

MINUTES OF THE SPECIAL MEETING
OF THE COUNCIL OF THE CITY OF NANAIMO
HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
ON THURSDAY, 2012-SEP-06 COMMENCING AT 7:00 P.M.

PRESENT: His Worship Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson
Councillor M. D. Brennan
Councillor G. E. Greves
Councillor D. K. Johnstone
Councillor J. A. Kipp
Councillor W. B. McKay
Councillor J. F. K. Pattje

Regrets: Councillor W. L. Bestwick

Staff: B. Anderson, Manager, Planning & Design Section, CSD
S. Herrera, Planner, Planning & Design Section, CSD
P. Masse, Planning Clerk, Planning & Design Section, CSD

Public: There were 16 members of the public in attendance.

1. CALL THE SPECIAL MEETING OF COUNCIL TO ORDER:

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

2. ADOPTION OF AGENDA:

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

3. CALL THE PUBLIC HEARING TO ORDER:

Mayor Ruttan called the Public Hearing to order at 7:00 pm. and advised that members of City Council, as established by provincial case law, cannot accept any further submissions or comments from the public following the close of a Public Hearing. Mr. Anderson explained the required procedures in conducting a Public Hearing and the regulations contained within Part 26 of the *Local Government Act*. He advised that this is the final opportunity to provide input to Council before consideration of Third Reading of Bylaws No. 4500.028 and 4500.029 at this evening's Special Council meeting.

(a) Bylaw No. 4500.028 – RA299 – Part of 2022 Latimer Road

This bylaw, if adopted, will rezone part of the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to facilitate a three-lot subdivision.

Ms. Maureen Pilcher, Maureen Pilcher & Associates Ltd. – Applicant Representative

- Ms. Pilcher's presentation is attached as "Attachment A – Submission for Bylaw No. 4500.028".

Councillor Pattje asked for clarification regarding how many neighbours were opposed to the proposal.

Ms. Pilcher confirmed that one neighbour expressed concerns, as noted in her presentation. Another neighbour at 2028 Latimer Road had questions regarding the proposal but she did not indicate that she was opposed and instead noted that she would like to see a new house built on the lot.

Councillor Pattje asked if any submissions had been received for the proposal.

Ms. Herrera noted that no submissions were received for this application.

Councillor McKay asked if the existing home on the subject property would be upgraded.

Ms. Pilcher confirmed the existing home would be upgraded.

Mayor Ruttan asked for a clarification on a timeline for the proposal.

Ms. Pilcher noted that the proposed homes would be underway within a year.

Councillor Johnstone asked if there are any parking concerns for the proposal.

Ms. Pilcher stated each single residential home is required to contain two parking spaces on the lot.

Councillor McKay asked if the developer would be responsible for some works and services in the area.

Ms. Pilcher noted that, through discussion with the City Engineering department, the required works and services would be curb, gutter and sidewalk on the side of Spencer Road closest to the subject property. Concrete curb, gutter and sidewalk already exist on Latimer Road.

Mr. Roy Spender, 2023 Latimer Road – Opposed

- Lives directly adjacent to the subject property. Believes the applicant representative "lied" when indicating that only one person in the neighbourhood is opposed to the proposal.
- Does not believe the lot is big enough for three homes. The subject property has been troublesome to the neighbourhood for over 15 years, including illegal activities. Believes this proposal will only exacerbate the problems in the area and that one of the homes will be a duplex.
- Believes parking and traffic will be dangerously increased and asked Council to do a site visit to see how bad it is.

Mayor Ruttan noted that Council usually does a site visit to Public Hearing agenda items. Asked Staff for clarification regarding whether or not a duplex is proposed.

Ms. Herrera stated that the R1 lot would not be eligible for a duplex.

Councillor Kipp noted he understands the speaker's concerns in light of past illegal activity on the subject property, asked the speaker if the proposal would in fact improve the neighbourhood.

Mr. Spender does not believe the proposed "micro houses" fit into the neighbourhood. Believes two homes on the property are more reasonable.

Councillor Kipp asked Staff for clarification on whether or not a home on the R1 lot could contain a secondary suite.

Ms. Herrera confirmed that a home on the R1 lot is permitted to contain a secondary suite.

Mr. Spender noted he believes a home with a secondary suite and a duplex are essentially the same thing.

Councillor Brennan asked for clarification regarding the difference between a single family dwelling that contains a secondary suite versus a duplex.

Ms. Herrera stated that there are size restrictions in place for secondary suites; also they are required to be rented out.

Councillor Brennan asked for confirmation that a duplex would contain two units of the same size and a secondary suite has to be smaller than the primary dwelling.

Ms. Herrera confirmed that typically, a duplex contains two units of the same size and a secondary suite is required to be smaller than the primary dwelling.

Mayor Ruttan asked Staff if the intention is to build three new homes on the subject property.

Ms. Herrera noted the existing house is proposed on lot B and two new, vacant lots are proposed on either side of the existing home.

Mayor Ruttan asked the speaker if the two new homes being built and the existing home being renovated would not be an advantage for the neighbourhood.

Mr. Spender reiterated that two homes on the subject property are more appropriate. Believes there is barely enough room for parking on the street currently.

Councillor McKay noted that he lives in the neighbourhood and understands some of the existing problems in the area; he believes the proposal will improve the neighbourhood. Asked the speaker if a nearby property on Spencer Road which was subdivided last year has caused any troubles for the neighbourhood.

Mr. Spender noted the house on Spencer Road is a full-sized home while the proposed homes are much smaller.

Councillor McKay asked the speaker if he is aware that the home on Spencer Road has a secondary suite and whether or not the home has caused any problems for him.

Mr. Spender stated he is aware that the home on Spencer Road contains a secondary suite and it has not yet cause him any problems. Does not think the proposal is proper for the neighbourhood.

Councillor Greves noted the proposal meets all regulations and requirements of the R2 small lot zone.

Mr. Spender stated that even if the proposal meets all requirements, Council does not have to live there and put up with it.

Councillor Greves noted the speaker had complained about the existing home and / or occupants; two new homes would be built with this proposal and would be an improvement to the area.

Mr. Spender noted he is not impressed by the “salesmanship”.

Councillor Anderson asked the speaker to clarify his specific concerns regarding the addition of two new homes being built in the R2 zone.

Mr. Spender noted he does not believe the proposal is in keeping with the rest of the neighbourhood. Does not believe the curtailing of urban sprawl should be done at his expense.

Councillor Anderson asked for clarification on what he or his neighbourhood loses by adding two new homes.

Mr. Spender stated that the idea of two new homes may sound beneficial but it is really a resurrection of a piece of property that was originally made for one home. Two homes are acceptable but three homes is absurd.

Councillor Brennan stated her belief that the speaker was too harsh in his stated opinion that the applicant representative had lied about how many residents in the neighbourhood were opposed to the proposal.

Mr. Spender reiterated his belief that the applicant representative had lied.

Councillor Brennan noted that the applicant representative had stated that the occupant of 2028 Latimer Road had questioned her about the proposal but they had not stated formal opposition. Feels it is unfair for the speaker to characterize the applicant representative as a liar.

Mr. Spender reiterated his belief that the applicant representative had lied.

Mr. Per Setterberg, 1918 Latimer Road – In favour

- Has no concerns with the proposal and believes it will be positive for the neighbourhood.

Councillor McKay asked for clarification from the applicant representative regarding her statement on who in the neighbourhood stated their opposition to the proposal.

Ms. Pilcher noted that the one neighbourhood resident who was referred to as being opposed to the proposal is Mr. Spender. He was clear about his opposition and her presentation indicated that. The resident at 2028 Latimer Road had questions but did not state opposition to the proposal. This proposal meets the goals and objectives of the Official Community Plan and the lot meets all requirements and will require no variances whatsoever.

Councillor Johnstone asked if any drawings had been produced for the proposal.

Ms. Pilcher confirmed that no drawings have been produced at this stage of the application. There are a number of lots this size with this style of home already in the City; it promotes density and provides affordable housing.

Councillor Johnstone asked for confirmation that the homes will be affordable housing for young families, seeing as they would contain three bedrooms.

Ms. Pilcher confirmed that the homes would be in the \$300,000 range.

Mayor Ruttan asked if there is any intent to rent out the homes.

Ms. Pilcher confirmed that all three of the homes will be for sale.

Mayor Ruttan asked if the homes were not sold in a reasonable amount of time whether or not renting them out would be considered.

Ms. Pilcher confirmed that the intent is to sell the homes; however, there is a need for nice rental homes for young families in the City.

Mr. Roy Spender, 2023 Latimer Road – Redress

- Apologized to the applicant representative for his statements about who was opposed in the neighbourhood and whether or not Ms. Pilcher lied; he misunderstood and stands corrected.

Ms. Bev Spender, 2023 Latimer Road - Opposed

- Concerned about traffic on Latimer Road, specifically in regard to the school children. Believes they would be in additional danger if the proposal is approved. There is currently no room for street parking.
- Two homes on the lot would be much more agreeable to the neighbourhood. Believes more people in the neighbourhood are opposed to the proposal.

Councillor Anderson asked the applicant representative how many residents were approached regarding the proposal.

Ms. Pilcher noted that she contacts the City to ascertain who was notified about the Public Hearing and then contacts those residents to discuss the proposal; she went to the following homes: 2023, 2028, 2022, 2027, 2031, 1918, and 1914 Latimer Road and 2114, 2148, 2130, 2147, and 2140 Spencer Road.

Councillor Anderson asked for confirmation that out of those 12 residents contacted only one resident was opposed.

Ms. Pilcher confirmed that out of the 12 homes she visited only Mr. and Mrs. Spender were opposed to the proposal.

Councillor Anderson asked if a response was received from all of the 12 homes she visited.

Ms. Pilcher noted all residents were home when she arrived, with the exception of 2114 Spencer Road. Proposal information was left at their door.
There was one written and four verbal submissions received with regard to Bylaw No. 4500.028.

(b) Bylaw No. 4500.029 – RA300 – Part of 6414 Portsmouth Road

This bylaw, if adopted, will rezone part of the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to facilitate a three-lot subdivision.

Mr. Keith Brown, Keith Brown Associates Ltd. – Applicant Representative

- Mr. Brown's presentation is attached as a part of "Attachment B – Submissions for Bylaw No. 4500.029".

Councillor Pattje noted that applications on the subject property have come before Council twice in the past and were abandoned. Asked for clarification on what is different about this application.

Mr. Brown noted that the first application proposed too much density with seven units within three-storey homes and it was subsequently denied. The second application proposed a reduced density of four units. This application proposes two units, which is the lowest density feasible for the developer. The proposed two-storey homes would fit in to the neighbourhood well as there are several two-storey homes existing in the neighbourhood and the impact would be minimal.

Councillor Kipp asked for clarification on the floor plan and the siting of an area for accessory uses.

Mr. Brown stated that due to the location of the subject property, it would be ideal for a home based business. It is very close to many amenities and there are existing home based businesses in the area.

Ms. Nadean Bombardir, 6420 Portsmouth Road - Opposed

- Ms. Bombardir's presentation is attached as a part of "Attachment B – Submissions for Bylaw No. 4500.029".

Mr. Paul Minhas, 296 Cilaire Drive – Applicant

- As a developer in the City for many years he can attest that small, affordable homes, much like those proposed, sell as quickly as they are built. The proposal would not decrease value in the neighbourhood and would instead increase value in the area.

There were five written and three verbal submissions received with regard to Bylaw No. 4500.029. Two of the submissions included petitions, one opposed (13 signatures) and one in favour (5 signatures), the petitions are attached as a part of "Attachment B – Submissions for Bylaw No. 4500.029".

The Public Hearing was adjourned at 8:01 p.m.

4. BYLAWS:

- (a) “ZONING AMENDMENT BYLAW 2012 NO. 4500.028” (RA299 – Part of 2022 Latimer Road – to rezone part of the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to facilitate a three-lot subdivision).

It was moved and seconded that “ZONING AMENDMENT BYLAW 2012 NO. 4500.028” pass third reading. The motion carried unanimously.

- (b) “ZONING AMENDMENT BYLAW 2012 NO. 4500.029” (RA2300 – Part of 6414 Portsmouth Road – to rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential (R2) in order to facilitate a three-lot subdivision).

It was moved and seconded that “ZONING AMENDMENT BYLAW 2012 NO. 4500.029” pass third reading. The motion carried unanimously.

5. ADJOURNMENT:

36612 It was moved and seconded at 8:03 p.m. that the meeting terminate. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER