

MINUTES
SPECIAL COUNCIL MEETING (PUBLIC HEARING)
BOARD ROOM, SERVICE AND RESOUCCE CENTRE 411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2017-DEC-07, AT 7:00 P.M.

PRESENT: Mayor W. B. McKay, Chair

Members: Councillor S. D. Armstrong
Councillor W. L. Bestwick
Councillor M. D. Brennan
Councillor G. W. Fuller
Councillor J. Hong (vacated 8:32 p.m.)
Councillor J. A. Kipp
Councillor I. W. Thorpe
Councillor W. M. Yoachim

Staff: D. Lindsay, Director of Community Development
L. Rowett, Manager of Current Planning and Subdivision
T. Rogers, Planner
J. Vanderhoef, 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) Agenda Item 9(a) – Bylaw Contravention Notices – Secondary Suites – Add delegation from Edward Salvesen.
- (b) Agenda Item 9(a) – Bylaw Contravention Notices – Secondary Suites – Remove 1236 Okanagan Place – illegal secondary suite.

3. ADOPTION OF AGENDA:

27217 It was moved and seconded that the Agenda, as amended, be adopted. The motion carried unanimously.

4. CALL THE PUBLIC HEARING TO ORDER:

The Pubic Hearing Meeting was called to order at 7:02 p.m. Mayor McKay 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:

Lainya Rowett, Manager, Current Planning and Subdivision, 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. RA382 - 480 Tenth Street – Bylaw 4500.115

Rezoning Application No. RA382 - 480 Tenth Street was introduced by Tamera Rogers, Planner.

Presentation:

1. Keith Brown and Associates Ltd., spoke on behalf of the applicant P. J. & R. Holdings Ltd., and stated the following:
 - the location has underground services;
 - paving will commence late spring;
 - identified lots 2 and 27 for proposed rezoning to R4;
 - 27 lot subdivision;
 - pedestrian walkway along side of lot 27 with 4-foot-high fence for safety;
 - each lot would have 2 parking spots, plus the garage and driveway, to relieve parking on the streets;
 - 7 meter dedicated for laneway versus a 10 meter for roadway; and,
 - garbage will be onsite, and collected from the main street.

Mayor McKay called for submissions from the public:

1. James Gallant, 1132 Beechwood Drive – opposed, stated:
 - traffic flow serviced by a lane will become congested;
 - concern over fencing on either side of the walkway; and,
 - concern over suites in these residence.

Mayor McKay called for submissions from the public:

2. Shelly McKenzie, 1132 Beechwood Drive - opposed, stated:
 - concern over parking, traffic and a narrow laneway; and,
 - 4-foot-high fence will not provide privacy to her property.

Mayor McKay called for submissions from the public:

No one in attendance wished to speak regarding Rezoning Application No. RA382 - 480 Tenth Street – Bylaw 4500.115.

No written submissions were received from the public with respect to Rezoning Application No. RA382 - 480 Tenth Street – Bylaw 4500.115.

(b) Rezoning Application No. RA383 - 285 Rosehill Street – Bylaw 4500.116

Rezoning Application No. RA383 - 285 Rosehill Street was introduced by Tamera Rogers, Planner.

Presentation:

1. Taryn O'Flanagan, Clinical Manager, Vancouver Island Mental Health Society, and John O'Reilly, Project Planner, M'akola Development Services, spoke on behalf of the applicant and property owner, Vancouver Island Mental Health Society (VIMHS), and stated the following:
 - provided information regarding Vancouver Island Mental Health Association;
 - location is on the corner of Terminal Avenue and Rosehill Street;
 - located across from a bus stop;
 - there is currently an existing four plex operated close to the site;
 - existing four plex has operated for over 20 years;
 - vision of Official Community Plan is for site to evolve as corridor with more density;
 - Newcastle and Brechin Neighbourhood plan designation mixed use corridor;
 - Currently zoned R8 proposed change to Mixed Use Corridor 2 (COR2);
 - allows current use, and increased density;
 - plan for 19 affordable unit studio apartments, 3 storey building;
 - front portion of site dedicated to the City with landscaping which requires a variance;
 - reduce parking from 3 space to 2 space, with 2 parallel parking spots on the street;
 - outreach to the neighbourhood was done by sending flyers to neighbours in 6 blocks surrounding the site;
 - rezoning notice posted on October 2017;
 - some concerns have come forward; and,
 - Staff have requested that the sidewalk be moved closer to the road to provide more of a buffer from the building.

Mayor McKay called for submissions from the public:

1. David Stanley, 225 Rosehill Street - undecided, stated:
 - concern over parking as it is limited along Rosehill street
 - present residents of the four plex have come into his condominium garden to use the garden as a smoking location; and,
 - concern over increase in crime recently.

Mayor McKay called for submissions from the public:

2. Bill Bard, 2362 Meadowlark Trail, spoke in favour, stated:
 - someone living on \$1000 a month will not have a car and parking will not be an issue; and,
 - spoke regarding the work that VIMHS does in the community.

Mayor McKay called for submissions from the public:

3. Valerie Fulford, 1382 Rose Ann Drive, spoke in favour, stated:
 - previous members using housing have stated a big benefit to these housing options.
4. Kevin Midbo, 333 Vancouver Avenue, spoke in favour, stated:
 - no concern regarding members of the current four plex;
 - does not feel that the parking will be an issue; and,
 - this is a resilient neighbourhood.
5. Tiffany Ridge, 226 Evergreen Ridge, Parksville, spoke in favour, stated:
 - the importance of this service; and,
 - need for affordable housing.
6. Jane Taylor, on behalf of residents at 411 Holly Avenue, opposed, stated:
 - concern over crime influx; and,
 - concern over safety of the neighbourhood.

Mayor McKay called for submissions from the public:

No one in attendance wished to speak with respect to Rezoning Application No. RA383 - 285 Rosehill Street – Bylaw 4500.116.

One written submission was received from the public with respect to Rezoning Application No. RA383 - 285 Rosehill Street – Bylaw 4500.116 from the following resident:

- Mark Pearce, 218-312 Mt. Benson Street, Opposed.

(c) "City of Nanaimo Development Cost Charge Bylaw 2017 No. 7252"

"City of Nanaimo Development Cost Charge Bylaw 2017 No. 7252" was introduced by Dale Lindsay, Director of Community Development.

Mayor McKay called for submissions from the public:

No one in attendance wished to speak with respect to "City of Nanaimo Development Cost Charge Bylaw 2017 No. 7252".

No written submissions were received from the public with respect to "City of Nanaimo Development Cost Charge Bylaw 2017 No. 7252".

6. FINAL CALL FOR SUBMISSIONS:

Mayor McKay 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:

27317 It was moved and seconded that the Public Hearing adjourn at 8:01 p.m. The motion carried unanimously.

8. BYLAWS:

(a) "Zoning Amendment Bylaw 2017 No. 4500.115"

27417 It was moved and seconded that "Zoning Amendment Bylaw 2017 No. 4500.115" (RA382 – To rezone a portion of 480 Tenth Street from Single Dwelling Residential [R1] to Duplex Residential [R4]) pass third reading. The motion carried.
Opposed: Councillor Bestwick

(b) "Zoning Amendment Bylaw 2017 No. 4500.116"

27517 It was moved and seconded that "Zoning Amendment Bylaw 2017 No. 4500.116" (RA383 – To rezone 285 Rosehill Street from Medium Density Residential [R8] to Mixed Use Corridor [COR2]) pass third reading. The motion carried unanimously.

(c) "City of Nanaimo Development Cost Charge Bylaw 2017 No. 7252"

27617 It was moved and seconded that "Development Cost Charge Bylaw 2017 No. 7252" (To impose development cost charges within the City of Nanaimo) pass third reading. The motion carried unanimously.

9. REPORTS:

(a) Bylaw Contravention Notices - Secondary Suites

Introduced by Dale Lindsay, Director of Community Development.

Delegation:

1. Edward Salvesen spoke regarding 2885 Staffordshire Terrace, the recently purchase of this property, and the suite providing income towards his mortgage payments.

Mayor McKay requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notices at the following properties:

- 2885 Staffordshire Terrace – illegal secondary suite; and,
- 351 Woodhaven Drive – two illegal secondary.

27717 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 2885 Staffordshire Terrace – illegal secondary suite. The motion carried.

Opposed: Councillors Bestwick and Kipp

27817 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 351 Woodhaven Drive – two illegal secondary suites. The motion carried unanimously.

Councillor Hong vacated the Boardroom at 8:32 p.m. stating a conflict of interest.

(b) Bylaw Contravention Notice - Construction Started Without a Building Permit – 540 Haliburton Street

Introduced by Dale Lindsay, Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice at 540 Haliburton Street.

1. Barry Wang spoke regarding 540 Haliburton Street, and requested a 6-month extension to submit the necessary documents and prepare a plan.

27917 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 540 Haliburton Street for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. The motion carried.

Opposed: Councillor Yoachim

10. ADJOURNMENT:

28017 It was moved and seconded at 8:48 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER