

**MINUTES**  
SPECIAL COUNCIL MEETING (PUBLIC HEARING)  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC  
THURSDAY, 2018-AUG-02, AT 7:00 P.M.

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Present:     Acting Mayor G. W. Fuller, Chair  
                 Councillor S. D. Armstrong  
                 Councillor W. L. Bestwick  
                 Councillor J. Hong  
                 Councillor I. W. Thorpe  
                 Councillor J. A. Kipp  
                 Councillor W. M. Yoachim

Absent:       Mayor W. B. McKay  
                 Councillor M. D. Brennan

Staff:         D. Lindsay, Director of Community Development  
                 D. Stewart, Planner (vacated 7:36 p.m.)  
                 S. Gurrie, City Clerk  
                 S. Snelgrove, Recording Secretary

1.     CALL THE SPECIAL COUNCIL MEETING TO ORDER:

The Special Council Meeting was called to order at 7:00 p.m.

2.     INTRODUCTION OF LATE ITEMS:

- (a)     Remove Agenda Item 9(b) Bylaw Contravention Notice – Construction Not Completed as per Conditions of Building Permit – 2850 Fairbanks Street.

3.     ADOPTION OF AGENDA:

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

4.     CALL THE PUBLIC HEARING TO ORDER:

The Public Hearing Meeting was called to order at 7:01 p.m. Acting Mayor Fuller spoke regarding the purpose of a Public Hearing, advised that Council was meeting on the traditional territory of the Snuneymuxw First Nation and advised of the standard protocols for a Public Hearing.

5. PUBLIC HEARING AGENDA:

Dale Lindsay, Director of Community Development, explained the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*.

(a) Rezoning Application No. RA390 – 215 Sabiston Street

Introduced by David Stewart, Planner, Current Planning and Subdivision.

Presentation:

1. Applicant Jerry Ellins, Ellins Architect Inc. stated:
  - South End Neighbourhood Association was in support of the project and will be sending him a letter stating this,
  - As it is rental property the owners will use a management company to screen tenants,
  - Handout to neighbours was provided,
  - Available for comments from Council,
  - Parking is available for each resident,
  - Visitor parking is available,
  - Rents will be more than what was charged previously,
  - Construction will start as soon as the developer gets the development and building permits.

Acting Mayor Fuller called for submissions from the Public:

1. Pat McArthur, 350 Irwin Street, spoke in opposition and stated:
  - opposed due to the way the residence has been run over the years,
  - concerned with tenants not the building itself,
  - were constantly taking licence plate numbers and sending them to the RCMP,
  - the building was recently completely re-done.
2. Gurdial Singh Parmar, 561 Eight Street, property owner, spoke in favour and stated:
  - he will work with the neighbourhood if concerns are raised,
  - his son had previously looked after the property,
  - his son would visit the property every weekend when needed,
  - going forward he will look after the property or may hire a management company once the property is built.

Acting Mayor Fuller called for submissions from the Public for a second time:

No one else in attendance wished to speak regarding Rezoning Application No. RA390 – 215 Sabiston Street.

Acting Mayor Fuller called for submissions from the Public for a third time:

No one else in attendance wished to speak regarding Rezoning Application No. RA390 – 215 Sabiston Street.

6. FINAL CALL FOR SUBMISSIONS:

Acting Mayor Fuller announced that following the close of a Public Hearing, no further submission or comments from the public or interested persons can be accepted by members of City Council, as established by provincial case law. This is to ensure a fair Public Hearing process and provide a reasonable opportunity for people to respond.

7. ADJOURNMENT OF THE PUBLIC HEARING:

It was moved and seconded that the Public Hearing adjourn at 7:20 p.m. The motion carried unanimously.

8. BYLAWS:

(a) "Zoning Amendment Bylaw 2018 No. 4500.125"

It was moved and seconded that "Zoning Amendment Bylaw 2018 No. 4500.125" (To rezone 215 Sabiston Street from Single Dwelling Residential [R1] to Townhouse Residential [R6]) pass third reading. The motion carried. Opposed: Councillor Bestwick

9. REPORTS:

(a) Bylaw Contravention Notice Construction Started Without a Building Permit – 685 Nicol Street

Introduced by Dale Lindsay, Director of Community Development.

D. Stewart vacated the Shaw Auditorium at 7:36 p.m.

Acting Mayor Fuller requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice Construction Started without a Building Permit – 685 Nicol Street.

No one in attendance wished to speak with respect to Bylaw Contravention Notice - Construction Started without a Building Permit - 685 Nicol Street.

It was moved and seconded that Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 685 Nicol Street for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224". The motion carried unanimously.

(b) Bylaw Contravention Notice - Construction Started Without a Building Permit - 1 Chapel Street

Introduced by Dale Lindsay, Director of Community Development.

Acting Mayor Fuller requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice Construction Started without a Building Permit – 1 Chapel Street.

No one in attendance wished to speak with respect to Bylaw Contravention Notice - Construction Started without a Building Permit – 1 Chapel Street.

It was moved and seconded that Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 1 Chapel Street for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. The motion carried unanimously.

(c) Bylaw Contravention Notice - Construction Started Without a Building Permit – 4961 Hammond Bay Road

Introduced by Dale Lindsay, Director of Community Development.

Acting Mayor Fuller requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice Construction Started without a Building Permit – 4961 Hammond Bay Road.

No one in attendance wished to speak with respect to Bylaw Contravention Notice - Construction Started without a Building Permit – 4961 Hammond Bay Road.

It was moved and seconded that Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 4961 Hammond Bay Road for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. The motion carried unanimously.

10. ADJOURNMENT:

It was moved and seconded at 7:39 p.m. that the meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER