

**MINUTES**  
**SPECIAL MEETING OF THE COUNCIL OF THE CITY OF NANAIMO**  
**HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC**  
**ON THURSDAY, 2016-MAR-03 COMMENCING AT 7:00 P.M.**

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PRESENT: His Worship Mayor W. B. McKay, Chair

Members: Councillor G. W. Fuller  
Councillor J. A. Kipp  
Councillor I. W. Thorpe  
Councillor J. Hong  
Councillor W. L. Pratt

Absent: Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor W. M. Yoachim

Staff: B. Anderson, Manager, Planning & Design, CD  
K. Kronstal, Planner  
S. Matthewman, Steno  
C. Burgmann, Steno

Public: There were 2 members in attendance

1. CALL THE SPECIAL MEETING OF COUNCIL TO ORDER:

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

2. ADOPTION OF AGENDA:

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

3. CALL THE PUBLIC HEARING TO ORDER:

Mayor McKay called the Public Hearing to order at 7:00 p.m. and advised that members of City Council, as established by Provincial case law, cannot accept any further submissions or comments from the public following the close of a Public Hearing. Mr. Anderson explained the required procedures in conducting a Public Hearing and the regulations contained within Part 26 of the *Local Government Act*. Mr. Anderson advised this is the final opportunity to provide input to Council prior to consideration of the Covenant Amendment Application at this evening's Special Council meeting.

- a) Covenant Amendment Application No. CA000003 – 4700 / 4750 Hammond Bay Road - to be introduced by Karin Kronstal, Planner, Planning & Design Section.

The covenant amendment, if approved, will amend the Section 219 Covenant registered on title of the subject property (Covenant EX21926) by removing the requirement that a grocery store use occupy a minimum of 343m<sup>2</sup> of the permitted commercial gross floor area of 1,423m<sup>2</sup>.

**Brock Williamson, Williamson & Associates Professional Engineers – Applicant Representative**

Mr. Williamson's presentation is attached as "Attachment A".

Councillor Fuller asked staff how many covenants do we have on properties that have specific use.

Mr. Anderson said we have numerous covenants, and they are not this specific with respect to limited floor area use.

There were no written and no verbal submissions received with regard to Covenant Amendment Application CA000003.

4. **ADJOURNMENT OF THE PUBLIC HEARING**

It was moved and seconded that the Public Hearing adjourn. The motion carried unanimously.

5. **BYLAWS:**

- a) That "COVENANT AMENDMENT APPLICATION" (CA003) - to amend Section 3.2 of Covenant EX21926 currently registered on title for 4700/4750 Hammond Bay Road. Pass Third Reading.

It was moved and seconded that Covenant Amendment Application CA000003 pass Third Reading. The motion carried unanimously.

6. **ADJOURNMENT:**

It was moved and seconded at 7:09 p.m. that the meeting terminate. The motion carried unanimously.

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MAYOR

CERTIFIED CORRECT:

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CORPORATE OFFICER