

MINUTES
SPECIAL COUNCIL MEETING (PUBLIC HEARING)
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC
THURSDAY, 2020-JAN-09, AT 7:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor E. Hemmens
Councillor I. W. Thorpe
Councillor J. Turley

Absent: Councillor B. Geselbracht
Councillor Z. Maartman

Staff: J. Holm, Director, Development Approvals
D. Fox, Manager, Building Inspections
L. Rowett, Manager, Current Planning (vacated 7:29 p.m.)
C. Horn, Planner (vacated 7:29 p.m.)
L. Brinkman, Planner (vacated 7:29 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 Started Without A Building Permit - 2110 Northfield Road.

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 7:00 p.m. Mayor Krog 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, 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. RA433 - 4271 Jingle Pot Road - Bylaw 4500.168

Introduced by Caleb Horn, Planner.

Mayor Krog called for submissions from the Applicant:

1. Toby Seward, 1820 Argyle Avenue, spoke in favour as follows:

- Representing the applicants
- Rezoning application is to address zoning of a duplex currently on the property and to rezone the rear section of the property from R1 to R6
- Total size of the property is 2.3 acres, requesting rezoning of 0.84 acres
- Plan to construct 12 residential townhouse units at approximately 1200-1400 square feet each and provide more affordable options within the housing market
- Application complies with zoning requirements and the Official Community Plan
- A neighbourhood meeting was held on 2019-OCT-16 where concerns were heard about traffic, loss of views, parking and privacy
- Proposed development will provide frontage improvements
- Trees are planned to improve privacy with neighbours on Yon Place
- Heights of neighbouring buildings will be taller than the proposed development and therefore views should be retained

Mayor Krog called for submissions from the Public:

No one in attendance wished to speak regarding Rezoning Application No. RA433 - 4271 Jingle Pot Road.

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

No one in attendance wished to speak regarding Rezoning Application No. RA433 - 4271 Jingle Pot Road.

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

No one in attendance wished to speak regarding Rezoning Application No. RA433 - 4271 Jingle Pot Road.

Three written submissions were received prior to the start of the Special Council Meeting (Public Hearing), 2020-JAN-09, and no written submissions were received at the Public Hearing with respect to Rezoning Application No. RA433 - 4271 Jingle Pot Road.

(b) Rezoning Application No. RA401 - 4771 Hammond Bay Road - Bylaw 4500.170

Introduced by Lisa Brinkman, Planner.

Mayor Krog called for submissions from the Applicant:

1. Peter Hair, North Vancouver, spoke in favour as follows:

- Plan to create more affordable townhouse options
- Originally submitted an application in 2018 and have been working with City Staff since then on the application process
- Spoke with neighbours at 4261 Hammond Bay Road and considered their concerns
- Have incorporated some new designs since 2018 including reduced density and relocation of the driveway

Mayor Krog called for submissions from the Public:

No one in attendance wished to speak regarding Rezoning Application No. RA401 - 4771 Hammond Bay Road.

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

No one in attendance wished to speak regarding Rezoning Application No. RA401 - 4771 Hammond Bay Road.

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

No one in attendance wished to speak regarding Rezoning Application No. RA401 - 4771 Hammond Bay Road.

Two written submissions were received prior to the start of the Special Council Meeting (Public Hearing), 2020-JAN-09, and no written submissions were received at the Public Hearing with respect to Rezoning Application No. RA401 - 4771 Hammond Bay Road.

6. FINAL CALL FOR SUBMISSIONS:

Mayor Krog announced that following the close of a Public Hearing, no further submissions 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 7:17 p.m. The motion carried unanimously.

8. BYLAWS:

(a) "Zoning Amendment Bylaw 2019 No. 4500.168"

It was moved and seconded that "Zoning Amendment Bylaw 2019 No. 4500.168" (To rezone portions of 4271 Jingle Pot Road from Single Dwelling Residential [R1] and Duplex Residential [R4] to Low Density Residential [R6], R1 and R4) pass third reading. The motion carried.

Opposed: *Councillor Armstrong*

(b) "Zoning Amendment Bylaw 2019 No. 4500.170"

It was moved and seconded that "Zoning Amendment Bylaw 2019 No. 4500.170" (To rezone 4771 Hammond Bay Road from Single Dwelling Residential [R1] to Low Density Residential [R6]) pass third reading. The motion carried unanimously.

9. REPORTS:

(a) Liquor Licence Application No. LA140 - 6359 Hammond Bay Road

Introduced by Lisa Brinkman, Planner.

Mayor Krog requested that Council hear anyone wishing to speak regarding Liquor Licence Application No. LA140 - 6359 Hammond Bay Road.

No one in attendance wished to speak with respect to Liquor Licence Application No. LA140 – 6359 Hammond Bay Road.

(b) Bylaw Contravention Notice - Construction Not Completed As Per Conditions of Building Permit - 106 & 110 Fry Street

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog requested that Council hear anyone wishing to speak with respect to the Bylaw Contravention Notice at 106 & 110 Fry Street.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice at 106 & 110 Fry 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 106 & 110 Fry Street for construction not completed as per the conditions of the building permit. The motion carried unanimously.

C. Horn, L. Brinkman and L. Rowett vacated the Shaw Auditorium at 7:29 p.m.

(c) Bylaw Contravention Notice - Construction Not Completed As Per Conditions of Building Permit - 3326 Rock City Road

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog requested that Council hear anyone wishing to speak with respect to the Bylaw Contravention Notice at 3326 Rock City Road.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice at 3326 Rock City 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 3326 Rock City Road for construction not completed as per the conditions of the building permit. The motion carried unanimously.

(d) Bylaw Contravention Notice - Construction Started Without a Building Permit - 131 Columbia Street

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog requested that Council hear anyone wishing to speak with respect to the Bylaw Contravention Notice at 131 Columbia Street.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice at 131 Columbia 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 131 Columbia Street 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 7:34 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER