

MINUTES
SPECIAL COUNCIL MEETING (PUBLIC HEARING)
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC
THURSDAY, 2018-MAY-10, AT 7:00 P.M.

Present: Mayor W. B. McKay, Chair (arrived 7:04 p.m.)
Councillor S. D. Armstrong
Councillor M. D. Brennan
Councillor G. W. Fuller
Councillor J. Hong
Councillor J. A. Kipp
Councillor I. W. Thorpe

Absent: Councillor W. L. Bestwick
Councillor W. M. Yoachim

Staff: D. Lindsay, Director of Community Development
D. Fox, Manager of Building Inspections
L. Rowett, Manager of Current Planning and Subdivision (vacated 7:37 p.m.)
T. Rogers, Planner (vacated 7:37 p.m.)
S. Gurrie, City Clerk
S. Snelgrove, Recording Secretary

1. CALL THE SPECIAL COUNCIL MEETING TO ORDER:

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

2. INTRODUCTION OF LATE ITEMS:

(a) Remove Agenda Item 9(b) Remedial Action Order – 432 Stable Place.

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 7:02 p.m. Acting Mayor Brennan 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 and Subdivision, explained the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*.

Mayor McKay entered the Shaw Auditorium at 7:05 p.m. and assumed the Chair.

(a) Covenant Amendment No. CA7 – 4745 Ledgerwood Road

Covenant Amendment No. CA7 – 4745 Ledgerwood Road was introduced by Tamera Rogers, Planner.

Presentation:

1. Sean Roy and Terry Hoff, Westurban Developments Ltd., applicant, spoke in favour of Covenant Amendment No. CA7 – 4745 Ledgerwood Road and stated:

- Development is a purpose built rental
- Development utilizes steep slope
- West Coast contemporary design
- Provides a diversity of housing for the neighbourhood
- Redevelops underutilized land to higher density
- Walking and biking distance to services and public transit
- Over 100 local businesses within immediate neighbourhood who will benefit from more residents
- Conforms to current guidelines in Official Community Plan
- Sidewalks, street lights and entrance to existing neighbourhood will be improved

Mayor McKay called for submissions from the public for a first time.

No one in attendance wished to speak with respect to CA7 – 4745 Ledgerwood Road.

Mayor McKay called for submissions from the public for a second time.

No one in attendance wished to speak with respect to CA7 – 4745 Ledgerwood Road.

Mayor McKay called for submissions from the public for a third time.

No one in attendance wished to speak with respect to CA7 – 4745 Ledgerwood Road.

S. Gurrie advised there were no submissions received at the hearing.

(b) Rezoning Application No. RA387 – 311 Selby Street – Bylaw 4500.120

Bylaw 4500.120 – RA387 – 311 Selby Street was introduced by Tamera Rogers, Planner.

Presentation:

1. Donna Hais, R.W. (Bob) Wall Ltd., applicant, spoke in favour of Rezoning Application No. RA387 – 311 Selby Street and stated:

- Site previously held a cell tower
- Current zoning allows for utility company office only
- Building is currently empty
- Zoning change will permit use of building for offices
- Zoning change will permit future development

Mayor McKay called for submissions from the public for a first time.
No one in attendance wished to speak with respect to Rezoning Application No. RA387 – 311 Selby Street.

Mayor McKay called for submissions from the public for a second time.
No one in attendance wished to speak with respect to Rezoning Application No. RA387 – 311 Selby Street.

Mayor McKay called for submissions from the public for a third time.
No one in attendance wished to speak with respect to Rezoning Application No. RA387 – 311 Selby Street.

S. Gurrie advised there were no submissions received at the hearing.

(c) Rezoning Application No. RA388 – 2202 Meredith Road – Bylaw 4500.121

Bylaw 4500.121 – RA388 – 2202 Meredith Road was introduced by Tamera Rogers, Planner.

Presentation:

1. Alan Lowe, Alan Lowe Architect Inc., applicant, spoke in favour of Rezoning Application No. RA388 – 2202 Meredith Road and stated:

- Property was purchased in November 2017
- House was not cared for
- Not economically feasible to fix up the property and rent it out
- Hired hazmat company to deal with hazardous material
- Structure on the site has been cleared
- Neighbours were pleased structure was removed
- New building will be in the West Coast contemporary style
- Site is within walking distance to bus routes, an elementary school and a park
- Sidewalks, curbs and gutters will be provided
- 8 townhouse units are proposed
- Wood, stucco and Hardy are some materials that will be used in the buildings.
- On street parking and a bike lane will be provided

Mayor McKay called for submissions from the public for a first time.
No one in attendance wished to speak with respect to Rezoning Application No. RA388 – 2202 Meredith Road

Mayor McKay called for submissions from the public for a second time.
No one in attendance wished to speak with respect to Rezoning Application No. RA388 – 2202 Meredith Road

Mayor McKay called for submissions from the public for a third time.
No one in attendance wished to speak with respect to Rezoning Application No. RA388 – 2202 Meredith Road

S. Gurrie advised there were no submissions received at the hearing.

6. FINAL CALL FOR SUBMISSIONS:

Mayor McKay announced that following the close of a Public Hearing, no further submission 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 7:26 p.m. The motion carried unanimously.

8. BYLAWS:

(a) "Zoning Amendment Bylaw 2018 No. 4500.120"

It was moved and seconded that "Zoning Amendment Bylaw 2018 No. 4500.120" (To rezone 311 Selby Street from Community Service Three [CS3] to Fitzwilliam [DT2]) pass third reading. The motion carried unanimously.

(b) "Zoning Amendment Bylaw 2018 No. 4500.121"

It was moved and seconded that "Zoning Amendment Bylaw 2018 No. 4500.121" (To rezone 2202 Meredith Road from Single Dwelling Residential [R1] to Townhouse Residential [R6] with site-specific provisions to increase the maximum permitted building height to 9.2m and increase the maximum allowable floor area ratio to 0.7) pass third reading. The motion carried unanimously.

9. REPORTS:

(a) Covenant Amendment Application – CA000007

It was moved and seconded that “Covenant Amendment Application (CA000007)”, to amend the Section 219 Covenant (EL70929) registered on the title of 4745 Ledgerwood Road, be approved. The motion carried unanimously.

(b) Bylaw Contravention Notice – Construction Not Completed As Per Conditions of Building Permit – 206 Fifth Street

Introduced by Dale Lindsay, Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice – Construction Not Completed As Per Conditions of Building Permit – 206 Fifth Street.

No one in attendance wished to speak regarding Bylaw Contravention Notice – Construction Not Completed As Per Conditions of Building Permit – 206 Fifth Street.

T. Rogers and L. Rowett vacated the Shaw Auditorium at 7:37 p.m.

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 206 Fifth Street for construction not completed as per the conditions of the building permit. The motion carried unanimously.

(c) Bylaw Contravention Notice – Construction Not Completed As Per Road Conditions of Building Permit – 5030 Lost Lake Road

Introduced by Dale Lindsay, Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice - Construction Not Completed As Per Road Conditions of Building Permit – 5030 Lost Lake Road

No one in attendance wished to speak regarding Bylaw Contravention Notice - Construction Not Completed As Per Road Conditions of Building Permit – 5030 Lost Lake 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 5030 Lost Lake 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 – 53 Nicol Street

Introduced by Dale Lindsay, Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice – Construction Started Without a Building permit – 53 Nicol Street.

No one in attendance wished to speak regarding Bylaw Contravention Notice - Construction Started Without a Building permit – 53 Nicol 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 53 Nicol Street for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. The motion carried unanimously.

(e) Bylaw Contravention Notices – Secondary Suites

Introduced by Dale Lindsay, Director of Community Development.

Mayor McKay requested that Council hear anyone wishing to speak with respect to the unauthorized suites at:

1. 3139 Monk Place
2. 671 Haliburton Street

No one in attendance wished to speak with respect to the unauthorized suites at:

1. 3139 Monk Place
2. 671 Haliburton 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 following properties:

1. 3139 Monk Place – illegal secondary suite
2. 671 Haliburton Street – illegal secondary suite

The motion carried unanimously.

10. ADJOURNMENT:

It was moved and seconded at 7:40 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER