

**MINUTES**  
SPECIAL MEETING OF THE COUNCIL OF THE CITY OF NANAIMO  
HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC  
ON THURSDAY, 2015-DEC-03 COMMENCING AT 7:00 P.M.

---

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

Members: Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. W. Fuller  
Councillor J. A. Kipp  
Councillor I. W. Thorpe  
Councillor W. M. Yoachim  
Councillor J. Hong

---

Absent: Councillor W. L. Pratt

Staff: B. Anderson, Manager, Planning & Design Section, CD  
D. Stewart, Planner  
K. Kronstal, Planner  
S. Matthewman, Steno Planning

Public: There were 70 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 pm 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 further Readings of Bylaw Nos. 4500.091, 4500.088, 4500.092 and 4500.093 at this evening's Special Council meeting.

a) Bylaw No. 4500.091 – RA000360 – 2578 Rosstown Road

This bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to permit a 5 lot subdivision.

**Keith Brown, Keith Brown Associates – Applicant Representative**

Mr. Brown's presentation is attached as "Attachment A – Presentation for Bylaw No. 4500.091".

Councillor Bestwick inquired about the driveway access for Lots 1 & 2, and whether they will be using Rosstown Road or Pheasant Terrace.

Mr. Brown advised that the driveways are still subject to review by engineering when the formal application goes in for approval at the Design Approval Stage of subdivision.

Councillor Hong is concerned with the single garage for Lot 5 and where the tenants will park.

Mr. Brown advised that each lot will have a secondary suite, and the footprint and drawings can be redesigned for adequate parking on this site.

Councillor Hong asked staff, what are the rules with parking for secondary suites?

Ms. Kronstal advised that one additional parking space is allowed for a secondary suite.

Councillor Yoachim commented that this seems like a great opportunity to improve the road for cyclists and pedestrians, and hopes the developer and staff will work with the cycling coalition to improve the corner.

Mayor McKay inquired if there were any members of the public who wished to speak regarding this item.

**Leo Boon - 4896 Departure Bay Road - Representing the Greater Nanaimo Cycling Coalition.**

Mr. Boon advised that children from Coal Tyee School have difficulty on the road. The city has provided a sidewalk on Rosstown Road of 5 feet, the whole neighborhood uses this sidewalk. A crosswalk needs to be installed here. Mr. Boon was concerned that this is a high volume route for cars and cyclists, the Labieux bikeway will not be built until 2039, most cyclists use this route. The corner is being cut off by car drivers. We have made some suggestions, please see the link to our website and direct staff for some solutions. The cycling coalition have seen a plan which includes a curb extension which pushes cyclists back on to the road going around the corner. We are in favour of this rezoning application, and are looking forward to working with the developer further to some solutions for other road uses.

Councillor Bestwick asked staff at what stage in the process will you engage the developer as it relates to the cycling and pedestrian traffic on the corner?

Ms. Kronstal advised that it will be at the Design Approval stage. Mr. Boon's comments are appreciated and will be passed on to the Engineering & Traffic Division.

**Gurdeep Minhas, Owner - 3205 Ridgeview Place**

Mr. Gurdeep stated that he was not aware of the cycling coalition's concerns, with their commitment to the City and improvement of that area, they will work with them at the Design Approval stage and the Preliminary Layout Acceptance stage. It can be accommodated with the parking issues as well at these stages.

There were two written and two verbal submissions received with regard to Bylaw No. 4500.091.

b) **Bylaw No. 4500.088 – RA000357 – 2000 Island Highway North**

This bylaw, if adopted, will rezone the subject property to permit a site specific liquor retail store within Comprehensive Development District Eight (CD8) Zone (the Brooks Landing shopping centre).

**Dan Brady, General Manager, Howard Johnson Harbourside Hotel - Agent**

Mr. Brady advised that since he last spoke to Council in regard to this application there has been a final decision that Woodlands Secondary school is going to be closed June 2016. Concern of students acquiring alcohol is no longer an issue. The only issue that stopped the Social Planning Committee from approving this application was the location of the high school. The location of the elementary school was never an issue with them. The current location of the liquor store on the Howard Johnson property is 100m closer to the Pauline Haarer Elementary School and the adjoining Scout Hut than to what the new location will be at Brooks Landing to Cilaire Elementary School, and there was never an issue.

It is the interpretation of how the distance is measured that has caused concerns for the rezoning of this application. The City of Nanaimo has used two different methods for calculating the distance, from door to door and property line to property line. A third way of measuring from the Liquor Control Strategy Board (from 13 years ago), is from the school property line to the front door of the liquor store. Two of the three different ways of the measurement fit well in this criteria for relocating the liquor store. The Provincial Government uses door to door measurement in their liquor licensing policy.

Mr. Brady advised that he spoke to Corporal Dave Laberge, Nanaimo RCMP in hope of gaining crime statistics in regards to the impact of the three most recent liquor store relocations at Bowen Road, Departure Bay Road and Fifth Street. He wanted to know if there was any difference in the crime rate in the areas surrounding these three stores, or difference in calls to service. To get exact detail he would have to have a crime analysis done. Mr. Brady said that in Dave LeBerge's years in charge of the liquor licensing file for the RCMP he had seen no increase of calls for service or crime rate in these three locations.

- We now have pre-applicant approval from the Province, support from the Nanaimo RCMP, and the Planning and Transportation Committee.
- The Brechin Hill Neighbourhood Association is not opposed.
- The Departure Bay Neighbourhood Association could not provide comment as they are outside of the neighbourhood.
- This would provide one stop shopping, Brooks Landing mall is a regional shopping centre.

- Existing store has not had a single infraction in 20 years.
- We offer more than low service employment, we take care of our employees, our store is a union store, highest paid wages, provide medical, dental and pension benefits for our staff.
- Our hotel and liquor store are good corporate citizens.

Councillor Brennan asked to have terminology confirmed about whether the RCMP were in support of the application or not opposed to the application?

Mr. Brady confirmed that the RCMP were not opposed to the application.

Councillor Kipp inquired as to how many people were contacted.

Mr. Brady said we did a direct mail out to 2400 homes in the area with Canada Post. Darcy Olsen also conducted a door to door campaign.

**Darcy Olsen, Consultant – 3080 Shamrock Place**

Ms. Olsen advised that she was contracted by Terracap Management Inc. to do a door to door community consultation surrounding Brooks Landing. The community consultation included the following streets in the immediate area: Montrose Avenue, Windsor Avenue, Highland Boulevard, Cosgrove Crescent, Marlborough Drive, Lynburn Crescent, Woodlands Street, Hallen Avenue, Grant Avenue, Giggleswick Place, Mallard Drive, Duggan Road and Meghan Place.

Councillor Fuller inquired about the mailout postcard and found it interesting that it did not have any place for anyone to respond who does not support the application. Most of the submissions with Dan Brady's name on the bottom were not from the area, and they were as far as Lantzville.

Mr. Brady responded that the email was sent to friends, acquaintances and businesses that shop in the area, and asked if they support this application to respond to the City of Nanaimo.

**Jason McAuley, Owner Terracap Management Inc.**

Mr. McAuley advised that this liquor store will be a great addition to the Brooks Landing shopping mall, the services include a bank, grocery store, Staples, Tim Hortons, etc. for a one stop shopping experience. People living in the area will not need to drive there. Mr. McAuley said they engaged traffic consultants to help to facilitate adequate traffic flow around the property for the pad addition on the southwest corner, for which they have a development permit. He also stated they canvassed all of the tenants in the mall and they are in support of the liquor store being relocated to Brooks Landing Mall.

Mayor McKay inquired if there were any members of the public who wished to speak regarding this item.

**Susan Gueulette - 2415 Marlborough Drive – Opposed**

Ms. Gueulette is here on behalf of Cilaire PAC group. She said they have many concerns; social issues related to alcohol consumption, the close proximity to schools with the underpass tunnel, and increased traffic. We already have several liquor stores in the neighbourhood. Say no to Brooks Landing Liquor store.

**Nicholas Barber – 251 Cilaire Drive – Opposed**

Mr. Barber stated his concerns with the close proximity to schools and the mental health outreach office. He also stated that this is a good opportunity to lease some space for a Community Police office.

**Mary Nordstrom – 149 Black Powder Trail - Opposed**

Ms. Nordstrom stated her concerns with safety issues with bank machine usage. The latest bulletin from BCGEU and private liquor stores states they will include marijuana licenses with liquor licenses, with stores open 24/7. She also advised a need for a doctor office instead.

**Mary Pady - 1325 Argyle Avenue – Opposed**

Ms. Pady stated that she is a long term resident and that her children went to Cilaire and Woodlands Schools. Ms. Pady advised that she is concerned with the congested parking, increase of crime in the area, safety of children and close proximity of the elementary schools and the underpass tunnel that the children use.

**John Scott - 291 Cilaire Drive – Opposed**

Mr. Scott advised it is not a wise plan to relocate an existing liquor store by three schools and the most dangerous intersection in Nanaimo. He is concerned about the safety of the children, traffic and the congested parking lot. Mr. Scott stated that even though Woodlands School is closing, it is still owned by the School District and zoned for a school.

**Keighley Kenney – 1435 Montrose Avenue – Opposed**

Ms. Kenney stated that she is a student attending Woodlands Secondary School and feels a tremendous sense of community throughout the Cilaire area. She has concerns with safety issues and the volume of traffic. Ms. Kenney said she realizes that not everyone who purchases liquor is an alcoholic, but there are people who make it hard to trust, or to be a part of our community.

**Marty Dohm- 2650 650 West Georgia Street, Vancouver – Opposed**

Mr. Dohm advised that he is the owner of several malls in Nanaimo; Terminal Park Mall, Metral Station, South Parkway Plaza and Southgate Shopping Centre. He said that the Tally Ho liquor store relocation will have a negative impact on tenants at Terminal Park Mall, most tenants are Nanaimo residents working hard at owning retail businesses, which is already a challenging market. There are more than enough liquor stores in the surrounding area to support the City of Nanaimo community. Mr. Dohm was also concerned with the close proximity to schools and how it will compound issues with a negative impact.

Councillor Hong asked Mr. Dohm if could repeat which malls he owns within the City of Nanaimo.

Mr. Dohm replied Metral Station, South Parkway Plaza, Southgate Shopping Centre and Terminal Park Mall.

Councillor Kipp asked if an applicant wanted to relocate a liquor store to your location, wouldn't you want a liquor store?

Mr. Dohm replied - yes.

**Jeremy Inscho - 2143 Duggan Road – Opposed**

Mr. Inscho stated that his family has been living here for over 40 years and chose to stay in that area as they love the community. He is concerned with the difficult traffic flow; challenging parking, safety and sanitation of the underground walkway, the close proximity to three schools, many daycares, Church and Beach Estates Park. He is also concerned with the social issues associated with alcohol consumption. A liquor store at Brooks Landing is wrong for our neighbourhood and wrong for our community.

**Michelle DeLasalle – Owner, Vancouver Island Liquor Store - 2875 Departure Bay Road - Opposed**

Ms. DeLasalle advised that the test for distance to schools is not just 150m, but in close proximity. The proposed application is across the street from Cilaire Elementary and a tunnel walkway to Woodlands School, which of course is going to be closed. Ms. DeLasalle advised that Council cannot prejudge whether the redevelopment of the Howard Johnson site will proceed, they must not allow this to influence their decision on this rezoning application. Brooks Landing must be considered on its own merits, not on a development application for a new multiplex. Ms. DeLasalle stated that Council dealt with this rezoning application on 2015-Sep-14, the application was denied by a vote of 5 to 3. Contrary to the City's own Bylaw, Councillor Bestwick wanted this brought back to the 2015-Oct-05 meeting. If he wanted to bring it back, it had to be on the next meeting he attended on 2015-Sep-16. I will leave that up to the lawyer to respond.

Ms. DeLasalle advised that former applicants and herself were given the same message from City Staff, that they do not support this application. We ask that Council be consistent and deny this application.

**Ravinder Ravi Bindra of Clark Wilson LLP, Lawyer.**

Mr. Ravi's presentation is attached as "Attachment B – Presentation for Bylaw No. 4500.088".

Councillor Bestwick asked Mr. Ravi, who are you representing tonight?

Mr. Ravi responded that he is representing the Vancouver Island Liquor Store.

**Lawrence Gauthier - 18 Machleary Street - Opposed**

Ms. Gauthier is concerned about social issues related to alcohol consumption and the degradation of City Parks that are located in close proximity to liquor stores. Parks are no longer safe for citizens to go nature walking.

**Colleen Skipper - 105 Prince John Way - Opposed**

Ms. Skipper advised that she is a long term resident and shops at Brooks Landing. She attended two Council meetings in regard to the relocation of this liquor store. City staff provided valuable information at the first meeting which ended with Council opposed with a vote of 5 to 3. The second meeting was not as professional. She is concerned with increased traffic congestion, parking, social issues related to alcohol consumption, safety of the children and the environment surrounding them. Ms. Skipper stated that Mr. Brady linked his rezoning to the building of the multi-use complex, and like other people she doesn't feel like these two issues should be related.

**Dean Gaudry - 126 Cilaire – Opposed**

Mr. Gaudry advised that he was not going to speak tonight until something Mr. Brady said, "previous proponents didn't do their research", not true. He did a lot of research, negotiated a pad at the top of the parking lot with a tentative agreement for a 15 year lease. He did his homework, spent money, and the landlord specifically said that the city is not in favour of rezoning under the current Official Community Plan, and that he should pursue other options. Mr. Gaudry advised Council to be consistent with all groups of investors and treat them all the same.

**Janet Vine - 1420 Montrose Avenue – Opposed**

Ms. Vine stated that Councillor Hong said at the 2015-OCT-05 Council Meeting he heard of court action that the neighbours in the Brooks Landing area had been involved in. Brooks Landing is owned by Terracap, a Toronto arm of an American company in Florida. They purchased the mall and pursued the owner of the corner lot on Montrose and Highland Boulevard and she refrained from selling her property. Her children sold the home to Terracap when she had a stroke. In May 2010 residents of Lynburn Estates received court documents from Terracap that they were going to take that property out of the building scheme and we were invited to participate in the Supreme Court Action, which we did and we won. Terracap appealed it. The reason we fought was because Terracap proposed that this plot of land was going to be a Medical Centre. A Medical Centre is a traffic generator that is not wanted in a residential neighbourhood or a school zone. Terracap then negotiated to build a liquor store on that property with Mr. Gaudry, however, once we won, that fell through. A development sign was placed on the parking lot with designs of a complex with a restaurant. If rezoning granted, there is going to be a liquor store on this property. At the 2015-OCT-05 Council Meeting the liquor store representative said this is the only mall in Nanaimo that does not have a liquor store; this is not a bad thing. The liquor store will be open past the hours of the grocery store with tasting rooms, and now BCGEU stating that they want to sell marijuana. VIHA has drug counselling in the mall and weekly AA meetings at the Church, the liquor store will be available to them after the meetings. Letters and emails of opposition will be forthcoming from the Church Pastor.

**Erin Biddlecombe - 721 Northumberland Avenue – Opposed**

Ms. Biddlecombe advised that she is a new resident of six years and appreciates the area, but finds the store locations are too busy. She is concerned about the safety of the children and cyclists with the increased traffic and parking. Ms. Biddlecombe said she appreciates the greenspace, our focus should be on recreation and trying to make this city as good as it can be.

**Joan Tremblay - 530 Arbutus Avenue - Opposed**

Ms. Tremblay advised that she grew up in Nanaimo and witnessed businesses move from the downtown core to the north end of town. She commented that the parking area at Terminal Park Mall is vacant and most parking is from the government liquor store. Ms. Tremblay is concerned the intersection traffic is dangerous. She cares about this city and that people are safe. Brooks Landing Mall is not safe in any shape or form.

**Judy Blair - 85 Cilaire Drive – Opposed**

Ms. Blair advised that all the surveys that were done did not include the Cilaire area, which is behind Brooks Landing Mall. She is concerned that the teens that drink will have access to get more alcohol and cause damage in the area. Having access to a closer liquor store will make it much worse.

**Leo Boon - In Favour**

Mr. Boon advised that he has worked with several non-profit organizations and the RCMP for many years. Kids that start drinking in their teenage years start at home, the parents either have no control or the children see drinking in their own environment. Mr. Boon commented that when you hear emotional statements from the community, yes it sounds scary. Whether a liquor store at Brooks Landing is needed or not, is not up to the public. It is up to the business owners and the consumers to decide.

**Isabella Ostman - 115 Black Powder Trail – Opposed**

Ms. Ostman advised that a Public Hearing will decide whether we will have a change in the bylaw. She commented on who is this going to benefit? Will it benefit the neighbours in the area?

**Dale Harvey - 432 Lenhart Avenue – In Favour**

Mr. Harvey advised that he lives 50 yards from the north end of Bowen Park and is very familiar with area. If the liquor store moved closer to Beach Estates, you won't see people pushing a cart down the stairs. Mr. Harvey commented that there will not be as much of a change as what some people seem to think. He also advised it will not adversely affect kids access to alcohol. Problems are much more deep seated than location of the liquor store. We raised six boys and can quite comfortably say they don't have an alcohol or drug problem, as we speak to them as parents. It is up to the parents to communicate with their children. Mr. Harvey commented that this is not about adding another liquor store; it is about relocating from one location to another.



**Kulbinder Rai - 22 Cortez Place – Opposed**

Ms. Rai advised that she runs a daycare centre in the area. She tried to contact a Councillor regarding this rezoning application and her phone call was not returned. She takes the children through Beach Estates Park every day and there is transient camps set up there. She is concerned this problem will become much worse with the relocation of this liquor store.

Mayor McKay asked how many times have you encountered people sleeping in the park? Have you ever called the police?

Ms. Rai commented that she has encountered people sleeping in the park many times. There is more and more people camping there with campfires. We have not called the police for the transients, but have when teenagers are there drinking. We called the police as some of those teenagers were confrontational.

Councillor Bestwick apologized to Ms. Rai for not returning her phone call. You do run a wonderful program, I'm familiar with you from the past and how you conduct your business. Your concerns have not fallen on deaf ears.

**Ian Andexser - 1405 Windsor Avenue - In Favour**

Mr. Andexser commented that he found it interesting that the owner of all the other malls, who is opposed to this rezoning application, has liquor stores in his malls. He advised that he respects all of the comments, listened to the concerns regarding FAS, alcoholism and other social issues related to alcohol consumption that has been discussed tonight, but thought this is about a rezoning application. This is about the liquor store being relocated to a new location. Mr. Andexser advised that people have to be responsible for their own actions, we should not have to be legislated for everything. He also commented that the parking is a problem with the mall, if I can't get a parking spot then I won't go there. Northfield and Boundary is a dangerous intersection, but it does not affect this rezoning. This business owner cannot sell alcohol to anyone under 19 years of age, it doesn't matter how many schools are in the area, he is legislated to follow the law.

**Kim Smythe, President & CEO – Chamber of Commerce - In Favour**

Mr. Smythe advised that he will speak directly as a business case for Brooks Landing and the advantages of adding this to their mix. He stated that PTAC and RCMP have both supported this application. Statements from neighbourhood associations have been agreeable. Often those in support stay away, opposed have the loudest voice. The Howard Johnson property is on our agenda, it serves as a setting for a dream of a multi-use centre. We, the Chamber of Commerce encourage this.

**Bert Hick, Rising Tide Consultants Ltd - representing the applicant Terracap Management Inc.**

Mr. Hicks advised that Brooks Landing Mall is the only mall that does not have a liquor store. The proposed site does have approval from the licensing branch. Relocation from this site has RCMP support. He stated that there was a reference made earlier to a marijuana store, that is not on the table. We are only here to discuss the relocation of

the Tally Ho Liquor store. The Howard Johnson has a clean record of 20 years, they don't serve intoxicated or underage persons. With respect to proximity to schools our other liquor stores in BC are situated by schools and are not a problem. Another factor is that the front entrance of the store is to the west, away from the school behind the mall. Woodlands Secondary School is closing, by the time we get through this process the school will be out for summer.

Mr. Hicks said when we applied, we made it site specific to Unit 120. The Liquor Control Branch wants it to be an exact location. The cover letter to Dave Stewart for the rezoning application is for Unit 120 only at Brooks Landing Shopping Centre, to be sure it is site specific and not on a pad. If we were to rezone this entire property we could have it in the grocery store. We want to make it clear with a strict covenant, if we move from Unit 120 then we would have to go through another relocation application. This is not a new liquor license but a relocation of a license of 20 years to a new location. Dave Stewart's report specified not to have it close to nightclubs.

There were 57 written submissions plus 1 petition with 78 signatures and 24 verbal submissions received with regard to Bylaw No. 4500.088.

c) Bylaw No. 4500.092 – General Amendments

This bylaw, if adopted, will amend the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" in order to make 12 text and 12 mapping amendments to Zoning Bylaw 4500.

There were no written or verbal submissions received with regard to Bylaw No. 4500.092.

d) Bylaw No. 4500.093

This bylaw, if adopted, will amend the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" by adding a definition of 'Wine Store'.

Dave Stewart, Planner, Planning & Design Department advised:

This bylaw is adding the following definition of a wine store to Zoning Bylaw 4500.

**Wine Store** – means any kind of retail wine store licensed under the Liquor Control and Licensing Act for the sale of wine, sake, cider, wine coolers and mead. A wine store can include an independent retail store, or the sale of wine, cider, mead and sake within a grocery store where approved by the Liquor Control and Licensing Branch.

- Definition to be added but not applied to any zones without rezoning
- Rezoning to be evaluated based on Council endorsed (2015-NOV-16) rezoning criteria
- Wine license from province required - Currently 33 existing in BC

There were no written and no verbal submissions received with regard to Bylaw No. 4500.093.

4. ADJOURNMENT OF THE PUBLIC HEARING

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

5. BYLAWS:

a) That “ZONING AMENDMENT BYLAW 2015 NO. 4500.091” (RA360) - to amend “ZONING BYLAW 2011 NO. 4500,” by rezoning the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to permit a 5 lot subdivision. Pass Third Reading.

It was moved and seconded that “ZONING AMENDMENT BYLAW 2015 No. 4500.091” pass third reading. The motion carried unanimously.

b) That “ZONING AMENDMENT BYLAW 2015 NO. 4500.088” (RA357) - to amend “ZONING BYLAW 2011 NO. 4500,” by rezoning the subject property to permit a liquor retail store within the Comprehensive Development District Eight (CD8) Zone. Pass Third Reading.

The question around whether the reconsideration motion followed Council procedure was discussed.

Mayor McKay stepped out of the room to discuss the issue with Tracy Samra, City Manager. Upon his return, Mayor McKay confirmed the opinion that the reconsideration motion was brought to the appropriate Council meeting (2015-OCT-05), and that Council procedures were followed.

Councillor Brennan requested we obtain the opinion of a lawyer on this question.

Motion to defer rezoning bylaw 4500.088 to 2015-DEC-14 Council Meeting for the City to obtain legal advice regarding the validity of the reconsideration motion..

Councillor Fuller asked what is the policy when a councillor wants more information for rezoning?

Mr Anderson advised that this deferral first came up when we changed the procedures to allow the bylaws to be passed at the same meeting. There was agreement by Council at that time, if a councillor asked for a deferral, other councillors would accept and honour that, then proceed to defer the matter. There is no formal policy.

Councillor Brennan said she didn't have anything to add except the integrity of our process has been called into question at a Public Hearing.

Councillor Kipp said there is no policy. Councillor Brennan wanted more information on a specific rezoning. Not a deferral for more information, it's a deferral to get a legal opinion. If we could have had this information earlier from their lawyer we could have sought legal representation for an opinion prior to this. Not in favour of motion to defer.

Councillor Bestwick confirmed that we do not have a policy which relates to the gentlemen's agreement. We added the meetings following public hearings in order to advance business and opportunities in a community that was described as not being business friendly. Senior management, who is well versed in the Charter, believes we have followed the necessary requirements.

The motion to defer until next Council meeting was defeated.

Councillor Brennan and Councillor Thorpe supported the motion to defer to the 2015-DEC-14 Council meeting.

Opposed: Mayor McKay, Councillors Bestwick, Fuller, Yoachim and Hong.

It was moved and seconded that "ZONING AMENDMENT BYLAW 2015 No. 4500.088" pass third reading. The motion carried.

Opposed: Councillor(s) Brennan; Thorpe.

c) That "ZONING AMENDMENT BYLAW 2015 NO. 4500.092" – to amend "ZONING BYLAW 2011 NO. 4500" for general text and mapping amendments. Pass Third Reading.

It was moved and seconded that "ZONING AMENDMENT BYLAW 2015 No. 4500.092" pass third reading. The motion carried unanimously.

d) That "ZONING AMENDMENT BYLAW 2015 NO. 4500.093" to amend "ZONING BYLAW 2011 NO. 4500" by amending "Section 5 - Definitions" by adding a definition of 'Wine Store'. Pass Third Reading.

It was moved and seconded that "ZONING AMENDMENT BYLAW 2015 No. 4500.093" pass third reading. The motion carried unanimously.

6. ADJOURNMENT:

It was moved and seconded at 10:26 p.m. that the meeting terminate. The motion carried unanimously.

---

M A Y O R

CERTIFIED CORRECT:

---

CORPORATE OFFICER