



MINUTES

SPECIAL COUNCIL MEETING (PUBLIC HEARING)

Thursday, March 21, 2024, 7:00 P.M.
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Members: Mayor L. Krog, Chair
Councillor S. Armstrong
Councillor H. Eastmure
Councillor B. Geselbracht*
Councillor J. Perrino
Councillor I. Thorpe

Absent: Councillor T. Brown
Councillor E. Hemmens
Councillor P. Manly

Staff: J. Holm, Director, Planning and Development
D. Fox, Manager Building Inspections
L. Rowett, Manager, Current Planning
P. Carter, Planner, Development Approvals
K. Mayes, Planner, Development Approvals
K. Robertson, Deputy Corporate Officer
K. Lundgren, Recording Secretary

1. CALL THE MEETING TO ORDER:

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

2. INTRODUCTION OF LATE ITEMS:

(a) Remove Agenda Item 6(a) 1050 Terminal Avenue N – Nuisance Property.

* Denotes electronic meeting participation as authorized by "Council Procedure Bylaw 2018 No. 7272"

- (b) Agenda Item 6(e) Bylaw Contravention Notice – Construction Started Without a Building Permit – 180 Rainbow Crescent – Add delegation from Catherine Racioppa.

3. ADOPTION OF AGENDA:

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

4. PUBLIC HEARING REQUIREMENTS:

Mayor Krog advised that Council was meeting on the traditional territory of the Snuneymuxw First Nation and outlined the purpose and protocols of the Public Hearing.

Mayor Krog then outlined the process to accommodate members of the public who were attending in person and for those who wanted to participate by phone.

Mayor Krog explained the requirements for conducting a Public Hearing.

5. CALL THE PUBLIC HEARING TO ORDER FOR REZONING APPLICATION NO. RA497 - 6450 ISLAND HIGHWAY NORTH, ZONING AMENDMENT BYLAW 4500.220

a. Rezoning Application No. RA497 - 6450 Island Highway North

Mayor Krog called the Public Hearing to order at 7:04 p.m.

Kristine Mayes, Planner, introduced the application and noted that zero (0) written submissions were received prior to the start of the Special Council Meeting (Public Hearing), 2024-MAR-21 with respect to Rezoning Application No. RA497 - 6450 Island Highway North.

Mayor Krog called for submissions from the Applicant:

1. Donna Hais, spoke on behalf of the applicant, regarding the rezoning application. Highlights included:
 - The property is currently legal non-conforming
 - The proposal is to expand the mini storage facility and add office space
 - All mini storage facilities in Nanaimo are near capacity
 - The facility services clients in the North Island Highway area and densification in this area is expected
 - Mini storage use does not generate high traffic
 - The property borders the highway creating a buffer for future residential uses behind the property

Mayor Krog called for submissions from the Public:

No one wished to speak regarding Rezoning Application No. RA497 - 6450 Island Highway North.

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

No one wished to speak regarding Rezoning Application No. RA497 - 6450 Island Highway North.

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

No one wished to speak regarding Rezoning Application No. RA497 - 6450 Island Highway North.

Mayor Krog announced that following the close of a Public Hearing, no further submissions or comments from the public or interested persons could be accepted by members of City Council.

Hearing no further comments from the public the Mayor declared the Public Hearing for RA497 - 6450 Island Highway North be closed at 7:11 p.m.

It was moved and seconded that "Zoning Amendment Bylaw 2024 No. 4500.220" (to rezone 6450 Island Highway North from Woodgrove Urban Centre [CC4] to Woodgrove Urban Centre [CC4] with a site-specific mini storage use) pass third reading. The motion carried unanimously.

6. REPORTS:

- a. Bylaw Contravention Notice - Construction Not Completed as per Conditions of Building Permit - 2585 Lynburn Crescent

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog asked if the property owner was in attendance and wished to speak.

No one in attendance wished to speak with respect to Bylaw Contravention Notice - Construction Not Completed as per Conditions of Building Permit - 2585 Lynburn Crescent.

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 2585 Lynburn Crescent for construction not completed as per the conditions of the building permit. The motion carried unanimously.

b. Bylaw Contravention Notice - Construction Not Completed as per Conditions of Building Permit - 6449 Lasalle Road

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog asked if the property owner was in attendance and wished to speak.

1. Igor Maslovski, property owner, spoke regarding some damage to the home noting that he was unaware that a building permit was required for the repairs. He spoke regarding the challenge with the inspection and noted that all the repairs were documented.

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 6449 Lasalle Road for construction not completed as per the conditions of the building permit. The motion carried unanimously.

c. Bylaw Contravention Notice - Construction Started Without a Building Permit - 1200 Thunderbird Drive

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog asked if the property owner was in attendance and wished to speak.

No one in attendance wished to speak with respect to Bylaw Contravention Notice - Construction Started Without a Building Permit - 1200 Thunderbird 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 1200 Thunderbird 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 - 180 Rainbow Crescent

Introduced by Darcy Fox, Manager, Building Inspections.

Delegation:

1. Catherine Racioppa, property owner, spoke via Zoom, stating that the property provides quality housing for tenants. She spoke regarding the maintenance of the units, onsite parking, and electrical upgrades. She noted concerns regarding the house inspection process and the housing crisis. She noted her motivation to bring the suite into compliance and requested collaboration.

Councillor Perrino asked for clarification regarding the violations.

Darcy Fox, Manager, Building Inspections, clarified the outstanding building code violations and noted the extension provided to the property owner in light of the Province enacting *Bill 44: Housing Statutes (Residential Development)*.

Jeremy Holm, Director, Planning and Development, spoke regarding amending the City's zoning bylaw to comply with provincial regulations and spoke regarding the BC Building Code.

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 180 Rainbow Crescent 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 - 2067 Honeysuckle Terrace

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog asked if the property owner was in attendance and wished to speak.

1. Dina Delacruz, property owner, spoke regarding the dwelling units added prior to the purchase of the property in July 2022. She noted that the units are often rented mid-term to medical professionals. She expressed gratitude for the extension provided in light of the Province enacting *Bill 44: Housing Statutes (Residential Development)*. She noted that the property meets the required size to be converted into a four-plex and advised that they have full intention of legalizing all four units.

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 2067 Honeysuckle Terrace for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224". The motion carried unanimously.

f. Bylaw Contravention Notice - Construction Started Without a Building Permit - 3804 Hammond Bay Road

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog asked if the property owner was in attendance and wished to speak.

No one in attendance wished to speak with respect to Bylaw Contravention Notice - Construction Started Without a Building Permit - 3804 Hammond 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 3804 Hammond Bay Road for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224". The motion carried unanimously.

g. Bylaw Contravention Notice - Construction Started Without a Building Permit - 44 Pirates Lane

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog asked if the property owner was in attendance and wished to speak.

No one in attendance wished to speak with respect to Bylaw Contravention Notice - Construction Started Without a Building Permit - 44 Pirates Lane.

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 44 Pirates Lane for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224". The motion carried unanimously.

h. Bylaw Contravention Notice - Construction Started Without a Building Permit - 517 Millstone Avenue

Introduced by Darcy Fox, Manager, Building Inspections.

Mayor Krog asked if the property owner was in attendance and wished to speak.

1. Taylor Leach, property owner, advised that he has followed what was required by the City to finish the roof and authorize the secondary suite. He spoke regarding the process, noting the length and financial stress it has caused. He noted that it was not his intention to cause stress or impact others, and he hopes to move forward in a way that will not involve more deconstruction of the home.

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 517 Millstone Avenue for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224". The motion carried unanimously.

7. ADJOURNMENT:

It was moved and seconded at 7:49 p.m. that the Special Council meeting be adjourned. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

DEPUTY CORPORATE OFFICER