

RDN REPORT	
CAO APPROVAL <i>[Signature]</i>	
EAP	
COW	✓
MAR 04 2014	
RHD	
BOARD	

MEMORANDUM

TO: Paul Thompson
Manager of Long Range Planning

DATE: February 28, 2014

FROM: Greg Keller
Senior Planner

FILE: 6970 20 SESU

SUBJECT: Secondary Suites Information Sessions Summary, Bylaw Amendments and Revised Secondary Suites Policy

PURPOSE

To present a summary of the secondary suites information sessions, propose amendments to Zoning Amendment Bylaw 500.389, 2014, and to consider an amended secondary suites Board policy.

BACKGROUND

Proposed zoning amendments to Bylaw 500 and Bylaw 1285 were presented to the Electoral Area Planning Committee (EAPC) at its January 14, 2014 meeting. The zoning bylaw amendments are required to allow secondary suites in the participating Electoral Areas. At the January 28, 2014 Board meeting, the Director for Electoral Area 'F' requested further amendments to proposed Zoning Amendment Bylaw 1285.19, 2014 (Bylaw 1285.19). The Board then passed the following resolutions:

That the Board bring forward the Administrator's report titled Revisions to Bylaw No. 1285.19 – Secondary Suites.

That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.19, 2014" be introduced and read two times.

That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.19, 2014" proceed to Public Hearing.

That the Public Hearing on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.19, 2014" be delegated to Director Fell or his alternate.

That the online questionnaire results attached as Appendix F and the public consultation summary attached as Appendix G be received.

That 1st and 2nd reading be given to "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014".

That staff proceed with further community engagement as identified in the staff report.

That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014" proceed to Public Hearing.

That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014" be delegated to Director Stanhope or his alternate.

That staff be directed to review the existing building permit, development cost charges, and utility fee structure and prepare a report on options for providing incentives for secondary suites.

That the proposed Secondary Suite Policy be referred back to staff for discussions with the Electoral Area Directors prior to the January 28, 2014 Board meeting.

Further discussions with the Electoral Area Directors have identified some potential additional changes to the proposed Zoning Amendment Bylaw 500.389, 2014 (Bylaw 500.389) and Secondary Suites Policy which required further consideration by the community. Please refer to Attachment 1 for proposed amendment Bylaw 500.389 and Attachment 2 for the proposed amended Secondary Suites Policy.

The draft Zoning Amendment Bylaws and Secondary Suites Policy and potential changes were presented to the community for discussion and feedback during two information sessions held February 26 at the Coombs Rodeo Grounds Hall, and February 27, 2014 at Cedar Community Hall. A summary of the information sessions is included in Attachment 3.

ALTERNATIVES

1. To receive this report, endorse the secondary suite Board policy and give 2nd reading as amended to proposed Bylaw 500.389.
2. To receive this report and provide staff with alternate direction.

PUBLIC CONSULTATION IMPLICATIONS

The draft secondary suites program has been available for public review since November 2013. A variety of methods for raising public awareness on the draft have been used including the project website, newspaper advertisements, radio interviews, press releases, word of mouth, and email alerts. Since the release of the draft all community feedback directed towards staff has been in support of the proposal and no concerns about the proposed secondary suites bylaw amendments and policy have been raised by the community.

Following 1st and 2nd reading of the proposed zoning amendment bylaws, two information sessions were held to formally present the proposed zoning amendment bylaws and Secondary Suites Policy. The information sessions were held on February 26 at the Coombs Rodeo Grounds and February 27 at Cedar Community Hall from 6:00 pm to 8:30 pm with a presentation at 7:00 pm.

Approximately eighteen people attended the information session on February 26. Overall, the community response to the draft secondary suites proposal was positive. There were some concerns over the proposed home-based business regulations being too restrictive and some discussion about the proposed minimum site area requirements for a detached secondary suite. With respect to the proposed Secondary Suites Policy, discussion suggested that some aspects of the policy should be clarified including the proposed categories and how existing suites would be handled. Some participants raised general concerns about introducing more regulations, while others stated that regulations are important to protect the right to peace and enjoyment of property. Those in attendance at the February 26 meeting supported moving forward with the proposed secondary suite program provided the concerns raised are addressed. Some participants expressed a desire for the proposed bylaws to be adopted quickly so they can move forward on building a secondary suite.

Only five people attended the information session on February 27. Due to the low turnout, there was an opportunity for informal one on one discussion. Other than general questions about the proposal, no concerns were raised. In addition, since there was no formal presentation, a meeting summary has not been prepared for the February 27 meeting.

Overall, there was little interest in the information sessions which may be an indication that residents either support or are not overly concerned with the proposed secondary suites program. Despite low attendance, there was good discussion and ideas which has led to some potential changes to proposed Bylaw 500.389 and the draft Secondary Suites Policy which require further Board consideration. Please refer to Attachment 3 for a summary of the February 26 information session.

LAND USE IMPLICATIONS

The proposed secondary suites program generally appears to have strong community support. As mentioned above, some concerns have been raised with respect to the proposed home-based business regulations and proposed Secondary Suites Policy. The following outlines the proposed response to the concerns raised so far.

Potential amendments to Bylaw 500.389

Based on feedback from the Electoral Area Directors and meeting participants, amendments are being proposed to the home-based business Regulations in Bylaw 500.389. The purpose of the amendments is to remove the restriction on the type of home-based business that would be allowed and to reduce to minimum site area threshold from 8,000 m² to 4,000 m².

The amended Bylaw is included as Attachment 1 for the Board's consideration. Should the Board wish to proceed with the amended Bylaw, an amended 2nd reading is required.

Potential Amendments to the proposed Secondary Suites Policy

Following further discussions with the Electoral Area Directors and meeting participants, amendments are being proposed to the draft Secondary Suites Policy. The purpose of the amendments is as follows:

1. to clarify when the policy would apply;
2. to reinforce that the RDN would not, with respect to unrecognized secondary suites, actively enforce the building or zoning Bylaws;
3. to retitle the 'Secondary Suites' category to 'Fully Compliant' secondary suites;
4. to clarify the owners of unrecognized secondary suites would not be required to apply for a building permit after the adoption of the zoning amendment Bylaws that allowed secondary suites;
5. to provide clarification on how complaints related to secondary suites would be handled; and,
6. to clarify the process for recognizing an unrecognized suite.

The proposed amendments are intended to clarify and simplify the proposed policy. The overall approach and general intent of the policy is not proposed to change. The proposed Secondary Suites Policy as amended is included as Attachment 2 for the Board's consideration.

Procedural Implications

Should the Board grant 2nd reading as amended to Bylaw 500.389, a public hearing would be scheduled for both proposed amendment bylaws. In response to community support to expedite the adoption of the proposed Bylaws and in recognition that the proposed Bylaws are regional in scope and to reduce staff time and costs associated with public hearings, staff is recommending that the RDN Board Chambers be used to hold one public hearing for both bylaws on the same evening.

STRATEGIC PLAN IMPLICATIONS

The proposed program is consistent with Goals 1 and 3 of the Board's Strategic Goals and Actions for 2013 - 2015 in relation to the provision of affordable housing in the region.

SUMMARY/CONCLUSIONS

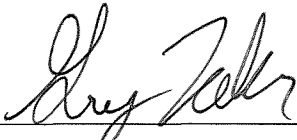
Following 1st and 2nd reading of the proposed amendment bylaws, two information sessions were held to obtain community feedback on the secondary suites proposal on February 26 and 27. Further discussion with the Electoral Area Directors and meeting participants has identified some potential amendments to Bylaw 500.389 and to the Secondary Suites Policy.

The purpose of the amendments to proposed Bylaw 500.389, which is included in Attachment 1, is to remove the restriction on the type of home-based business that could be conducted on a parcel with a secondary suite and to reduce the minimum site area threshold from 8,000 m² to 4,000 m². The purpose of the amendment to the proposed secondary suite policy, which is included in Attachment 2, is to clarify and simplify the policy without changing its intent.

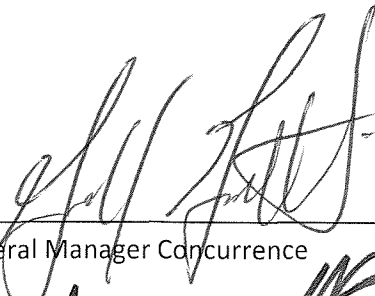
Following amended second reading, staff recommends that the proposed zoning bylaw amendments proceed to public hearing as directed by the Board at its January 28, 2014 meeting.

RECOMMENDATIONS

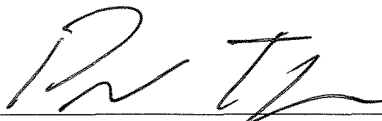
1. That the summary of the secondary suites information session held February 26, 2014, included as Attachment 3, be received.
2. That 2nd reading be given to "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014", as amended.
3. That the proposed Secondary Suites Policy, included as Attachment 2, be approved as amended and that it be scheduled to come into effect following the adoption of proposed amendments Bylaw 500.389 and 1285.19.



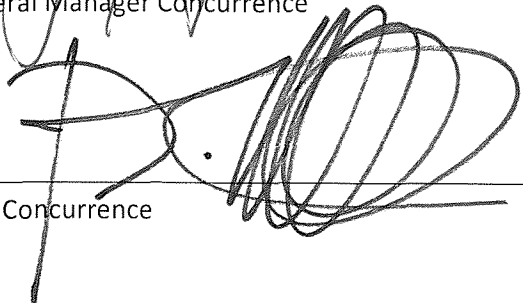
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

**Attachment 1
Proposed Bylaw 500.389**

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.389**

**A Bylaw to Amend Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987**

The Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

1. In **Part 2 Interpretation Section 2.1 Definitions** by adding the following definition after ‘seafood processing’.

secondary suite means one or more habitable rooms and a cooking facility for residential accommodation, consisting of a self-contained unit with a separate entrance but which is clearly accessory to a principal dwelling unit located on the same parcel as the secondary suite and may not be subdivided under the *Strata Property Act*.

2. In **Part 3 – Land Use Regulations Section 3.3 General Regulation** is amended by adding the following after Section 3.3.12(h)(ii):

- iii. Home-based business shall not be permitted within a secondary suite nor by the occupants of a secondary suite elsewhere on the subject property.
- iv. Bed and Breakfast shall not be permitted on a parcel that contains a suite.
- v. Where a secondary suite is located on a parcel less than 4,000 m² in area, the home-based business must:
- a. be limited to one (1) business; and,
 - b. not include any non-resident home-based business employees.

3. In **Part 3 – Land Use Regulations Section 3.3 General Regulation** is amended by adding the following after Section 3.3.15:

16) Secondary Suites

1. Secondary suites shall be permitted in the following zone classifications: RS1, RS1.1, RS2, and RU1 – RU10 (Inclusive).
2. A maximum of one (1) secondary suite is permitted per single dwelling unit to a maximum of two (2) per parcel of which only one (1) may be detached.
3. Notwithstanding Section 2.1, a secondary suite shall be permitted within an accessory building.

4. Secondary Suites shall be subject to the following requirements:
 - a. secondary suites within a principal dwelling unit must not exceed 40% of the habitable floor space of the building that it is located in nor 90 m² of total floor space, whichever is lesser;
 - b. must not be located within a duplex, manufactured home, or multiple dwelling unit development;
 - c. must provide at least two (2) additional designated off-street parking spaces (at least one (1) must have direct access to the street);
 - d. shall be maintained in the same real estate entity as the principal dwelling unit to which it is accessory;
 - e. must meet minimum setback requirements for a dwelling unit located in the applicable Zone Classification.
 - f. must be limited to a maximum of two bedrooms and one cooking facility;
 - g. must, on parcels without community sewer services, have the approval of the local Health Authority with respect to the provision of sewage disposal;
 - h. must have its own entrance separate from that of the principal dwelling unit; and,
 - i. must not be used for short term (less than one month) rentals.

5. A Secondary Suite may be located within an accessory building subject to the following:
 - a. The minimum site area requirement shall be 800 m² for parcels serviced with community water and community sewer or 8,000 m² in all other cases.
 - b. Notwithstanding any other provision in this Bylaw, the maximum height of a building containing a suite shall be 8.0 metres;
 - c. The maximum floor area of an accessory building containing a secondary suite shall not exceed 40% of the habitable floor space of the principal dwelling unit which it is associated with nor 90 m² of total floor space, whichever is lesser.
 - d. the secondary suite shall contain no interior access to any part of the accessory building and the means of access and egress must be external to the structure.

6. Home-based business shall be in accordance with Section 3.3.12.
 7. Despite any regulation in this Bylaw, land established as “Agricultural Land Reserve” pursuant to the *Agricultural Land Reserve Act* is subject to the *Agricultural Land Reserve Act* and *Regulations*, and applicable orders of the *Land Reserve Commission*.
4. In **Part 3 – Land Use Regulations Section 3.4 Regulations for Each Zone** is amended by adding ‘Secondary Suite’ as a Permitted Use as follows:
- I. Section 3.4.61 – 3.4.61.1 Residential 1 and Residential 1.1 Zone after b) Residential Use.
 - II. Section 3.4.62 – Residential 2 Zone after b) Residential Use- per dwelling unit.
 - III. Section 3.4.81- Rural 1 Zone – after f) Silviculture.
 - IV. Section 3.4.82 – Rural 2 Zone – after i) Silviculture.
 - V. Section 3.4.83 – Rural 3 Zone – after g) Wood Processing.
 - VI. Section 3.4.84 – 3.4.89 Rural 4 – Rural 9 Zones – after f) Silviculture.
 - VII. Section 3.4.810 – Rural 10 Zone – after b) home-based business.

Introduced and read two times this 28th day of January 2014.

Read a second time as amended this ___ day of _____ 20XX.

Public Hearing held this ___ day of _____ 20XX.

Read a third time this ___ day of _____ 20XX.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20XX.

Adopted this ___ day of _____ 20XX.

Chairperson

Corporate Officer

Attachment 2
Proposed Secondary Suites Policy

DRAFT
REGIONAL DISTRICT OF NANAIMO
P O L I C Y

SUBJECT:	<i>Secondary Suites</i>	POLICY NO:	Bx-xx
		CROSS REF.:	
EFFECTIVE DATE:		APPROVED BY:	Board
REVISION DATE:		PAGE:	1 of 4

INTRODUCTION

Zoning has now been in place in all parts of the RDN since June of 2002. Since then and prior to (*insert date of bylaw adoption*), secondary suites were only permitted on parcels which allowed at least two dwelling units per parcel. A secondary suite was considered one of the permitted dwelling units and no distinction was made between a secondary suite and a dwelling unit.

Allowing secondary suites is a practical way for the RDN to use its land use authority and resources to increase housing options for those who struggle to find adequate, affordable housing. Secondary suites capitalize on the potential to use new and existing single-family housing to provide rental housing. There is evidence from other jurisdictions that this can help meet the demand for affordable housing and also increase housing options that allow community members to age in place.

Changing the zoning regulations to allow secondary suites introduces a new set of challenges and issues for Regional District of Nanaimo (RDN) staff and the Board related to differences between existing suites and new suites. These differences are generally concerned with bylaw enforcement and compliance with the BC Building Code (BCBC).

It is common knowledge that there are numerous secondary suites that existed prior to the adoption of zoning regulations that allowed for secondary suites. It is recognized that secondary suites, whether new or existing, play an important role in providing affordable housing within the region. The RDN wishes to ensure that existing secondary suites are not negatively impacted by the introduction of new zoning regulations that pertain to secondary suites. In that regard this policy provides guidance and clarity on the application of the zoning bylaw, bylaw enforcement and the building inspection process as it relates to existing secondary suites.

PURPOSE

To provide for a consistent and clear approach on how existing and new secondary suites will be treated with respect to enforcement of the zoning bylaw, obtaining confirmation from the RDN that basic life safety aspects of the BCBC have been met, and the building inspection process. The policy is intended to provide a clear approach for RDN staff and Directors when responding to enquiries and complaints about secondary suites and when assisting landowners and prospective purchasers with their questions about secondary suites.

GENERAL APPLICATION

This policy is **only** intended to apply to the following:

1. when a property inquiry is received;
2. when a complaint is received;
3. when a property owner wishes to have the RDN confirm that an existing suite meets basic life safety requirements of the BCBC; or
4. the construction of a new secondary suite.

TERMINOLOGY

For the purpose of this Policy, secondary suite means a secondary suite as defined by “*Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987*” and “*Regional District of Nanaimo Zoning and Subdivision Bylaw No. 1285.2002*” as amended or replaced from time to time.

RDN POSITION ON EXISTING SECONDARY SUITES

As of (*insert date of bylaw adoption*), secondary suites became ‘permitted’ or ‘permitted accessory’ uses of land in most residential and rural zones. Secondary suites which existed prior to that date, on lands where secondary suites are permitted, may remain as they are and no action by the property owner(s) is required. The RDN will not seek to identify or locate existing secondary suites and will not force compliance with RDN Building or Zoning Bylaws, with the exception of handling complaints as set out in this Policy.

RDN POSITION ON NEW SECONDARY SUITES

All suites constructed after (*insert date of bylaw adoption*) must be constructed in accordance with:

1. “*Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987*”, or
2. *In the case of a suite in Electoral Area ‘F’ - “Regional District of Nanaimo Zoning and Subdivision Bylaw No. 1285.2002”; and,*
3. “*Regional District of Nanaimo Building Regulations Bylaw No 1250, 2010*” as amended or replaced from time to time.

SECONDARY SUITE CLASSIFICATION

For the purpose of this policy the following categories of secondary suites will be used to determine the status of a secondary suite:

1. *Unrecognized Secondary Suites*

A secondary suite which existed prior to *(insert date of bylaw adoption)*.

2. *Recognized Secondary Suites*

A secondary suite on a parcel where:

- a) secondary suite is a 'permitted' or 'permitted accessory' use; and
- b) was constructed prior to *(insert date of bylaw adoption)*; and
- c) where no building permit was originally issued or required for construction of the suite; and
- d) After *(insert date of bylaw adoption)* the secondary suite has since been the subject of a building permit and has been inspected to confirm that the secondary suite meets basic life safety requirements of the BCBC as outlined below under Building Permit Requirements for Recognized Secondary Suites.

3. *Fully-Compliant Secondary Suites*

A secondary suite which fully complies with RDN zoning and building regulations and the current edition of the BCBC.

BUILDING PERMIT REQUIREMENTS

A building permit is required for the construction of all secondary suites after *(insert date of bylaw adoption)*. For the three categories of secondary suites the following requirements apply:

Unrecognized Secondary Suites

No building permit is required.

Recognized Secondary Suites

There is no requirement to have an existing suite recognized and applying for this type of building permit is at the discretion of the property owner. Should an owner make a building permit application to "*recognize*" an "*unrecognized secondary suite*", a building inspector will conduct a visual inspection to determine if safety items pertaining to fire detection (smoke alarms), fire spread (drywall), and exits (a safe way out) have been addressed. These three items shall form the basis for a secondary suite to be confirmed as a recognized secondary suite. For suites that were built without a building permit when a building permit was required, as a condition of occupancy of the suite, a Notice under Section 57 of the Community Charter may be registered on the title as a means of disclosure to future land owners that there may be aspects of construction that do not comply with the BCBC.

Fully Compliant Secondary Suites

All secondary suites constructed after (*insert date of bylaw adoption*) shall require a building permit and must comply with all the requirements of the applicable zoning bylaw.

For a secondary suite located within a dwelling unit, the secondary suite regulations in Section 9.36 of the *BCBC* will apply. These standards are less stringent than required for the construction of a new dwelling unit (or detached secondary suite).

For detached secondary suites (those suites not contained in the same building as the primary dwelling) the regulations that apply to a dwelling unit in the current edition of the BC Building Code shall apply.

The RDN may consider proposals for alternate solutions in accordance with Section 2.3 of the BCBC.

SECONDARY SUITES CANNOT BE SUBDIVIDED

By definition, a secondary suite is accessory to a principal dwelling on the parcel on which it is located. To address concerns over potential subdivision of detached secondary suites under the *Strata Property Act*, a covenant prohibiting the subdivision of the detached suite from the principal dwelling unit may be required as a condition of the issuance of a building permit.

BYLAW ENFORCEMENT

The RDN recognizes that secondary suites contribute significantly towards providing affordable housing in the region. In addition, the RDN believes that all residents have a right to housing that meets basic health and safety provisions. Apart from new secondary suites which must be fully-compliant with current BCBC and zoning requirements, the RDN will not actively seek out and enforce its zoning and building bylaws as they pertain to unrecognized and recognized secondary suites. Instead the Board supports the following approach:

1. Investigations and enforcement relating to unrecognized and recognized secondary suites will be considered on a complaint driven basis only. Anonymous complaints or complaints from persons that do not reside within proximity to the subject property may not be investigated, nor enforcement activities commenced, unless there are extenuating circumstances such as possible health, safety or environmental concerns in accordance with RDN Bylaw Enforcement Procedures Policy B3-02.
2. Enforcement shall be focused on health, safety and zoning compliance where there may be significant impacts on adjacent properties.
3. Should it be determined that an investigation is warranted, property owners shall be encouraged to voluntarily comply with regulations, i.e., decommission suite if not permitted or “recognize” the suite through the building permit process.
4. An inquiry regarding a property with an unrecognized or recognized secondary suite shall not constitute a complaint.

5. Where a building permit application is made to recognize an unrecognized secondary suite on property where secondary suites are a permitted use, staff may issue an approval for occupancy for a suite that does not fully comply with zoning regulations without a requirement for a development variance permit or approval from the Board of Variance.

6. Where a complaint is received regarding a suite constructed without or in violation of a building permit after (insert date of bylaw adoption), a building permit shall be required and approval for occupancy shall not be granted unless the suite satisfies all provisions of Section 9.36 of the BCBC and all current zoning requirements.

Attachment 3
Secondary Suites Public Information Session
Coombs Rodeo Grounds – Community Hall
Wednesday February 26, 2014 6:00 pm to 8:30 pm

The following is a summary of the proceedings and does not represent a verbatim account of the meeting.

The Regional District of Nanaimo held the first public information session for the draft secondary suite program at the Coombs Rodeo Grounds. Seventeen people attended the meeting that included an open house and presentation. During the presentation, meeting attendees had the opportunity to discuss the draft secondary suite policy and regulations.

Greg Keller began his presentation by providing an overview of the draft Board Policy. The meeting participants discussed the benefits of the draft policy. Greg Keller explained the intention of the policy is to address existing secondary suites and provide an opportunity to allow property owners to ensure that existing suites meet the minimum health and safety requirements of the BC Building Code.

Greg Keller continued his presentation by discussing the draft zoning regulations for secondary suites. The participants expressed concern that in a dwelling with a suite, home-based businesses are limited to professional practice and office if the parcel is less than 8,000 m². Some participants stated that many parcels were already smaller than the minimum site area and would generate a limited amount of traffic. Greg Keller expressed the difficulty with developing regulations that apply to individual properties since there is a huge range of parcel sizes in the RDN.

The participants discussed parking requirements for secondary suites. Greg Keller explained that parking was identified as a concern by many residents throughout the secondary suite public consultation. A property must provide parking for the dwelling unit, home-based business, and non-resident secondary suite employees. Participants suggested that parking should be considered on a case by case basis. Some participants stated that parking was not a concern while others said that parking was a big concern.

The participants discussed whether detached suites can be supported on lots smaller than the proposed minimum site area requirements. The current site area requirement for a detached suite is 800 m² when a property has community water and sewer, and 8000 m² when it does not have full community servicing. Greg Keller explained that Island Health encourages a minimum parcel size of 1 ha to ensure property owners do not run into problems if the septic system fails. Greg Keller also explained that some residents have indicated concerns in the past regarding increased development in the rural areas. Some participants stated that current treatment systems are in place to handle the increased waste and that septic systems are sized by the number of bedrooms.

Participants expressed concern that legalizing an existing suite according to the proposed policy may increase property taxes through a higher assessment. Participants questioned when a suite owner

changes a classification from unrecognized to recognized if BC Assessment would receive notice of the change. Greg Keller stated that the RDN will look into this question.

Greg Keller asked the attendees for their opinions on the share of community service costs that should be paid by suite owners. The participants suggested that suite owners should pay their fair share of the community servicing costs. Some participants also suggested that it may reflect the size of the unit.

The meeting participants discussed whether existing and new suites should receive a reduced inspection fee. Some participants suggested that a reduced fee for a new suite should only be provided once the suite is complete.

The meeting concluded at 8:30pm