



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council **File No.:** 6480-20-1003 and 3360-20-1715  
**From:** Chief Administrative Officer **Date:** October 5, 2020  
**Subject:** **Official Community Plan (OCP) Amendment Bylaw No. 3018 and Zoning Amendment Bylaw No. 2912 - Lot A, Copperfield Road**

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### PURPOSE:

The purpose of this report is for Council to consider an Official Community Plan and Zoning Bylaw amendment application to redesignate the subject property from “Suburban Residential” to “Urban Residential”, create a new CD-30 Zone, and rezone the property legally described as Lot A, District Lot 138, Comox District, Plan 2607 Except Parts in Plans 312R, 14210 and 29833 as CD-30 and PA-2 to facilitate the subdivision of a 39 unit strata subdivision.

### CAO RECOMMENDATIONS:

That based on the October 5<sup>th</sup>, 2020 staff report “Official Community Plan (OCP) Amendment Bylaw No. 3018 and Zoning Amendment Bylaw No. 2912 - Lot A Copperfield Road” Council approve OPTION 1 and complete the following steps:

1. THAT Council gives First Reading to Official Community Plan Amendment Bylaw No. 3018 to redesignate the subject property from “Suburban Residential” to “Urban Residential”;
2. THAT Council gives First Reading of “Zoning Amendment Bylaw No. 2912” to create a new CD-30 Zone and rezone the property legally described as Lot A, District Lot 138, Comox District, Plan 2607 Except Parts in Plans 312R, 14210 and 29833 from R1-A to CD-30 and PA-2; and,
3. THAT Second Reading of both bylaws is withheld pending Council’s consideration of a Development Cost Charge Frontender Agreement and a Municipal Share Agreement to finance the cost of extending a waterline to the subject property to provide adequate water services.

Respectfully submitted,

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Trevor Kushner, BA, DLGM, CLGA, PCAMP  
Interim Chief Administrative Officer

### BACKGROUND:

The subject property is 2.59ha (6.4 ac.) in area and located on the edge of the City’s western boundary with the Regional District. The property is heavily treed with clusters of second and third growth forest and wetlands throughout and Piercy Creek running along the southeast boundary.

The proposal is for a 39 unit strata development including a mix of triplex, duplex and single family style units in addition to carriage homes on select lots. Units are accessed from a private strata road connecting to Copperfield Road. There is a central green space and trail network extending through the development and a protected buffer of Piercy Creek and associated wetlands established over a large proportion of the overall property (see Schedule A for a detailed overview of the proposal).

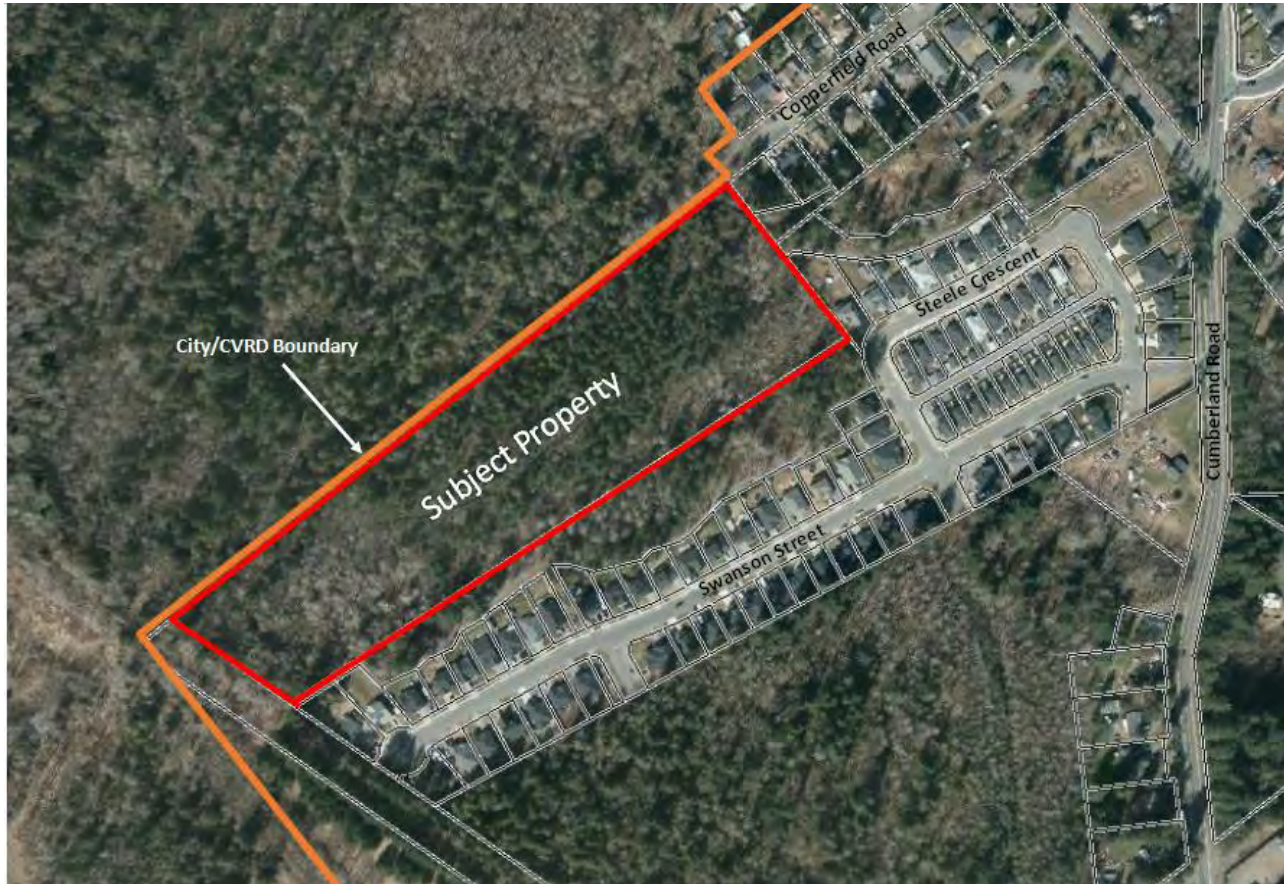


Figure 1: Subject Property and Context

To realize this development an amendment to the City’s Official Community Plan (OCP) and zoning bylaw are required.

In terms of the OCP amendment, currently, the property is designated “Suburban Residential”. This is a designation intended for large lot, semi-rural style development on lots with an average size of 2500m<sup>2</sup> (0.62ac.). Attached, and forming part of the OCP, is the Arden Corridor Local Area Plan (LAP). In contrast with the OCP land use designation, the LAP encourages clustered forms of development whereby the overall number of potential units or lots is condensed to preserve environmental features. For this to occur, lot sizes much smaller than 2500m<sup>2</sup> (0.62ac.) envisioned by the “Suburban Residential” land use designation are necessary.

The second component of the proposal is a zoning bylaw amendment to create a new Comprehensive Development Zone (CD-30). A comprehensive development zone is being utilized because the existing zone does not permit the density and unit types proposed and there is no other current zone that would allow the unique style of development proposed without a long series of subsequent variances. The CD zone is also

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an appropriate tool as it ensures the layout and unit composition detailed in the proposal are the only forms of development permitted.

Vehicular access to the property is proposed from an extension of Copperfield Road. Currently, Copperfield Road terminates at the City/Regional District Boundary (as illustrated in Figure 1 above). As a result, a section of road is required to be constructed within the Regional District which will then connect with the development's strata road. The section of road constructed within the Regional District will require a subsequent maintenance agreement between the City and Ministry of Transportation should the proposed bylaw amendments be successful. A private bridge is then required to cross over Piercy Creek and access the development.

In terms of environmental protection, as specified by the Arden Corridor Local Area Plan, Piercy Creek requires a 30m protective buffer of sensitive environmental features regardless of the protective buffer identified through the *Riparian Areas Protection Regulation* process (which are predominantly less than 30m). This results in a large area of the subject parcel being undevelopable (55% of the total land area) and protected from any development. This has shaped the development's layout as reflected in the site plan provided in support in the bylaw amendments. The access road and portions of the development on the eastern edge of the property do encroach into the 30m buffer. This is justified by the project's biologist as necessary given there is no other options for accessing the property and requires the subsequent approval of the City, Department of Fisheries and Oceans and the Province.

Finally, deficient water pressure was identified during the application's review once the water models were formally completed. To fix the existing water system deficiency and provide the required pressure needed for adequate fire flow (90 litres/second) to the development, approximately 1,052m of water main and associated infrastructure is required to be extended along Arden Road to the intersection with Lake Trail Road. This presents a serious challenge to the development as the cost of this extension is estimated to be at a million dollars. While there is a Development Cost Charge project for a watermain extension on Arden Road from Lake Trail Road to the southern end of Arden Road, the project is not an immediate priority for the City and the City does not have funds to contribute at this time. The developer intends to submit a concurrent Municipal Share and Development Cost Charge Frontender Agreement application should Council proceed with First Readings of the bylaws. Council is not obligated to enter into these agreements simply because a developer intends to construct a DCC project and staff again highlight that the City does not have immediate plans to construct this project nor the funds available to contribute to it. Municipal Share Agreement process requires that the applicant provides a detailed design and cost estimate of the infrastructure as well as a request for the City to contribute funds.

**DISCUSSION:**

As introduced above, the OCP and LAP policy direction relative to this proposal are divergent. The 2005 OCP policy envisions large suburban style lots. As the proposed lots are smaller than 2500m<sup>2</sup> (0.62ac.) an OCP amendment is necessary. Of note this policy was made prior to the adoption of the Regional Growth Strategy which aims to direct growth to municipal areas. In contrast, the LAP, which was adopted in 2013 after the adoption of the RGS, outlines a development strategy whereby new development is clustered in dense pockets of land to preserve sensitive environmental features.

The intent of the LAP's strategy is to maximize the protection of sensitive environmental features while still allowing selective development to occur. The proposed development mirrors the LAP's policy direction where much of the gross parcel area is an environmental buffer further supplemented by parkland dedication intended as recreational green space. The plan continues by outlining four general policy areas

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shaping future development: Environment, Mobility, Land Use, and Servicing. These key themes frame the assessment of this development proposal.

### Environment

An environmental assessment has been completed in support of this proposal. The report identifies Piercy Creek mainstream, tributary and the associated wetlands on the property as sensitive habitat draining directly into salmon bearing habitat 300m downstream. Importantly, the 30m buffers proposed exceed the buffers that would otherwise be required though the *Riparian Areas Protection Regulation (RAPR)* as well as the buffers established in other areas of the City outside of the Arden Corridor Area. In all other cases in the City the buffers would correspond to the *RAPR* assessment methodology and associated buffer distances. The report also discusses the limited development activities that will occur within the 30m buffer of the stream which includes the access road and bridge crossing of the creek to access the developable area. The report concludes with a series of recommendations for the development. These recommendation will inform the environmental development permit process to occur subsequent to the bylaw amendment process and prior to any development activity occurring on the site. The applicant has also engaged the Millard/Piercy Watershed Stewards who have provided a letter concerning the development proposal (See Schedule No. 2).

### Mobility/Parks and Greenways

In terms of access and connectivity, the subject parcel is challenged with limited vehicular access options as detailed above. Accessing from Copperfield Road remains the only viable option. The LAP contains limited policy around how the future road network will develop and instead focusses policy direction on maintaining the rural character of the existing roadways.

Cycling connections including nearby access to the Cumberland Road bike lanes which link directly with the Downtown area and connect to other routes in the overall network. The Parks and Recreation Master Plan identified the existing nature trail parallel to Piercy Creek and connection with Arden Road as part of the City's pedestrian network. The proposed development maintains this connection and adds a further arm of the trial on the north side of Piercy Creek. This link provides for access to the nearest transit route which is on Cumberland/Willmar about 1km away.

### Land Use

The proposed form and character of the development reflects housing policy in both the OCP as well as the LAP. A detailed overview is provided in Schedule No. 3 of the proposal as well as very specific details around aspects such as stormwater management. There will be a diversity of housing types and sizes which should appeal to a wide variety of different demographics. The inclusion of carriage homes on some of the lots also provides for a mix of rental tenure housing.

Concerning the compliance with neighbourhood character, the density is comparable to the surrounding newer and older forms of development. This is achieved through clustering the units which results in smaller lot sizes but does preserve large quantities of green space. The neighbours, and specifically the neighbours along Copperfield Road have detailed a series of concerns with the development focussed mainly on the character, scale, impact on the environment and the use of Copperfield Road as the vehicular access into the development.

The development specifically aligns with the LAP Land Use policies:

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- 4 *Promote a “clustering” form of development, including of single family housing developments, adjacent to roads to facilitate conservation of sensitive ecosystems, provision of open space and economical infrastructure costs. Support for this clustering form includes support for panhandle lots upon review, notwithstanding the policy regarding panhandle lots within the OCP*
  - 5 Allow infill development on all lots. Infill development includes: detached, one-story units (e.g. ‘granny flats’) or ‘carriage house’ units above detached garages.
  - 6 Support rental and other special needs housing.
  - 7 Appropriate lot sizes will be designated upon re-zoning application. The following general guidance is provided to inform the range of acceptable lot sizes within the Arden Corridor: Within the areas designated as Single Family Residential: 300-850 square metres

### Servicing

Finally, servicing and specifically water services are a significant challenges for this development. One stated objective of the LAP is to: “ensure safe drinking water to all residents within the City’s jurisdiction in the form of private wells and/or municipal servicing”. Confirmation that all municipal services are available and meet the development’s requirements is a key aspect of any rezoning proposal. As detailed above there is insufficient water pressure for the development which warrants an upgrade to the waterline along Arden Road. While this waterline upgrade is identified as a development cost charge (DCC) project, the City does not have immediate plans to construct this waterline nor are there sufficient accumulated funds in the water DCC reserve or budgeted to pay for the upgrade. Should Council give the amendments First Reading the developer has indicated they will be submitting a DCC Frontender and Municipal Share Agreement request whereby the detailed design and costing will be presented to Council along with a request to fund a portion of the project.

This development reflects (almost verbatim) the concepts and policy direction of the LAP. But, it is challenged by a key servicing issue with no current City plans or funds allocated to contribute to the required upgrade. Should the Municipal Share Agreement application not be approved then the feasibility of the development is questionable given the high capital investment needed to facilitate a relatively low yield of 39 lots.

### **Other Related Regulations**

#### *Amenity Contributions*

Amenity contributions to the City’s *Parks, Recreation Culture and Senior’s Facilities Amenity Reserve Fund* and the *Affordable Housing Amenity Reserve Fund* will be required as part of this proposal in accordance with section 7.7(6)(c) of the OCP.

#### *Local Government Act – s.477 (3)*

The proposed OCP amendment has been reviewed in relation to the City’s Financial Plan and the Regional Waste Management Plan. Staff have found the bylaw to be complementary to these plans.

#### *Environmental Development Permit*

An Environmental Development Permit will be required prior to any development assessed based on the General Environmental Development Permit guidelines as well as the supplemental guidelines in the Arden Corridor Local Area Plan.

#### *Tree Cutting Permit*

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The applicant will require a tree cutting permit in advance of any tree removal on the property. A tree assessment was provided in support of the proposal documenting the tree species on the property. No protected species were identified in the assessment.

**FINANCIAL IMPLICATIONS:**

The development is subject to City and the Regional District Development Cost Charges. As discussed, should Council proceed with the bylaws amendments the developer has indicated they will be requesting that the City contributes to the infrastructure upgrade needed to facilitate the development.

**ADMINISTRATIVE IMPLICATIONS:**

Processing zoning bylaw amendments is a statutory component of the corporate work plan. Staff has spent 80 hours processing and reviewing this application. Should the proposed bylaws receive First Reading, the applicant will request a DCC frontender agreement and a municipal share agreement. Staff estimate an addition ten hours will be spent reviewing the request and preparing a report and the required bylaws for Council consideration.

**ASSET MANAGEMENT IMPLICATIONS:**

As detailed, the development requires the extension of waterline which is not currently planned nor are funds allocated by the City. The development will also require a subsequent maintenance agreement with the Ministry of Transportation concerning the extension of Copperfield Road through land within the CVRD to access the development.

**2019 – 2022 STRATEGIC PRIORITIES REFERENCE:**

- Focus on asset management for sustainable service delivery
- Communicate appropriately with our community in all decisions we make
- ▲ ■ Identify and support opportunities for lower cost housing and advocate for senior government support
- ▲ Encourage and support housing diversity

The November 2019 Strategic Priorities Check-in also identified the following references under the “Next Council Priorities” subsection:

- Housing Need Assessment

**OFFICIAL COMMUNITY PLAN REFERENCE:**

**Official Community Plan**

**3.1 Growth Management:**

3.1.2 Goals

1. provide for managed growth
2. ensure equitable taxation for services provided and received

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3. support efficient infrastructure development
  4. protect environmentally sensitive areas
  5. support sustainable development practices

#### **4.4 Residential**

##### **4.4.2 Goals**

1. Optimize the use of existing lands in the City with a long term consideration to expand boundaries and protect adjoining lands from further development to meet the future needs of the City.
2. To encourage multi residential development in the Downtown area of the City, and in areas identified through the Local Area Planning process.
3. Support the development of housing options for seniors.
4. Ensure the provision and integration of special needs and affordable housing.
5. Encourage housing opportunities and convenient community services for individuals having special housing requirements.
6. Ensure new housing projects introduce innovative and creative design and streetscapes.
7. Preserve the integrity and character of existing residential areas with any redevelopment proposal.
8. Ensure all new development includes the provision of amenities including buffer areas along major roads, neighbourhood parks, sidewalks and trails, and public facilities.

#### **REGIONAL GROWTH STRATEGY REFERENCE:**

The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

##### **Objective 1-A: Locate housing close to existing services;**

1A-1 Based on RGS growth management strategy locate housing close to existing services and direct 90 percent of new, residential development to Core Settlement Areas.

1A-2 The focus of higher density and intensive developments shall be within the existing Municipal Areas. Within the Municipal Areas densification and intensification of development is required including infill and redevelopment.

1A-3 Identify specific Town Centres in Municipal Areas through the OCP review process. These Town Centres are to be developed as walkable and complete communities, providing for a range of housing types focusing on medium and high density housing, employment and commercial uses. There will be a minimum of one Town Centre in the City of Courtenay, one Town Centre in the Town of Comox and one Town Centre in the Village of Cumberland.

1A-6 Increase housing opportunities in existing residential areas in Core Settlement Areas by encouraging multi-family conversions, secondary suites, and small lot infill.

##### **Objective 1-B: Increase affordable housing options**

1B-2 Encourage residential multi-unit or multi-lot developments to contribute to affordable housing options including, but not limited to a range of unit sizes and types, lot sizes, multifamily or



attached-unit buildings, rental units, and secondary suites. These contributions could take the form of land, cash, buildings or other such items as supported by the local governments.

**Objective 1-C: Develop and maintain a diverse, flexible housing stock.**

1C-1 Provide a diversity of housing types in the Municipal Areas using the following housing type targets for new development by 2030: These targets are for all Municipal Areas in aggregate.

- 40% Low Density Single unit residential, town homes, semi-detached, secondary suites, 4-24 units per hectare
- 30% Medium Density Low-rise multi-unit up to four storeys, 24-74 units per hectare
- 30% High Density Over four storey multi-units minimum, 74 units per hectare

1C-4 Encourage infill units and secondary suites in residential zones in the Core Settlement Areas.

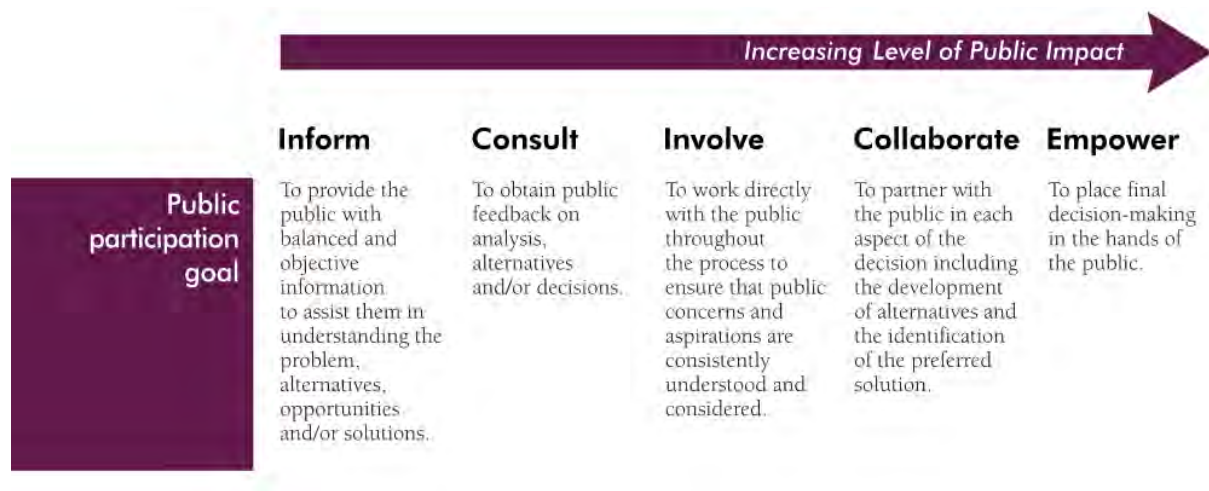
**Objective 1-D: Minimize the public costs of housing**

1D- 1 Direct the majority of new housing to areas that are or will be serviced through publicly owned water and sewer systems.

1D-4 Encourage green building design through green building standards for new residential development that include water and energy efficiency practices.

**CITIZEN/PUBLIC ENGAGEMENT:**

Staff will “Consult” the public based on the IAP2 Spectrum of Public Participation:



Staff are recommending that Council gives First Reading to the bylaws with the next step being the commencement of the DCC Frontender and Municipal Share Agreement process after which Council may give the bylaws Second Reading. As a result, a Public Hearing concerning both bylaws will not be scheduled until after Second Reading.



Prior to this application proceeding to Council, the applicant notified neighbours within 100m of the property of the proposal and completed the Alternative Public Information Meeting process. A series of comments were received which are overwhelmingly opposed to the development citing concerns including the scale, access and environmental protection. The comments received and the Public Meeting mail out are provided in meeting summary in **Schedule No. 4**.

**OPTIONS:**

**OPTION 1: (Recommended)**

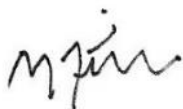
That based on the October 5<sup>th</sup>, 2020 staff report “OCP Amendment Bylaw No. 3018 and Zoning Amendment Bylaw No. 2912 - Lot A Copperfield Road” Council approve OPTION 1 and complete the following steps:

1. THAT Council gives First Reading to Official Community Plan Amendment Bylaw No. 3018 to redesignate the subject property from “Suburban Residential” to “Urban Residential”;
2. THAT Council gives First Reading of “Zoning Amendment Bylaw No. 2912” to create a new CD-30 Zone and rezone the property legally described as Lot A, District Lot 138, Comox District, Plan 2607 Except Parts in Plans 312R, 14210 and 29833 from R1-A to CD-30; and,
3. THAT Second Reading of both bylaws is withheld pending Council’s consideration of a Development Cost Charge Frontender Agreement and a Municipal Share Agreement to finance the cost of extending a waterline to the subject property to provide adequate water services.

**OPTION 2:** That Council postpone consideration of Bylaw 3018 and Bylaw 2990 with a request for more information.

**OPTION 3:** That Council not proceed with Bylaw 3018 and Bylaw 2990.

Prepared by:



Matthew Fitzgerald, RPP, MCIP  
Manager of Development Planning

Concurrence by:



Trevor Kushner, BA, DLGM, CLGA, PCAMP  
Interim Chief Administrative Officer

Reviewed by:



Ian Buck, RPP, MCIP  
Director of Development Services

*Attachments:*

- 1. Schedule No. 1 – Applicant’s Overview of the Proposal*
- 2. Schedule No. 2 – Letter from Millard/Piercy Watershed Steward*
- 3. Schedule No. 3 - Detailed Proposal Overview*
- 4. Schedule No. 4 – Alternative Public Information Meeting Materials and Responses*
- 5. Schedule No. 5 - Sustainability Evaluation Checklist*

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**Schedule No 1: Applicant’s Overview of the Proposal**

- Lot “A” -  
Revised Application for Rezoning  
City of Courtenay

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***Executive Summary***

The owners of Lot “A”, are submitting this application for a rezoning of the property from the current R-1A zone to a Comprehensive Development (CD) zone in order that the property can be developed as outlined herein.

**Lot “A”**

Lot “A” is an undeveloped 5.82 ha (14.53 ac.) parcel of land located in the City of Courtenay at its western boundary. The subject property is currently zoned Residential 1A (R-1A) and Suburban Residential OCP designation. This zoning bylaw amendment application seeks conversion from R-1A to a comprehensive development zone suitable for creation of lots as shown below.



**Proposed Development**

Working with JWT Architecture and Planning and Current Environmental and using their Environmental Constraints Map as a base, the plan shown below was developed .

The proposed rezoning and development plan includes the creation of 35 lots (15 townhomes; 2 duplexes; 18 single family) within the 5.82 ha property while maintaining and preserving key environmentally sensitive habitats.

## - Lot "A" - Revised Application for Rezoning City of Courtenay



*Proposed Rezoning and Development Plan*

### **Environmental Assessment**

Due to the existence of several environmentally sensitive areas on the property, Current Environmental Ltd. was retained to provide an environmental inventory, impact assessment, and impact mitigation plan to facilitate project planning and to assist with securing approval from regulatory agencies. The Environmental Assessment and Protection Plan is attached as Appendix B. Preserved areas included within the site plan include four seasonal wetlands, Piercy Creek mainstem and Tributary 11, all with associated setbacks prescribed according to the City's Arden Local Area Plan (LAP) and the Riparian Areas Regulation (RAR) of the BC Fisheries Protection Act.

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**Schedule No 2: Letter from Millard/Piercy Watershed Steward**



**Millard/Piercy Watershed Steward**

P.O. Box 3761 Courtenay, B.C. V9N 7P1

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Letter regarding the housing development proposal by Rosebery Investments Ltd for LOTA with access from Copperfield Road, RZ 000004

Attention of McElhanney

To whom it may concern

MPWS, in conjunction with CVCP, has completed the referral process for the proposed development including several review meetings and site visits with McElhanney and Current Environmental.

MPWS does not “support” any specific developments and can only comment on the environmental and ecological impacts as they relate to the Piercy creek watershed. The development is proposed for one of the few remaining undeveloped creek-side properties along Piercy creek and as such should use the best practices for low impact development design.

The proposal includes a 30m riparian set back which, in our experience, is a first in the Piercy watershed. Developments along Piercy Creek previously only had 10 or 15m riparian setbacks. Going back 20 years it had been almost zero, as with the Cousins Road industrial properties backing onto the creek. The increased amount of riparian setback will protect more tree cover and vegetation, plus reduce negative hydrology impact and reduce localized flooding.

The next important design phase is the rainwater management (IRMP) that determines how the rainwater from the development’s impervious surfaces are collected, filtered, and returned to the creek. As this area includes the confluence of Trib 11, which includes a large wetland, these designs are critical.

*We all live in a watershed!*

MPWS has monitored coho salmon returning to spawn and fry presence in these areas and hopes to enhance access for salmon by improving/replacing culverts at Arden and Cumberland roads in the future. The Piercy Creek assessment project supported by PSF the City and McElhanney started last week. Coho fry were found in Piercy creek at the intersection of Comox logging road confirming that salmon are active in this development.

MPWS is pleased to have the opportunity to contribute to minimizing development impacts on the watershed.

Thank you for including us in the process.

Robin Harrison  
MPWS President

*We all live in a watershed!*



**Schedule No 3: Detailed Proposal Overview**

- Lot "A" -  
Revised Application for Rezoning  
City of Courtenay

***Application Support  
Documentation***

***1. Lot "A"***

Development within this neighbourhood includes a mixture of single family homes and small acreage parcels. To the west of the property are a mixture of small and larger acreage properties, typically improved with older single family homes while to the immediate east along Arden Road are single family dwellings on a mixture of large and small holdings. To the southeast across Cumberland Road are small acreage properties, some of which that have recently been re-developed as a strata-titled townhouse project.

**Site Description**

Lot "A" is an undeveloped 5.82 ha (14.53 ac.) parcel of land located in the City of Courtenay. As can be seen on the plan below, the property is located at the western boundary of the City. It is bounded by the Copperfield Road right-of-way to the north, the Comox Lake Road to the west and the Copperfield Ridge Development to the south.



1.

Rosebery Investments Ltd.  
West Vancouver, BC



## - Lot “A” - Revised Application for Rezoning City of Courtenay

### **Vehicular Access**

The development site is accessed by Copperfield Road via Arden Road.

There is currently no actual vehicular access to the property as the paved portion of Copperfield Road terminates at the north-east corner. The



*Copperfield Rd. from Arden Rd.*

existing full-width Copperfield ROW runs along the top of the property and connects the existing Copperfield Road to the Comox Logging Road to the west.

### **Pedestrian Access**

The existing trail is proposed to be relocated outside the riparian buffer areas. This new neighbourhood is connected to the existing trail network to the south by way of an existing stream crossing.



*Existing Trail*

## - Lot "A" - Revised Application for Rezoning City of Courtenay

### **Utilities and Street Improvements**

#### **Potable Water**

There is an existing 150mm diameter water main stubbed at the end of Copperfield Road which is proposed to service the site.

#### **Sanitary Sewer**

The project site is currently serviced via a 200 mm diameter PVC main which travels east down Copperfield Road, south along Arden Road and then east down 20th Street to manhole P-28 where it connects to the recently upgraded Central Arden Trunk Sewer.

### **Topography**

The site grades are relatively flat with a gentle slope of less than 3% gradient. In general, the site slopes down towards the northeast corner of the subject property.

### **Storm Drainage**

Drainage catchments impacting the study area are defined by the surrounding roads and creeks. Comox Logging Road defines the western limits, 20th Street defines the south limit, and Piercy Creek and Tributary 10 define the east limit.

### **Hydrology**

There are identified wetland areas in each corner of the property except for the southwest corner. Piercy Creek flows from the south west corner towards the north east corner of the property.

## - Lot “A” - Revised Application for Rezoning City of Courtenay

### **Geotechnical Assessment**

Terran Geotechnical Consultants Ltd. were retained to conduct a geotechnical investigation of the property.

The soils represent the regional till that consist of glacial deposited clay, silt, sand, gravel and cobbles. A till-like layer is nearly hydraulically impervious, and it is expected that the groundwater is perched and the water table is deeper in depth.

In their Geotechnical Investigation Report Terran stated

*“Based on our experience and site investigation, it is our opinion that subject property are (sic) suitable for subdivision site development for typical lightly loaded residential dwellings. The proposed development is geotechnically feasible and the land can be used safely for their intended purposes with provided that the recommendations ... are followed.”*

The Geotechnical Investigation Report is attached as Appendix D.

### **Tree Inventory and Assessment**

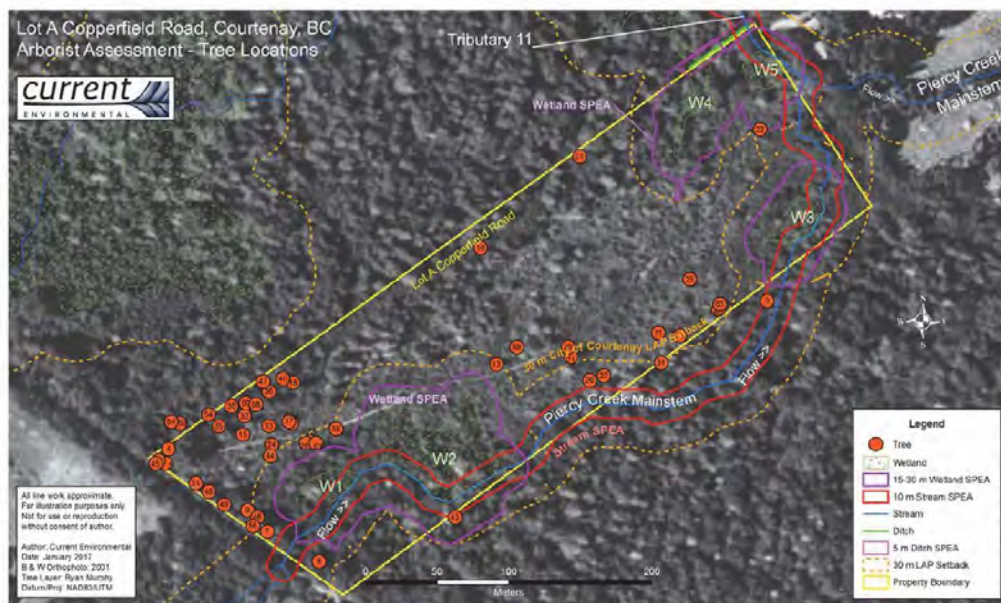
Ryan Murphy, an ISA Certified Arborist, was retained to catalogue and assess the trees on Lot A for overall health and stability.

He noted that the forest appears to have been cleared 60-70 years prior as indicated by the size of the largest trees. The property is now treed with a mixture of second growth coastal species. The understory varies from areas of typically thick brush to areas of thinner salal and fern. Overall, no wide spread tree-related hazards were observed on Lot A. No evidence of widespread root-rot was observed nor was any prior incidence of wind-throw.



## - Lot “A” - Revised Application for Rezoning City of Courtenay

Individual ‘feature’ trees, or mature trees in low density stands were mapped and are shown on the following plan. It is planned that building envelopes will be defined for each lot to save these trees to the greatest extent possible.



*Map of Mature Trees*

The Tree Inventory and Assessment is attached as Appendix E.

### **Environmental Assessment**

Current Environmental was retained to provide environmental consulting services in support of the planning for the development of Lot “A”. The first objective was to complete an environmental constraints map based primarily on the BC Riparian Areas Regulation (RAR) and the City of Courtenay Official Community Plan (OCP) bylaw.

5.

Rosebery Investments Ltd.  
West Vancouver, BC

## - Lot “A” - Revised Application for Rezoning City of Courtenay

The map of Protected and Developable Areas delineates the existing water courses and wetlands on the property. It also shows the 30 m. setbacks as required by the City of Courtenay OCP.



*Protected and Developable Areas*

### **Wetland and Riparian Area Conservation**

The site development plan includes 100% retention of Wetlands 1-3 & 5 and their associated riparian habitat through the implementation of a 30 m LAP setback. The proposed setbacks will help ensure adequate shade, water quality maintenance, LWD recruitment, and water retention/infiltration to sustain fish habitat values remain intact over the longterm. These values will improve as the riparian communities mature. This wide buffer also provides important habitats and a continuous migration corridor for terrestrial and semi-aquatic species.

6.

Rosebery Investments Ltd.  
West Vancouver, BC



## - Lot “A” - Revised Application for Rezoning City of Courtenay

Wetland 4 and its riparian area will be impacted by development of the City ROW off the end of Copperfield Road and the access road into the site. The loss of wetland and riparian areas will require approval from the City of Courtenay, DFO via request for review, and by MFLNRO under Section 11 of the Water Sustainability Act.

### **Protected vs. Encroachment Areas**

LAP setbacks the proposed development layout will include 3.2 ha (55 % of the total area) of the site set aside for environmental protection. The total LAP protected area will exceed RAR-mandated setback areas (2.1 ha) by 1.1 ha (or an increase of 19 % more than RAR protected areas). In addition to prescribed LAP setback areas the proposed development will include the dedication of 0.26 ha of protected area to partially offset 0.34 ha of encroachment into wetland and riparian setbacks.

## *2. Planning Context*

### **City of Courtenay Official Community Plan**

Within the City of Courtenay Official Community Plan, the property is designated as “Suburban Residential” as shown on the following map.

### **Local Area Plan**

In December of 2013 the City of Courtenay adopted the Arden Road Local Area Plan. As stated in the OCP Amendment Bylaw “The objective of the LAP is to project and respond to anticipated growth in the Arden Corridor through regulation of land use and servicing that is in keeping with the values of the community, the identity of the City and the City’s commitment to environmental protection.”

7.

Rosebery Investments Ltd.  
West Vancouver, BC

## - Lot "A" - Revised Application for Rezoning City of Courtenay



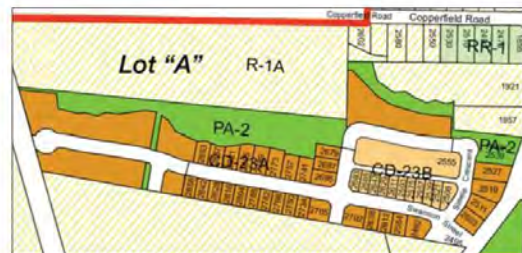
LAP Map 2

Demonstration Plan and High Level Design Principles

### Current Zoning

The subject property is currently zoned Residential 1A (R-1A). This is a single family zone mandating a minimum lot size of 1 ha.

The current zoning is becoming increasingly out of context with the surrounding properties as they are rezoned to permit greater density. This is particularly so with CD-23A and CD-23B zoning of the Copperfield Ridge development immediately below Lot "A".



Copperfield Ridge CD Zoning

8.

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- Lot “A” -  
Revised Application for Rezoning  

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City of Courtenay

*3. Proposed Development Of Lot “A”*

**Development Objectives**

**1. Conformity with the Arden Corridor Local Area Plan**

The development of Lot “A” in a manner that responds to the strategy, principles, housing policy and Conceptual Land Use Plan of the Local Area Plan.

**2. Housing Affordability**

Provision of affordable housing by developing small lots thereby reducing the land and servicing costs per dwelling unit.

**3. Minimal Environmental Impact**

Development of the property in a manner that limits the extent of site disturbances on:

- critical habitats of rare and endangered species;
- fish, the waters they inhabit and the riparian areas that support them;
- nesting birds and the nests of all raptors;
- hydrological features and function.

**4. Marketability**

Provision of a diversity of housing types that are attractive to young couples, families, and seniors.

## - Lot “A” - Revised Application for Rezoning City of Courtenay

### 5. Respond to Local Neighbourhood Context

Maintain the character of a single family neighbourhood while providing the option of more affordable multi-family dwellings.

### Development Planning

The results of the environmental assessment were used to support planning efforts specific to the development of the property and to inform land use decisions with regard to buildable areas, stormwater management, and the retention of ecologically significant features.

### Proposed Development Plan



*Proposed Rezoning and Development Plan*

Using the RAR Setbacks Map as a base, numerous conceptual development plans were prepared, resulting in the proposed development plan as shown above. This plan is envisioned as a bare land strata.

Care has been taken in crafting the layout of building parcels. Parcels are strategically located based on building typology to create both interest and coherence to the

## - Lot “A” - Revised Application for Rezoning City of Courtenay

neighbourhood’s design. irregular shaped parcels are designated as cottage lots to encourage creative house plans. Interior lots are narrower in width and include townhouse parcels (with interior lot lines) and 33' wide and alley loaded single family lots.

### **Major Components of the Plan**

#### **Dwelling Types**

Unit types include:

- 33' wide single family lane access lots with carriage units at the lane;
- duplex(s);
- town homes (lane access) - designed to read as larger single family homes, or character townhomes with unique street appearances for each unit;
- manor homes or triplexes - also designed to read as larger single family homes.

#### **Cottage Lots/ Small Lot Single Family**

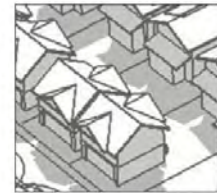
Smaller home-sites make for affordable design solutions. They foster smaller yet more creatively developed floor plans and gardens. Smaller homes are by nature more affordable. The plan proposes a variety of single family home-sites, including homes serviced by alleys, homes facing into green spaces and smaller irregular lots which beg for creative design solutions.



## - Lot “A” - Revised Application for Rezoning City of Courtenay

### Carriage Homes

Carriage homes are typically residential suites located above detached garages. By making provisions for carriage homes through flexible and creative zoning, builders and home owners can develop them when economic conditions are favourable. They can be rented out as revenue suites (aka mortgage helpers) or become "granny flats" facilitating multi-generational living within one single family lot. These units would not carry separate title and would be permitted as secondary detached suites.





## - Lot “A” - Revised Application for Rezoning City of Courtenay

### Duplex

One duplex parcel is planned for Lot A. Its design is intended to be in the character of a single family home.

The idea behind character of typical duplex building design is to maintain the character of a single duplex family building home design while providing for two units sharing a common and party wall. When from the street it would be difficult to discern that this unit is occupied by two units.



Each duplex will sit on its own strata lot with shared walls being the common element. By sharing a common wall building lots can be smaller and more affordable.



## - Lot "A" - Revised Application for Rezoning City of Courtenay

### Townhomes

Two townhome (TH) parcels are planned for Lot A. Their design is intended to be sympathetic to the scale and character of a single family home, while being in the form of three distinct townhome units. Each TH unit will sit on its own strata lot with shared walls being the common element. Townhomes are a form of multi-family housing. Each unit would share common walls and have privately controlled front and rear yards. Townhomes offer an affordable and safe housing typology. Sharing common walls lowers the cost of construction as well as the cost the cost of upkeep and heating and cooling. Garages would be detached, and they can be car ports or surface parking.



Character Sketch - Concept only to illustrate character and scale



## - Lot "A" - Revised Application for Rezoning City of Courtenay

### Manor Homes/Triplexes

Three triplex parcels are planned for Lot A. Their design is intended to be in the character of a single family home. Each triplex unit will sit on its own strata lot with shared walls being the common element.



Manor Homes are a type of multi-family housing that are similar to townhomes, The primary difference is they are designed to appear like a larger single family home that has several apartments located within it. They are an appropriate housing type for infill development where sensitivity to neighbourhood context is an important factor to consider during the design process. They add character and affordability to a neighbourhood. Each unit would share common walls and have privately controlled front and rear yards. They offer an affordable and safe



15.

Rosebery Investments Ltd.  
West Vancouver, BC



## - Lot “A” - Revised Application for Rezoning City of Courtenay

housing typology for families with single parents, retirees, singles with satellite families as well as the traditional nuclear family. Garages would be detached.

### **Park**

At the centre of the plan is a 15,600sf park. It is flanked by townhomes and single family homes with front porches. Strategically located adjacent to the larger greenway



park of Percy Creek, this community amenity space will serve as a gathering place for the neighbourhood. Parks need not be large to be functional and it is often said the best designed neighbourhood parks are large enough to provide for playground equipment, park benches and passive green space, yet small enough to feel safe and

## - Lot "A" - Revised Application for Rezoning City of Courtenay

connected to the adjacent homes.

### **Rain Gardens**

Rain gardens are designed to capture and cleanse storm water as it comes off the areas of vehicular traffic within a neighbourhood street network. They are located close to but lower than the roadway's curb and gutter. Rain gardens are populated with river washed stone, native and ornamental



*Rain Garden*

grasses, ground covers and perennials. Drain inlets are often located in rain gardens and can direct cleansed water into detention areas downhill of the garden. Our design locates two rain gardens uphill of the proposed storm water detention area.

### **Street Trees**

While lots may be small, the opportunities to create a leafy new enclave of affordable homes remain large. Trees are located in concept within areas of the strata road right-of ways. In a few select areas trees are shown within the lots. While this is a concept plan only, and not a prescriptive tree planting plan, it is intended to be a framework for the detailed design that will follow rezoning.

## - Lot “A” - Revised Application for Rezoning City of Courtenay



*Conceptual Street Tree Planting Plan*

### **Vehicular Access**

Copperfield Road is proposed as the main and only entrance to the site. Access will be provided by extending Copperfield Road along the existing road right-of-way to Ministry of Transport and Infrastructure standards. The access drive is terminated by a hammerhead turn-around. The access road will upgrade an existing culvert crossing of Tributary 11 by replacing the closed-bottom culvert with an arched design that will include re-instating natural stream bed substrates and profile. The access drive will be owned and maintained by the bare-land strata corporation.

Within the project site one main road and one spur road are terminated with a round-about and cul-de-sac. A series of laneways provides access to rear loaded garages as well as, in select places, RV parking pads. Guest parking is proposed in both parallel and head-in configurations.



## - Lot "A" - Revised Application for Rezoning City of Courtenay



*Vehicular and Pedestrian Movement Plan*

### **Pedestrian Access**

Parts of the existing trail currently traverse sections of RAR mandated SPEAs, and as noted in the Arden LAP: encroachment into SPEAs is prohibited. Those portions of the trail will be realigned outside the SPEA but within the LAP setback.

As shown on the plan above, the existing trail is proposed to be relocated outside the riparian buffer areas. This new neighbourhood is connected to the existing trail network to the south by way of an existing stream crossing.

### **Dedication of Park and Environmental Reserve**

Of the 5.82 ha. of total site area, 3.11 ha. (53%) will be dedicated to the City as environmental reserve as shown in pale green on the plan below; and 0.21 ha. (3.6%) will be dedicated as park as shown in bright green on the plan below.



## - Lot “A” - Revised Application for Rezoning City of Courtenay

### Conformity With Local Area Plan

The Proposed Rezoning and Development Concept reflects that portion of the Conceptual LUP covering Lot “A”, as shown in the Map 8 excerpt below. With its proposal of a discrete development cluster and dedication of 57% of the land as



*Local Area Plan - Map 8 (excerpt)*



*Proposed Rezoning and Development Plan*

environmental reserve and park, it conforms with the strategy, principles, housing policy and Conceptual Land Use Plan of the Local Area Plan.

### Local Area Plan Design Principles

The Local Area Plan promotes a number of community design principles, which together enable a development pattern that supports the vision described in the Plan. These principles, and how they are applied, are as follow:

Design Principle	How Addressed in the Proposed Development Concept
Where infill development is permitted, it is in keeping with existing neighbourhood character.	The design takes into account the context of single family homes on Copperfield Road and the adjacent Copperfield Ridge development.
Public trail networks should be secured especially along Piercy and Morrison Creeks and connect to key destinations within and beyond the study area.	This new neighbourhood is connected to the existing trail network to the south by way of an existing stream crossing. This trail network connects to an internal sidewalk and trail system giving trail users access to the MOT ROW and lands beyond.



- Lot “A” -  
 Revised Application for Rezoning  
 City of Courtenay

Design Principle	How Addressed in the Proposed Development Concept
Multiple mobility modes are provided along major roads including Arden Road, Cumberland Road and Lake Trail Road.	Not applicable.
Preserve contiguous parcels of green space to protect against forest and habitat fragmentation.	Current Environmental have provided mapping of environmentally sensitive features and recommendations on how to maintain connectivity of those features.
Provide trail access, but not vehicle access, from new development to existing local streets.	Trail access will be extended from the existing Copperfield Ridge development to the south to connect with a street in the Lot “A” development and will also connect to the existing trail leading to the Comox Logging Road.
Require rehabilitation of creeks and wetlands as part of new developments.	Current Environmental will advise on restoration opportunities, particularly in the area impacted by the site access road.
Preserve the hydrological function of the landscape by using Low Impact Design principles.	Rosebery Investments & JWT Architecture have worked with Current Environmental to ensure protection of the hydrological functions and features of the site.
In general, support clustered forms of development, not typical tract housing.	Using the Environmental Constraints Map to provide direction on the site layout, cluster development is proposed in order to facilitate the conservation of sensitive ecosystems, provision of open space and economical infrastructure costs.
Limit crossings to streams. Where crossings are required, clear span bridge crossings are encouraged.	Replacement of the existing culvert within the City's Copperfield Road ROW with a suitably sized, fish friendly clear-span or arched culvert with native bed material is recommended.
Expand the network of greenways as part of the municipal and regional greenways system that is connected and accessible to multiple users.	The proposed development concept envisions that 55% of the site will be set aside and dedicated as environmental reserve.
Develop the trail network in accordance with the general connections shown on Map 8.	Map 8 generally shows the existing trail and it will be used and enhanced wherever possible.



## - Lot “A” - Revised Application for Rezoning City of Courtenay

Design Principle	How Addressed in the Proposed Development Concept
Retain effective open channel stormwater management in order to promote natural hydrological functioning of the area, specifically stream health.	Introduction of source controls, along with a decentralized stormwater pond system designed to be ‘natural’ with a variety of native aquatic and riparian species.

### Site Servicing

McElhanney Consulting Services Ltd. (MCSL) were retained to provide Engineering Consulting Services. Their servicing report was prepared in support of this rezoning application and covers municipal sanitary sewer, storm drainage, and potable water. Commentary is also provided relative to site access, third party utilities (BC Hydro, Telus and Shaw Cable) servicing, refuse collection, sustainability checklist conformity, and affordable housing policy conformity.

The report presents both the estimated development loads as well as the general servicing methodology, confirming the suitability of the subject parcel for the proposed rezoning and increased density. The results presented will inform detailed engineering design. The report is summarized as follows.

### Potable Water Demand

The sum of the total probable domestic water demand and fire flow rate is 92.99 l/s. There is an existing 150mm diameter water main stubbed at the end of Copperfield Road which is proposed to service the site. We request the City undertake a water model analysis and advise if there is sufficient capacity and pressure within the City’s existing water distribution network to accommodate the additional demand. If sufficient capacity is not available, we expect that the City will outline the offsite

## - Lot “A” - Revised Application for Rezoning --- City of Courtenay

upgrades required to meet the required potable water demands of the proposed development.

### **Sanitary Sewers**

The project site is currently serviced via a 200 mm diameter PVC main which travels east down Copperfield Road, south along Arden Road and then east down 20th Street to manhole P-28 where it connects to the recently upgraded Central Arden Trunk Sewer. We request the City undertake a sanitary sewer model analysis of the specific sections of downstream infrastructure, to either confirm that sufficient capacity is available to accept additional development flow or provide an outline of required offsite upgrades.

### **Storm Drainage**

This Stormwater Management Plan has been prepared in accordance with the City of Courtenay Subdivision and Development Servicing Bylaw 2919 Section 4.1.1 Drainage Planning. We understand that the City does not have a Master Drainage Plan, Watershed Plan, or Integrated Stormwater Management Plan for the study area. The catchment area for this study uses only the developable land area, totalling 2.6 hectares, for pre- and post-development analysis.

### **Guidelines and Targets**

A new updated bylaw entitled City of Courtenay Bylaw 2919 provides guidelines or targets that were referenced in preparing this study. It outlines the requirement for stormwater management for subdivisions and development within the City. Bylaw requirements are outlined below:

## - Lot “A” - Revised Application for Rezoning City of Courtenay

- *Limit post-development peak flows to equal the corresponding pre-development peak flows for the 1 in 2, 1 in 5, 1 in 10 and 1 in 25 year return period 24-hour storm events;*
- *Provide escape routes to account for greater storms up to the 1 in 100 year return period storm events in a manner which does not result in flooding of any properties;*
- *Minimize the total runoff generated from storms through the application of site adaptive planning;*
- *Control discharge such that the downstream watercourses receiving outflow from detention facilities are protected from surcharge and erosion;*
- *Convey flows up to the 1 in 10 year return period storm event in the minor system;*
- *Convey flows in excess of the 1 in 10 year return period storm event overland in the major system;*
- *Provide oil and grit separators for sites with parking for 11 or more vehicles.*

### Climate Data

City of Courtenay Bylaw 2919 Intensity Duration Frequency (IDF) curves have been used for the 1 in 2, 1 in 5, 1 in 10, 1 in 25 and 1 in 100 year return storm events, developed using the Modified Chicago Distribution, in the computer simulated hydraulic modelling.

### Basin Characteristics

The property is situated in an approximately 10 hectare catchment area which slopes to the south east draining to Piercy Creek. Upstream runoff is conveyed around the catchment by Tributary 11 to the north and ditching along the Comox Logging Road to the west. The subject property makes up the lower half of the catchment area. The upper half of the catchment area is located to the north in DL 95.



## - Lot “A” - Revised Application for Rezoning City of Courtenay

Post-development runoff from DL 95, which is conveyed across the subject property is expected to be cut-off by the extension of Copperfield road, and directed east to Tributary 11. Approximately 3.42 hectares of the 5.82 hectare site consist of riparian areas and wetlands which will be undisturbed by the development and continue to drain to Piercy Creek.

### **Stormwater Management**

The following Stormwater Management Plan analyzes the site using computer simulated hydraulic modelling to set a baseline for existing runoff, size proposed stormwater management mitigation infrastructure (source controls which reduce peak runoff rates and total volume by retaining and/or promoting infiltration and evapotranspiration), and provide simulated post-development runoff peak rates and total volumes.

### **Design Elements**

The proposed Source Controls to be implemented for this project have been developed to promote onsite capture of runoff and groundwater recharge. Properly employed, this approach will mitigate peak runoff rates, and provide qualitative treatment of runoff, prior to discharge. The following source controls are proposed for the site:

- **Amended Topsoil:** Place 300mm of amended topsoil in all landscaped (pervious). Direct surface runoff from impervious surfaces to landscaped areas wherever possible;
- **Disconnected Roof Leaders:** Where grades allow, properties backing onto the existing riparian areas should have disconnected roof leaders allowing roof runoff to sheet flow to the riparian areas

## - Lot “A” - Revised Application for Rezoning City of Courtenay

which will provide detention, infiltration, evaporation and transpiration;

- **Rain Garden:** Install a rain garden with outlet controls to reduce peak runoff rates and volume by promoting groundwater recharge;
- **Detention Pond:** Construct a detention pond to limit peak runoff rates up to the 1 in 25 year design storm event;
- **Grit Sumps:** Install grit sumps in catch basins and pond/ rain garden inlet and outlet manholes to provide pre-filtering and removal of larger particulate.
- **Bio-swales:** Constructed bioswales with aquatic planting both before and after the detention pond and aquatic plantings within the pond are proposed to remove Total Suspended Solids (TSS) and pollutant loading from stormwater runoff. Bio-swales should be designed to maximize detention time. Plantings should be selected by a qualified professional experienced in aquatic plantings to reduce TSS loading. Details of the bioswales and plantings will be determined at the design stage.

### Runoff Quality

Runoff quality will be controlled by three systems, grit sumps, bio-swales and the detention pond. Grit sumps in the catch basins and pond inlet and outlet manholes will be the first line of defence to remove larger particulate. Bio-swales both up and downstream of the pond, and downstream of the rain garden are proposed to provide qualitative treatment of runoff by reducing hydrocarbon loading and Total Suspended

## - Lot “A” - Revised Application for Rezoning City of Courtenay

Solids (TSS) prior to discharge to Piercy Creek. Infiltration to ground, through the rain garden will serve to further improve/ polish the quality of runoff. The detention pond complete with aquatic plantings will also improve water quality by aiding in the further removal of hydrocarbons and TSS.

### Post-Development Runoff

The analyses show that with the use of the proposed Source Controls, which promote infiltration, evapotranspiration, and detention, Bylaw 2919 requirement to limit post-development runoff peak rates below existing rates up to the 1 in 25 year design storm event are attained.

### Conveyance

The stormwater collection/conveyance system will consist of a traditional minor piped system and a major overland system. Both the minor and major system will be designed to current City of Courtenay design standards. Peak 10-year return period (short duration) flows will be conveyed within the minor piped drainage system. Flows in excess of the 10-year return period design rainfall events will be conveyed via the major overland drainage system.

Low flow discharge from the rain garden and detention pond should be designed in conjunction with the project biologist to provide distributed, unconcentrated flows to the adjacent riparian wetland areas. Distributed flows will serve to further mimic predevelopment runoff. A defined vegetated pond outflow swale is proposed to convey pond discharge in excess of the 1 in 5 year design rainfall event to Piercy Creek. The outflow swale will be designed to safely convey flows up to the 1 in 100 year design storm event.



## - Lot “A” - Revised Application for Rezoning City of Courtenay

Sizes and grades for the minor and major storm system, as well as details of the distributed low flow pond discharge, will be determined at time of detailed design. The pond will also be designed to safely convey peak flows and volumes up to the 1 in 100 year design rainfall event.

### Construction Sediment and Erosion Control

Prior to, or in conjunction with land clearing, grading or construction, sediment and erosion control measures must be implemented to preclude conveyance and discharge of fine silts and clay particles into the receiving environment. Construction activities should be carried out during dry weather periods that will reduce the chance of erosion. As rainfall is always a possibility, a sediment and erosion control plan must be in place prior to construction.

### Maintenance

The operation and maintenance of the stormwater system will include the upkeep of catch basins, pipes, biofiltration swales, the rain garden and the detention pond, and other related components that are part of conveying stormwater within the drainage basin. Effective and timely maintenance will enable stormwater components to function as intended, mitigating risk to property and infrastructure.

### **Site Access**

The development site is accessed by Copperfield Road (minor collector) via Arden Road (major collector). Arden Road is serviced by Lake Trail Road and Cumberland Road both of which are classified as Arterials. The conceptual site plan, Figure 1, prepared by JWT Architecture and Planning/ JWT Design Ltd., proposes an approximately 60m extension of Copperfield Road to access the site. As the extension

## - Lot “A” - Revised Application for Rezoning City of Courtenay

of the Copperfield Road right-of-way is outside the City boundaries, the extended road will be built to Ministry of Transportation and Infrastructure requirements.

The trail network is proposed to be connected through the site joining Copperfield Road to the Piercy Creek trail network.

### **Third Party Utilities**

McElhanney confirms that BC Hydro, and third party utility services are available along Copperfield Road. All development servicing will be underground per City bylaws.

### **Environmental Impact Mitigation**

#### **On-site Restoration of Riparian and Aquatic Habitats**

Property access is only possible from the northern property corner off the end of Copperfield Road that will require modifying 0.34 ha of wetland and riparian forest habitats. The proposed access road will minimize impacts to the riparian habitat of Wetland 5, while impacts to Wetland 4 are unavoidable.

On-site restoration opportunities exist that are intended to attempt to balance those areas of lost habitat. In order to compensate for the impacted riparian and wetland habitat resulting from establishing site access requirements, it is proposed that:

- 0.26 ha of otherwise developable land (beyond but adjacent to 30 m LAP setbacks), much of which is situated in areas of more mature vegetation are suggested to partially offset the modification of 0.32 ha of riparian forest habitats in and around Wetland 4.

## - Lot “A” - Revised Application for Rezoning City of Courtenay

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- approximately 0.03 ha (108 m length x 3 m width) of existing pedestrian walking trail within the LAP setback area north of Wetland 2 will be decommissioned and restored using an assemblage of native vegetation species.
- a series of Newbury style riffles be installed at suitable locations within the Piercy Creek mainstem to create spawning and pool habitats that appear to be lacking within the mainstem reach on the property. Each riffle/pool complex will have a ballasted large woody debris feature installed within the pool to enhance rearing and shelter from predation.

### **Avoiding and Minimizing Residential Encroachment**

Long-term residential encroachment into environmentally sensitive areas can be avoided and/or minimized by installing fencing and placing coarse woody debris that accommodates wildlife passage along the perimeter of Park Dedication areas adjacent to proposed development lots. Application of the City's prescribed tree retention requirements along the southern perimeters of lots adjacent to LAP setback areas will assist in the reduction of LAP encroachment impacts while permitting these lots to proceed with subdivision/development according to the proposed lot orientation.

### **Minimizing Loss of Wildlife Habitat and Species at Risk**

Development will be focused in the largely disturbed (i.e. recovering 3rd growth forest) central portion of the site to minimize the loss of wildlife habitat (Figures 1-3). As mentioned, the majority of meaningful wildlife habitat lies along the southwest and northeast corners of the site, including within wetlands, watercourses, and their riparian areas.



## - Lot “A” - Revised Application for Rezoning City of Courtenay

### **Minimizing Impacts to Hydrological Regime**

The Arden LAP policy for surface run-off is to minimize the volume/velocity of flows "into watercourses and encourage rain-water infiltration by limiting the amount of impervious cover and maintaining trees and other vegetation."

The stormwater management BMP's described in the following sub-sections will be incorporated in all levels of the project engineering design.

### **Rainwater Volume Management**

The proposed development layout includes a decentralized system that will include two rain gardens and a rainwater detention pond (Figure 1), the latter of which will discharge to the sensitive riparian/LAP setback area adjacent to the confluence of Tributary 11 and mainstem Piercy Creek (Figure



*Rain Garden*

1). These rainwater management features are intended to be unobtrusive, constructed wetland-type features outside of the LAP setback that will help support rainwater infiltration and reduce impacts from peak flow discharges to the natural environment. There is to be no increase in peak discharges within watercourses as a result of this development.

### **Treat Road and Parking Runoff**

All road surface runoff will be treated using a combination of vegetated, ephemeral bioswales and rain gardens placed strategically in green space areas located outside the setback area.

## - Lot “A” - Revised Application for Rezoning City of Courtenay

### **Tree Protection**

All trees deemed to be safe within ESA's and designated setback areas will be protected in perpetuity. These will continue to increase in functional value as protected areas mature over the longterm. During the sub-division phase additional tree management criteria will be identified through implementation of City of Courtenay Tree Protection and Management Bylaw No. 2850 (2016).

### **Other Mitigation and Compensation Strategies**

#### Lighting

The placement of lighting structures will be avoided adjacent to riparian and sensitive habitat areas. Where human safety is a concern, lighting will be installed that is of low power and located close to the ground surface and directed away from sensitive habitats.

#### Human Exclusion Fencing

Exclusion fencing (height to be determined in consultation with City) will be constructed along all setback areas to minimize human intrusion into sensitive areas.

#### Riparian Habitat Enhancement

Any coarse woody debris, salvaged from cleared areas, will be opportunistically placed, as directed by a QEP, into setback and wetland areas to provide habitat, moisture regulation, and autochthonous nutrient and energy sources for wildlife - particularly amphibians. Downed logs and bark, especially large diameter pieces will not be removed from protected areas.

#### Terrestrial Habitat Enhancement and Off-set Strategies



## - Lot “A” - Revised Application for Rezoning City of Courtenay

Younger 3rd growth stands, specifically the "Developable Area Added to Protected" shown in Figure 2, are recommended as partial offsets for encroachment into the riparian area of Wetland 4 required for site access and can be enhanced through a combination of planting a suitable assemblage of native coniferous trees, installing recumbent woody debris, planting “snag” habitat trees, and decommissioning/ replanting sections of the existing pedestrian trail that traverses the LAP north of Wetland 2. Planting young 3rd growth stands with coniferous species will assist in the succession process towards a mixed stand with higher wildlife values, similar to the older 2nd growth forest visible elsewhere on the property.

### In-stream Habitat Enhancement

In-stream enhancement opportunities exist in mainstem Piercy Creek and near the proposed City ROW road crossing of Tributary 11 where a series of riffle/pools and large woody debris installations could be installed to offset proposed impacts to Wetland 4 in the northwestern corner of the lot. The installation of riffles dramatically increases the stream’s resilience to drying by impounding flows and releasing them slowly over time. This has worked very well on lower reaches of Piercy Creek.

Replacement of the 1.5 m x 1.0 m ovoid CSP culvert within the City's Copperfield Road ROW with a suitably sized, fish friendly clear-span or arched culvert with native bed material is recommended.

# - Lot “A” - Revised Application for Rezoning City of Courtenay

## 3. Proposed Rezoning

### Comprehensive Development

The proposed zoning bylaw amendment application seeks conversion from R-1A to a Comprehensive Development zone suitable for the creation of:

- 33' wide single family lane access lots with the option of carriage units at the lane;
- duplex(s);
- town homes (lane access);
- triplexes.

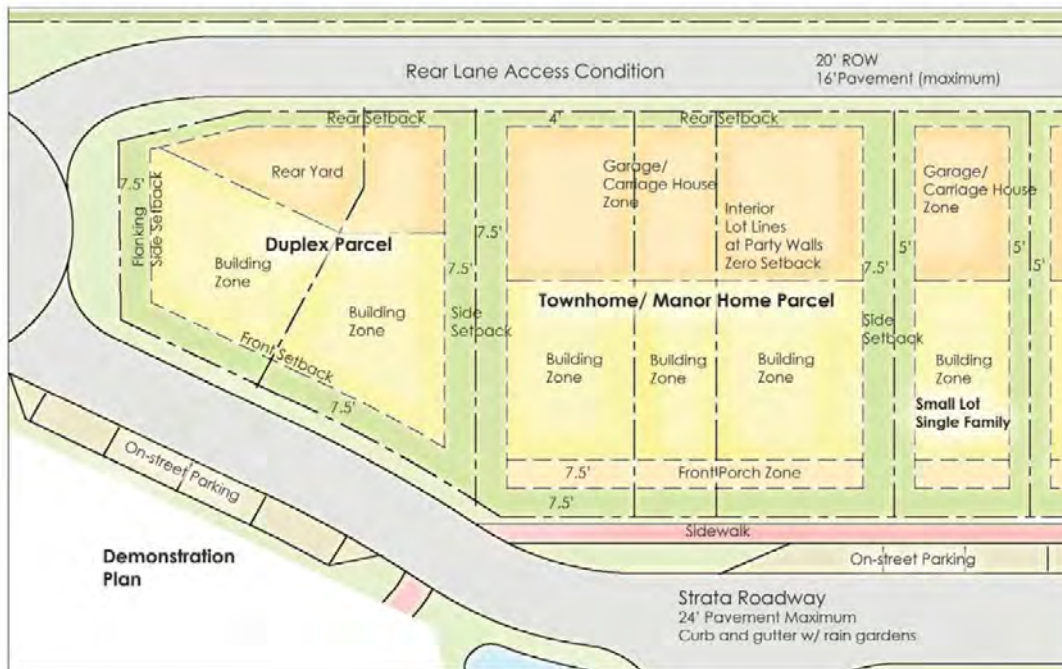
### Land Use

It is proposed that the requested Comprehensive Development zoning allow the land uses as designated in the Land Use Plan below.



*Land Use Plan*

## - Lot "A" - Revised Application for Rezoning City of Courtenay



Setback Diagram

### Lot Setbacks

#### Front Setbacks:

15' except 7.5' to any front porch with or without habitable space above. A front porch shall be defined as open covered deck area facing a private or public roadway but not a laneway not exceeding 8' in total width as measured from the exterior plane of structure to the sheathing of the dwelling unit it serves. A front porch may have second story habitable space above. A front porch must be at least 12" above adjacent finished grade and not more than 3' above adjacent grade.



## - Lot "A" - Revised Application for Rezoning City of Courtenay

### Side setbacks:

5' from the lot line to face of sheathing except 7.5' if the dwelling unit is attached to another dwelling unit or the side lot line is facing a flanking street. Relaxations of the side setback to 3' (5.5' for flanking side yards) are allowable for bay windows, chimneys and other building elements as long as their total area in plan or projected view does not exceed six square feet.

### Rear setbacks:

For lots serviced by a laneway: 45' from the rear lot line to the face of sheathing of the primary dwelling unit. Garages and carriage homes may have a relaxation to 4' provided the rooflines above do not overhang the lot line. Decks not more than 24" above grade may be built outside of the rear setback line.

For lots not serviced by a laneway: 45' from the rear lot line to the face of sheathing of the primary dwelling unit. Decks not more than 24" above grade may be built outside of the rear setback line.

## *4. Conclusion*

The proposed plan was developed working in concert with JWT Architecture and Planning, Current Environmental and McElhanney Consulting Services over a period in excess of two years.

The proposed development of the property meets the objectives of:



## - Lot “A” - Revised Application for Rezoning City of Courtenay

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1. Conformity with the Arden Corridor Local Area Plan

The proposed development of Lot “A” does respond to the strategy, principles, housing policy and Conceptual Land Use Plan of the Local Area Plan.

2. Housing Affordability

The development plan would provide affordable housing by developing small lots thereby reducing the land and servicing costs per dwelling unit.

3. Minimal Environmental Impact

The proposed development of the property limits the extent of site disturbances on critical habitat, riparian areas and hydrological features and function.

4. Marketability

The proposed development provides a diversity of housing types that are attractive to young couples, families, and seniors.

5. Responds to Local Neighbourhood Context

The proposed development maintains the character of a single family neighbourhood while providing the option of more affordable multi-family dwellings.

Given the lack of affordable, family-oriented housing in the City due to the limited supply of housing lots, this rezoning application will permit an increased supply of zoned and serviced housing lots which should serve to stabilize or reduce housing prices.

- Lot "A" -  
Revised Application for Rezoning  
City of Courtenay

*Appendix A*

*Development Plan & Architectural Illustratives*

*- JWT Architecture and Planning -*



# Illustrative Concept Plan

October 22, 2019



**The Diagram:**

Core had been taken in crafting the layout of building parcels. Parcels are strategically located based on building typology to create both interest and coherence to the neighbourhood's design. Irregular shaped parcels are designated as cottage lots to encourage creative house plans. Interior lots are narrower in width and included townhouse parcels (with interior lot lines) and 33' wide alley located single family lots.

# Land Use Plan Plan

September 30, 2019





# Vehicular and Pedestrian Movement Plan

September 30, 2019



**The Diagram:**

While lots may be small, the opportunities to create a leafy new enclave of affordable homes remain large. Trees are located in concept within areas of the strata road right-of ways. In a few select areas trees are shown within the lots. While this is a concept plan only, and not a prescriptive tree planting plan, it is intended to be a framework for the detailed design that will follow rezoning.

# Conceptual Street Tree Planting Plan

September 30, 2019



**Plan Diagram:**

This area plan gives a plan view detailed graphic portrayal of the plan's central park area. Illustrated here are conceptual rooftops, trails, sidewalks, guest parking, vehicular pavement areas, lawn areas and existing and proposed trees.

# Detail Plan - Central Park

September 30, 2019



**Setback Diagram**

**Front Setbacks:** 15' except 7.5' to any front porch with out without habitable space above. A front porch shall be defined as open covered deck area facing a private or public roadway but not a laneway not exceeding 8' in total width as measured from the exterior plane of structure to the sheathing of the dwelling unit it serves. A front porch may have second story habitable space above. A front porch must be at least 12" above adjacent finished grade and not more than 3' above adjacent grade.

**Side setbacks:** 5' from the lot line to face of sheathing except 7.5' if the dwelling unit is attached to another dwelling unit or the side lot line is facing a flanking street. Relaxation of the side setback to 3' (3.5' for flanking side yards) are allowable for bay windows, chimneys and other building elements as long as their total area in plan or projected view does not exceed six square feet.

**Rear setback:** For lots serviced by a laneway: 45' from the rear lot line to the face of sheathing of the primary dwelling unit. Garages and carriage homes may have a relaxation to 4' provided the rooflines above do not overhang the lot line. Decks not more than 24" above grade may be built outside of the rear setback line. Porch not serviced by a laneway: 45' from the rear lot line to the face of sheathing of the primary dwelling unit. Decks not more than 24" above grade may be built outside of the rear setback line.

# Detail Plan - Parcel Setbacks

September 30, 2019



Rain gardens are designed to capture and cleanse storm water as it comes off the areas of vehicular traffic within a neighbourhood street network. They are located close to but lower than the roadway's curb and gutter. Rain gardens are populated with river washed stone, native and ornamental grasses, groundcovers and perennials. Drain inlets are often located in rain gardens and can direct cleansed water into detention areas downhill of the garden. Our design locates two rain gardens uphill of the proposed storm water detention area.



# Rain Gardens



Key Plan



Park



At the center of our plan is a 15,600sf park. It is flanked by town-homes and single family homes with front porches. Strategically located adjacent to the larger greenway park of Piercy Creek, this community amenity space will serve as a gathering place for the neighbourhood. Parks need not be large to be functional and it is often said the best designed neighbourhood parks are large enough to provide for playground equipment, park benches and passive green space, yet small enough to feel safe and connected to the adjacent homes.





Park - Illustrative Concept



Demonstration Plan

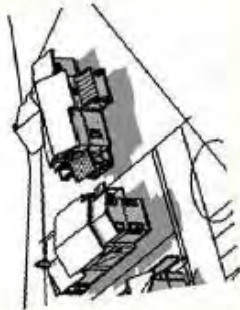


# Duplex



Our plan affords opportunities for duplexes. Duplexes are a multi-family housing typology which most closely resembles single family. By sharing a common wall building lots can be smaller and more affordable. It is important that the design of duplexes resembles single family homes and does not simply provide for mirror image floorplans and elevations.





Demonstration Plan



Smaller home-sites make for affordable design solutions. They foster smaller yet more creatively developed floorplans and gardens. Smaller homes are by nature more affordable. Our plan proposes a variety of single family home-sites, including homes serviced by alleys, homes facing into green spaces and smaller irregular lots which beg for creative design solutions.

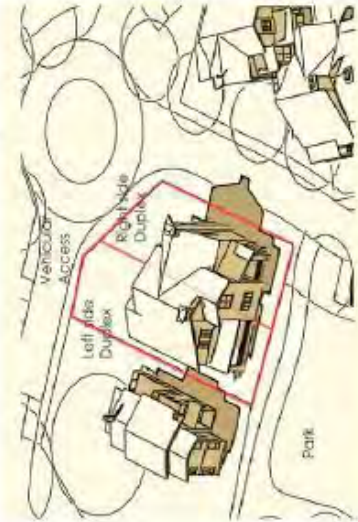
## Cottage Lots/ Small Lot Single Family





**Description:**

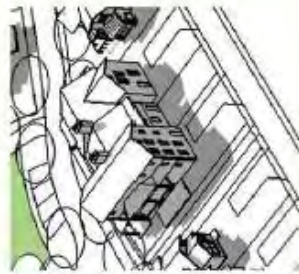
One duplex parcel is planned for Lot A. It is located adjacent to the park. Its design is intended to be in the character of a single family home. Each duplex will sit on its own strata lot with shared walls being the common element.



# Typical Units - Duplex

October 7 2017





Demonstration Plan



Townhomes are a form of multi-family housing. Each unit can belong to an overall strata or in our situation just share common walls and have privately controlled front and rear yards. Townhomes offer an affordable and safe housing typology for families with single parents, retirees, singles with satellite families as well as the traditional nuclear family. Sharing common walls lowers the cost of construction as well as the cost of upkeep and heating and cooling. Garages can be attached (desirable on lots without a lot of depth, or in our case they can be detached, they can be car ports or they can be surface parking (even with allocations for an RV parking pad).

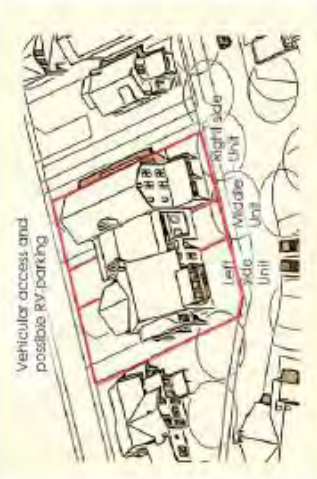
# Townhomes





**Description:**

Two townhome (TH) parcels are planned for Lot A. Their design is intended to be sympathetic to the scale and character of a single family home, while being in the form of three distinct townhome units. Each TH unit will sit on its own strata lot with shared walls being the common element.



Parcel Diagram

# Typical Units - Townhomes

October 7 2019

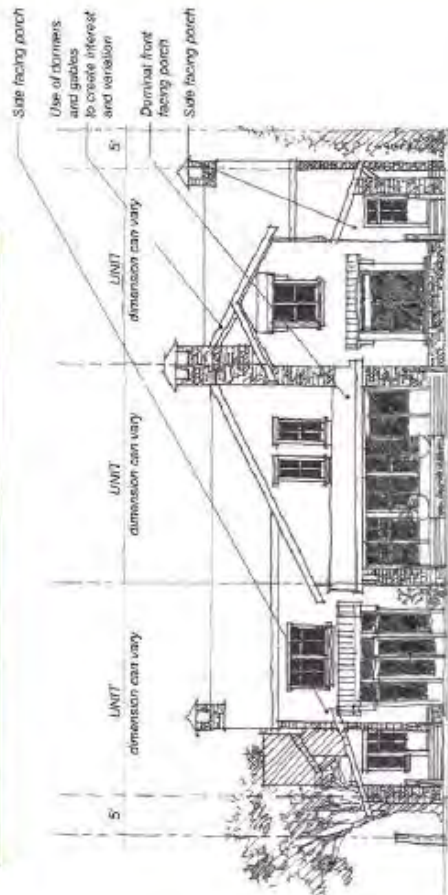




Manor Homes are a type of multi-family housing that are similar to townhomes. The primary difference is they are designed to appear like a larger single family home that has several apartments located within it. They are an appropriate housing type for infill development where sensitivity to neighbourhood context is an important factor to consider during the design process. They add character and affordability to a neighbourhood. Each unit can belong to an owner-all strata or in our situation just share common walls and have privately controlled front and rear yards. They offer an affordable and safe housing typology for families with single parents, retirees, singles with satellite families as well as the traditional nuclear family. Garages can be attached (desirable on lots without a lot of depth, or in our case they can be detached, they can be car ports or they can be surface parking (even with allocations for an RV parking pad).



Demonstration Diagram



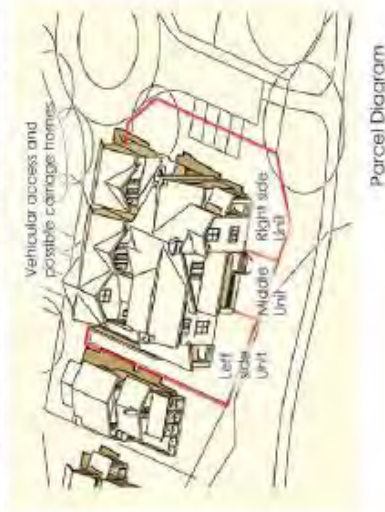
# Manor Homes



Conceptual Sketch - Concept only to illustrate character and scale

**Description:**

Three triplex parcels are planned for Lot A. The design is intended to be in the character of a single family home. Each triplex unit will sit on its own strata lot with shared walls being the common element.



# Typical Units - Triplex

October 7, 2019





Demonstration Diagram



# Carriage Homes



Carriage homes are typically residential suites located above detached garages and in some cases can be located above and/or beside a single car garage as in this demonstration plan. By making provisions for carriage homes through flexible and creative zoning builders and homeowners can develop them when economic conditions are favourable. They can be rented out as revenue suites AKA mortgage helpers or become "granny flats" facilitating multi-generational cohabitation within one single family lot. These units would not carry a separate title and would be permitted as secondary detached suites.





**Schedule No 4: Alternative Public Information Meeting Materials and Responses**

**- Lot "A" -  
2650 Copperfield Rd.**

**Revised Application for Rezoning**

*This information is being distributed to all residents within a 100 meter radius of the subject property as prescribed by the City of Courtenay's Development Procedures Bylaw.*

The owners of Lot "A", 2650 Copperfield Road, have submitted a revised application to rezone the property from the current R-1A zone to a Comprehensive Development (CD) zone so that the property can be developed as outlined below. The application has been revised to more closely reflect the intent of the Local Area Plan.

**Lot "A"**

Lot "A" is an undeveloped 5.82 ha. (14.38 ac.) parcel of land located in the City of Courtenay at 2650 Copperfield Rd. The subject property is currently zoned Residential 1A (R-1A) and has a Suburban Residential OCP designation.



**Proposed Development**

Working with JWT Architecture and Planning and Current Environmental, the plan shown below was developed.



*Proposed Rezoning and Development Plan*

## - Lot “A” - 2650 Copperfield Rd.

### Revised Application for Rezoning

#### Cottage Lots/ Small Lot Single Family

Smaller home-sites make for affordable design solutions. Smaller homes are by nature more affordable. Our plan proposes a variety of single family home-sites, including homes serviced by alleys, homes facing into green spaces and smaller irregular lots which beg for creative design solutions.



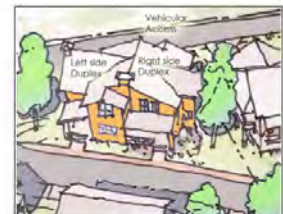
#### Carriage Homes

Carriage homes are typically residential suites located above detached garages. They can be rented out as revenue suites AKA mortgage helpers, or become "granny flats" facilitating multi-generational co-habitation within one single family lot. These units would not carry a separate title and would be permitted as secondary detached suites.



#### Duplex

One duplex parcel is planned for Lot A adjacent to the park. Its design is intended to be in the character of a single family home and does not have mirror image floor plans and elevations. Each duplex will sit on its own strata lot with shared walls being the common element. By sharing a common wall, building lots can be smaller and more affordable.



#### Town Homes

Two townhome (TH) parcels are planned for Lot A. Their design is intended to be sympathetic to the scale and character of a single family home, while being in the form of three distinct townhome units. Each TH unit will sit on its own strata lot with shared walls and have privately controlled front and rear yards. Garages will be detached, they can be car ports or they can be surface parking (even with allocations for an RV parking pad).



Townhomes offer affordable and safe housing for families with single parents, retirees, singles with satellite families as well as the traditional nuclear family.



## - Lot “A” - 2650 Copperfield Rd. Revised Application for Rezoning

### Manor Homes / Triplexes

Three triplex parcels are planned for Lot A. They are designed to appear like a larger single family home that has several apartments located within it. Each triplex unit will sit on its own strata lot and have privately controlled front and rear yards.



They add character and affordability to a neighbourhood and offer affordable and safe housing for families with single parents, retirees, singles with satellite families as well as the traditional nuclear family. Garages will be detached and can be car ports or they can be surface parking (even with allocations for an RV parking pad).

### Dedication of Park and Environmental Reserve

Of the 5.82 ha. of total site area, 3.11 ha. (53%) will be dedicated to the City as environmental reserve as shown in pale green on the plan below; and 0.21 ha. (3.6%) will be dedicated as park as shown in bright green on the plan below.



*Portions of Site to be Dedicated as Park and Environmental Reserve*



## - Lot “A” - 2650 Copperfield Rd.

### Revised Application for Rezoning

#### Vehicular Access

Copperfield Road will be extended along the existing road right-of-way and will be constructed to MOTI. The existing culvert crossing of Tributary 11 will be replaced with a design that will include re-instating the natural stream bed.

#### Pedestrian Access

As shown on the plan above, the existing trail is proposed to be relocated outside the riparian buffer areas and is connected to the trail network to the south by way of the existing bridge.

#### Development Statistics

Site Area	5.82 ha.	14.38 ac.	
less wetland & environmental reserve	<u>-3.11</u> ha.	<u>-7.68</u> ac.	53%
developable area	2.71 ha.	6.70 ac.	47%
less park dedication (8.4% of net developable area)	<u>-0.21</u> ha.	<u>-0.52</u> ac.	
net developable area	2.5 ha.	6.18 ac.	43%
Number of Lots	39		
Parking			
residents	2 per	lot	
visitors	33		

#### Additional Information

The application submission and relevant documents can be viewed on the City of Courtenay website [www.courtenay.ca/devapptracker](http://www.courtenay.ca/devapptracker) (search by file number or address).

The development plan, design elements, character sketches and renderings of building types may be viewed by following the link below:

<http://bit.ly/Lot-A>

For further information please contact Tim Nye at 604-920-3685.

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**PUBLIC INFORMATION MEETING**  
(Revised) Planning Referral RZ00004 - 2650 Copperfield Rd.

**COMMENT SHEET**

Name: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Rosebery Investments Ltd. has applied to the City of Courtenay for a Zoning Amendment to rezone the property from the current R-1A zone to a Comprehensive Development (CD) zone. This project is under review by staff in the Planning Department of the City. Given the information you have received regarding this project do you have any comments or questions?

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Please return your comments by May 29, 2020  
Comment can be submitted to the City of Courtenay by one of the following methods:

- Drop your comment sheet off in the drop box located at the front entrance of the City of Courtenay or mail: City of Courtenay, Planning Services Department, 830 Cliffe Avenue, Courtenay BC V9N 2J7
- Email your comments to [planning@courtenay.ca](mailto:planning@courtenay.ca)
- Fax your comments to 250-334-4241



Fri 5/29/2020 6:14 PM

[REDACTED]  
#rz000004

To PlanningAlias

 You forwarded this message on 6/1/2020 8:57 AM.

Hello my name is [REDACTED] I live on Swanson st in Courtenay. I was talking to a neighbour of mine and he was mentioning a new housing development project (#rz000004) that is proposed to be built behind our subdivision. In order for these houses to be built a forest containing a rare species of salamander would be destroyed. Is there anything that can be done to protect this forest and the wildlife that calls it home.

Thanks for any help you can provide.

Sent from [Mail](#) for Windows 10





Fri 5/29/2020 9:04 PM

[Redacted]

Lot A-2650 Copperfield Road

To PlanningAlias

I'm writing in opposition of the proposed new development on Copperfield road.

Living on Swanson Street we already have an issue with no sidewalk or light system at the intersection of Cumberland road and Arden road and bringing in a new development without addressing these issues will congest this area even further making it even more difficult to safely cross the street to let our children cycle or walk Arden road to get to school. I'm also concerned as my property at 2757 Swanson street looks out onto the creek and forest and I'm concerned about how many trees will be taken down with this proposed build and this affecting my property value and view I currently have.

Thank you reading up on my concerns.

Regards

[Redacted signature]

Council of the City of Courtenay

Attention: Mr. Fitzgerald

Dear Sir,

As a long time resident of Copperfield Road, 25 plus years. I strongly oppose the proposed rezoning application regarding "Lot A Copperfield Road". In my opinion as a Developer/Building Contractor/ and Resident this application is frankly absurd for many reasons. I am not opposed to responsible development in "my backyard", on the contrary. In 2005 I developed my property at the corner of Arden and Copperfield Roads. Specifically Lots 1-5 rezoned from Country Residential 2RDCS to RR1 Rural Residential 1. 5 Lots @ 24.528m x 55m conforming with the OCP and the existing properties in the area, roadway and infrastructure. This area's non conforming roadway and existing infrastructure simply does not support a change to a CD Zoning period. That much density at the wrong end of the lane cannot be supported in it's current condition. Also the wetlands and riparian habitat is a critical wildlife corridor which also cannot and should not support this level of density. Responsible development is one thing, this proposal in my opinion is clearly irresponsible. If the current crisis we are dealing with should teach us anything it's that the status quo – business as usual-head in the sand way of thinking does not and should not apply here. This is not the lower mainland.

Thank You for your attention to this matter.  
Respectfully Yours



2490 Copperfield Road

May 29, 2020

Planning Referral RZ00004 – 2650 Copperfield Rd.

Dear Planning Department, City of Courtenay

To begin, I wish there was a public hearing on this as not many people will be voicing their opinions via written letters etc during these times of physical distancing.

My wife and I live in the Copperfield area with our two children. We are within 100m of the proposed development.

We have three main concerns (I will be brief):

There are no playgrounds on the proposal. The nearest public playground is at Woodcote Park. Our kids would love access to something within walking distance.

The area is currently a mixed wetland/forest. Piercy Creek is a salmon spawning stream and the area is home to many birds and animals that support the salmon spawning ecosystem. I don't believe adequate studies have been done on this habitat. Considering the development is between Piercy and Tributary 11 on a wetland, it seems the area will be destroyed with ground fill to make the area suitable for building. This changes the ground water levels and will kill the nearby habitat and trees as it has done in other nearby areas.

The proposed development is a medium density community with allocations for lower-income families. The area is very poorly serviced by sidewalks, bike routes and public transit. It does not make any sense to create a community like this so far from the city center and its amenities, considering the lack of nearby services. There are 35 lots all being serviced by one small road (Copperfield Rd). This will only add vehicle traffic which is not in line with the Green Initiatives of the Comox Valley.

To summarise, the development will add excessive vehicle traffic to a remote section of Courtenay. It will destroy part of a salmon spawning creek and wetland. And finally, it will not benefit or add value to the local area in any way.

Ideally, the area should be preserved as an ecological preserve.

Sincerely,



2858 Swanson Street,  
Courtenay BC V9N 0C9





Thu 5/28/2020 5:14 PM

[REDACTED]  
Lot A Development and Zoning Plan

To PlanningAlias

I have received information concerning the proposed plan for the development and rezoning of Lot A at Copperfield Rd. In Courtenay. My interest is based on ownership of a home in the adjoining Copperfield Ridge development. It seems that I was not included in the notice as I fall outside the “notice zone”. Nevertheless I am impacted and would like to register some observations and concerns.

1. Environmental: Much has been made in the proposal of the environmental assessments conducted and the provision in the plans for environmental mitigation. I would like to point out that the change in zoning itself imposes the additional environmental hazards including reduction in wetland areas, impingement on an important riparian area and the reduction in set back areas. Existing stakeholders made investment decisions on the basis of the development of the adjacent parcel which would not entail the degree of adverse environmental impacts brought about by the rezoning. My observation would be that the impacts of the Copperfield Ridge Development have to be explored and assessed before a decision to rezone the adjacent property is made. I point to the developers own tree assessment as evidence that there should be concern over the existing impacts on trees in the protected areas before more impacts are created.
2. The developer points to the increased density being proposed as being in sympathy with development trends and local area plans. That might well be true, but it is also true that this density comes at a cost from an environmental and quality of life perspective and I would observe that these concerns are not being properly heard in this process.
3. The plan itself contains, in my opinion, too little provision for trails and bicycle access and too much provision for RV storage/parking.

Finally, I would like to observe that this process is proceeding without adequate review, assessment of impacts and most importantly without neighbourhood input. Using Covid as an excuse is not acceptable. The development process should be halted until conditions are right for a proper review.

Sincerely

[REDACTED]  
2568 Steele Crescent  
Courtenay

Sent from [Mail](#) for Windows 10

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**PUBLIC INFORMATION MEETING**  
(REVISED) Planning Referral RZ00004 – 2650 Copperfield Rd.

COMMENT SHEET

Name: [REDACTED]

Address: 2837 Swanson Street

Phone: [REDACTED]

- The proposal for this area is wrong. It does not fit for so many reasons i.e.: lack of transit, traffic, salmon streams, etc.
- The environmental and tree studies are totally out of date. They do not recognize the extreme cedar die off in the riparian buffer zone or the recent discovery of a live water shrew. To be expected re-using studies from previous older applications.
- The Geotec investigation report is for a proposal at 2602 Copperfield and notes the construction of 52 dwellings. This is very sloppy and shows that this proposal is just a rehash pushed through in a hurry during the Pandemic.
- I believe that a proper study of the extensive trail system that is used currently by the local people would show that the whole site should be dedicated Passive Ecological Reserve or passive parkland. Perhaps the owners should gift the property to the City.
- There is a lot of land closer to the center of Courtenay in need of redevelopment that would suit this type of density.
- I do not appreciate the bully tactics by Planning to use the minimum legal notice requirement of 10 days to elicit comments during a pandemic.
- A piece of raw land set between two salmon streams with large amounts of wetland should never be considered for development.



Fri 5/29/2020 2:54 PM

[Redacted]

**Rezoning at 2650 Copperfield Road**

To PlanningAlias; Fitzgerald, Matthew; CouncilAlias

Cc [Redacted]

Dear Council of the City of Courtenay

My partner and I live at 2450 Copperfield Road in Courtenay. We strongly oppose the rezoning application for the development at 2650 Copperfield Road. This area is NOT suitable for what the developer has in mind.

Thank you,

[Redacted]





Thu 5/28/2020 5:18 PM

[REDACTED]  
Rezoning for RZ00004 – 2650 Copperfield Rd.

To: PlanningAlias; Fitzgerald, Matthew; CouncilAlias

You replied to this message on 5/29/2020 9:19 AM.

Dear Mr. Fitzgerald,

I'm writing in opposition to the proposed zoning change for 2650 Copperfield Road. My primary concern with this development is the potential for increased waterflow moving through Percy Creek. In the past zoning amendment attempt I had contacted the previous city planner (Tats), and submitted pictures of the creek during high flow. My purpose in submitting these pictures was to show that any increase of runoff water would have the result of flooding my property. The proposed entry road to the new development places road access over parcels of two separate wetlands. This extension of the roadway has me concerned about the confluence of Tributary 11 and Percy creek which, meet at the corner of my property.

Further, I understand that in order for homes to be built on the site considerable shoring of landscape will be required. Many truck loads of fill will be used, compacted and graded to discharge water into the creek which, will exacerbate the potential for future flooding.

I also oppose the rezoning of this property for another reason. To a layman looking at a map the site looks to me like it could only support the construction of six homes, maybe seven if property sizes remain consistent with what already exist on Copperfield Road. The proposed development is too dense.

Thanks for listening to our concerns,

[REDACTED]  
2602 Copperfield Road  
[REDACTED]



Fri 5/29/2020 4:07 PM

2650 Copperfield Road

To PlanningAlias; Fitzgerald, Matthew; CouncilAlias

To Whom It May Concern:

I am writing this letter in response to the application for rezoning for 2650 Copperfield Road and the proposed development. First and foremost I am not opposed to development. I see it as a necessary means of growth and if done properly with integrity, consideration and honour, reflects the healthy state of a community as a whole.

Currently, Copperfield Road is a very quiet street lined with mature properties that offer space and privacy for each house. It is one of the things that attracted my wife and I to the area to raise our 5 year old daughter. We have only been living on the street for just over a year and in that time we have invested a considerable amount of time and money to make our home something that we are proud of. We have loved our daily family walks through the forest at the end of the street. There are paths everywhere that link the different neighbourhoods together and holds within it all sorts of life. From bikers and dog walkers, to deer and other wildlife, the area at the end of Copperfield is one of a few green, park-like areas that are accessible from surrounding neighbourhoods for all to enjoy. We were deeply saddened to hear that to city council is considering changing the zoning in order to allow such a development that is not in congruence with the existing street appeal.

We as a neighbourhood, have enjoyed the quiet and safety of this street and my wife and I are most concerned with the amount of traffic that such a development will create. Going through with this development will increase the car traffic exponentially and put our children at risk of injury not to mention will increase traffic noise. Our daughter along with many of the other Copperfield children can be found playing freely on the street as they run door to door. This type of atmosphere has always been our dream to have after moving from a busy main street which did not provide the same security.

Please do not accept the application for rezoning our street. We feel that developing the proposed area would be better suited for single family homes like the ones already existing on the street, thus maintaining and adding to the beauty and charm Copperfield Road has to offer.

Thank you very much for taking the time to consider our feedback.

Sincerely,

[Redacted signature]

2577 Copperfield Road


[Redacted address]



Fri 5/29/2020 3:09 PM

[REDACTED]  
RZ00004 / 2650 Copperfield Lot A

To PlanningAlias

 You replied to this message on 5/29/2020 3:11 PM.

Hi

We received a letter regarding the proposed development of RZ00004 / 2650 Copperfield Lot A and wanted to write to say we are in favour of the development because it helps densify the area and create more affordable housing options (i.e. townhouses and laneway housing).

It would be great if the trails around our subdivision could link up with the trails in the new development to make a bigger loop.

[REDACTED]  
2603 Steele Cres



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**PUBLIC INFORMATION MEETING**  
(REVISED) Planning Referral RZ00004 – 2650 Copperfield Rd.

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]  
Address: 2837 Swanson Street Phone: [REDACTED]

I believe the proposal for this area is wrong due to many reasons i.e. lack of transit, traffic, bike paths, sidewalks, salmon streams, etc.

Passive parkland area is very minimal in the City of Courtenay and I believe in this case this area could be a worthwhile area to keep as passive parkland. We have lived on this street for over three years now and have watched the foot traffic on the trail behind our house increase substantially over this time.

There is so much wetland in and around the proposed development along with two salmon streams it would most likely dewater the area even more if any development happened within this area.

I also do not think this is the time to be handling issues like this during a major pandemic. It is very hard for people to communicate with each other in the neighborhood and outlying areas at this time.

Overall I am vehemently opposed to this or any development on this site.



Fri 5/29/2020 1:05 PM

[REDACTED]  
Proposed Comprehensive Development of Lot A - 2650 Copperfield Rd

To: PlanningAlias; CouncilAlias

Attention: Matthew Fitzgerald,  
City of Courtenay Planning Dept.

We are responding to the proposed rezoning of Lot A - 2650 Copperfield Rd from the current R-1A to a Comprehensive Development zone. We are vehemently opposed to this proposal for a number of reasons.

The idea of incorporating such a densely populated development at the end of a one way street is just unacceptable. The increase in traffic will have a huge impact, especially at the intersection of Arden and Cumberland Rd. During peak times there will be major safety concerns as we line up and try to access the swiftly moving Cumberland Rd traffic.

Such a comprehensive development will no doubt have an impact on the natural environment and further squeeze the wildlife that currently uses this creek side corridor and also potentially impact the streams.

We have resided on Copperfield Rd for over 20 years and have really appreciated the almost rural feel of it while still being close to town. The empty lots have been gradually developed over the years but the neighborhood still has a peaceful and calm nature. We are not opposed to a reasonable development of Lot A and we recognize that things will not stay the same forever, however we would like to see a more scaled back proposal that would be less dense and more in keeping with the current neighborhood of Copperfield Rd.

Thank you for your consideration of our concerns.

Respectfully submitted by

[REDACTED]  
2580 Copperfield Rd.

**PUBLIC INFORMATION MEETING**

(Revised) Planning Referral RZ00004 - 2650 Copperfield Rd.

**COMMENT SHEET**

Name: [redacted] Email: [redacted]

Address: 2581 Copperfield Rd Courtenay BC Phone: [redacted]

Rosebery Investments Ltd. has applied to the City of Courtenay for a Zoning Amendment to rezone the property from the current R-1A zone to a Comprehensive Development (CD) zone. This project is under review by staff in the Planning Department of the City. Given the information you have received regarding this project do you have any comments or questions?

Comments attached  
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Please return your comments by May 29, 2020  
Comment can be submitted to the City of Courtenay by one of the following methods:

- Drop your comment sheet off in the drop box located at the front entrance of the City of Courtenay or mail: City of Courtenay, Planning Services Department, 830 Cliffe Avenue, Courtenay BC V9N 2J7
- Email your comments to [planning@courtenay.ca](mailto:planning@courtenay.ca)
- Fax your comments to 250-334-4241

Our Thoughts on Lot "A"

When we bought and built our home here back in 2006, we were open minded to possible changes to the area. Despite this, we have some concerns that are influencing our perspective towards these developments. We will argue that the zoning should stay the same because of increased traffic rates, and public safety concerns.

Due to these changes, Copperfield Rd will become a busier road as there is only one way in or out of this development. There is no secondary (escape) route in case of natural or man-made disasters. As well as getting onto Cumberland road from Arden Road during certain times of the day is becoming increasingly difficult and adding more traffic will increase car accident rates, cause frustration within drivers, and become a safety concern towards the public. Secondly, there are no sidewalks on Copperfield Road and with the amount of traffic on the road now this is not a problem for pedestrians and cyclists. Although if more traffic was added, due to the narrowness of the road it will become a high safety concern. In conclusion, we believe that the zoning should stay the same to keep traffic levels low, thus keeping our community safe and fitting into the atmosphere of an already existing neighborhood.





Thu 5/28/2020 11:34 AM

[REDACTED]  
Revised Application for Rezoning Lot A 2650 Copperfield Rd

To PlanningAlias

Cc [REDACTED]

Dear Sir or Madam,

I oppose the Revised Application For Rezoning for Lot A 2650 Copperfield Rd.  
The following are just a few of the reasons I would like the current, R-1A zoning to remain in place.

The city's Emerging Themes document, showing community values, brings forward a number of great points. It suggests that 'Natural Assets Are Cherished And Must Be Protected', and states that 'green and blue spaces are loved and residents want to see them protected, reclaimed and expanded'. It is suggested that forested areas are seen to help mitigate climate change and we should be aiming to plant more trees, not cut down the existing ones. Piercy Creek is one such forested area and the environmental impact of the proposed number of units on this area would cause considerable damage to the flora and fauna in this ecologically sensitive area.

This area is very poorly serviced for amenities within walking distance and a vehicle is required for nearly all errands. A subdivision of this proposed density would cause a large increase in vehicular traffic and would require more public transportation to and from the area which is detrimental to the city's carbon footprint and counter to the city of Courtenay's GHG guidelines. The intersection at Arden Rd and Cumberland Rd is already treacherous and the infrastructure upgrading that would be required to accommodate high density housing in the area may have a further negative impact on the environment.

While there is a need for more housing in the city it is crucial that future development meet the needs of all residents. The idea that growth should be compact and follow the theory of 'build up instead of out' is a sensible approach. High density housing outside the downtown area requires additional services including transit, garbage collection and others which unnecessarily increases the carbon footprint. In this case, exponentially increasing the density at Lot A would compound the negative impacts as the parcel is on the city limits and directly attached to the Piercy Creek green space.

The City of Courtenay had the foresight, rationality and prudence to zone this lot R-1A and this zoning should remain in place. Developer profits should not override science, and community quality of life, namely that high density housing belongs downtown where existing infrastructure is already in place.

Sincerely

[REDACTED]  
2821 Swanson St.



Wed 5/27/2020 1:15 PM

[Redacted]

Zoning Change Application Lot A, 2650 Copperfield Rd

To PlanningAlias

Cc [Redacted]

27 May, 2020

Response Comments Opposition To Rezoning Proposal Lot A, 2650 Copperfield Rd, Courtenay, BC

Dear Sir or Madame,

I am opposed to proposed rezoning of the property known as Lot A, 2650 Copperfield Rd, Courtenay, BC, from the current designation of R 1A. I believe the property is correctly zoned for the factors listed below and any rezoning to allow a higher density would not benefit the community or the City of Courtenay, and in fact it would only be a financial benefit for the Vancouver based developers.

This parcel is located directly in contact with Piercy Creek. The developers recognize that development along this stretch would not be approved due to existing environmental protection legislations which are enforced by the regulatory agencies. On page 16 of their 54-page revised application for rezoning, under the heading Environmental Assessment, they state that, "Current Environmental Ltd was retained to provide an environmental inventory, impact assessment, and impact mitigation plan to facilitate project planning and to assist with securing approval from regulatory agencies." Based on the developer's statements, any report from Current Environmental Ltd or other company engaged by the developers exists only to assist in gaining approval of the regulatory agencies and is not intended to address any environmental concerns which cannot be mitigated, including those relating to the multiple wetland and riparian areas. High density housing development along Piercy Creek and the tributaries conflicts directly with the Official Community Plan (OCP). I believe it is the Courtenay Planning Department's duty to obtain unbiased information on all the impacts this requested change could have.

Increasing the density of housing along this waterway and the associated wetlands can only cause unnecessary negative effects to the flora and fauna located there. Increased vehicle traffic would cause noise, vibration and emissions and pedestrian traffic around and through these protected areas by the hundreds of new residents occupying the proposed triplexes, duplexes, townhomes, homes with attached carriage homes and other residences would cause exponential damage and can be reduced by maintaining the current zoning.

Creating high density housing areas on the outskirts of the city limits would also increase the requirement for public transit and other infrastructure. This higher density housing could be placed much nearer the downtown core where existing public transit routes are sufficient for the proposed increase in demand. Again, the only beneficiary of the rezoning of the Lot A, 2650 Copperfield Rd parcel would be the developer.

While I have additional comments the time allotted for submission of comments is abbreviated, again likely to benefit the developer vice the community, and I can send under a separate cover.

I am at your service should you wish to contact me regarding this issue.

Regards

[Redacted signature]

May 27, 2020

To: Matthew Fitzgerald, City of Courtenay Planning Supervisor  
RE: Proposed Zoning Development, 2650 Copperfield Road

Dear Mr. Fitzgerald,

Firstly, thank you for your time in considering my following comments concerning the proposed development. I will keep this as brief as possible.

I am a property owner and resident of Copperfield Road. Let me first state that I am not generally opposed to new development if it is performed in a safe manner for the community at large. I am a mechanical engineer and am constantly working towards creating a cleaner and safer working environment for my coworkers. I am opposed to the development, as it is currently proposed, for the following reasons, most of which are effectively safety issues for current and future residents and visitors to the community of Copperfield Road.

#### 1) Vehicle Access:

The proposed development would only have one access into and out of the development, namely Copperfield Road. This would increase the number of vehicles on the road by a factor of at least 3 times. I feel this is unsafe for a few reasons.

In winter, the orientation and slope of Copperfield Road is conducive to sheet ice build-up. This condition only gets worse as more vehicles attempt to go up and down the road slope from Arden Road. Increasing the traffic by three times will only exacerbate this issue. I have personally sanded the bottom of Copperfield Road where it meets Arden Road because I felt it was unsafe.

The proposed development borders a fish-bearing stream on one side and a heavily wooded area on its other side. If a fire were to occur in the wooded area during our increasingly drier and hotter summer seasons, I fear that the large egress of resident vehicles would interfere with the operations of first responders trying to gain access.

Additional road access will alleviate these issues.

#### 2) Resident Factors

I have young grandchildren who recently moved to Copperfield Road. I am delighted to see them playing with other neighbourhood children on the road. I would also welcome more young families into the neighbourhood. My concern, however, is the lack of sidewalks between the existing residential areas and the local schools. The access to both Arden and Lake Trail schools from any of the local neighbourhoods is completely devoid of sidewalks or pedestrian-safe zones except for in the immediate vicinity of the schools themselves.

I have always found this unacceptable and am increasingly worried for children safety from the older neighbourhoods, Copperfield Ridge and the proposed Copperfield Road development.

Sidewalks should be installed along Cumberland Road, Arden Road and Lake Trail Road to solve this issue.

### 3) Traffic Factors

The current intersection at Arden and Cumberland Roads is unsafe and unacceptable in its current configuration, even after the recent road realignment. The proposal to add the Copperfield Road traffic to this already overburdened interchange will only increase the safety risk to all vehicles using this busy area. As stated before, also increasing the pedestrian load at this point without the development and improvement of this area is dangerous to the public. It is my opinion the further residential development in this area should follow, not precede, corrective development of this busy intersection.

Too many vehicles currently treat Cumberland Road like a highway, rather than a surface street. Proper development of this intersection will slow this traffic down as well as make access from Arden Road safer and more efficient.

### 4) Neighbourhood Character

My family enjoys the Copperfield Road community because it comprises an excellent collection of people from a wide range of demographics and backgrounds. It comprises of retirees, young families with children and working people of all ages.

This fantastic neighbourhood is the result of slow, careful and positive growth over many decades. This measured development continues to the present day, with two new homes adding to the neighbourhood within the last few years. People have specifically selected Copperfield Road to invest, build a home and create a pleasant place to call home for their families. Every property located on this road was built by people who understood and followed the rules as laid down by the current City of Courtenay zoning provisions and agreed that this was the type of cul-de-sac neighbourhood into which they wanted to invest their time and money.

Nobody who invested in the Copperfield Road neighbourhood ever foresaw that the few properties that remained at the far end of the cul-de-sac could one day possibly become a high-density urban development. It would be a great disservice to the current residents of Copperfield Road to suddenly change the zoning rules which have provided the environment to create the pleasant, safe, calm, close and friendly neighbourhood we enjoy today. This change will fundamentally change the nature of this well established neighbourhood within the City of Courtenay.



**Summary**

These are a few of my concerns about the proposed Copperfield Road development. The City of Courtenay and the Comox Valley is a wonderful place to live and I feel privileged to live here. I am in favour of sharing this beautiful place with other new residents but ask the city to carefully balance the safety and security of the residents, the preservation of natural environments and the neighbourhood character of Copperfield Road with the plan to greatly increase of the urban density of Copperfield Road as proposed in the current development proposal.

Again, thank you again for your time and attention. Please feel free to contact me if you have questions and comments.

Yours truly,

[Redacted Signature]

2510 Copperfield Road

[Redacted Contact Information]



Sun 5/24/2020 4:31 PM

Res zoning application - Lot A – 2650 Copperfield Road

To PlanningAlias

Regarding the proposed zoning amendment from R-1A to a New Comprehensive Development Zone for a proposed 35 single family lot subdivision at 2650 Copperfield Road, my comments are:

- the applicant has taken great care to consider the Arden Corridor Local Area Plan, but I am not in favour more intensification of the land OUTSIDE of serviced and central areas. The current zone allows for five parcels, and the proposed rezoning and development plan creating 35 lots is not in the community's best interest.
- the City is currently undertaking an OCP update that aims to achieve net zero GHGs by 2050. Residential growth in any greenfield does NOT support the major GHG levers of transportation. The parcel is outside of the central areas already established within the City of Courtenay. The development has no provisions for alternative transportation, and is not located near a commercial node. There are no alternatives to vehicular traffic in this dispersed area.
- creating affordable housing options in a dispersed area is counter productive, as this type of development is suited to a transit supportive density in a central area.
- a greenfield development does not conform to future OCP planning, nor the intent of the Regional Growth Strategy.
- Copperfield Road is proposed as the main and only entrance to the site, and the access road will upgrade an existing culvert crossing of Tributary 11 as the lot is otherwise inaccessible. The creation of this greenfield development causes significant environmental impact.
- increasing density in a community that is already poorly serviced by bike lanes, sidewalks, transit, and commercial nodes does not conform with OCP objectives.
- there are critical gaps in the connections of sidewalks and cycling infrastructure, and the realigned Arden/ Cumberland intersection is a major concern to residents.
- the strata design is well thought out, and the altered road standard that incorporates rain gardens is commendable, as is the diversity and character of the housing, and the configuration of lots. This type of intensification of the land SHOULD BE within the central areas of the City, and not an outer boundary.
- if council proceeds with the application, the developer should be required to obtain an appraisal that provides the increase to the value of the land as a result of the rezoning and use that to inform amenity negotiations. The current amenity proposal does not benefit the community.
- the culvert under Arden should be replaced to make all upstream habitat accessible for fish. If the development is going to cause significant environmental impact at Tributary 11, they should be required to address the Arden culvert replacement in conjunction.

Signed,

1130 Webdon Road

### PUBLIC INFORMATION MEETING

(Revised) Planning Referral RZ00004 - 2650 Copperfield Rd.

#### COMMENT SHEET

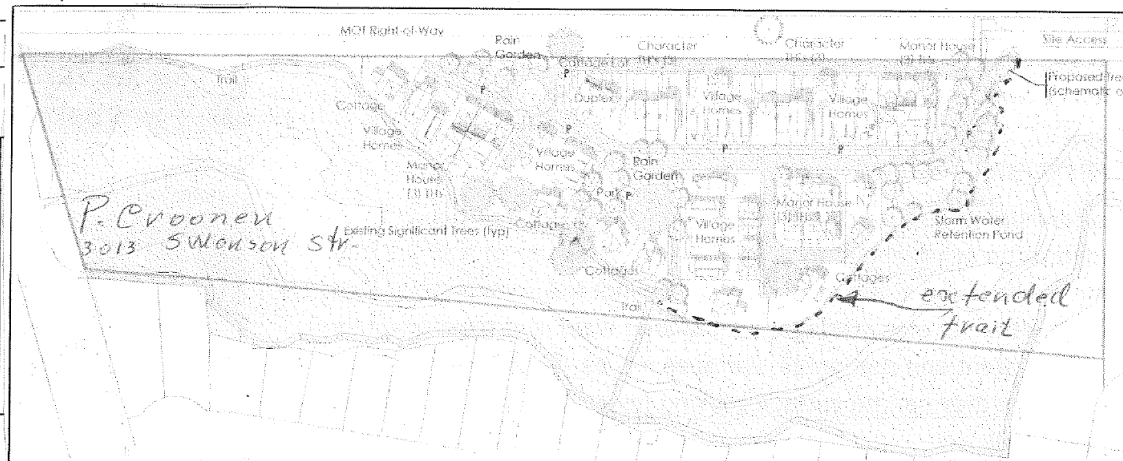
Name: [REDACTED] Email: [REDACTED]

Address: 3013 Swanson street V8N 0C9 Phone: [REDACTED]

Rosebery Investments Ltd. has applied to the City of Courtenay for a Zoning Amendment to rezone the property from the current R-1A zone to a Comprehensive Development (CD) zone. This project is under review by staff in the Planning Department of the City. Given the information you have received regarding this project do you have any comments or questions?

*Dear Sir,*  
*Regarding the trail for the new subdivision, this trail should continue around the whole new subdivision.*  
*The way it is proposed increase much use through the North part of Swanson str. trail. This will unnecessary take or disturbed the privacy of the people living there. Including a part of extended trail Censereby.*

[REDACTED]





Fri 5/29/2020 4:04 PM

[Redacted]

To Fitzgerald, Matthew

We strongly oppose the re zoning of this area for many reasons. Starting with building over wetlands, adding watershed to the Piercy Creek which flows rapid through rainy season as is. Our quiet road way which is suitable for the light traffic it receives will not hold up to quadruple the traffic let alone the construction traffic of heavy trucks and equipment while being built. It is also too narrow to accommodate this heavy traffic which will pose a danger to children in the neighborhood. Then there is the problem of Arden Rd and Lake Trail Rd which are the only access to school for our children now and are dangerously narrow, Arden without a shoulder and neither with a safe walkway. Before further development happens in this area I think the city should update the infrastructure of these heavily trafficked roads as they are not suitable for the current population.

Thank you for your time,

[Redacted]

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**From:** [REDACTED]  
**Sent:** Friday, May 29, 2020 1:55 PM  
**To:** Fitzgerald, Matthew  
**Subject:** Rosebery proposal on Copperfield Road

Dear Mr. Fitzgerald,

I am writing to oppose the proposed Rezoning application by Rosebery on Copperfield Road.

First, I find it unconscionable that there will be no public hearings or information on this. While I understand that there is a pandemic on, public consultation is extremely important and to reduce it is a terrible idea. There has been almost no information dissemination about this application and restricted opportunities to learn about it. I only learned of it at the last minute by chance.

Second, this does not fit with the existing neighbourhood character. The changes in zoning which Rosebery cites in Copperfield Ridge should not have been approved either. This neighbourhood has large lots and single family dwellings, this developer should not be allowed to change this simply so they can make money. We have to live in this neighbourhood. This is squishing density into a neighbourhood which does not have the capability to handle it.




Third, the traffic from 48+ new units would put huge strain on Copperfield Road, Arden Road and the crazy traffic intersection at Arden and Cumberland. Arden Road has no sidewalks and has many walkers and bikers, to add this level of traffic would be to endanger them. Already speeders are a problem on this road. The intersection at Lake Trail and Arden is also severely congested at times and this will make it impossible.

Local Area Plans and Official Community Plans are made so that any developments will be in keeping with the existing neighbourhood character, this one does not fit either. These plans are developed with a lot of community input, please don't ignore it.


Please refuse the request to rezone,

Sincerely,

[REDACTED]

 Reply  Reply All  Forward



  
Proposed Copperfield rd development

To: Council/Alia; Fitzgerald, Matthew

Good morning,

I just wanted to send a quick email in regards to the proposed multi unit development on my street.


We moved to 2533 Copperfield rd in December of 2016. We loved this property for the character of the street and the small community. The dead end was appealing as there wouldn't be much in an out traffic aside from local residents. This was peace of mind for our kids to be running around outdoors even playing a street hockey game or two.

The pathway behind at the end of our street is a family favorite. The kids and dog enjoy the convenience and environment of that little piece of heaven. We hike there daily.

With this proposed development not only will we lose this small community feel but we would be almost tripling the in and out local resident traffic. It would only have one in and out access point. This would not only be ridiculously busy with vehicles it would take away our little bit of country feel in the "big city Courtenay". I can't imagine the effect on vehicle traffic at arden/cumberland rd. It's an accident waiting to happen.

The watershed at the end of the street is protected isn't it? Why would we let a developer ruin that for a development that nobody here wants. Surely there are other areas in the city this would make much more sense to build in.

We bought this house as a dream. I truly feel that this development would ruin that dream. Not only for my family but for all of us on this street.

  
2533 Copperfield rd

Dear Council of the City of Courtenay

I must be clear that "Lot A Copperfield Rd" is unfit to change the Zoning from A-1 to higher density zoning

It has come to the attention of the Copperfield Rd residents that an Investment firm from Vancouver BC has the intentions to apply for a change in the current zoning of "Lot A Copperfield Rd" to a much higher density. As a current municipal taxpayer and property owner on Copperfield Rd, I am strongly opposed to this idea. In this document, I have provided several reasons why an Investment firm from Vancouver is clearly out of touch with the local area residences of Copperfield Rd.

After reading the Application for Re-Zoning of Lot A in its entirety I have found biased information that paints a misrepresented image of our local community.

The image below is Page 8 of the Zoning application. The application states "The current zoning is becoming increasingly out of context with the surrounding properties as they are rezoned to permit greater density". The applicant is specifically trying to relate Lot A with Copperfield Ridge.

#### Current Zoning

The subject property is currently zoned Residential 1A (R-1A). This is a single-family zone mandating a minimum lot size of 1 ha.

The current zoning is becoming increasingly out of context with the surrounding properties as they are rezoned to permit greater density. This is particularly so with CD-23A and CD-23B zoning of the Copperfield Ridge development immediately below Lot A.



Copperfield Ridge CD zoning

*[Faint signature or stamp]*

This map and comment is missing a few key elements such as the fact a Salmon bearing creek separates Copperfield Ridge and Copperfield Rd. The Ridge and The Road also have separate entrances from separate roads. Copperfield Ridge is designed with higher density housing near the entrance and lower density away from entrance aided by conforming city roadways.

The below map shows the same area but a very different picture. This map now has key features like Piercy Creek, The different access points and a 5-way intersection.





The following points are numbered to correspond with the previous map

- 1) **Copperfield Rd access**- Copperfield Rd is accessed from Arden Rd. While some traffic from Copperfield moves to and from Lake Trail Via Arden, 80-90% of the traffic leaving Copperfield Rd flows toward Cumberland Rd Via Arden and utilizes the 5-way intersection at Cumberland and Arden. Cumberland Rd has the right of way at this intersection where as Arden and 20<sup>th</sup> St have stop signs. Copperfield Rd was annexed into the City and has NO sidewalk on the road itself or along Arden Rd making this road a non-conforming City Road **(According to item 29 of bylaw 1401 and/or bylaw 1542)** See below Photo.



- 2) **Copperfield Ridge access** - Copperfield Ridge is accesses directly to Cumberland Rd. Copperfield Ridge is a recently developed area and conforms to the City on roads and sidewalks. The residents in this area enjoy wider roads with curbs and sidewalks that even extend along Cumberland Rd. The traffic from Swanson St is not required to turn on to the Cumberland Rd right of way via a 5-way intersection. Instead residents in that area enjoy a less complicated "T" intersection making it easier for safe turning onto Cumberland road by comparison to Copperfield Rd. See below photo.



- 3) Along with the better road systems and sidewalks, Copperfield Ridge was designed with the highest density housing near the entrance of the subdivision and lower density housing further away. This also helps keep the overall number of cars travelling to the entrance minimal as possible. The proposed 35 lot/47 dwelling sub division on "lot A" would in fact become aggressively the opposite where the highest flow of traffic will come from the farthest end of the street. This traffic would be forced through the non-conforming city road Copperfield. This would also increase the possible daily trips on this road by more than triple the current traffic or an additional 188 vehicles along Copperfield road (based on 2 vehicles per dwelling leaving and returning once a day).
  
- 4) Salmon Bearing Creek Separates Copperfield Rd from Copperfield Ridge- The map on Page 8 does not indicate a key natural separation (Piercy Creek) between the Ridge and the Rd. Aside from the name, the Ridge and the road are completely different context from each other and the intended developer seems to be out of touch with this fact or deliberately misleading in the application to "sell" the idea. Local residences (including myself) have witnessed adult and juvenile salmon in this creek. This creek is fed from wetlands that hold back water and keep Piercy Creek fed as long as possible through the spring. This slow release of the wetland water ensures the salmon have time to move to the ocean before the creek dries up in early summer. I am extremely concerned that disturbing this wetland will cause irreversible damage to the delicate cycle of our local wild salmon. In the past, we as humans have done a good job decimating these sensitive wild salmon habitats and fish stocks. Let's not put another one in our crosshairs. If this development proceeds and the wildlife along the Piercy Creek Corridor are affected permanently who will take responsibility?
  
- 5) The 5 Way intersection- The 5-way intersection at Cumberland/Arden/20<sup>th</sup> St is a major cause of concern for the safety of local area residents including myself. From Datea available information ICBC between 2011 and 2015 there has been 17 motor Vehicle incidents (MVI) with a total of 8 Causing casualties. After 2015 Copperfield Ridge was introduced along with the construction of 2 other sub divisions in the area (South end of Arden Rd and Piercy Creek estates Ph II). The most recent data from ICBC's website from 2014-2018 shows a total of 23 MVI's with a total of 9 casualties. This is a 26% increase by comparison! Of the 23 MVI's there is a noticeable spike in 2018 of 9 MVI's making up of almost half of the MVI's from 2014-2018. This is congruent with the timing of completion for the additional sub divisions in the area. The lack of sidewalks, intersection safety and overall road infrastructure in the area cannot support this application and rezoning of another sub division especially when a majority of the traffic from Copperfield Rd utilizes this already un safe area. See Below Photos. 5-Way intersection where most traffic from Copperfield Rd flows. Crash statistics from ICBC 2011-2015 and 2014-2018.





Conformity with The Local Area Plan (LAP)- This proposed development does not conform with the LAP which states in the OCP Amendment Bylaw "The objective of the LAP is to project and respond to anticipated growth in the Arden Corridor through regulation of land use and servicing that is in keeping with the values of the community, the identity of the City and the City's commitment to environmental protection." I firmly believe that this application does not meet the minimum criteria of the LAP.

Thus far The City has not "responded to anticipated growth" in this area. They in fact are behind in upgrading the roads, intersections and sidewalks that have on the roads that have increased traffic. If a 35 lot/47 dwelling subdivision is added to the end of Copperfield Rd The "values of the community" are also not being met. The residents of Copperfield Rd purchased their homes on this road knowing full well the zoning only permitted A-1. The Copperfield Rd community values a tight knit family setting where kids can roam the area free of excessive traffic. Some of the families have waited years to purchase specifically on this road for that reason. Other families have multiple houses on this road so grandkids can run only a few doors down to see their grandparents.

Another aspect of this little paradise is the natural boundaries of a watershed full of life from deer, bears, salmon, raccoons, rabbits and little critters we enjoy experiencing the natural beauty the area has to offer. I'm confident that the proposed subdivision does not meet a "commitment to environmental protection" as these wetlands above Copperfield Rd would be disturbed forever beyond repair.



In conclusion Copperfield Rd and Copperfield Ridge are very different. The current zoning of A-1 on "Lot A" is more than appropriate for the area. I find it concerning how the developer is out of touch with the local community. I find the evidence quite clear in this application that the developer is trying to densify as much as possible for best possible return of investment. The return of investment for the families who live on this road is not measured by money but by memories, trust in the neighbours and value of a small community. We also chose to live in the City of Courtenay because we trust our Local Electorate and City Employees to defend the citizens' concerns that affect these integral neighbourhoods.

Thank you for taking the time to read and consider this clear objection to the Re-zoning application of "lot A Copperfield Rd".

Sincerely [REDACTED]

Concerned residents from 2594 Copperfield Rd



Mon 5/25/2020 9:21 PM

[Redacted]  
2650 Copperfield, Rosebery proposal

To Fitzgerald, Matthew

You replied to this message on 5/26/2020 9:37 AM.

Action Items

+ Get more app

Sir:

I wish to enter my objection to this latest development proposal. This totally goes contrary to the local area development plan and the nature of our community.

Quite frankly I am getting fed up with the planning department bringing these high density developments to our area. I do not want to see the neighbourhood I invested my life savings in become tract housing. What was the point of a LAP if you as "the powers that be" continue to ignore it? We are still waiting to see the promised traffic calming promised at the junction of Arden and Cumberland road.

[Redacted signature]



Mon 5/25/2020 3:06 PM

[Redacted]

Rosebery

To Fitzgerald, Matthew

***Good afternoon***

***Rather than go through McElhanney, I am sending this memo directly to you.***

***I oppose the proposed ReZoning application by Rosebery. I will detailing my objections in a later communication (complete with detailed references and items).***

***For now, I wish to say that my opposition is based primarily on the Rosebery application not being in keeping with either the letter or the spirit of the current OCP and the Arden Corridor LAP. One of the main issues is that the proposed development is in no way "in keeping with existing neighborhood character", one of the main features called out time and time again in both the OCP and the LAP.***

***Another concern (as a resident of Copperfield Rd), is that their plan is to accommodate 35 Units. Actually, with the number of proposed duplexes triplexes, townhomes, and carriage homes, the number of residences (and probably the number of families) on Lot A would be 48+, almost quadrupling the traffic on the Copperfield cul-de-sac.***

***Thank you for your time***

[Redacted]

Reply Reply All Forward



Sun 5/24/2020 7:07 PM  
[Redacted]

Lot 'A' 2650 Copperfield Rezoning

To: Fitzgerald, Matthew

You replied to this message on 5/25/2020 8:29 AM.

Hello Matthew,

Rather than go through McElhanney, I am sending this memo directly to you.

I oppose the proposed ReZoning application by Rosebery. I will detailing my objections in a later communication (complete with detailed references and items).

For now, I wish to say that my opposition is based primarily on the Rosebery application not being in keeping with either the letter or the spirit of the current OCP and the Arden Corridor LAP. One of the main issues is that the proposed development is in no way "in keeping with existing neighborhood character", one of the main features called out time and time again in both the OCP and the LAP.

Another concern (as a resident of Copperfield Rd), is that their plan is to accommodate 35 Units. Actually, with the number of proposed duplexes triplexes, townhomes, and carriage homes, the number of residences (and probably the number of families) on Lot A would be 48+, almost quadrupling the traffic on the Copperfield cul-de-sac.

I understand that a new OCP is in the works. Will this application for rezoning come under the current (2016) OCP?

Thank you





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-----Original Message-----

From: [REDACTED]  
Sent: [REDACTED]  
To: Fitzgerald, Matthew <[mfitzgerald@courtenay.ca](mailto:mfitzgerald@courtenay.ca)>  
Subject: Propose Zoning Amendment – 2650 Copperfield Road, Folder No. RZ000004

Hello Development Planning Manager Fitzgerald, Following are our comments regarding proposed development of Lot A Copperfield Road for the record:

We are neighbours of the proposed development of Lot A, 2650 Copperfield Road, Folder No. RZ000004 and strongly oppose the rezoning from R-1A to New Comprehensive Development Zone (CD). Our concerns include the following:

- Access through Copperfield Road is entirely inappropriate. This is a small cul-de-sac with larger lot residences. This proposed development does not respond to local neighbourhood context.
- The traffic intensification resulting from the large number of vehicles traveling from the development through Copperfield Road to Arden and Cumberland Roads would increase the danger of an already unacceptably dangerous intersection for cars, pedestrians, and children walking to school.
- The proposed density of 35 lots in a net developable area of 2.45 ha is too high for the area. There are a number of new developments already being constructed in the immediate neighbourhood and the neighbourhood infrastructure cannot accommodate yet another. The existing R-1A zone is appropriate. We oppose the rezoning to Comprehensive Development Zone (CD).
- Riparian Areas Regulations are not being respected for this highly sensitive area. The Environmental Assessment and Protection Plan report states that “the listed or ranked ecological community within Wetlands 1-4 is considered to meet criteria as rare or endangered”. These wetlands and riparian habitat contain meaningful wildlife habitat. The proposal includes offsets to compensate for the unavoidable impacts on Wetland 4. There should be no waiver of the City of Courtenay LAP 30 m setbacks and the 15-30 m setback (SPEA) in any part of any potential project in this location.

We oppose this rezoning application and urge the city of Courtenay to proceed no further with this application.

[REDACTED]

2493 Copperfield Road  
Courtenay, B C V9N 9J5

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**Schedule No 5: Sustainability Evaluation Checklist**



**CITY OF COURTENAY**  
**Development Services**  
 830 Cliffe Avenue  
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**SUSTAINABILITY  
 EVALUATION**  
 COMPLIANCE CHECKLIST

The following checklist provides a quick reference list of required sustainability criteria that, where applicable, shall be satisfied for all development applications including Official Community Plan (OCP) and Zoning Bylaw amendments, Development Permits, Development Variance Permits, Tree Cutting and Soil Removal Permits, Agricultural Land Reserve and Subdivision applications. These criteria are established to ensure that the goals and objectives of the OCP are satisfied. **Please briefly state in the “Description” column how the application achieves the stated criterion.** Where an element of the development proposal does not comply with a sustainability criterion, a justification stating the divergence and the reason shall be made. A separate sheet may be used to provide comment. **Incomplete forms will result in application delays.**

- The Sustainability Evaluation Checklist Policy states: *Proposed developments will be considered where a development:*
- provides substantial benefits to the City;*
  - will not negatively impact on the City’s infrastructure, neighborhood or environment;*
  - new development that supports destination uses such as the downtown, Riverway Corridor or a Comprehensive Planned Community;*
  - Meets applicable criteria set out in the OCP.*

The complete Sustainability Evaluation Checklist policy is contained within the City of Courtenay Official Community Plan No. 2387, 2005.

<b>Project Address:</b> 2650 Copperfield Road	<b>Date:</b> September 17, 2020
<b>Applicant:</b> McElhanney Consulting Services	<b>Signature:</b>

**APPLICATION REQUIREMENTS To be filled out by applicant**

Land Use. <i>The application:</i>	Description of how the criteria are met
a) Provides a mix of housing types and sizes;	Provides single family, duplex, triplex, townhomes and coach houses;
b) Balances the scale and massing of buildings in relation to adjoining properties;	Adjoining properties are single family and duplexes; proposed duplexes, triplexes & townhomes will resemble single family houses in size, scale and articulation of facades;
c) Complements neighboring uses and site topography;	Proposed use is housing as on neighbouring properties; site topography will not be altered by areas of cut and/or fill and there will be no need for retaining walls;
d) Provides or supports mixed used developments or neighborhoods;	Land use is limited to housing in accordance with LAP and OCP
e) Promotes walking to daily activities and recreational opportunities;	Development connects to existing trail network and ultimately to Arden Elementary School and Comox Logging Road;
f) Supports a range of incomes;	Variety of housing types and sizes will support a range of incomes;
g) Is a positive impact on views and scenery;	Proposed development will be almost entirely screened from neighbouring housing by a riparian buffer of 60 m. in width along Piercy Creek and its tributary;
h) Preserves and provides greenspace, trails and landscaping;	Of the 5.82 ha. of total site area, 3.11 ha. (53%) will be dedicated to the City as environmental reserve and 0.21 ha. (3.6%) will be dedicated as municipal park;



<b>Building Design. <i>The application:</i></b>	<b>Description of how the criteria are met</b>
a) Exhibits high standard of design, landscaping and environmental sensitivity;	Not applicable since this application is for an OCP amendment and rezoning; no buildings have been designed at this stage; the plan is intended to be a framework for the detailed design that will follow rezoning;
b) Maintains a high standard of quality and appearance;	As above;
c) Includes articulation of building faces and roof lines with features such as balconies, entrances, bay windows, dormers and vertical and horizontal setbacks with enhanced colors;	As above;
d) Avoids creating a strip development appearance;	As above;
e) Satisfies Leadership in Energy and Environmental Design (LEED) certification (or accepted green building best practices);	As above;
f) Uses environmentally sensitive materials which are energy sensitive or have accepted low pollution standards;	As above;
g) Builds and improves pedestrian amenities;	As above;
h) Provides underground parking;	As above;
i) Applies CPTED (Crime Prevention Through Environmental Design) principles;	As above;
<b>Transportation. <i>The application:</i></b>	<b>Description of how the criteria are met</b>
a) Integrates into public transit and closeness to major destinations;	Copperfield Road connects to Arden Road and the #7 Arden bus route; existing trail system connects proposed development to Arden Elementary school;
b) Provides multi-functional street(s);	Proposed strata road is not a through street and its configuration will lend itself to vehicular, pedestrian and bicycle use;
c) Prioritizes pedestrian and cycling opportunities on the public street system and through the site location that can provide an alternative to public road;	As above; street is a strata street and not part of the public street system; proposed development will connect to the existing trail network;
d) Provides or contributes towards trail system, sidewalks, transit facilities, recreation area or environmentally sensitive area;	Of the 5.82 ha. of total site area, 3.11 ha. (53%) will be dedicated to the City as environmental reserve and 0.21 ha. (3.6%) will be dedicated as park, which will allow the existing trail to be relocated outside the riparian buffer areas
<b>Infrastructure. <i>The application:</i></b>	<b>Description of how the criteria are met</b>
a) Includes stormwater techniques that are designed to reduce run-off, improve groundwater exchange and increase on-site retention;	The proposed development locates two rain gardens (bio-swales) uphill of a proposed storm water detention pond. Rain gardens are designed to capture and cleanse storm water as it comes off the areas of vehicular traffic within a neighbourhood street network.
b) Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City standards;	This application is for an OCP amendment and rezoning; neither buildings nor detailed infrastructure have been designed at this stage; the plan is intended to be a framework for the detailed design that will follow rezoning;

<b>Character &amp; Identity. <i>The application:</i></b>	<b>Description of how the criteria are met</b>
a) Provides a positive image along waterfront areas and fronting road;	Not applicable since there are neither waterfront areas nor a fronting road;
b) Is designed with quality and variety of features within the project (i.e. street furniture, street lights, signs, curb treatments);	Not applicable;
c) Provides public and private amenity space;	At the centre of the plan is a 15,600 sf park adjacent & connected to the larger greenway park and trail system of Percy Creek;
d) Preserves heritage fixtures;	Not applicable;
e) Orients to views, open space and street;	Not applicable;
<b>Environmental Protection &amp; Enhancement. <i>The application:</i></b>	<b>Description of how the criteria are met</b>
a) Protects riparian areas and other designated environmentally sensitive areas;	30 m. environmental setbacks from Piercy Creek and wetlands have been incorporated into the plan and consequently 53% of the site will be dedicated to the City as environmental reserve;
b) Provides for native species, habitat restoration/improvement;	Opportunities for on-site restoration of riparian and aquatic habitats exist. Please see page 30 of (Revised) Planning Referral RZ00004-2650 Copperfield Rd. for details;
c) Includes tree lined streetscapes.	Street trees are located within areas of the strata road right-of-way; While this is a concept plan only, and not a prescriptive tree planting plan, it is intended to be a framework for the detailed design that will follow rezoning;