



MINUTES
REGULAR COUNCIL MEETING

Monday, March 4, 2024, 4:30 P.M.
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

- Members:
- Mayor L. Krog, Chair
 - Councillor S. Armstrong (entered 4:56 p.m.)
 - Councillor T. Brown*
 - Councillor H. Eastmure
 - Councillor B. Geselbracht
 - Councillor E. Hemmens (vacated 7:17 p.m., returned 7:20 p.m.)
 - Councillor P. Manly
 - Councillor J. Perrino
 - Councillor I. Thorpe
- Staff:
- D. Lindsay, Chief Administrative Officer
 - R. Harding, General Manager, Community Services/Deputy CAO
 - S. Gurrie, Director, Legislative Services
 - J. Holm, Director, Planning and Development
 - N. Sponaule, Communications Advisor
 - A. Chanakos, Recording Secretary

1. CALL THE MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:30 p.m.

2. PROCEDURAL MOTION:

It was moved and seconded that the meeting be closed to the public in order to deal with agenda items under the *Community Charter*:

Section 90(1) A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

* Denotes electronic meeting participation as authorized by "Council Procedure Bylaw 2018 No. 7272"

- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (c) labour relations or other employee relations; and,
- (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.

The motion carried unanimously.

Council moved In Camera at 4:31 p.m.

Council moved out of In Camera at 5:56 p.m.

Council recessed the Open Meeting at 5:56 p.m.

Council reconvened the Open Meeting at 7:00 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 15(a) Councillor Manly Motion re: Harewood Plains – Add the following delegations:

- 1. Bo Staffan Lindgren, Nature Nanaimo
- 2. Hunter Jarratt, Kiki Nursery

4. APPROVAL OF THE AGENDA:

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

5. ADOPTION OF THE MINUTES:

It was moved and seconded that the Minutes of the Special Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2024-FEB-12, at 3:00 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- The City has approved the disposition of District Lot 9, land located behind Mount Benson, to Snuneymuxw First Nation under the BC Land Transfer Agreement. The City will receive \$1,455,000 from the transfer to use towards the purchase of other lands, or undertake tasks under City funding
- Watermain flushing begins 2024-MAR-10, and will use fresh water to remove sediment and refresh water pipes

- The Spring/Summer activity guide is available for viewing on the City website, and registration opens at 6:00 a.m. on 2024-MAR-06 online, by phone, and in person at various Parks and Recreation facilities
- Programs include a free roving playground program, summer camps, and concerts in the park, and approximately 50 summer students will be hired to run summer programs
- The City has received a subdivision application and development permit application for 103 Lotus Pinnatus Way. The property has many environmental restrictions, and any proposed development must meet all Development Permit Area guidelines

7. **RISE AND REPORT:**

a. Letter of Credit for Peoples Bank of Canada

The Mayor advised that at the 2024-FEB-05 In Camera Council Meeting, Council passed a motion to make an exception to the City's Investment Policy as it relates to Letters of Credit, and accept a Letter of Credit from People's Trust for a development project located at 388 Machleary Street.

8. **REPORTS:**

a. Regional Growth Strategy: Shaping Our Future 2040

Introduced by Jeremy Holm, Director, Planning and Development.

- The Regional District of Nanaimo developed a draft Regional Growth Strategy (RGS) to replace the 2011 RGS
- As a member municipality, the City was provided an opportunity to accept the proposed RGS Bylaw
- The City Plan includes a regional context statement to confirm its alignment with the RGS

It was moved and seconded that Council:

1. Accept the proposed "Regional Growth Strategy Bylaw No. 1874, 2023" as presented pursuant to Section 436 of the *Local Government Act*; and,
2. Direct Staff to forward a copy of the Council Resolution to the Regional District of Nanaimo.

The motion carried unanimously.

b. Development Permit Application No. DP1289 - 337 Robson Street

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council issue Development Permit No. DP1289 for a multi-family residential development at 337 Robson Street with variances as outlined in the "Proposed Variances" section of the Staff Report titled "Development Permit Application No. DP1289 - 337 Robson Street", dated 2024-MAR-04. The motion carried unanimously.

Councillor Hemmens vacated the Shaw Auditorium at 7:17 p.m. declaring a conflict of interest as she lives in the immediate area of 450 & 460 Irwin Street.

c. Development Permit Application No. DP1296 - 450 & 460 Irwin Street

Introduced by Jeremy Holm, Director, Planning and Development.

It was moved and seconded that Council issue Development Permit No. DP126 for a mixed-use development at 450 and 460 Irwin Street with variances as outlined in the "Proposed Variances" section of the Staff Report titled "Development Permit Application No. DP1296 - 450 & 460 Irwin Street", dated 2024-MAR-04. The motion carried unanimously.

Councillor Hemmens returned to the Shaw Auditorium at 7:20 p.m.

9. BYLAWS:

a. "Zoning Bylaw Amendment Bylaw 2023 No. 4500.219"

It was moved and seconded that "Zoning Bylaw Amendment Bylaw 2023 No. 4500.219" (general text and mapping amendments to "City of Nanaimo Zoning Bylaw 2011 No. 4500") be adopted. The motion carried unanimously.

b. "Electric Vehicle Recharging Bylaw 2024 No. 7365"

It was moved and seconded that "Electric Vehicle Recharging Bylaw 2024 No. 7365" (a bylaw to collect electric vehicle supply equipment and energy cost charges within the City of Nanaimo) be adopted. The motion carried unanimously.

c. "Fees and Charges Amendment Bylaw 2024 No. 7336.07"

It was moved and seconded that "Fees and Charges Amendment Bylaw 2024 No. 7336.07" (a bylaw to add electric vehicle charging connection fees) be adopted. The motion carried unanimously.

d. "Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.19"

It was moved and seconded that "Bylaw Notice Enforcement Amendment Bylaw 2024 No. 7159.19" (a bylaw to assign fines associated with electric vehicle charging) be adopted. The motion carried unanimously.

10. OTHER BUSINESS:

a. Councillor Manly Motion re: Harewood Plains

Delegations:

1. Paul Chapman, Nanaimo Area Land Trust, spoke regarding Harewood Plains. Highlights included:

- The Hosackia Pinnata, formerly known as Lotus Pinnatus, is an endangered species under the Federal *Species at Risk Act*
- Hosackia Pinnata grows in a few areas of Lotus Pinnatus Park and the section of Harewood Plains protected by a covenant; however, most grows in the developable area
- In Canada, 85-98% of the population of this flower grows in Harewood Plains

Council discussion took place. Highlights included:

- Concern regarding lack of signages marking protected areas for off-road vehicles
- Ministry of Environment and Climate Change Canada is conducting a Critical Threat Assessment for critical habitat of Hosackia Pinnata

2. Bo Staffan Lindgren, Nature Nanaimo, noted concerns regarding the negative impacts development would have on the Harewood Plains, and the many rare and endangered plant species the land supports.

3. Hunter Jarratt, Kiki Nursery, noted the Gary Oak ecosystem that supports the many rare plant species existing in the Harewood Plains, and expressed concern regarding the negative effects development would have on the hydrology in the area.

It was moved and seconded that the City of Nanaimo request that the Province of British Columbia work with the City of Nanaimo, the Regional District of Nanaimo, Snuneymuxw First Nation, Nanaimo and Area Land Trust and the Federal Government to protect the ecologically and culturally sensitive areas within the area known as the Harewood Plains including the protection of identified species at risk. The motion carried unanimously.

It was moved and seconded that the City of Nanaimo request that the Federal Government work with the City of Nanaimo, the Regional District of Nanaimo, Snuneymuxw First Nation, Nanaimo and Area Land Trust and the Province of British Columbia to protect the ecologically and culturally sensitive areas within the area known as the Harewood Plains including the protection of identified species at risk. The motion carried unanimously.

11. QUESTION PERIOD:

Council received no questions from the public regarding agenda items.

12. ADJOURNMENT:

It was moved and seconded at 7:56 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER