

MINUTES
SPECIAL COUNCIL MEETING (PUBLIC HEARING)
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC
THURSDAY, 2020-FEB-13, AT 7:00 P.M.

Present: Mayor L. Krog, Chair
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Absent: Councillor S. D. Armstrong

Staff: J. Holm, Director, Development Approvals
B. Corsan, Director, Community Development
D. Fox, Manager, Building Inspections
L. Rowett, Manager, Current Planning (vacated 7:35 p.m.)
C. Horn, Planner (vacated 7:35 p.m.)
S. Gurrie, Director, Legislative Services
N. Sponaugle, Steno, Legislative Services
K. Gerard, 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) Agenda Item 5(a) - Rezoning Application No. RA422 – 200 Hansen Road – Bylaw 4500.172 - Correct Rezoning Application No. RA422 to read RA442.
- (b) Remove Agenda Item 9(d) - Bylaw Contravention Notice - Construction Started Without A Building Permit - 311 Woodhaven Drive.

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 7:01 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. RA442 – 200 Hansen Road – Bylaw 4500.172

Introduced by Caleb Horn, Planner.

Mayor Krog called for submissions from the Applicant.

1. Guy Wonnacott, Rega Properties Ltd., spoke in favour and stated that the rezoning application is not to add additional units to the development but to increase the site coverage. Mr. Wonnacott has met with the strata council of Millstone Creek, the neighbouring property and they are in support of the application.

Mayor Krog called for submissions from the Public.

1. Matthew Desrochers, Vice President of strata council at Millstone Creek, spoke in favour and stated the development was presented to the Millstone Creek strata council and they support the application and feel the development will enhance the area for all residents.

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

2. Gerard St Jean, spoke in favour, and stated that he will contribute to the development of the site.

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

3. Len Rodogen, Owner, Nanaimo Sheet Metal, stated concerns regarding construction, increase in traffic, potential for noise complaints from future residents, bike lanes on the east side of Hansen Road and safety issues due to large delivery trucks.

Four (4) written submissions were received prior to the start of the Special Council Meeting (Public Hearing), 2020-FEB-13, and no written submissions were received at the Public Hearing with respect to Rezoning Application RA442 – 200 Hansen Road.

(b) Home Based Business Regulations – Bylaw 4500.149

Introduced by Bill Corsan, Director, Community Development.

Mayor Krog called for submissions from the Public.

1. Jane Dilworth, spoke in opposition and stated her concerns regarding shared driveways, potential increase in traffic for residents and liability if an accident occurs on a shared driveway.

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

No one in attendance wished to speak regarding Home Based Business Regulations.

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

No one in attendance wished to speak regarding Home Based Business Regulations.

One (1) written submissions were received prior to the start of the Special Council Meeting (Public Hearing), 2020-FEB-13, and no written submissions were received at the Public Hearing with respect to Home Based Business Regulations.

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 7:23 p.m. The motion carried unanimously.

8. BYLAWS:

(a) “Zoning Amendment Bylaw 2020 No. 4500.172”

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.172” (To rezone 200 Hansen Road from Low Density Residential [R6] and Residential Corridor [COR1] to Medium Density Residential [R8]) pass third reading. The motion carried unanimously.

(b) “Zoning Amendment Bylaw 2020 No. 4500.149”

It was moved and seconded that “Zoning Amendment Bylaw 2020 No. 4500.149” (To amend the home-based business regulations) pass third reading. The motion carried unanimously.

C. Horn and L. Rowett vacated the Shaw Auditorium at 7:35 p.m.

9. REPORTS:

- (a) Bylaw Contravention Notice - Construction Not Completed As Per Conditions Of Building Permit - 3365 Departure Bay 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 3365 Departure Bay Road.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice at 3365 Departure Bay 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 3365 Departure Bay Road for construction not completed as per the conditions of the building permit. The motion carried unanimously.

- (b) Bylaw Contravention Notice - Construction Started Without A Building Permit - 60 Machleary 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 60 Machleary Street.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice at 60 Machleary 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 60 Machleary Street for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224". The motion carried unanimously.

- (c) Bylaw Contravention Notice - Construction Started Without A Building Permit - 4259 Clubhouse Drive

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 4259 Clubhouse Drive.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice at 4259 Clubhouse Drive.

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 4259 Clubhouse Drive for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224". The motion carried unanimously.

(d) Bylaw Contravention Notice - Construction Started Without A Building Permit -
1691 Mallard Drive

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 1691 Mallard Drive.

No one in attendance wished to speak with respect to the Bylaw Contravention Notice at 1691 Mallard Drive.

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 1691 Mallard Drive for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. The motion carried unanimously.

(e) Bylaw Contravention Notice - Construction Started Without A Building Permit -
1080 Woodlands 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 1080 Woodlands Street.

1. Teddy Calvin, part owner, spoke regarding the repairs that he made to the property.

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 1080 Woodlands 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 7:46 p.m. that the meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER