



## MINUTES

### SPECIAL COUNCIL MEETING (PUBLIC HEARING)

Thursday, June 20, 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 T. Brown
- Councillor H. Eastmure
- Councillor B. Geselbracht\*
- Councillor E. Hemmens\*
- Councillor J. Perrino\*
- Councillor P. Manly
- Councillor I. Thorpe

Staff:

- J. Holm, Director, Planning and Development
- D. LaBerge, Director, Public Safety
- K. Robertson, Deputy Corporate Officer
- L. Brinkman, Manager, Community Planning
- P. Carter, Planner
- A. Bullen, Steno, Planning
- K. Lundgren, Recording Secretary

**1. CALL THE MEETING 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.

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

**3. 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.

**4. CALL THE PUBLIC HEARING TO ORDER FOR "OFF-STREET PARKING REGULATIONS AMENDMENT BYLAW 2024 NO. 7266.03"**

a. Off-Street Parking Regulations Amendment Bylaw

Mayor Krog called the Public Hearing to order at 7:03 p.m.

Lisa Brinkman, Manager, Community Planning, introduced the application and noted that zero (0) written submissions were received prior to the 2:00 p.m. cut off in advance of the Special Council Meeting (Public Hearing), 2024-JUN-20 with respect to Off-Street Parking Regulations Amendment Bylaw.

Mayor Krog called for submissions from the Public.

No one wished to speak regarding Off-Street Parking Regulations Amendment Bylaw.

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

No one wished to speak regarding Off-Street Parking Regulations Amendment Bylaw.

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

No one wished to speak regarding Off-Street Parking Regulations Amendment Bylaw.

Hearing no further comments from the public, the Mayor declared the Public Hearing for Off-Street Parking Regulations Amendment Bylaw be closed at 7:07 p.m.

It was moved and seconded that “Off-Street Parking Regulations Amendment Bylaw 2024 No. 7266.03” (to implement amendments related to Transit Oriented Areas - Bill 47 – Housing Statutes and associated regulations) pass third reading. The motion carried.  
Opposed: Councillor Armstrong

## 5. REPORTS:

### a. Illegal Construction - 1506 Wilson Road

Introduced by Dave LaBerge, Director, Public Safety.

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

1. Patrick Lee, property owner, spoke regarding the events that occurred since the ‘Stop Work Order’ was issued. He spoke regarding being in compliance with the order, the professional qualifications of those working on the property and explained that he was away when the ‘Stop Work Order’ was issued. He expressed concern for his mortgage and a fear that the property would be demolished. He spoke regarding the occupancy violation tickets received and he assured that the space is not being rented out and is no longer being occupied.

Council requested clarification regarding the insinuation that the structure would be demolished.

Dave LaBerge, Director, Public Safety, confirmed that Staff do not have intention to require demolition of the property at this time.

Council requested clarification regarding the outstanding fines.

Dave LaBerge, Director, Public Safety, advised that the fine amounts for ‘Stop Work Order’ and ‘Do Not Occupy’ notice violations are \$500 per infraction and noted that the timeline to appeal the tickets has passed.

Council requested clarification regarding the hazardous materials survey.

Jeremy Holm, Director, Planning and Development, advised that the hazardous materials survey is related to WorkSafeBC requirements.

It was moved and seconded that Council:

1. Declare that the building, at 1506 Wilson Road, is unsafe, contravenes the Provincial building regulations, and creates hazardous conditions.
2. Impose remedial action requirements in relation to the provisions of sections 72 and 73 of the *Community Charter*.
3. Direct the remedial action requirements to include:
  - a. The owner must make a complete building permit application with all required documentation which includes a complete set of drawings which have been reviewed and approved by a structural engineer (schedule B and design), and by an architect for the building envelope (schedule B and design), and a hazardous materials survey done by a registered environmental company in accordance with WorkSafeBC guidelines.
  - b. The complete building permit application must be submitted within 90 days from the date the remedial action requirement is imposed.
  - c. The building permit must be picked up and paid in full within 14 days of issuance.
  - d. The scope of work set out in the building permit application must be completed within six months from the date the building permit is issued.
4. Direct Staff to advise the owner(s) that they may request Council reconsider the Remedial Action Requirement by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent.
5. Direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within the timeline set out in Council's resolution.

The motion carried unanimously.

b. Illegal Construction - 1724 Meredith Road

Introduced by Dave LaBerge, Director, Public Safety.

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

No one in attendance wished to speak with respect to Illegal Construction - 1724 Meredith Road.

It was moved and seconded that Council:

1. Declare that construction, alteration and occupancy of the building, at 1724 Meredith Road, is in contravention of the City of Nanaimo "Building Bylaw 2016 No. 7224" and the Provincial Building Code.
2. Impose remedial action requirements in relation to the provisions of Sections 72 and 73 of the *Community Charter*.
3. Direct the remedial action requirements to include:
  - a. All construction completed without required inspections or permit must be removed by no later than 60 days after the remedial action requirement is issued.
4. Direct Staff to advise the owner(s) that they may request Council reconsider the Remedial Action Requirement by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent.
5. Direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within the timeline set out in Council's resolution.

The motion carried unanimously.

**6. ADJOURNMENT:**

It was moved and seconded at 7:42 p.m. that the Special Council meeting be adjourned. The motion carried unanimously.

CERTIFIED CORRECT:

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CHAIR

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CORPORATE OFFICER