To: Council File No.: 3360-20-1914

From: Chief Administrative Officer Date: March 15, 2021

Subject: Zoning Amendment Bylaw No. 2986 to Allow for a Secondary Suite at 2129 Blue Jay Place

#### **PURPOSE:**

The purpose of this report is for Council to consider an application to rezone the property located at 2129 Blue Jay Place from Residential One to Residential One S Zone (R-1S) to permit the addition of a secondary suite to an existing house.

#### **CAO RECOMMENDATIONS:**

THAT based on the March 15<sup>th</sup>, 2021 staff report "Zoning Amendment Bylaw No. 2986 to Allow for a Secondary Suite at 2129 Blue Jay Place" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2986, 2021; and,

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2986.

Respectfully submitted,

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

#### **BACKGROUND:**

The subject property is an approximately 658m² residential lot located at 2129 Blue Jay Place in East Courtenay, legally described as Lot J, District Lot 158, Comox District Plan VIP79430 (*Figure 1*). The property is currently zoned Residential One (R-1) and there is an existing 275.3m² (2,963ft²) two-storey single family dwelling on the parcel. The home contains a single car garage. There is also space for two vehicles in the front driveway (for a total of 3 parking spaces). Plans and elevations are shown in *Attachment No. 1*.

The secondary suite is proposed within the basement of the existing home. The proposed suite is 89m<sup>2</sup> (958ft<sup>2</sup>) in size and includes one bedroom, one bathroom, laundry, a living room, dining room, and a kitchen (*Attachment No. 1*). The applicant's rationale for the rezoning can be found in *Attachment No. 4*.



Figure 1. Context map with the Subject Property outlined in yellow.

#### **DISCUSSION:**

The subject property is located within less than two kilometres of the Crown Isle Shopping Complex, Valley View Elementary, and Mark R. Isfeld Secondary School and the Aspen Grove and Highland Village Shopping Centres in Comox. These destinations are accessible by cycling, walking, or transit (with two bus routes that travel along Lerwick Road). It is also adjacent to Lerwick Nature Park.

#### **OCP Review**

The proposed application represents infill development within an established neighbourhood designated Urban Residential in the Official Community Plan (OCP).

The OCP and the Affordable Housing Policy support infill development within existing Urban Residential areas provided it is in keeping with the character and scale of the surrounding neighbourhood. Infill housing provides more rental housing stock and diversity of housing types, and promotes more efficient use of land that is already serviced.

#### **Zoning Review**

This application meets zoning requirements, including building height, lot coverage, building setbacks and parking for both R-1 and R-1S zones. It also specifically meets all R-1S zoning requirements for secondary suites, summarized in the table below.

| Requirements   | Proposal   |
|--|--|
| Total not more than 90.0 m <sup>2</sup>  | Approximately 89m² (includes 1 bedroom,1 bathroom, living room, kitchen)                             |
| Floor Area Less than 40% of the total habitable floor space of the building                                    | ~32%   |
| Located within a building of residential occupancy containing only one other dwelling unit                     | Yes  |
| Located within a building which is a single real estate entity   | Yes  |
| Three Parking Spaces (2 spaces for the principal dwelling unit and 1 additional space for the secondary suite) | 3 parking spaces: 2 full-sized driveway spaces, and 1 parking space in the garage (Attachment No. 1) |

#### FINANCIAL IMPLICATIONS:

Application fees in the amount of \$500 have been collected in order to process the rezoning amendment application. Should the proposed Zoning Amendment Bylaw be adopted, Building Permit application fees will apply.

Properties with a secondary residence are charged a second utility fee (sewer, water, garbage) for the additional dwelling unit. Should the rezoning application be approved, the additional utility fees will be charged to the property at the time of occupancy permit. Secondary residences are exempt from paying Development Cost Charges to the City and Regional District.

#### **ADMINISTRATIVE IMPLICATIONS:**

Processing Zoning Bylaw amendments is a statutory component of the corporate work plan. Staff has spent approximately 30 hours processing this application to date. Should the proposed zoning amendment proceed to public hearing, an additional two hours of staff time will be required to prepare notification for public hearing and to process the bylaw. Additional staff time will be required to process the subsequent building permit application including plan checking and building inspections.

#### **ASSET MANAGEMENT IMPLICATIONS:**

The proposed development utilizes existing infrastructure and is connected to City water, sewer and storm mains. There are no direct asset management implications associated with this application.

#### 2019 - 2022 STRATEGIC PRIORITIES REFERENCE:

- Communicate appropriately with our community in all decisions we make
- Encourage and suport housing diveristy

#### **OFFICIAL COMMUNITY PLAN REFERENCE:**

The proposed zoning amendment is consistent with the Urban Residential land use designation of the Official Community Plan. It represents infill residential development near existing amenities and services, providing a range of housing choice, while fulfilling OCP Section 4.4.3 4 a) – limited infill will be considered only in keeping with the character and scale of an existing neighbourhood and 4.4.3.4 d) – secondary suites will be considered as part of a principle single family residential building subject to zoning approval.

#### **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; and

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

#### **CITIZEN/PUBLIC ENGAGEMENT:**

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

#### Increasing Level of Public Impact Inform Consult Involve Collaborate Empower To provide the To obtain public To work directly To partner with To place final Public public with feedback on with the public the public in each decision-making participation balanced and analysis, throughout aspect of the in the hands of alternatives decision including objective the process to the public. goal and/or decisions. ensure that public the development information to assist them in concerns and of alternatives and understanding the the identification aspirations are problem, consistently of the preferred understood and solution. alternatives, opportunities considered. and/or solutions.

Prior to this application proceeding to Council, the applicant distributed an alternative public information package to property owners and occupiers within 100m of the property, over a two week period and collected and summarized feedback as per the new Alternative Public Information Meeting process. The information provided to neighbours and the summary of the process can be found in **Attachment No. 2**. The City received 13 comments from the public. The applicant received 4 comments. Of the comments received, 12 households were represented.

Of the responses received, six households were opposed and six had no objections.

All feedback can be found in **Attachment No. 3.** Of those that stated opposition to the proposal, they had the following concerns:

- Potential traffic increase
- Parking concerns and snow ploughing in the winter
- Desire to maintain the neighbourhood as single family only
- The potential for property value impacts

It is important to note that the Zoning Bylaw requires one additional off-street parking space be provided for a suite, and these requirements for parking will be met on the subject property.

#### **OPTIONS:**

#### **OPTION 1: (Recommended)**

THAT based on the March 15<sup>th</sup>, 2021 staff report "Zoning Amendment Bylaw No. 2986 to Allow for a Secondary Residence at 2129 Blue Jay Place" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 2986, 2021; and,

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2986.

**OPTION 2:** Defer consideration of Bylaw No. 2986 with a request for more information.

OPTION 3: Defeat Bylaw No. 2986.

Prepared by:

(askews)

Cassandra Marsh,

Planner I

Concurrence by:

Ian Buck, RPP, MCIP
Director of Development Services

Reviewed by:

Matthew Fitzgerald, RPP, MCIP Manager of Development Planning

Concurrence by:

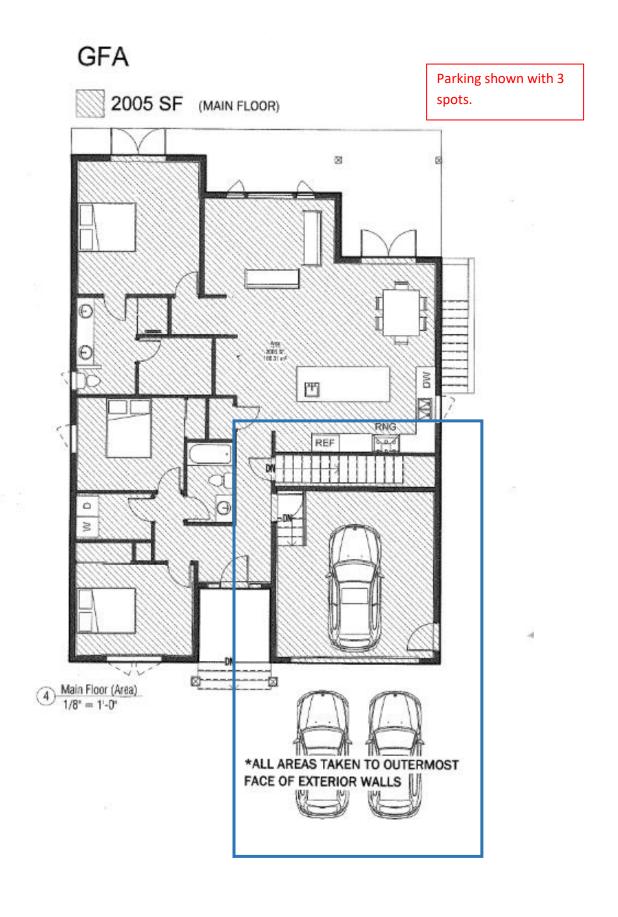
Trevor Kushner, BA, DLGM, CLGA, PCAMP Interim Chief Administrative Officer

#### Attachments:

- 1. Attachment No. 1: Plans and Elevations
- 2. Attachment No. 2: Alternative Public Information Meeting Mail Out and Summary
- 3. Attachment No. 3: Public Comments
- 4. Attachment No. 4: Applicant's Rationale
- 5. Attachment No. 5: Sustainability Evaluation Checklist

### Attachment No. 1: Plans and Parking





#### **Attachment No. 2: Public Information Meeting Summary**

Hello fellow neighbours, my name is Clayton Gilroy and I live at 2129 Blue Jay Place. I have submitted a proposal with the city of Courtenay to allow my unfinished basement to be developed into a suit.

This notice is to allow for the locals to comment and or request further information before the application is approved. Please view relevant documents on the city of Courtenay's website <a href="www.courtenay.ca/devapptracker">www.courtenay.ca/devapptracker</a>. You can search by the file number or the house address.

file number RZ000037 or house address 2129 Blue Jay Place Courtenay.

If you have any further questions you can phone me at 250-898-9580 or email claytongilroy3@gmail.com

Please return your comments to the city by: October 28th

Comments can be submitted 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 Ave Courtenay BC V9N 2J7
- Email your comments to planning@courenay.ca
- Fax your comments to 250-334-4241

Thank you for the time you have taken to look over this proposal Clayton



Hey Marsha, here is the Post-Meeting Summary info

- A) My sign was posted Jan 10th, 2019. My mail out was sent to the neighbour's on October 10th, 2020 from the list given.
- B) I 4 people responded to the mail out, all were for the rezoning or at least not opposed to the suit being approved, see the attachments for their comments.
- C) The page I mailed out to neighbor's is also also attached to file.
- D) There were no questions asked, or concerns raised.

All 4 responses were by email and did not require a response or info sent to them over concerns.

If there is anything else required to move this application forward please let me know.

Clayton

#### **Attachment No. 3: Public Comments**









Fri 10/23/2020 4:17 PM

Response to application for rezoning RZ000037

To PlanningAlias

To the Planning Department Courtenay,

My wife and I recently received a letter from the home owner at 2129 Blue Jay Place. The resident states in his letter that he has applied to the City for permission to develop a suite in his basement, and invites his neighbours to comment directly to City Planning on his application. We oppose this application on several grounds. First, we are concerned with the number of cars being parked on the cul- de-sac. The owner of 2129 has a single-car garage and a parking area for a second car on his property, but he has a trailer permanently parked there, so there is limited room for off-road parking for the suite's occupant. The problems with street parking in the cul-de-sac are well-established. First, children on skateboards and bicycles ride out from between parked cars onto the road. There have been several near misses on the cul-de-sac. In fact, it has come up in discussion at The Woodlands (2001 Blue Jay Place) strata meetings. Secondly, the cul-de-sac is the primary access to The Woodlands and to the trails around the strata. As a consequence, there are a great number of strollers, dogwalkers, and car drivers coming in and leaving the cul-de-sac daily. Thirdly, delivery vans use the entrance to The Woodlands to deliver packages to the strata owners and at times (when the back gate is left open) to the neighbouring streets west of the strata. Fourthly, the City of Courtenay does not appear to be able to clear the cul-de-sac of snow in timely manner when necessary. Adding more traffic (and parked cars) to the cul-de-sac just compounds these problem. For your information today there are three cars parked on the street in front of 2129 Blue Jay Place. It should be kept in mind that for the people living on the cul-de-sac there is only one entry and exit point.

Yours truly,

#45 2001 Blue Jay Place

From:

Sent: Tuesday, November 17, 2020 4:03 PM To: PlanningAlias < planning@courtenay.ca > Subject:

Dear Planning Department,

Further to my communication with you earlier on the rezoning application by the owner(s) of 2129 Blue Jay Place. As you can see in the photograph the zoning application signage does not appear to be properly placed. Also, the city's No Parking sign (which can be seen in the attached photo) is being frequently ignored.

2001 Blue Jay Place



Sat 10/24/2020 11:37 AM

Re RZ000037 - 2129 Blue Jay Place, Courtenay

To PlanningAlias

1 You forwarded this message on 10/26/2020 8:39 AM.

The Owners of of 2129 Blue Jay Place have requested feed back on the proposed basement suite development.

Our primary concern with respect to a new suite development, is added vehicle traffic on Blue Jay Place, and the resultant, on street parking. As it stands presently, it appears there is insufficient on street parking for Blue Jay Place residents. There is congestion at the entrance to Blue Jay Place (off Lerwick), when concurrent entering and leaving vehicles meet at the intersection. This situation is created by residents parking in no parking zones, sometimes on both sides of Blue Jay, near the intersection - and blocking traffic flow. If and when this area is properly policed, the residents in the No Parking areas will have to park further back onto Blue Jay, limiting the space for other permanent residents, as well as visitors. In addition, one residence has their vehicle parked on the boulevard, to avoid parking on the street in a No Parking area.

We would request the City of Courtenay review the following:

- Residential design standards for on street parking, covering the dwellings on Blue Jay Place, and determine if there is sufficient parking (left) to allow incremental traffic from an additional basement development; and
- Pass on our concerns re street parking enforcement on Blue Jay Place to the proper bylaw enforcement authorities, to address the current lack of residential parking enforcement that is occurring in "No Parking" demarked areas near the intersection.

61 2001 Blue Jay Place Courtenay, BC V9N 4A8

|                  | Mon 10/26/2020 12:50 PM  |
|------------------|--|
| To PlanningAlias | re: basement suite at 2129 Blue Jay Place                                  |
|                  |  |
| I have no ob     | jections to this suite. 2288 Swallow Cres. My house goes street to street. |
|                  |  |
|                  |  |
|                  |  |
|                  |  |
|                  |  |
|                  |  |



Tue 10/20/2020 7:29 PM

### RZ000037 (2129 Blue Jay Place, Courtenay)

To PlanningAlias

#### Dear Sirs:

We have no problem with the above basement being developed into a suite. It will not affect increased traffic in our complex.

Unit #27, 2001 Blue Jay Place



Mon 10/19/2020 8:51 PM

## RZ000037 Zoning Amendment Application 2129 Blue Jay PI

To PlanningAlias



### To Whom It May Concern:

As a neighbour of Mr. C. Gilroy, I am writing in support of the subject application. I live in The Woodlands strata, which is situated at the end of Blue Jay Place cul-de-sac I believe the application supports the City's objective of increasing affordable housing while not detracting from the present nature of our community. Also, there is ample parking availability on the cul-de-sac, due in part, to the two turn around areas within the cul-de-sac.

Thank you for your consideration of the application and this note of support.

Sincerely: #75 2001 Blue Jay Place

city





Tue 10/20/2020 12:07 PM

file rz000037

To PlanningAlias

We received the request for comments from neighbours of Clayton Gilroy of 2129 Blue Jay Place re his application for a basement suite at his residence. Our only concern would be the addition of more cars parked on the side of Blue Jay as most houses along there have already got extra cars parked on the street. The driveway at 2129 would not allow extra cars to park on it as it would block the garage. We are not directly impacked but we do drive out on Blue Jay as we exit from the Woodlands Patio homes where we live. The situation would become more critical in winter when snow is on the road as Blue Jay is often the last to have a snow plow to clear the street.

Sincerely





Sun 10/25/2020 9:39 AM

Re: File # RZ000037

To PlanningAlias

To whom it may concern:

We live at 2076 Blue Jay Place. We oppose the application for approval to build a basement suite at 2019 Blue Jay Place.

We were among the early owners of homes on Blue Jay Place. Both our builder and the developer advertised lots that would

have single family dwellings only. If this suite is allowed, it will be the second home to have a rental unit in a house on a single frontage lot.

Over the past few years, there has been a steady increase in the number of vehicles on Blue Jay Place. On our side of the

street, next to us at 2106, the house has two vehicles parked, plus a large boat that sits on the driveway in summer months.

and on the grass beside the house in winter. On the other side of that house two vehicles and a huge motor home are

parked on the driveway.

The other side of the street has a house (2085 Blue Jay Place) with a rental suite. With both the main house and suite

occupied, there have been as many as five vehicles on the driveway and more on the street.

On the other side of 2129 Blue Jay Place (the house in this zoning application) there are too many vehicles to park on the driveway.

Usually one extra car parks on the street, and often, another is parked on the lawn.

From the illustrations of house and driveway at 2129, we feel there is barely room for two vehicles. It is likely that if a second

family is allowed there, more than two vehicles will add to the parking congestion on the street.

We can understand reasons for owners of single-family homes to want to add a suite, but don't feel that Blue Jay Place is

a suitable street to accommodate more vehicles and vehicle traffic. We hope sincerely that this will not be allowed.

Yours truly

2076 Blue Jay Place Courtenay, B.C.

#### Attachment No. 4: Applicant's Rationale

### Written Statement on conformance to the Affordable Housing Policy

- This rezoning application is to change my current zoning R-1 to R-1S to allow a Secondary suite in the basement of the new house going to be constructed.
- The lot at 2129 Blue Jay Place, is an infill lot, and the only vacant lot on the street for the last 10 years. I believe the location of the land is ideal for a suite, with it being a 5 minutes walk to our schools, grocery stores, and local transit.
- The house has been designed to comply with all Building Code and City Bylaw requirements for a legal suite.
- There is at least three off street parking spots, one in the garage and at least two on the driveway allowing two for the residents and one for the suite.
- Community benefits: This secondary suite will help with the tight Comox Valley rental market, and will help with the stated City of Courtenay in-fill density policies.
- The house has been designed to blend in with the well-established feel of the neighbourhood. The suite will be unnoticeable to the surrounding community, and still help with the AHP's goal for higher density in the Comox Valley.
- 7. I believe this application is the perfect example of what the Affordable Housing Policy is looking to create, as stated: "Expanding the application of secondary suites and secondary residents by encouraging the provision of secondary suites in areas seeking single residential lot zoning."
- I am applying for the suite to make my new home affordable for my family.
  as well as help others find a suite they can afford to rent at a reasonable
  price.
- The exterior of the house is going to be finished with a dark green Hardi Board, and Stained Fir wood trim and beams. This I believe will give the house an appealing classic look, and help it blend into the park setting the lot is on.

### **Attachment No. 5: Sustainability Evaluation Checklist**



#### CITY OF COURTENAY **Development Services**

830 Cliffe Avenue Courtenay, BC, V9N 2J7 Tel: 250-703-4839 Fax: 250-334-4241 Email: planning@courtenay.ca

# 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:

- a. provides substantial benefits to the City;
   b. 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;
- d. 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.

| PLIC  | CATION REQUIREMENTS TO BE FILLED OUT BY  | Signature: Caption Silvoy  |
|-------|--|--|
| and L | Jse. The application:  | Description of how the criteria are met  |
| a)    | Provides a mix of housing types and sizes;                                       | The house design was picked to blend well with the neighbourhood in size and appearance,   |
| b)    | Balances the scale and massing of buildings in relation to adjoining properties; | The majority of houses on the street are single story 1,600-3,000 square of houses, This appears the mode to be a small story 1,600 sq ft of |
| c)    | Complements neighboring uses and site topography;                                | the house is going to have the same sethaux + elevation as the notices on either side of it.   |
| d)    | Provides or supports mixed used developments or neighborhoods;                   | I am requesting for a suit to help with the attendability housing issue in Courtenay,  |
| e)    | Promotes walking to daily activities and recreational opportunities;             | We will be able to walk to the school, Qf, + Co-op in Sminute.   |
| f)    | Supports a range of incomes;   | lower income families will be able to afford to live in the suit.  |
| g)    | Is a positive impact on views and scenery;                                       | I am using stained word thim to dark green hands to blend into the park + blend with the existing houses on the street                       |
| h)    | Preserves and provides greenspace, trails and landscaping;                       | there is already a trail behind the la   |

| Buildi   | ing Design. The application:  | Description of how the criteria are met  |
|----------|---|--|
| a)       | Exhibits high standard of design, landscaping<br>and environmental sensitivity;   | loxio wood posts in the entrance a take dormer above garage for character.  hard board + solid trim around window +                |
| b)       | Maintains a high standard of quality and appearance;  | wood entrance + hardi finish.  |
| c)       | Includes articulation of building faces and roof<br>lines with features such as balconies, entrances,<br>bay windows, dormers and vertical and horizontal<br>setbacks with enhanced colors; |  |
| d)       | Avoids creating a strip development appearance;   |  |
| e)       | Satisfies Leadership in Energy and<br>Environmental Design (LEED) certification (or<br>accepted green building best practices);   | Camplies with todays efficances requirements   |
| f)       | Uses environmentally sensitive materials which<br>are energy sensitive or have accepted low<br>pollution standards;   | Complies with todays efficency requirements. House will be built using standard building material No spray from etc, will be used. |
| g)       | Builds and improves pedestrian amenities;   | This was the only empty Lot on the street for years, All amonities have been in place for 15 years.                                |
| h)       | Provides underground parking;   |  |
| i)       | Applies CPTED (Crime Prevention Through<br>Environmental Design) principles;  | Not sure what this is?   |
| Transp   | portation. The application:   | Description of how the criteria are met  |
| a)       | Integrates into public transit and closeness to major destinations;   | Bus route is 2 minutes away,   |
| b)       | Provides multi-functional street(s);  |  |
| c)       | Prioritizes pedestrian and cycling opportunities<br>on the public street system and through the site<br>location that can provide an alternative to public<br>road;                         | Street in the front, park in the back, we can walk to Qf through the park  |
| d)       | Provides or contributes towards trail system,<br>sidewalks, transit facilities, recreation area or<br>environmentally sensitive area;   |  |
| Infrasti | ructure. The application:   | My Kids might add trails in the park?  Description of how the criteria are met   |
| - 22     |   |  |
| b)       | Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City   | Vard will have top soil, flower hads we have not will have top soil, flower hads we have not   |

| Chara | cter & Identity. The application:   | Description of how the criteria are met |
|-------|---|---|
| a)    | Provides a positive image along waterfront areas and fronting road;   | Post + beam + hardi baard               |
| b)    | Is designed with quality and variety of features within the project (i.e. street furniture, street lights, signs, curb treatments); | Yard will be well landscaped            |
| c)    | Provides public and private amenity space;  | The backyard will have a waterfall      |
| d)    | Preserves heritage fixtures;  | Will blend well with the bouses on the  |
| e)    | Orients to views, open space and street;  | Living room + Kitchen in back to enjoy  |
|       | nmental Protection & Enhancement. plication:  | Description of how the criteria are met |
|       | Protects riparian areas and other designated environmentally sensitive areas;   | Ves                                     |
| b)    | Provides for native species, habitat restoration/improvement;   | Lot is empty + treeless now, but wil    |
| c)    | Includes tree lined streetscapes.   | 17.                                     |
|       |   | Will have flower bads + a Japanees ma   |
|       |   |   |
|       | E U   |   |
|       |   |   |
|       |   |   |