



MINUTES

SPECIAL COUNCIL MEETING (PUBLIC HEARING)

Thursday, May 15, 2025, 7:00 p.m.
Shaw Auditorium, Vancouver Island Conference Centre
80 Commercial Street, Nanaimo, BC

Present: Mayor L. Krog, Chair
Councillor T. Brown*
Councillor H. Eastmure*
Councillor B. Geselbracht* (joined at 7:01 p.m.)
Councillor E. Hemmens
Councillor P. Manly
Councillor J. Perrino
Councillor I. Thorpe

Absent: Councillor S. Armstrong

Staff: J. Holm, Director, Planning and Development
D. LaBerge, Director, Public Safety
C. Horn, Planner
N. Vracar, Deputy Corporate Officer
J. Vanderhoef, Recording Secretary

1. CALL THE MEETING TO ORDER:

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

Councillor Geselbracht joined the meeting electronically at 7:01 p.m.

2. ADOPTION OF AGENDA:

It was moved and seconded that the agenda be adopted. The motion carried unanimously.

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.

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

Mayor Krog then outlined the public participation options, and explained the requirements for conducting a Public Hearing.

4. CALL THE PUBLIC HEARING TO ORDER FOR COVENANT AMENDMENT APPLICATION NO. CA19 - 6340 MCROBB AVENUE

a. Covenant Amendment Application No. CA19 - 6340 McRobb Avenue

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

Caleb Horn, Planner, introduced the application and noted that seven (7) written submissions were received prior to the 2:00 p.m. cut off in advance of the Special Council Meeting (Public Hearing), 2025-MAY-15 with respect to Covenant Amendment Application No. CA19 - 6340 McRobb Avenue.

Mayor Krog called for submissions from the Applicant:

1. Scott Mack, Managing Partner, Townsite Planning Inc., spoke of behalf of the applicant, regarding the covenant amendment application. Highlights included:

- A previous covenant amendment application, approved by Council in 2023, altered the development plan for the site to reduce the project from 308 units in 20-storey Buildings 2 and 3 to 266 units in six-storey buildings
- The owner has since become aware of financing opportunities through Canada Mortgage and Housing Corporation (CMHC) that would facilitate the construction of secured purpose-built rental market housing in Building 2
- The potential redesign of Building 2 responds to market demands for rental rather than privately owned units
- The redesign requires an additional 30 units across the two buildings to make the project feasible
- The increase in the unit count would not increase the overall size or height of the buildings
- The interior layout and unit mix has been reconfigured to accommodate the rental units
- The unit count across Buildings 2 and 3 would be lower than the previously permitted amount of 308 and would result in the construction of 150 units of purpose-built rental housing which will be secured in perpetuity
- The 30 additional units are only permitted if Building 2 is pursued as a purpose-built rental housing project

- The City Plan references the value and need for increasing the stock of rental housing in Nanaimo
- The Woodgrove Urban Centre is one of the fastest growing areas outside of the downtown area in Nanaimo and currently most of the housing available in that area is privately owned
- Through the building design and review process and consultation with Staff, the architect has been able to increase the northern property setback (which had been a concern for neighbours) from the minimum required setback of 7.5m to a range of between 8.4m and 9m based on building articulation

Council sought confirmation that the parking for the increased units would still meet the requirements of the “Off-Street Parking Regulations Bylaw 2018 No. 7266”.

Mayor Krog called for submissions from the Public:

No one wished to speak regarding Covenant Amendment Application No. CA19 - 6340 McRobb Avenue.

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

1. Lillian Robinson, Nanaimo, requested clarification regarding the parking requirements and whether the number of parking stalls had increased with the additional units or if the previous design already met the requirements and there was no change to the number of parking stalls.

Staff confirmed that the parking requirements have been met; however, they were not able to provide a comparison between the previous and current application. They noted the “Off-Street Parking Regulations Bylaw 2018 No. 7266” allows for a cash-in-lieu option for up to 10% of parking and that the applicant was taking advantage of that option.

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

No one wished to speak regarding Covenant Amendment Application No. CA19 - 6340 McRobb Avenue.

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 CA19 - 6340 McRobb Avenue be closed at 7:17 p.m.

It was moved and seconded that Council direct Staff to discharge and replace existing Section 219 covenants at 6340 McRobb Avenue as proposed through Covenant Amendment Application No. CA19 - 6340 McRobb Avenue. The motion carried unanimously.

5. REPORTS:

a. Bylaw Contravention Notice - Construction Started Without a Building Permit - 431 Maple Street

Introduced by Jeremy Holm, Director, Planning and Development.

Delegation:

1. Han Lei Huang, spoke on behalf of the property owner and provided a PowerPoint presentation. They noted the following:

- The home was not liveable when first purchased and included an illegal extension which has since been removed
- The owner received a notice from the City last year and ran into difficulties meeting the requirements to apply for a permit as they could not find a designer willing to work on a complex older house within their budget
- A bylaw officer is planning a site visit in the next two to three weeks to discuss options for moving forward
- All the new construction was built over the original foundation except for a one corner

In response to inquiries from Council, regarding the potential impact of a notice on title for financing purposes, Staff noted that lenders contact the City with respect to notices and could potentially be reluctant to provide lending.

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 431 Maple Street 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 - 5380 Fillinger Crescent

Introduced by Jeremy Holm, Director, Planning and Development.

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

The property owner was not in attendance to speak to the matter.

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 5380 Fillinger Crescent 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 - 668 Pine Street

Introduced by Jeremy Holm, Director, Planning and Development.

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

1. Jan Ludvik, property owner, noted that they recently purchased the property, which had previously been used for an illegal grow operation, and they have been working to restore the building. They have engaged with City staff, environmental consultants, engineers, and contractors to address issues with the property and were surprised to learn of a potential notice on title. They stated that a notice on title, at this stage, would discourage people from taking on the task of turning around troubled properties.

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 668 Pine Street 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 - 2306 Pheasant Terrace

Introduced by Jeremy Holm, Director, Planning and Development.

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

The property owner was not in attendance to speak to the matter.

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 2306 Pheasant Terrace 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 - 5326 Dewar Road

Introduced by Jeremy Holm, Director, Planning and Development.

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

1. Jeff (did not state last name), resident, and Cheng Zhang, property owner, spoke and noted their compliance with the requests from the City. They noted confusion regarding the location of the washer and dryer being illegal as this location was included in their original designs. They are attempting to comply with the concerns related to the second room by removing the door as it is only being used for storage purposes.

In response to inquiries from Council, Staff noted there was work related to plumbing installed and walls constructed that have not been inspected and would need to be either deconstructed or permitted. Once the work has been completed the notice could be removed from the property title.

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 5326 Dewar Road for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224". The motion carried unanimously.

6. ADJOURNMENT:

It was moved and seconded at 7:45 p.m. that the Special Council Meeting be adjourned. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

DEPUTY CORPORATE OFFICER