously.

Committee discussion took place regarding addressing Green House Gas Emissions targets and incentivizing low-carbon energy system in ways such as giving a reduction in the step code requirement.

It was moved and seconded that the Governance and Priorities Committee recommend that Council direct Staff to add a policy under section c1.1 of the Draft City Plan to support, prioritize and advocate for low-carbon energy systems in all new construction. The motion carried.

Opposed: *Councillor Thorpe*

5. Development Permit Areas Guidelines - Draft Bylaw 4500.199

Introduced by Jeremy Holm, Director, Development Approvals.

- Presented draft “Zoning Bylaw Amendment Bylaw 2022 No. 4500.199” (the Bylaw) containing development permit area guidelines, exemptions, and related definitions
- In an area where a Development Permit Area (DPA) is designated, a development permit must be obtained prior to certain types of development
- Staff intend to bring the Bylaw forward for Council’s consideration in concurrence with the introduction of the City Plan Bylaw
- Benefits of containing DPAs in the Bylaw include improved transparency, clarity, ease of administration, and allows for more efficiency in updating
- Provided an overview of the changes in DPAs compared to the current DPA’s in the Official Community Plan.

Councillor Brown disconnected from the meeting at 5:03 p.m.

Committee and Staff discussion took place. Highlights included:

- Consultation with the development community took place
- Abandoned mine mapping is based on provincial records and found to be fairly accurate in the past
- Benefit of DPA's is the ability to clearly communicate areas that require a special step
- Maintaining and reinforcing the green aesthetic on the Nanaimo Parkway
- Engagement has taken place with the Environment Committee, Design Advisory Panel and development community
- DPA8: Form and Character consolidates several DPAs for clarity and consistency

6. Next Steps

Lisa Bhopalsingh, Director, Community Development. She noted the following:

- All recommendations from the meeting will go to the 2022-MAY-16 Council meeting
- A revised City Plan will go to the 2022-MAY-30 Council Meeting for first and second reading
- There will be a three week formal referral period from May 31st to June 17th
- A Special Public Hearing will be held on 2022-JUN-22
- The Plan will go to the 2022-JUL-04 Regular Council Meeting for adoption

7. QUESTION PERIOD:

Council received no questions from the public regarding agenda items

8. ADJOURNMENT:

It was moved and seconded at 5:26 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER