

**MINUTES**  
SPECIAL COUNCIL MEETING (PUBLIC HEARING)  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC  
THURSDAY, 2018-OCT-04, AT 7:00 P.M.

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Present: Mayor W. B. McKay  
Councillor S. D. Armstrong  
Councillor W. L. Bestwick (vacated 7:59 p.m.)  
Councillor M. D. Brennan (arrived 7:07 p.m.)  
Councillor J. Hong  
Councillor J. A. Kipp

Absent: Councillor G. W. Fuller  
Councillor I. W. Thorpe  
Councillor W. M. Yoachim

Staff: J. Rudolph, Chief Administrative Officer (arrived 7:23 p.m.)  
B. Corsan, Deputy Director of Community Development  
T. Doyle, Deputy Fire Chief - Operations (arrived 7:23 p.m.)  
L. Fletcher, Inspector, Nanaimo Detachment RCMP (arrived 7:23 p.m.)  
L. Rowett, Manager of Current Planning and Subdivision (vacated 7:21 p.m.)  
S. Gurrie, City Clerk (arrived 7:23 p.m.)  
S. Snelgrove, Deputy Corporate Officer  
J. Vanderhoef, Recording Secretary

1. CALL THE SPECIAL COUNCIL MEETING TO ORDER:

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

2. INTRODUCTION OF LATE ITEMS:

- (a) Remove Agenda Item 9(d) – Bylaw Contravention Notice – Construction Not Completed as Per Conditions of Building Permit – 426 Renfrew Street.
- (b) Add Agenda Item 10 – Procedural Motion to Proceed In Camera.

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 7:02 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. RA391 – 4525 and 4461 Wellington Road

Introduced by Lainya Rowett, Manager, Current Planning.

Presentation:

1. Michael Plavetic, MJP Homes, applicant, spoke and stated:

- planning to break ground this month
- falls within the density requirements for the area
- sizes of lots vary, with the duplex lots being larger
- the duplex units add diversity to the neighbourhood
- the proposed duplex units will be conducive to traditional attached units and some will be the currently popular detached units
- benefits to the City would be additional Development Cost Charges
- the types of dwellings would be similar to another development recently completed on Sherbourne Drive
- the variety of housing options provide more affordable options than traditional single detached dwellings

Councillor Brennan entered the Shaw Auditorium at 7:07 p.m.

Mayor McKay called for submissions from the Public:

No one in attendance wished to speak regarding Rezoning Application No. RA391 – 4525 and 4461 Wellington Road.

Mayor McKay called for submissions from the Public for a second time:

No one in attendance wished to speak regarding Rezoning Application No. RA391 – 4525 and 4461 Wellington Road.

Mayor McKay called for submissions from the Public for a third time:

No one in attendance wished to speak regarding Rezoning Application No. RA391 – 4525 and 4461 Wellington Road.

No written submissions were received with respect to Rezoning Application No. RA391 – 4525 and 4461 Wellington Road.

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:

It was moved and seconded that the Public Hearing adjourn at 7:11 p.m. The motion carried unanimously.

8. BYLAWS:

(a) “Zoning Amendment Bylaw 2018 No. 4500.128”

It was moved and seconded that “Zoning Amendment Bylaw 2018 No. 4500.128” (To rezone portions of the subject properties at 4525 and 4461 Wellington Road from Single Dwelling Residential [R1] to Duplex Residential [R4]) pass third reading. The motion carried unanimously.

9. REPORTS:

(a) Bylaw Contravention Notice – Construction Started Without a Building Permit – 2153 Spencer Road

Introduced by Bill Corsan, Deputy Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice – Construction Started Without a Building Permit – 2153 Spencer Road.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice – 2153 Spencer 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 2153 Spencer Road 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 – 2204 Belwood Road

Introduced by Bill Corsan, Deputy Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice – Construction Started Without a Building Permit – 2204 Belwood Road.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice – 2204 Belwood 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 2204 Belwood Road for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. The motion carried unanimously.

(c) Bylaw Contravention Notice – Construction Not Completed As Per Conditions of the Building Permit – 5149 Laguna Way

Introduced by Bill Corsan, Deputy Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice – Construction Not Completed As Per Conditions of the Building Permit – 5149 Laguna Way.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice at 5149 Laguna Way

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 5149 Laguna Way for construction not completed as per the conditions of the building permit. The motion carried unanimously.

10. PROCEDURAL MOTION TO PROCEED IN CAMERA:

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:

- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality; and,

*Community Charter* Section 90(2):

- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

The motion carried unanimously.

Council moved into the Douglas Rispin Room to proceed “In Camera” at 7:21 p.m.  
Council moved out of “In Camera” at 8:32 p.m.

11. ADJOURNMENT:

It was moved and seconded at 8:32 p.m. that the meeting terminate. The motion carried unanimously.

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C H A I R

CERTIFIED CORRECT:

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CORPORATE OFFICER