



MINUTES
REGULAR COUNCIL MEETING

Monday, February 24, 2025, 4:00 P.M.
Shaw Auditorium, Vancouver Island Conference Centre
80 Commercial Street, Nanaimo, BC

Members:

Mayor L. Krog, Chair (vacated at 8:14 p.m., returned at 8:16 p.m.)
Councillor S. Armstrong (arrived at 7:01 p.m.)
Councillor T. Brown (arrived at 4:31 p.m., vacated at 9:00 p.m.)
Councillor H. Eastmure
Councillor B. Geselbracht* (physically vacated at 5:24 p.m., joined electronically at 7:01 p.m., disconnected at 8:59 p.m., rejoined at 9:14 p.m.)
Councillor E. Hemmens, Acting Chair (vacated at 9:31 p.m., returned at 9:33 p.m.)
Councillor P. Manly (vacated at 8:15 p.m., returned at 8:16 p.m.)
Councillor J. Perrino (vacated at 8:14 p.m., returned at 8:16 p.m.)
Councillor I. Thorpe (vacated at 9:15 p.m., returned at 9:17 p.m.)

Staff:

D. Lindsay, Chief Administrative Officer
R. Harding, General Manager, Community Services/Deputy Chief Administrative Officer
L. Mercer, General Manager, Corporate Services
B. Sims, General Manager, Engineering and Public Works
S. Gurrie, Director, Legislative Services
J. Holm, Director, Planning and Development
K. Robertson, Deputy Corporate Officer
N. Sponaule, Communications Advisor
L. Young, Recording Secretary*

1. CALL THE MEETING TO ORDER:

The Regular Council Meeting was called to order at 4:00 p.m.

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

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:

- (c) labour relations or other employee relations;
- (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;
- (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; and
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

The motion carried unanimously.

Council moved In Camera at 4:01 p.m.

Council moved out of In Camera at 5:24 p.m.

Council recessed the Open Meeting at 5:24 p.m.

Council reconvened the Open Meeting at 7:01 p.m.

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 12(h) – Development Variance Permit Application No. DVP471 – 504, 508, 548, 552, 556, and 564 Pinnacle Place - Add delegation – Brian Henning, Williamson and Associates.
- (b) Agenda Item 12(k) – Proposed Telecommunications Facility – 4600 Hammond Bay Road – Add delegation – Barry Lyseng, Linley Valley-Stephenson Point Neighbourhood Association.

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 following minutes be adopted as circulated:

- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2025-JAN-20, at 4:00 p.m.
- Minutes of the Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2025-FEB-03, at 3:30 p.m.

The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- Congratulatory remarks to the 2025 Culture Award recipients and noted the public is invited to attend a community event to honour the award recipients at the Port Theatre on 2025-APR-16
- The City is introducing the Property Assess Clean Energy (PACE) style Home Energy Retrofit Financing Program, which will offer interest-free loans up to \$15,000 for home energy retrofits such as electric heat pumps, solar energy and building envelope upgrades
- The City deployed Staff to conduct checks of critical infrastructure following a recent 5.1 magnitude earthquake on Friday, 2025-FEB-21. There is no damage or disruption of infrastructure to report
- The City is conducting a City-wide parking review and will be releasing a survey on 2025-MAR-01. The public is encouraged to participate

Councillor Hemmens requested Council's approval of her expenses to attend and participate in the 2025 Local Government Leadership Academy (LGLA) Forum in Richmond.

It was moved and seconded that Council authorize Councillor Hemmens' expenses to attend the 2025 Local Government Leadership Academy Forum being held in Richmond from 2025-MAR-12 to 2025-MAR-14. The motion carried unanimously.

Mayor Krog continued with the report and:

- Acknowledged the retirement of Superintendent Andrew Burton, RCMP, effective 2025-FEB-20, and congratulated Superintendent Eric Rochette, who was appointed as his successor
- Acknowledged the retirement of Richard Harding, General Manager, Community Services/Deputy Chief Administrative Officer following more than 30 years of service to the City of Nanaimo

7. RISE AND REPORT:

(a) Council Appointments to External Boards

The Mayor advised that at the In Camera portion of the 2025-JAN-20 meeting, Council:

1. appointed Councillors Thorpe and Perrino, with Councillor Eastmure as the alternate, to sit on the Tourism Nanaimo Society Board until the end of Council's term in 2026;
2. appointed Councillor Geselbracht, with Councillor Eastmure as the alternate, to sit on the Nanaimo Systems Planning Organization Society until the end of Council's term in 2026;
3. appointed Councillor Hemmens, with Councillor Perrino as the alternate, to sit on the Nanaimo Prosperity Corporation Board, as a non-voting director, until the end of Council's term in 2026.

(b) Design Advisory Panel Council Appointments

The Mayor advised that at the In Camera portion of the 2025-JAN-20 meeting, Council appointed Councillor Eastmure, with Councillor Armstrong as the alternate, to the Design Advisory Panel until the end of Council's term in 2026.

(c) Design Advisory Panel - Architectural Institute of British Columbia Member Appointment

The Mayor advised that at the In Camera portion of the 2025-JAN-20 meeting, Council appointed Marta Kubacki, as nominated by the Architectural Institute of British Columbia, to the Design Advisory Panel for a two-year term ending 2027-JAN-20, or until a successor is appointed.

(d) Member-At-Large Appointments to the Board of Variance and Design Advisory Panel

The Mayor advised that at the In Camera portion of the 2025-FEB-03 meeting, Council:

1. appointed Kyle Wickland to the Board of Variance for a three-year term ending 2028-FEB-03 or until a successor is appointed; and
2. appointed Romolo (Alex) Messina to the Design Advisory Panel for a three-year term ending 2028-FEB-03 or until a successor is appointed.

(e) Culture and Heritage Awards 2025

The Mayor advised that at the In Camera portion of the 2025-FEB-03 meeting, Council approved the following for 2025 Culture and Heritage Awards: Joël A. Prévost, Excellence in Culture; Tsatassaya White, Honour in Culture; Douglas Roszmann, Honour in Culture; and Sophia Maher, Honour in Heritage.

8. COMMITTEE MINUTES:

The following Committee Minutes were received:

- Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2024-NOV-28 at 5:02 p.m.
- Minutes of the Public Safety Committee Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2024-DEC-18 at 4:00 p.m.
- Minutes of the Design Advisory Panel Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2025-JAN-09 at 5:05 p.m.

9. CONSENT ITEMS:

It was moved and seconded that the following items be adopted by consent:

Prior to the vote Councillor Eastmure requested that Agenda Item 10(a)(1) – Commercial Street Project be removed to be voted on separately.

(a) Finance and Audit Committee Meeting 2025-FEB-19

1. Community Resiliency Investment Program (FireSmart Community Funding and Supports Program)

That Council support the City of Nanaimo's application to the Union of BC Municipalities for the Community Resiliency Investment Program (FireSmart Community Funding and Supports Program) and if successful the 2025-2029 Financial Plan be amended to include this grant.

2. Nanaimo Restorative Justice Program Funding

That Council:

1. Approve a 5- year annual operating grant to the Restorative Justice Program for the term covering January 1, 2025 to December 31, 2029 based on \$150,000 for 2025; and,
2. Add a 2% annual increase for 2026 to 2029.

3. 2025 Culture Project Grant Additional Allocation

That Council approve the addition of Crimson Coast Dance Society to the list of 2025 Culture & Event Grant standby organizations, and Project Grant reallocation as follows:

- Applicant Name: Crimson Coast Dance Society
 - Recommended: \$3,476
- Applicant Name: Vancouver Island Symphony
 - Recommended: \$965

4. Heritage Façade Grant - 437 Fitzwilliam Street

That Council approve a \$8,137.50 Heritage Façade Grant for the Rawlinson & Glaholm Grocers building located at 437 Fitzwilliam Street to repaint the building's exterior.

5. Heritage Home Grant - 469 Milton Street

That Council approve a \$2,500 Heritage Home Grant to update the exterior cladding and replace the roof's gutter system of the Milton Street Bungalow at 469 Milton Street.

6. Security Checks and Other Grants Policy Update

That Council approve the revised Security Checks and Other Grants Policy as outlined in the Staff report dated 2025-FEB-19.

7. Canada Housing Infrastructure Fund

That Council approve submission of an application to the Canada Housing Infrastructure Fund for funding for the Millstone Trunk North Sewer System Project.

8. UBCM Emergency Support Services Equipment and Training Program Grant Application

That Council approve the grant application to the UBCM Emergency Support Services Equipment and Training Program for funding for the Nanaimo ESS Group Lodging Supplies regional project and support the City of Nanaimo providing overall grant management as the primary applicant.

9. UBCM Emergency Operations Centres Equipment and Training Stream Grant Application

That Council approve a grant application to the UBCM Emergency Operations Centres Equipment and Training Program for funding for the Nanaimo EOC Equipment Upgrade project and supports the City of Nanaimo providing overall grant management.

10. Active Transportation Fund - Capital Project Stream 2025 Grant Application

That Council:

- a. Direct Staff to apply to the Active Transportation Fund – Capital Projects Stream 2025 for funding for the Bowen Road Bike Lane Expansion Project; and,
- b. With the project being contingent on a successful grant application, approve adding the Bowen Road Bike Lane Expansion project to the 2025 – 2029 Financial Plan at a total cost of \$1,900,000, funded by \$1,140,000 from the Active Transportation Fund – Capital Project Stream and \$760,000 from the Growing Communities Reserve Fund.

The motion carried unanimously.

(b) Separately Addressed Consent Item

1. Commercial Street Project

That Council endorse the Design Commercial phasing plan for consideration during the 2026 – 2030 Financial Plan deliberations.

The motion carried.

Opposed: Councillors Armstrong, Brown, Eastmure, and Geselbracht

10. REPORTS:

(a) Options for Amendments to Council's Procedure Bylaw and Respectful Spaces Bylaw

Introduced by Sheila Gurrie, Director, Legislative Services.

Karen Robertson, Deputy Corporate Officer, provided an overview of the report in the agenda package, and outlined the options for Council's consideration in the report.

Sara Dubinsky, Partner, Lidstone and Co., was available via Zoom to answer questions.

It was moved and seconded that section 16.5(b) "Prohibited Use of an Electronic Device" and the definitions of "Electronic Device" and "Prohibited Use of an Electronic Device" be removed from "Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05". The motion was defeated.

Opposed: *Mayor Krog, Councillors Brown, Geselbracht, Hemmens, Manly, Perrino and Thorpe*

It was moved and seconded that Council add the following provision to subsection 19.6:

"19.6(c) despite subsection 19.6 (b), when there are multiple Delegations for the same item on the agenda, Council may, by a motion passed by a majority vote of Council members present, limit the time for Delegations to verbally address Council to three (3) minutes."

The motion carried unanimously.

It was moved and seconded that Council retain the status quo of allowing four delegations pertaining to items not listed on a Council agenda with a 5-minute time limit. The motion carried.

Opposed: *Councillor Thorpe*

It was moved and seconded that "Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05" (a bylaw to include provisions associated with delegations, inappropriate behaviour, electronic devices and signs in Council and Committee meetings and minor housekeeping amendments) pass first reading. The motion carried.

Opposed: *Councillors Armstrong and Eastmure*

It was moved and seconded that “Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05” pass second reading. The motion carried.

Opposed: *Councillors Armstrong and Eastmure*

It was moved and seconded that “Council Procedure Bylaw Amendment Bylaw 2025 No. 7272.05” pass third reading. The motion carried.

Opposed: *Councillors Eastmure and Armstrong*

It was moved and seconded that “Respectful Spaces Amendment Bylaw 2025 No. 7381.01” (a bylaw to include electronic devices and other housekeeping amendments) pass first reading. The motion carried.

Opposed: *Councillors Armstrong and Eastmure*

It was moved and seconded that “Respectful Spaces Amendment Bylaw 2025 No. 7381.01” pass second reading. The motion carried.

Opposed: *Councillors Armstrong and Eastmure*

It was moved and seconded that “Respectful Spaces Amendment Bylaw 2025 No. 7381.01” pass third reading. The motion carried.

Opposed: *Councillor Eastmure*

Mayor Krog vacated the Shaw Auditorium at 8:14 p.m. declaring a conflict of interest as a family member operates a short-term rental.

Councillor Perrino vacated the Shaw Auditorium at 8:14 p.m. declaring a conflict of interest as she owns a short-term rental property.

Councillor Hemmens assumed the Chair at 8:14 p.m.

Councillor Manly vacated the Shaw Auditorium at 8:15 p.m.

(b) Bylaw Notice Enforcement Amendment Bylaw - Short-Term Rental Fines

K. Robertson, Deputy Corporate Officer, provided an overview of the report in the agenda package.

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.23” (a bylaw to assign fines associated with short-term rental violations) pass first reading. The motion carried.

Opposed: *Councillors Armstrong and Brown*

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.23” pass second reading. The motion carried.

Opposed: *Councillors Armstrong and Brown*

It was moved and seconded that “Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.23” pass third reading. The motion carried.

Opposed: *Councillor Armstrong*

Mayor Krog, Councillor Manly, and Councillor Perrino returned to the Shaw Auditorium at 8:16 p.m. and Mayor Krog resumed the Chair.

(c) Delegation of Authority Bylaw Amendment - Housekeeping Amendments

K. Robertson, Deputy Corporate Officer, provided an overview of the report in the agenda package.

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw 2025, No. 7353.03” (a housekeeping amendment to address staff title changes) pass first reading. The motion carried unanimously.

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw 2025, No. 7353.03” pass second reading. The motion carried unanimously.

It was moved and seconded that “Officer Designation and Delegation of Authority Bylaw 2025, No. 7353.03” pass third reading. The motion carried unanimously.

(d) Public Works Yard Updates Project: Options for Next Steps

Bill Sims, General Manager, Engineering and Public Works, provided an overview of the report in the agenda package.

It was moved and seconded that Council direct Staff to proceed with Detailed Design and Costing and allocate \$1,800,000 funded by \$1,314,000 from the General Asset Management Reserve Fund, \$162,000 from the Sewer Operating Reserve, and \$324,000 from the Water Operating Reserve to undertake the work. (Option four in the report). The motion carried.

Opposed: *Councillors Brown, Eastmure, and Geselbracht*

(e) 2024-2028 Financial Plan Amendment Bylaw

Laura Mercer, General Manager, Corporate Services, provided an overview of the report in the agenda package.

It was moved and seconded that “Financial Plan Amendment Bylaw 2025, No. 7371.02” (To amend the 2024 – 2028 Financial Plan), pass first reading. The motion carried unanimously.

It was moved and seconded that “Financial Plan Amendment Bylaw 2025, No. 7371.02” pass second reading. The motion carried unanimously.

It was moved and seconded that “Financial Plan Amendment Bylaw 2025, No. 7371.02” pass third reading. The motion carried unanimously.

(f) Development Variance Permit Application No. DVP473 - 1200 Dufferin Crescent

Jeremy Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

Mayor Krog requested that Council hear anyone wishing to speak with respect to Development Variance Permit Application No. DVP473 - 1200 Dufferin Crescent.

No one in attendance wished to speak with respect to DVP473 - 1200 Dufferin Crescent.

It was moved and seconded that Council issue Development Variance Permit No. DVP473 for the Nanaimo Cancer Centre with a building height variance as outlined in the “Proposed Variance” section of the Staff Report dated 2025-FEB-24. The motion carried unanimously.

(g) Development Variance Permit Application No. DVP470 - 290 Vancouver Avenue

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

Delegation:

1. Brody Phillips, Turner and Associates, Land Surveying, was available to answer questions.

Mayor Krog requested that Council hear anyone wishing to speak with respect to Development Variance Permit Application No. DVP470 – 290 Vancouver Avenue.

No one in attendance wished to speak with respect to DVP470 – 290 Vancouver Avenue.

It was moved and seconded that Council issue Development Variance Permit No. DVP470 which would permit a 3.19m variance to the required lot depths from 30.0m to 26.81m for Proposed Lots A and B, in order to facilitate a boundary adjustment subdivision (SUB01516) at 290 Vancouver Avenue. The motion carried unanimously.

Councillor Geselbracht disconnected from the meeting at 8:59 p.m.

(h) Development Variance Permit Application No. DVP471 - 504, 508, 548, 552, 556, and 564 Pinnacle Place

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

Delegation:

1. Brian Henning, Williamson and Associates, was available to answer questions.

Mayor Krog requested that Council hear anyone wishing to speak with respect to Development Variance Permit Application No. DVP471 - 504, 508, 548, 552, 556, and 564 Pinnacle Place.

No one in attendance wished to speak with respect to DVP471 - 504, 508, 548, 552, 556, and 564 Pinnacle Place.

It was moved and seconded that Council issue Development Variance Permit No. DVP471 for single-family residential dwellings at 504, 508, 548, 552, 556, and 564 Pinnacle Place with variances outlined in the "Proposed Variances" section of the Staff Report dated 2025-FEB-24. The motion carried unanimously.

Councillor Brown vacated the Shaw Auditorium at 9:00 p.m.

Council recessed the meeting at 9:00 p.m.

Council reconvened the meeting at 9:14 p.m.

Councillor Geselbracht rejoined the meeting electronically at 9:14 p.m.

(i) Development Permit Application No. DP1369 - 2355 Kenworth Road

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

It was moved and seconded that Council issue Development Permit No. DP1369 to allow overheight combined fences and retaining walls at 2355 Kenworth Road as outlined in the "Proposed Variances" section of the Staff Report dated 2025-FEB-24. The motion carried unanimously.

Councillor Thorpe vacated the Shaw Auditorium at 9:15 p.m. declaring a conflict of interest as he has a relative involved in the development of 5730 Turner Road.

(j) Development Permit Application No. DP1355 - 5730 Turner Road

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

It was moved and seconded that Council issue Development Permit No. DP1355 for a mixed-use development at 5730 Turner Road with a variance as outlined in the "Proposed Variance" section of the Staff Report dated 2025-FEB-24. The motion carried unanimously.

Councillor Thorpe returned to the Shaw Auditorium at 9:17 p.m.

(k) Proposed Telecommunications Facility - 4600 Hammond Bay Road

J. Holm, Director, Planning and Development, provided an overview of the report in the agenda package.

Delegations:

1. Doug Anastos, TELUS, spoke regarding project timelines and next steps.
2. Barry Lyseng, Linley Valley-Stephenson Point Neighbourhood Association, spoke in favour of the proposed telecommunications facility, and the continued need for cellular service in the Hammond Bay area.

It was moved and seconded that Council direct Staff to provide a letter of concurrence to Innovation, Science, and Economic Development Canada in response to a proposed 63m telecommunications facility at 4600 Hammond Bay Road. The motion carried unanimously.

(l) Housing Target Progress Report July to December 2024

J. Holm, Director, Planning and Development, provided an overview of the report as attached to the agenda package and noted that the Ministry has been made aware of the delay in reporting due to the cancellation of the 2025-FEB-03 Regular Council Meeting.

It was moved and seconded that Council receive the Housing Target Progress Report for the reporting period of 2024-JUL-01 to 2024-DEC-31 in accordance with Ministerial Order M203 2024. The motion carried unanimously.

(m) Nanaimo Equestrian Association Request for Letter of Support

Richard Harding, General Manager, Community Services and Deputy Chief Administrative Officer, provided an overview of the report in the agenda package.

It was moved and seconded that Council direct Staff to provide a letter of support under the Mayor's signature on behalf of City Council to support Nanaimo Equestrian Association's grant application to the Horse Council of BC. The motion carried unanimously.

13. BYLAWS:

Councillor Hemmens vacated the Shaw Auditorium at 9:31 p.m. declaring a conflict of interest as she lives in the immediate neighbourhood of the properties included in the "Zoning Bylaw Amendment Bylaw 2024, No. 4500.221".

(a) "Zoning Bylaw Amendment Bylaw 2024, No. 4500.221"

It was moved and seconded that "Zoning Bylaw Amendment Bylaw 2024 No. 4500.221" (to rezone 120 Needham Street, 515, 535, 545, and 575 Nicol Street, from Single Dwelling Residential [R1] and Community Corridor [COR3] to Residential Corridor [COR1] with site-specific provisions) be adopted. The motion carried unanimously.

Councillor Hemmens returned to the Shaw Auditorium at 9:33 p.m.

(b) "False Alarm Bylaw 2025, No. 7392"

It was moved and seconded that "False Alarm Bylaw 2025, No. 7392" (a bylaw to reduce false alarms) be adopted. The motion carried unanimously.

(c) "Fees and Charges Amendment Bylaw 2025, No. 7336.12"

It was moved and seconded that "Fees and Charges Amendment Bylaw 2025, No. 7336.12" (a bylaw to add false alarm fees) be adopted. The motion carried unanimously.

(d) "Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.24"

It was moved and seconded that "Bylaw Notice Enforcement Amendment Bylaw 2025, No. 7159.24" (a bylaw to add fines for false alarms) be adopted. The motion carried unanimously.

14. CORRESPONDENCE:

- (a) Nanaimo Family Life Association Request for Letter of Support re: BC Housing Funding for Permanent Shelter at 55 Victoria Road (The Hub)

It was moved and seconded that the Mayor, on behalf of Council, provide a letter of support to Nanaimo Family Life Association, for their application to BC Housing, to fund a permanent shelter at 55 Victoria Road. The motion carried unanimously.

15. NOTICE OF MOTION:

- (a) Councillor Eastmure Notice of Motion re: Controlling Sale of Invasive Species

Councillor Eastmure advised that she would be bringing forward the following Notice of Motion for consideration at a future Council Meeting:

"That Council direct Staff to bring forward a report to a future Governance and Priorities Committee Meeting on options to prohibit the sale and spread of invasive species in the City of Nanaimo and options for the recovery of the cost of abatement of such invasive species."

17. QUESTION PERIOD:

Council received three (3) questions from the public regarding agenda items.

18. ADJOURNMENT:

It was moved and seconded at 9:52 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER