



MINUTES
REGULAR COUNCIL MEETING

Monday, May 26, 2025, 4:30 P.M.
Shaw Auditorium, Vancouver Island Conference Centre
80 Commercial Street, Nanaimo, BC

Members:

Mayor L. Krog, Chair
Councillor S. Armstrong (vacated at 10:20 p.m.)
Councillor T. Brown*
Councillor H. Eastmure*
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor P. Manly
Councillor J. Perrino
Councillor I. Thorpe*

Staff:

B. Sims, Acting Chief Administrative Officer
D. Lindsay, Chief Administrative Officer*
L. Mercer, General Manager, Corporate Services
S. Gurrie, Director, Legislative Services
J. Holm, Director, Planning and Development
D. Osborne, Director, Parks, Recreation and Culture
C. Davis, Deputy Director, Parks and Natural Areas
G. Bell, Manager, Sport and Arenas
A. Breen, Manager, Culture and Special Events
D. Burgos, Manager, Corporate Communications and
Community Relation Communications
J. Rose, Manager, Transportation
A. Schneider, Recreation Coordinator, Arenas
A. Chanakos, Steno, Legislative Services
L. Young, Recording Secretary

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

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:

- (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;
- (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
- (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 4:31 p.m.

Council moved out of In Camera at 6:05 p.m.

Council recessed the Open Meeting at 6:05 p.m.

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

3. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 12(b) Rezoning Application No. RA504 – 335 Third Street –
Add the following delegations:

- 1. Paul Chapman
- 2. D. James McRae
- 3. Gloria Bell
- 4. Pross Chan
- 5. Tristan Ruppe
- 6. Christine Johnson

- (b) Agenda Item 16(b) Consideration of Postponed Motion re: Loudon Park Development – Move to become new Agenda Item 12(c) and reorder subsequent agenda items accordingly.

Remove the following delegations:

1. Kiersten Mort
2. Ester Majercin

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 Regular Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2025-MAY-05, at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

6. MAYOR'S REPORT:

Mayor Krog advised of the following:

- Mayor Krog was wearing a Cowichan Valley Capitals Jersey during the Council Meeting after losing a bet with Mayor Rob Douglas of North Cowichan. The Cowichan Valley Capitals beat the Nanaimo Clippers during their game on 2025-APR-08
- The City of Nanaimo is celebrating progress made in creating a more accessible and inclusive community during National AccessAbility Week (2025-MAY-25 to 2025-JUN-31)
- GoByBike Week returns 2025-MAY-31 to 2025-JUN-08. A Kick-off Event will take place at Maffeo Sutton Park on 2025-MAY-31, and Celebration Stations will pop up across the City

7. RISE AND REPORT:

- (a) Design Advisory Panel Appointment

The Mayor advised that at the In Camera portion of the 2025-MAY-05 meeting, Council appointed Kait McGeary, Landscape Architect, as nominated by the British Columbia Society of Landscape Architects, to the Design Advisory Panel for a two-year term ending 2027-MAY-05, or until a successor is appointed.

(b) Member-At-Large Appointment to the Design Advisory Panel

The Mayor advised that at the In Camera portion of the 2025-MAY-05 meeting, Council appointed Jessica Kaman to the Design Advisory Panel for a three-year term ending 2028-MAY-05, or until a successor is appointed.

8. PRESENTATIONS:

(a) Trish Horrocks, Nanaimo Fiddle Society re: Nanaimo Fiddle Week May 11 - 17, 2025

Trish Horrocks, Nanaimo Fiddle Society, and members of the Nanaimo Fiddle Society provided a presentation and performance in honour of Nanaimo Fiddle Week, which took place 2025-MAY-11 to 2025-MAY-17.

(b) Joyce Fordyce Facility Programming Award Presentation

Darcie Osborne, Director, Parks, Recreation and Culture, advised that Allison Schneider, Recreation Coordinator, Arenas, was awarded the Joyce Fordyce Facility Programming Award at the Recreation Facilities Association of BC Conference in Penticton on 2025-APR-30. This award recognizes strong and dedicated contributions to recreation facilities.

Mayor Krog presented the Joyce Fordyce Facility Programming Award to A. Schneider, Recreation Coordinator, Arenas.

9. 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, 2025-MAR-27, at 4:34 p.m.

10. CONSENT ITEMS:

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

(a) Finance and Audit Committee Meeting 2025-MAY-21

1. Nanaimo Aquatic Centre HVAC

That Council increase the 2026 budget for the Nanaimo Aquatic Centre HVAC Equipment Upgrades project by \$6,740,951 funded by \$1,500,000 from the Facility Development Reserve Fund and \$5,240,951 from the General Asset Management Reserve Fund in the 2025 – 2029 Financial Plan.

2. ERP Project - Budget Increase Request

That Council increase the budget for the ERP project by \$1,900,000 funded by \$200,000 in 2025 and \$900,000 in 2026 from the General Asset Management Reserve Fund and \$800,000 in 2025 from the IT Reserve Fund in the 2025 – 2029 Financial Plan.

3. Nanaimo Curling Club Assessment

That Council direct Staff to prioritize necessary funds to sustain services at the Nanaimo Curling Club facility including a new roof and suitable surface to support ice, while investigating additional programming for the facility.

4. Community Watershed Restoration Grants 2025

That Council approve a total of \$20,000 in accordance with the Community Watershed Restoration Grant Guidelines and Criteria as attached to the Staff Report titled “Community Watershed Restoration Grant 2025”, dated 2025-MAY-21, and that the grant allocations be as follows:

- a) Nanaimo Area Land Trust - \$4,166
Project: Maintenance of Beaver Dam to Secure Flows
- b) Wellington Action Committee - \$3,800
Project: Diver Lake Western Painted Turtle Protection
- c) Pacific Garden Co-Housing - \$7,034
Project: Habitat Restoration Project-Chase River
- d) Wildcoast Ecological Society - \$5,000
Project: East Wellington Park’s Ecosystem Restoration and Wildlife Education Program

- The remainder of this page is intentionally left blank -

5. 2025 Community Environmental Sustainability Project Grant Applications

That Council approve a total of \$20,000 in accordance with the Community Environmental Sustainability Project Grant Guidelines and Criteria as attached to the Staff Report titled “2025 Community Environmental Sustainability Project Grant Applications”, dated 2025-MAY-21, and that the grant allocations be as follows:

- a) Broombusters Invasive Plant Society - \$2,000
Project: Nanaimo Parkway Broom Removal 2025
- b) Frank J Ney Parent Advisory Committee - \$5,000
Project: FJN Elementary Outdoor Classroom
- c) Nanaimo Area Land Trust and Friends of Cottle Creek - \$5,000
Project: Monitoring Riparian Forest Health in Linley Valley
- d) Nanaimo Area Cycling Coalition Society - \$1,000
Project: Cycle in Nanaimo
- e) Nanaimo Science - \$1,500
Project: Science in the Park
- f) Nanaimo Climate Action Hub - \$3,000
Project: Nanaimo Climate Action and Solutions Expo
- g) School District 68: Departure Bay Elementary School - \$2,500
Project: Phase 2 of Wardropper Park Improvements

The motion carried unanimously.

11. REPORTS:

(a) Development Variance Permit Application No. DVP476 - 110 Fry Street

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

Mayor Krog requested that Council hear anyone wishing to speak with respect to Development Variance Permit No. DVP476 - 110 Fry Street.

No one in attendance wished to speak with respect to Development Variance Permit No. DVP476 - 110 Fry Street.

It was moved and seconded that Council issue Development Variance Permit No. DVP476 for an overheight combined retaining wall and fence at 110 Fry Street with the variances as outlined in the “Proposed Variances” section of the Staff Report titled “Development Variance Permit Application No. DVP476 - 110 Fry Street”, dated 2025-MAY-26. The motion carried unanimously.

(b) Rezoning Application No. RA504 - 335 Third Street

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

Delegations:

1. Toby Seward, Seward Developments Inc., on behalf of the property owner, provided an overview of the application and the Access Assessment, and requested that Council amend item 4 of the Staff recommendation to allow the submission of a civil engineering design instead of submitting an access assessment, as an access assessment had already been submitted.
2. Paul Chapman spoke regarding opportunities to improve the health of the Cat Stream by requiring riparian restoration and incorporating rain gardens to protect the riparian zone from tire wear toxins.
3. James McRae expressed concerns regarding data provided in the Access Assessment, potential danger to vehicle traffic using the Wharton Street/Howard Avenue intersection, and the potential for increased on-street parking in the area.
4. Gloria Bell expressed concerns regarding the Access Assessment, including the timeframe in which the data was collected and potential inconsistencies in the data and figures provided. They requested that Council disregard the Access Assessment.
5. Pross Chan expressed concerns regarding the accuracy of the Access Assessment data as the information was collected over a single day during the holiday season. They also expressed concern regarding the potential dangers of increased traffic at the Wharton Street and Howard Avenue intersection.
6. Tristan Ruppe expressed concerns, including the following:
 - Their vehicle and others were not counted at the Wharton Street and Howard Avenue intersection during the Access Assessment
 - The Access Assessment was only conducted during peak hours of the day
 - Anticipating increased traffic due to courier and food deliveries to the new development
 - Concerns regarding the use of the "Institute of Transportation Engineers Trip Generation Manual" to analyze the data

7. Christine Johnson, via Zoom, requested that Council require the access to the property be on Third Street, and that public accessible greenspace be considered for this area.

It was moved and seconded that “Zoning Amendment Bylaw 2025 No. 4500.236” (to rezone 335 Third Street from Single Dwelling Residential [R1] to Residential Corridor [COR1]) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2025 No. 4500.236” pass second reading. The motion carried unanimously.

It was moved and seconded that “Zoning Amendment Bylaw 2025 No. 4500.236” pass third reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to secure items 1, 2, and 3 outlined in the “Conditions of Rezoning” section of the Staff Report titled “Rezoning Application No. RA504 - 335 Third Street” dated 2025-MAY-26, as conditions of “Zoning Amendment Bylaw 2025 No. 4500.236”, prior to final adoption of the bylaw.

It was moved and seconded that the motion be amended to add the words “and that 10 percent of the Community Amenity Contribution be allocated towards restoration efforts on the adjacent wetland and watercourse.” after the words “prior to final adoption of the bylaw”.

The vote was taken on the amendment.

The motion carried unanimously.

The vote was then taken on the main motion, as amended, as follows:

That Council direct Staff to secure items 1, 2, and 3 outlined in the “Conditions of Rezoning” section of the Staff Report titled “Rezoning Application No. RA504 - 335 Third Street” dated 2025-MAY-26, as conditions of “Zoning Amendment Bylaw 2025 No. 4500.236”, prior to final adoption of the bylaw, and that 10 percent of the Community Amenity Contribution be allocated towards restoration efforts on the adjacent wetland and watercourse. The motion, as amended, carried unanimously.

It was moved and seconded that Council direct Staff to secure a restriction on driveway access from the property to Wharton Street and Georgia Avenue as a condition of “Zoning Amendment Bylaw 2025 No. 4500.236”, prior to final adoption of the bylaw. The motion carried.

Opposed: *Mayor Krog, Councillors Hemmens, Perrino and Thorpe*

Council recessed the Meeting at 9:02 p.m.

Council reconvened the Meeting at 9:10 p.m.

(c) Consideration of Postponed Motion re: Loudon Park Development

Delegations:

1. Craig Rutherford spoke regarding a need for upgrades/enhancements at Loudon Park to address issues such as the accessibility of the facility, rowing equipment being exposed to the elements, and challenges transporting boats to the water.
2. Danielea Castell spoke regarding the importance of the project and expressed concerns regarding the tree canopy being reduced. They requested that Council defer approval of the project in order to investigate other options.
3. Jennifer Mckenzie noted issues at Loudon Park including a lack of access to water and electricity for events, and a need for a heated enclosure to warm up.
4. Gino Fournier spoke regarding the need for an accessible facility at Loudon Park.
5. Denise Winter and Ashley Manlow, Nanaimo Canoe and Kayak Club (NCKC), spoke regarding the many initiatives and programs run by the NCKC, and requested that Council invest in Loudon Park development.

[Note: The following motion was postponed from the 2025-MAY-05 Regular Council Meeting.]

The following motion was now on the floor for consideration:

“That Council direct Staff to:

- Increase the budget by \$1,876,373 funded from the Special Initiatives Reserve to proceed with the Boat Storage and Club Building from the alterative design for the Loudon Park improvements as outlined in the report titled “Loudon Park Improvements” dated 2025-MAR-19; and,
- Prepare a concept plan for a washroom, multi-purpose and fitness building on the general area of the existing washroom building.”

It was moved and seconded that the following motion be postponed indefinitely:

“That Council direct Staff to:

- Increase the budget by \$1,876,373 funded from the Special Initiatives Reserve to proceed with the Boat Storage and Club Building from the alternative design for the Loudon Park improvements as outlined in the report titled “Loudon Park Improvements” dated 2025-MAR-19; and,
- Prepare a concept plan for a washroom, multi-purpose and fitness building on the general area of the existing washroom building.”

The motion carried unanimously.

It was moved and seconded that Loudon Park Development be referred back to Staff in order to provide a range of options for the Loudon Park Development. The motion carried.

Opposed: *Councillor Perrino*

(d) Covenant Amendment Application No. CA21 - 1179 Seafield Crescent

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

It was moved and seconded that Council direct Staff to proceed with public notification prior to consideration of Covenant Amendment Application No. CA21 for 1179 Seafield Crescent at an upcoming Council meeting. The motion carried unanimously.

(e) Repainting of Nanaimo Sign at Maffeo Sutton Park

D. Osborne, Director, Parks, Recreation and Culture, provided an overview of the report included in the agenda package.

It was moved and seconded that Council direct Staff to commission a new design for the letter “O” for the Nanaimo sign at Maffeo Sutton Park through the City’s Urban Design Roster for 2025, and direct Staff to explore the feasibility of establishing an annual public design call for future years. The motion carried.

Opposed: *Mayor Krog, Councillors Armstrong and Thorpe*

(f) Form and Character Design Guidelines Project

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

It was moved and seconded that “Zoning Bylaw Amendment Bylaw 2025 No. 4500.235” (a bylaw to amend the landscape regulations and to replace DPA8 design guidelines) pass first reading. The motion carried unanimously.

It was moved and seconded that “Zoning Bylaw Amendment Bylaw 2025 No. 4500.235” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to proceed to a public hearing for “Zoning Bylaw Amendment Bylaw 2025 No. 4500.235” prior to consideration of third reading and final adoption, as required by Section 464 of the *Local Government Act*. The motion carried unanimously.

It was moved and seconded that Council endorse the Form and Character Design Guidelines (2025) as attached to the Staff Report titled “Form and Character Design Guidelines Project”, dated 2025-MAY-26. The motion carried unanimously.

(g) Off-Street Parking Regulations Bylaw Amendments - Downtown Urban Centre

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

It was moved and seconded that “Off-Street Parking Regulations Amendment Bylaw 2025 No. 7266.04” (to eliminate minimum parking requirements in the Downtown Urban Centre) pass first reading. The motion carried unanimously.

It was moved and seconded that “Off-Street Parking Regulations Amendment Bylaw 2025 No. 7266.04” pass second reading. The motion carried unanimously.

It was moved and seconded that Council direct Staff to proceed to a public hearing for Bylaw 7266.04 prior to consideration of third reading and final adoption, as required by Section 2.3 of the “Off-Street Parking Regulations Bylaw 2018 No. 7266”. The motion carried unanimously.

- *The remainder of this page is intentionally left blank* -

12. NOTICE OF MOTION:

- (a) Councillor Eastmure Notice of Motion re: Housing as a Human Right UBCM Resolution

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 submit the following resolution to the Union of BC Municipalities (UBCM) for consideration at their 2025 Annual General Meeting and Convention:

WHEREAS recognizing housing as a human right fundamentally shifts government motivations by adding critical urgency and responsibility to ensure access to affordable housing (meaning housing costs are aligned with income) through policies that prevent homelessness, address the escalating housing and homelessness crisis, eliminate discrimination, and prioritize the needs of vulnerable and marginalized populations;

AND WHEREAS the Government of Canada affirmed the right to housing as a matter of international law and enshrined it domestically through the *National Housing Strategy Act (2019)*, recognizing housing as a human right and establishing mechanisms for accountability and inclusion;

THEREFORE, BE IT RESOLVED that the UBCM call for the British Columbia Government to enshrine housing as a human right in legislation and forthcoming housing and homelessness strategies, ensuring that housing policy in British Columbia is grounded in principles of equity, accessibility, accountability, and the inherent dignity of all people.”

13. OTHER BUSINESS:

- (a) Councillor Thorpe Motion re: Quarterly Updates from Tourism Nanaimo, Nanaimo Prosperity Corporation and Nanaimo Systems Planning Organization

It was moved and seconded that Council require Tourism Nanaimo, the Nanaimo Prosperity Corporation and the Nanaimo Systems Planning Organization to provide their future updates to Council on a semi-annual, rather than quarterly basis. The motion carried unanimously.

14. QUESTION PERIOD:

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

Councillor Armstrong vacated the Shaw Auditorium at 10:20 p.m.

15. ADJOURNMENT:

It was moved and seconded at 10:22 p.m. that the meeting adjourn. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER