



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3360-20-2106

From: Chief Administrative Officer

Date: September 27th, 2021

Subject: Zoning Amendment Bylaw No. 3040 to allow for a carriage house at 1236 -- Malahat Drive

PURPOSE:

The purpose of this report is for Council to consider an application for a text amendment at the property legally described as Lot 10, District Lot 159, Comox District, Plan 41314 to permit a carriage house on the subject property.

CAO RECOMMENDATIONS:

THAT based on the September 27th, 2021 staff report "Zoning Amendment Bylaw No. 3040 to allow for a Carriage House at 1236 Malahat Drive" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3040, 2021; and,

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3040.

Respectfully submitted,

Geoff Garbutt M.Pl., MCIP, RPP

Chief Administrative Officer

BACKGROUND:

The subject property is an approximately 1,506m² (0.37 acres) residential lot located at 1236 Malahat Drive in East Courtenay (**Figure 1**). The property is currently zoned Residential One (R-1) and there is an existing two-storey single family dwelling and a two-storey accessory building on the parcel.

The accessory building in the rear of the lot is proposed to be converted into a carriage house. The accessory building is currently used as a workshop and an extra room for family activities. Converting the building for a carriage house will require modifications to the interior of the building. No exterior changes are proposed, as the building was recently renovated in 2016/2017. The building is shown in **Figure No. 2**. The proposed carriage house is 52.0m² (560ft²) in size and includes one bedroom, one bathroom, a laundry room, kitchen, and living room (see **Attachment No. 1**).

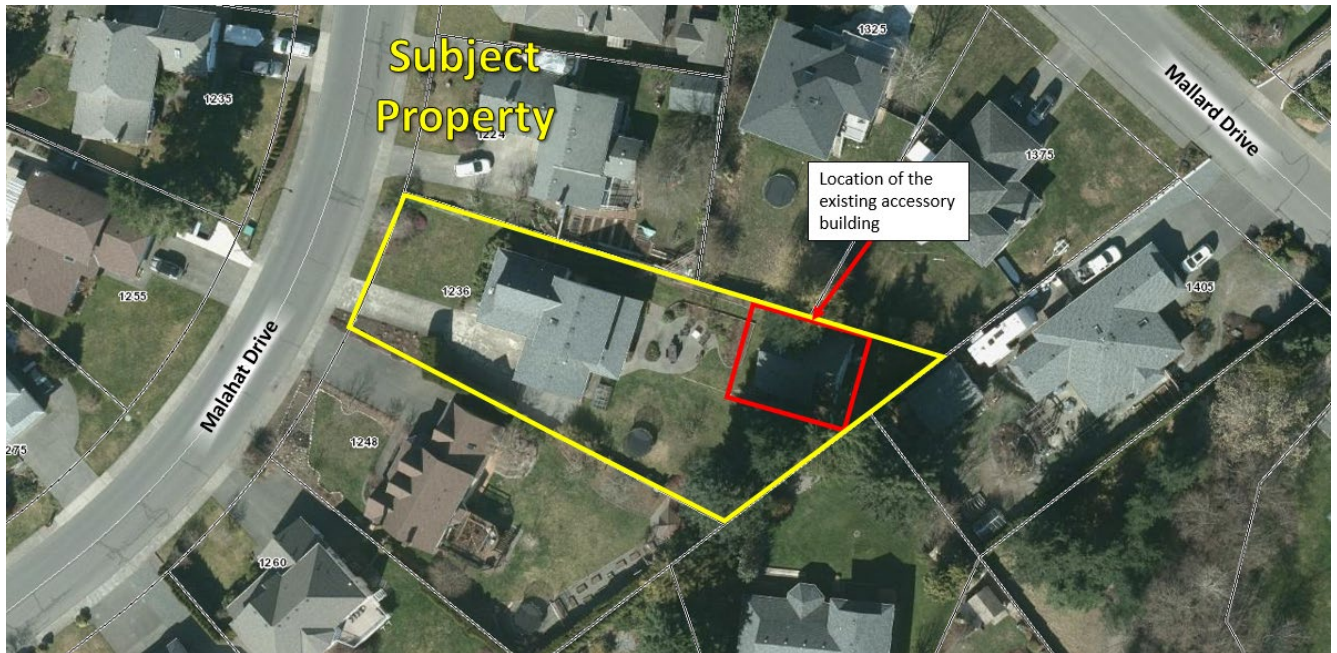


Figure 1. Context map with the Subject Property outlined in yellow.



Figure 2. The front of the accessory building (south east elevation)

DISCUSSION:

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.

Ordinarily, if rezoning is granted by Council, a Form and Character Development Permit would be required for the carriage house. However, given that this is an existing building a development permit will not be required. Staff have reviewed the existing building relative to the Development Permit Checklist for secondary residences and find the existing building compliant with the guidelines.

The accessory building is a craftsman style building and adds character to property. The orientation, and placement of windows and doors is such that it enhances privacy between residences. The trim and soffits are painted wood, while the siding is Hardie plank and shingle. The accessory building is located in the rear of the property as is encouraged in the development permit guidelines. The guidelines, and how they apply to this proposal can be found in **Attachment No. 6**.

Zoning Review

This application meets zoning requirements, including building height, lot coverage, building setbacks and parking for both R-1 zone (which the property will remain zoned) and the requirements for carriage houses as stipulated in the Zoning Bylaw (for which the site specific text amendment would be applied). The requirements and proposal is summarized in the tables below.

Carriage House Regulation	
Total not more than 90.0 m ²	Approximately 52.0m ² (includes 1 bedroom, 1 bathroom, living room, kitchen, laundry)
Accessory to single residential dwelling	Yes
Located on a property of residential occupancy containing only one other dwelling unit	Yes
Located on a property which is a single real estate entity	Yes
No interior access from the accessory building	Yes
Located on a property over 1,250m ² in lot area	The property is 1,506m ²
Three Parking Spaces <i>(2 spaces for the principal dwelling unit and 1 additional space for the secondary residence)</i>	Four parking spaces are provided

FINANCIAL IMPLICATIONS:

Application fees in the amount of \$3,000 have been collected in order to process the rezoning amendment application. Should the proposed Zoning Amendment Bylaw be adopted, and Building Permit application fees will apply.

Properties with a carriage houses 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 once occupancy is granted. Carriage houses 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 support housing diversity

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.

REGIONAL GROWTH STRATEGY REFERENCE:

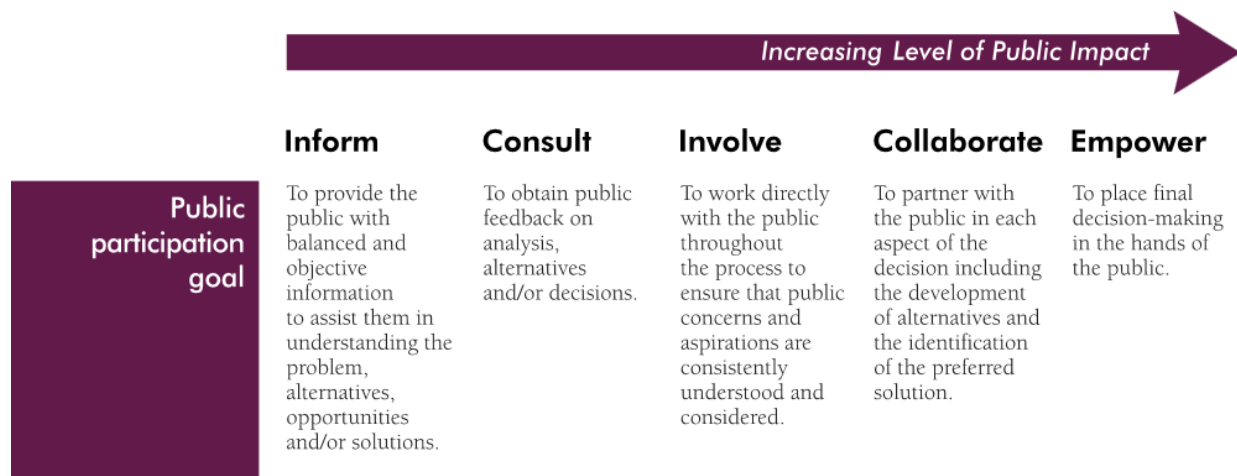
The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

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:



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 and collected and summarized feedback, over a two week period as per the new Alternative Development Information Meeting process. The information provided to neighbours and the summary of the process can be found in **Attachment No. 2**.

In total, the City and the applicant received 20 comments. Of these, 15 households were represented, in addition to one letter, and one email from anonymous senders were received. Public comments can be found in **Attachment No. 3**.

Of the responses received by the City, 4 were in support and 12 opposed. The applicant received 3 letters of support. 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
- That the proposal may go against City policies and regulations
- A precedent could be set for further development changes in the neighbourhood such as more suites, or more carriage houses.
- Potential that other uses could be carried out, such as vacation rental
- Desire to maintain the neighbourhood as single family only
- The potential for property value impacts
- The neighbourhood will become too 'busy'
- Sewer hook ups and property tax implications
- That the applicant is intending to sell

It is important to note that, the text amendment requested addresses the change to density (from one dwelling unit to two). The carriage house complies with the zoning regulations for carriage house as stipulated in the Zoning Bylaw and, given the building is existing in this case, the design is consistent with the development permit guidelines.

OPTIONS:

OPTION 1: (Recommended)

That based on the September 27, 2021 staff report “Zoning Amendment Bylaw No. 3040 to Allow for a Carriage House at 1236 Malahat Drive” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3040, 2021; and,

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3040.

OPTION 2: Defer consideration of Bylaw No. 3040 with a request for more information.

OPTION 3: Defeat Bylaw No. 3040.

Prepared by:



Cassandra Marsh
Planner I

Reviewed by:



Matthew Fitzgerald, RPP, MCIP
Manager of Development Planning

Concurrence by:



Ian Buck, RPP, MCIP
Director of Development Services

Concurrence by:




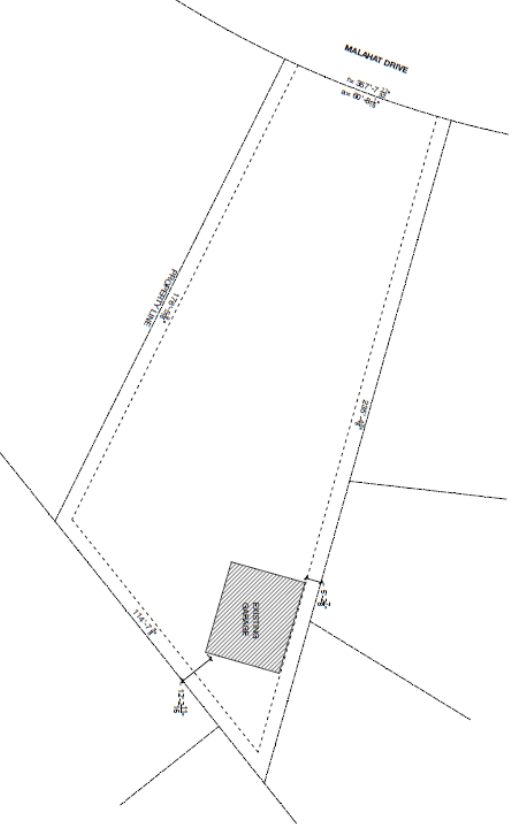
Geoff Garbutt M.Pl., MCIP, RPP
Chief Administrative Officer

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*
6. *Attachment No. 6: Carriage House Development Permit Checklist*

Zoning Amendment Bylaw No. 3040 to Allow for a Carriage House at 1236 Malahat Drive”

Attachment No. 1: Plans and Parking

 <p>LOCATION PLAN not to scale</p>	<p>LEGAL ADDRESS: Lot 12, S1, 156, volume 0287, plan 41314 PROJECT DATA LEGAL ADDRESS: 1236 Malahat Drive, Comoxi PROJECT DATA: 1236 Malahat Drive, Comoxi SHEETED SETBACK: 1.5m REQUIRED</p>
 <p>SITE PLAN 1/16" = 1'</p>	<p>1236 MALAHAT DRIVE</p> <p>Drawing: Location Plan Site plan</p> <p>MEGAN TRUMBLE DESIGN</p> <p>Date: Sept. 17th 2016</p> <p>Scale: As Noted</p>

GENERAL NOTES

- 1) These drawings are the property of Megan Trumble and may not be copied or reproduced in any manner other than that defined on the drawing without written permission. All rights reserved. All work shall be done in accordance with the applicable codes, standards, and regulations.
- 2) Construction procedures and methods shall conform with the B.C. Building Code current edition, and all applicable codes, standards, and regulations.
- 3) The Contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
- 4) The Contractor shall be responsible for obtaining all necessary easements and rights of way from the appropriate authorities.
- 5) The Contractor shall be responsible for obtaining all necessary utility information and for protecting all utilities during construction.
- 6) The Contractor shall be responsible for obtaining all necessary survey information and for verifying all dimensions and locations of all services before commencing construction. Commencement of construction shall constitute acceptance of conditions as stated above.
- 7) The Contractor shall be responsible for obtaining all necessary information regarding the site and for verifying all dimensions and locations of all services before commencing construction. Commencement of construction shall constitute acceptance of conditions as stated above.
- 8) The Contractor shall be responsible for obtaining all necessary information regarding the site and for verifying all dimensions and locations of all services before commencing construction. Commencement of construction shall constitute acceptance of conditions as stated above.
- 9) All materials purchased for and delivered to the site shall remain on site.
- 10) The Contractor shall be responsible for obtaining all necessary information regarding the site and for verifying all dimensions and locations of all services before commencing construction. Commencement of construction shall constitute acceptance of conditions as stated above.
- 11) Substitutions in materials or methods of construction, when necessary because of material shortages or in order to avoid serious delays, may be made only after consultation with and approval from the design.

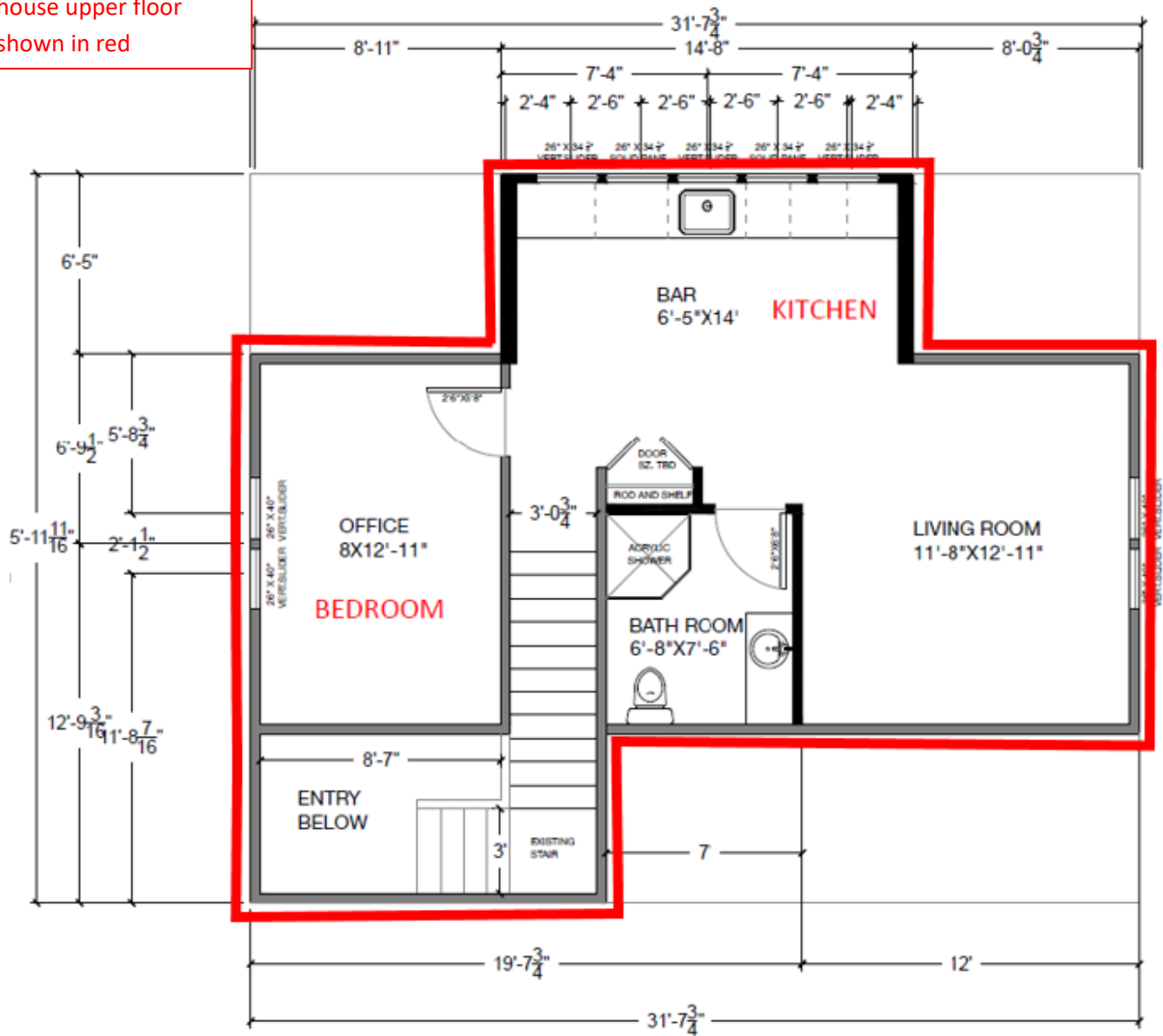
WORKMANSHIP

- 1) Workmanship shall be best quality and good trade practice, awarded by workers experienced and skilled in respective trades.
- 2) Do not employ any work person or anyone unskilled in their required trade.
- 3) Do not employ any work person or anyone unskilled in their required trade.
- 4) Do not employ any work person or anyone unskilled in their required trade.

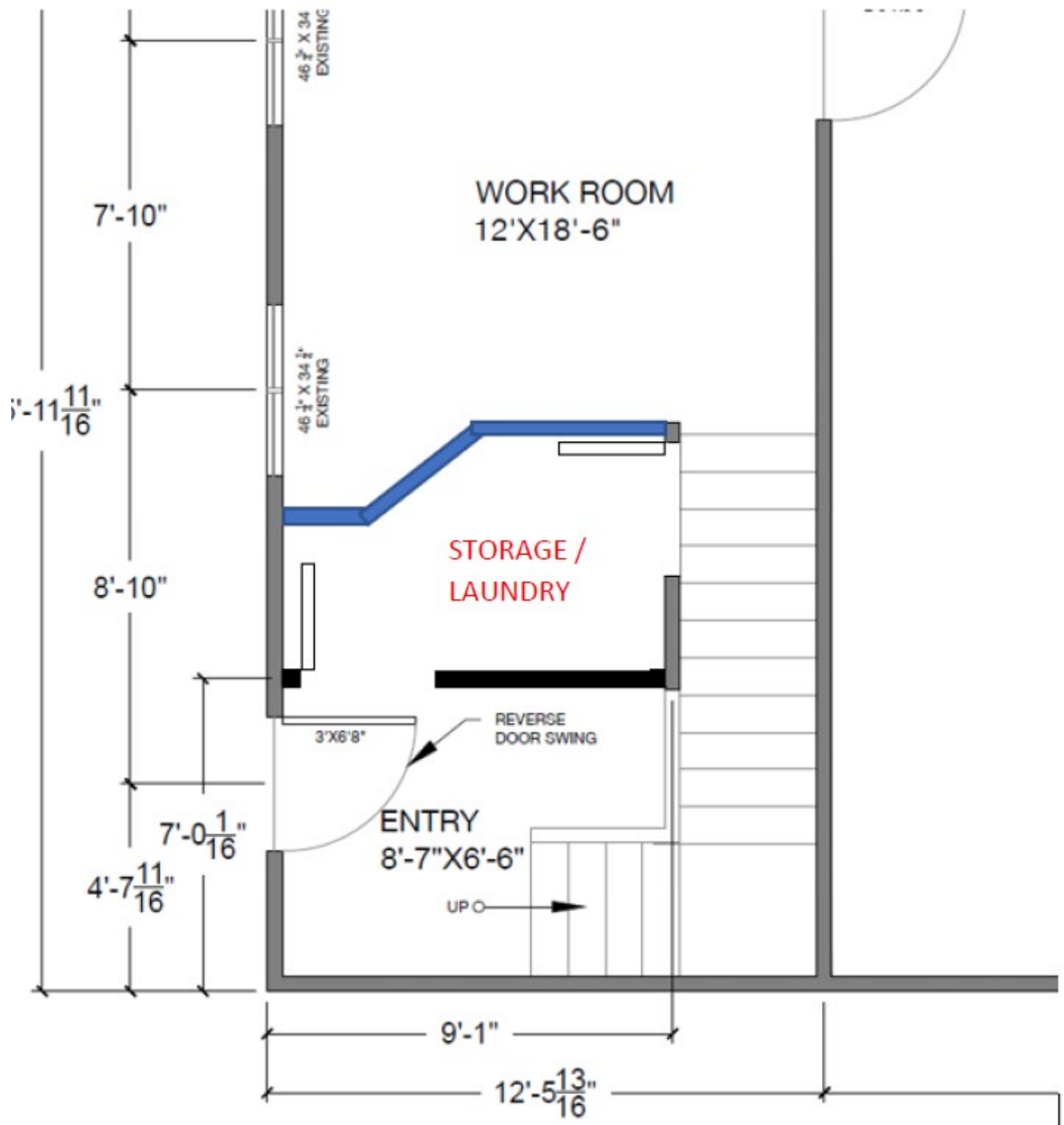
REGULATORY REQUIREMENTS - CODES/BYLAWS

- 1) The Owner and Contractor shall verify the Consultant's work or their existing conditions not shown on the drawings.
- 2) The Owner and Contractor shall verify the Consultant's work or their existing conditions not shown on the drawings.
- 3) Materials and methods to be selected and confirmed prior to construction by the Owner. All materials and methods to be installed or put into place shall be in accordance with the applicable codes and standards.

Proposed carriage house upper floor shown in red



 **Second Floor Plan**



Proposed parking plan



Attachment No. 2: Public Information Mail out Summary

July 12, 2021

City of Courtenay
Planning Department
Attention: Cassandra Marsh

RE: Zoning Application RZ000059 (1236 Malahat Drive)

The attached Public Information Mailout (PIM) letter was distributed to all residents within 100m of my property by mail or hand delivery on Tuesday, May 25. Below is the PIM feedback summary for our application (includes feedback to myself and/or City Planning):

- Comments via email: 12
- Comments via telephone: 1
- Comments via text message: 1
- Comments via mail: 2

In the 16 pieces of formal feedback I have received, 6 were in support of the application and 10 were opposed. It should be noted that one of the neighbours who expressed their opposition in writing to the City also hand-circulated an anonymous letter to homes in the neighbourhood. The same neighbour also mailed a similar anonymous letter to my home. Both letters from the “anonymous” author contain a number of false and defamatory claims. Additionally, all of the anonymous letters were delivered in envelopes with the City of Courtenay, Planning Service Department return address.

Copies of feedback that were not included in the Application Review documentation from the City sent July 5, 2021 are included at the end of my summary after the PIM letter.

Stated reasons for opposition are listed below along with my comments.

- **Parking** – Many of the opponents claim that the subject property is situated on a blind corner that makes it dangerous to drive on Malahat when cars are parked on the road. As outlined in my PIM letter, I have more than the required amount of off-street parking. I can readily accommodate up to 5 cars on paved, off-street parking. Contrary to claims made by some opponents, we can easily juggle three cars within the paved area due to the length and width of the driveway in front of the garage (partly obscured from the road by the mature cedar hedge).
- **Zoning** – Some opponents stated that they bought in the area due to the R-1 Zoning and that a “rental suite sets a precedent for more to come with that a degradation to the community atmosphere of the area”. In the Official Community Plan Update letter recently sent out by the City, two of the stated Visions and Goals are:
 - Developing with existing urban centres and neighbourhoods for walkability and to maximize existing services.
 - More housing choices such as rentals, suites, townhouses and small apartments.

I believe my application is very much in line with those goals by adding a rental space in an established neighbourhood in walking distance to major amenities without additional development.

There have been eighteen (18) R-1 to R-1S rezoning applications over the past 12 years in our area that have been approved by the City to allow for legal secondary suites (see table below). I would argue that this rate of approval has not proven to be a threat to the peace and quite that we all value. The neighbourhood remains a quiet one and a great place to raise a family.

THE CORPORATION OF THE CITY OF COURTENAY - AMENDMENTS TO THE ZONING BYLAW NO. 2500, 2007

Bylaw No.	Purpose	Date of Adoption
2587, 2009	Rezoned 1895 6th Street East from R-1 to R-1S to allow a secondary suite in a single residential dwelling	September 14, 2009
2599, 2009	Rezoned 944 Brooks Pl from R-1 to R-1S to allow a secondary suite within an existing single residential dwelling	January 11, 2010
2616, 2010	Rezoned 1781 Thorpe Avenue from R-1 to R-1S to accommodate a secondary suite in a single family residence.	May 3, 2010
2626, 2010	Rezoned 1824 Teal Place from R-1 to R-1S to accommodate a secondary suite in a single family residence.	August 3, 2010
2693, 2011	Rezoned 2325 Valley View Dr from R-1 to R-1S to accom. a secondary suite in an existing single family dwelling	May 15, 2012
2698, 2012	Rezoned 965 Nikollasen Rd from R-1 to R-1S to accommodate a secondary suite in an existing single family dwelling	June 18, 2012
2710, 2012	Rezoned 1976 Snowbird Land from R-1 to R-1S to accom. a secondary suite in an existing single family dwelling	June 18, 2012
2731, 2012	Rezoned 1890 Mallard Dr from R-1 to R-1S to allow a secondary suite in an existing SFD	February 4, 2013
2745, 2013	Rezoned 1397 Sitka Ave from R-1 to R-1S to allow a secondary suite in an existing SFD	June 17, 2013
2864, 2016	Rezoned 1066 Evergreen Ave from R-1 to R-1S to allow a secondary suite in an existing Single Family Dwelling	February 20, 2017
2872, 2017	Rezoned 1986 4th St E from R-1 to R-1S to allow a secondary suite in an existing Single Family Dwelling	June 19, 2017
2928, 2018	Rezoned 570 Washington Cres from R-1 to R-1S to allow a secondary suite	June 18, 2018
2936, 2018	Rezoned 1081 Mantle Dr from R-1 to R-1S to allow a secondary suite within an existing single family residence	October 1, 2018
2942, 2019	Rezoned 1435 Griffin Dr from R-1 to R-1S to allow a secondary suite in an existing single family residence	February 4, 2019
2969, 2019	Rezoned 1573 Hurford Ave from R-1 to R-1S to allow a secondary suite in an existing single family residence	July 15, 2019
2993, 2020	Rezoned 1028 Arrowsmith Av. from R-1 to R-1S to allow a secondary suite in an existing single family residence.	July 20, 2020
3012	Rezoned 1520 Thorpe Ave from R-1 to R-1S to allow a secondary suite in an existing single family residence.	October 5, 2020
2986	Rezoned 2129 Bluejay Pl from R-1 to R-1S to allow a secondary suite in an existing single family residence	April 19, 2021

- **Services** – Two respondents expressed concerns over the cost of additional services (sewer, water and electrical capacity) required to support the application and potential tax increase. The original accessory building construction and the more recent renovation were both completed under permit from the City and were inspected and approved by the city. The value of the secondary building is reflected in my assessed property value and therefore in the taxes I pay to the City. No new services are required with this application.
- **Property Sale/Re-sale** – Some opponents claimed that the house is currently for sale (possibly resulting in two rentals backing on to the respondent’s property) or that my only interest in seeking rezoning is to sell the property faster and for more money. Both of these statements are false, and regardless of their validity, should have no bearing on my application.
- **View** – One of the neighboring property owners bought in this area because of the “zoning and view”. They lost view of the glacier with construction of accessory building in 1991. The construction of the accessory building was done by a previous owner under permit (Building Permit #4774) from the City of Courtenay. Viewed from the respondent’s perspective, the size, shape and appearance of the building has been consistent for 30 years. My application would not change that moving forward.
- **Traffic** – Some respondents feel that my zoning amendment will increase traffic in the area. I would argue that the ongoing development in adjacent areas like Crown Isle, whose residents travel through our neighborhood to get to downtown Courtenay have a far greater impact on the traffic on our street than a potential carriage house tenant would. Also, with my oldest daughter leaving town for university this fall, our household contribution to traffic and parking will be reduced.

Sincerely,

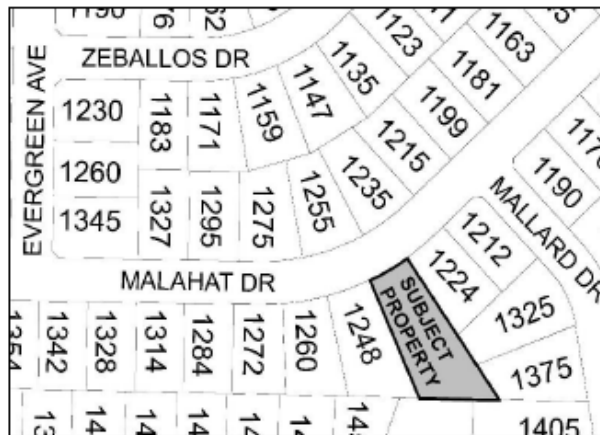
Leigh Windsor

1236 Malahat Drive

1236 Malahat Drive – Zoning Amendment Application

Dear Owner / Occupant,

We are writing to notify you of our application to the City of Courtenay for a zoning amendment. We have applied to allow a text amendment to the R-1 Zone to allow “carriage house” as a permitted use on the large residential lot (nearly 1,500 m²) on which we reside (1236 Malahat Drive, see image below). The purpose of this communication is to provide an opportunity for the public to provide feedback, ask questions and have concerns addressed prior to the application going to Council.



The City of Courtenay Zoning Bylaw (No. 2500, 2007) defines “carriage house” as *an accessory dwelling unit located on the second storey of an accessory building accessory to a single residential use which contains no interior access to any part of the accessory building below the carriage house and is located on a lot which is a single real estate entity.*



The existing accessory building at the rear of our property (see image above) was constructed by the original owners in 1991 (Building Permit #4774) and has existed as a fixture in the treed quiet space of our back yard for 30 years. In 2016/2017, we renovated the existing building including the living space above the workshop (Building Permit #13590). With minor internal modifications (removal of internal passage between the workshop and the entrance to the second floor living space), the existing accessory building and the finished space on it's second floor would meet the definition for "carriage house" in the Zoning Bylaw. This residential infill project would make a great living space for a single person or a couple and add much needed rental stock in an area within walking distance to major local amenities (North Island Hospital Comox Valley, North Island College, Comox Valley Aquatic Center, Costco as well as the concentration of shopping/retail at the crossing of Lerwick and Ryan Roads).

As the City indicates that parking and traffic concerns are raised on most rezoning applications, the images below are an illustration of the off-street parking capacity of our property. This zoning amendment application requires a total of 3 off-street parking spaces. Our long driveway, which widens in front of the garage, and the garage itself provide a minimum of 4 off-street parking spaces.



You can view the documents related to our application on The City of Courtenay Development Application Tracker website:

<https://prospero.courtenay.ca/TempestLive/ourcity/Prospero/Details.aspx?folderNumber=RZ000059>

Questions or comments can be submitted to ourselves (Leigh and Carolyn Windsor, 250-898-7619, 74lrwindsor@gmail.com) and/or 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
- Fax your comments to 250-334-4241

Please return your questions or comments by June 15, 2021.

Thanks,

Leigh and Carolyn Windsor

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

From: [REDACTED]

Sent: Wednesday, June 2, 2021 10:37 AM

To: 74lrwindsor@gmail.com

Subject: Carriage house zoning amendment 1236 Malahat Drive

We are in full support of this application. There is plenty of off street parking. The owners have done a great job on this property and we feel this type of housing availability is in high need in the city.

[REDACTED]
1460 Griffin Drive

Sent from my iPhone

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

From: [REDACTED]

Sent: Tuesday, June 1, 2021 8:55 PM

To: Leigh Windsor <74lrwindsor@gmail.com>

Subject: Feedback from [REDACTED] – 1235 Malahat Drive

Hi [REDACTED] 😊 we hope your carriage house rezoning process goes smoothly. We don't have any concerns, hope the rest of the neighbors feel the same. I bet it's quite the process. All the best!

Sent from [REDACTED] Phone.



Text Message
Fri, May 28, 1:36 PM

Hi [REDACTED] 😊 we hope your carriage house rezoning process goes smoothly. We don't have any concerns, hope the rest of the neighbors feel the same. I bet it's quite the process. All the best!

Voice mail message from [REDACTED], 1147 Zeballos Drive sent June 1, 6:59 PM. [REDACTED]

“Yeah Leigh, my name is [REDACTED], I live over on Zeballos drive, not far from you. You don't have to return my call, I just wanted to let you know and your wife know that my wife and I think it's a great idea and more power to you and I don't have any problem. My only concern is on-street parking but you got that covered so all the best and I hope it works out for you. Alrighty, have a great day.”

Attachment No. 3: Public Comments



Sat 6/5/2021 11:01 AM

[Redacted Name]

1236 Malahat Drive

To PlanningAlias

Follow up. Start by Monday, June 7, 2021. Due by Monday, June 7, 2021.

To whom it may concern,

I am a resident in the vicinity of 1236 Malahat Drive and I am writing to express my opposition to this proposed zoning change.

This property was extensively renovated and then put on the housing market for sale at nearly double the average selling price for a house in our area. The owner was unable to sell the house at this inflated value, and I believe is now attempting to use the zoning change and addition of a rentable carriage house to allow a prospective buyer to be able to qualify to pay the high price for the property.

This zoning change will artificially inflate house prices in our area, leaving many families unable to afford a house in a great family neighborhood. It will add cars to the street, and noise to the neighbours. All this will happen only to increase the sale price of one greedy owner who will leave the area and the mess it will cause.

Please do not approve this change. Valley view is a great neighborhood for families. With all the additional rental units going up in other parts of our beautiful valley, we do not need to add more suites and carriage houses in a family neighborhood.

Thank you,

[Redacted Signature]

Sent from my iPhone



Mon 6/7/2021 8:33 AM

[Redacted Name]

re-zoning 1236 Malahat Drive Courtenay BC

To PlanningAlias

Follow up. Start by Monday, June 7, 2021. Due by Monday, June 7, 2021.

Dear Sir/Madam,

Regarding the above mentioned rezoning at 1236 Malahat Drive. We purchased our property at 1099 Zeballos Drive in 1992, which is one street over from Malahat Drive. The reason we purchased this property was because the sub-division was strictly single house dwelling - R-1 zoning.

We are dead against changing the zoning to allow "carriage house". It will only increase traffic in this area and as it is at the present time we are inundated with wild speedsters on Malahat and Valley View Drives.

Absolutely against this rezoning.

[Redacted Signature]



Sat 6/5/2021 11:01 AM

[Redacted]

1236 Malahat Drive

To PlanningAlias

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This property was extensively renovated and then put on the housing market for sale at nearly double the average selling price for a house in our area. The owner was unable to sell the house at this inflated value, and I believe is now attempting to use the zoning change and addition of a rentable carriage house to allow a prospective buyer to be able to qualify to pay the high price for the property.

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Please do not approve this change. Valley view is a great neighborhood for families. With all the additional rental units going up in other parts of our beautiful valley, we do not need to add more suites and carriage houses in a family neighborhood.

Thank you,

[Redacted]

Sent from my iPhone



Sun 6/13/2021 10:49 AM

[Redacted]

1236 Zoning Amendment Application

To PlanningAlias; 74lrwindsor@gmail.com

Please be advised we support this zoning application.

Parking along Malahat does however continue to be a concern as in the intersection of Evergreen and Malahat...



Thu 6/3/2021 10:44 PM

[Redacted]

1236 Malahat Drive Zoning Amendment application

To PlanningAlias

I have received the information regarding this application for the "carriage house" up the street from me and am opposed to any further development on my street. It's bad enough now since more people are using it as an alternate route from Ryan Rd. I've lived here 13 years and have seen traffic get faster, louder and more obnoxious. The last thing we need is more vehicles and density in this area!!
A firm NO to this proposal.

Sincerely

[Redacted]



Wed 6/2/2021 4:37 PM

Zoning Amendment Application RZ000059 - 1236 Malahat Drive

To PlanningAlias; Leigh Windsor

Good day Planning Department for the City of Courtenay,

We fully support this amendment request to allow a 'Carriage House' as permitted use on the property of 1236 Malahat Drive, Courtenay. Staff and tenants of the airport where I work, continue to identify issues with suitable rental options within Courtenay (and Comox). My sole concern was identified and solved in the letter provided by the applicants. Their parking plan, although not required to be solely on their driveway, asaged my minor traffic concerns on that part of Malahat Drive. Thank you for the opportunity to review this application which we again, fully support. cheers,

1480 Griffin Drive
Courtenay, BC



Wed 6/2/2021 9:28 AM

RE: Zoning amendment proposed for 1236 Malahat Drive, Courtenay.

To Wells, Bob; PlanningAlias; 74lrwindsor@gmail.com; Theos, Manno; Morin,Wendy; McCollum, Melanie; Hillian, Doug; Frisch, David; Cole-Hamilton, Will

We purchased this property in 1990 because of the View and the Zoning and soon after we were advised by the city hall planning department that no one could ever construct a secondary building to live in as this was an area zoned for single family homes. This information was confirmed to me on two subsequent visits to City Hall when the building at 1236 Malahat was originally constructed and again when renovated by new owners.

Below find listed our objections to this change:

1] We bought in this area because of the Zoning and view [Lost view of Glacier with construction of so-called "Garage"]. If people wish to construct a carriage house, they should build or buy in properly Zoned areas.

2] House is for sale [listing 46650] possibly resulting in two rentals backing on to our property [1375 Mallard Drive].

3] House at 1236 Malahat is situated on a blind corner that makes it dangerous to drive on Malahat when cars are parked on the road.

4] Sewer system not designed for extra development.

5] We received a letter at my door from a neighbour providing information and we agree with their comments on opposing this development.

Please acknowledge receipt of this e-mail.

Thank you for your consideration in the matter.

Yours sincerely

1375 Mallard Drive
Courtenay, B.C.



Tue 6/1/2021 9:13 AM

[Redacted]

Rezoning Application 1236 Malahat Drive

To PlanningAlias

Good morning Planning,

I would like to give my support to the Zoning amendment application for 1236 Malahat Drive allowing a carriage house as a permitted use. It seems to me this is a perfect location to add a rental property into the very limited market as this is the largest lot in the neighborhood that already has a secondary building and a large driveway for parking. The proximity to NIC and the Hospital creates an ideal space for a student or young professional to live/work/study within walking distance.

Kind Regards,

[Redacted]

1362 Mallard Drive
Courtenay, BC



Tue 6/1/2021 4:38 PM

[Redacted]

1236 Malahat Dr. Zoning amend Application

To PlanningAlias

Hello,

In response to the 1236 Malahat Drive rezoning application, we would like to voice our opposition. We live in the area of Evergreen Avenue and Zeballos Drive. We live here because of how the neighbourhood currently is. Our kids go to Valley View and Mark Isfeld schools; Malahat drive and it's surroundings are our home and it is an area we love for the way it IS.

If this re-zoning application means that a precedent will now be set, it would be very unfortunate for an otherwise lovely area. Most people in this area chose to live here because they had the money to afford the bit of privacy and quiet neighbourhood that they value. We need to have areas in towns that remain that way. If lower income rentals become common in this area than its uniqueness is lost. What would be the point of working to have a house in this area if you can't count on the existing zoning that you purposely bought into?

A rental suite sets a precedent for more to come and with that a degradation to the community atmosphere of the area. We oppose it.

Sincerely,

[Redacted]

Sent from my iPhone



Mon 6/14/2021 10:55 PM

[Redacted]

Comments about 1236 Malahat Drive

To PlanningAlias

As a resident in the vicinity of the 1236 Malahat Drive in Courtenay I got a letter of notification from the applicant requesting approval of rezoning to R-1 Zone.

I strongly oppose this application.

I think this is too bad for the community and will hurt the life of people who live in.

Sincerely

Resident in the vicinity of 1236 Malahat Drive in Courtenay



Tue 6/15/2021 1:21 AM

Re: regarding 1236 Malahat Drive --Zoning Amendment Application

To PlanningAlias

From: [Redacted]
Sent: June 15, 2021 1:11 AM
To: planning@courtenay.ca <planning@courtenay.ca>
Subject: regarding 1236 Malahat Drive --Zoning Amendment Application

I am writing to the City Of Courtenay as a concerned property owner or 1463 Mallard Drive...I recieved a letter from Leigh and Carolyn Windsor of 1236 Malahat Drive to have their Carriage House in thier back yard re- zoned for a rental unitI am very conerned about the parking of additional cars in the drive way.....As it is not a double drive way and the renters car would be parked on the road....I walk by this home every day on my walk and the drive way is not set up for several cars , unless they are parked one behind each other.....There is a another house on Malahat Drive with the address of 1354 Malahat Dr. who has a Chev pick up truck Licence number [Redacted] who parks on the road and drivers who use Malahat Drive have to swing around this truck or sometimes wait for on coming cars as there is not enough room for two cars to carry on as the truck is blocking part of the road way.....This is a busy street and we do not need more cars parked on the side of the road.....

Thank you ... [Redacted] 1463 Mallard Drive [Courtenay....](#) [Redacted] [....email...](#) [Redacted]



Sun 6/13/2021 11:40 PM

1236 Malahat Drive - Zoning Amendment Application

To PlanningAlias

Dear City of Courtenay Planning Department,

We are writing with our comments about the application for zoning amendment two doors up from our house. Although we do not have any objections to an accessory dwelling on the property, we are concerned about parking on our street. The driveway at 1236 Malahat is not wide enough for side by side parking so any tenant living in the additional space will be parking on the street, as no one wants to shuttle the other residents' vehicles. The house is located right on a curve on a hill where vision is obscured. Traffic already uses Malahat as a speedway and we often see cars doing at least 70 down the hill. Cars parked on the street at this curve are always a hazard but they are usually visitors and not there for long. Guaranteed, any tenant living there will be parking on the street whenever they are home.

If this property does receive zoning amendment, then we would suggest that "Two Hour Parking Only" signage be placed on both sides of the street at the curve, namely in front of 1212, 1224, 1236, 1248, 1260 and across the street at 1215, 1235, 1255 and 1275. This would ensure that visitors and service vehicles could park temporarily but it would eliminate regular round the clock tenant parking.

[Redacted]
1260 Malahat Drive

To: City of Courtenay, Planning Service Department
830 Cliff Avenue, Courtenay B.C.

**Re: Zoning Amendment Application for Property 1236 Malahat Dr.,
Courtenay**

We are writing this letter to you, Courtenay City Council and Courtenay City Planning Department, to voice our strong objection to the rezoning application that is being requested for 1236 Malahat Drive (Application #RZ000056).

The reasons for this objection are as follows:

1) We purchased our home in this area over 20 years ago; one reason why we bought here was the existing City Plan zoning for the area. This area was designated as Single-Family residential (R-1); why must the existing plan be re-written just to appease 1 resident in the area? As well, if 1 Property is allowed to include a Rental Property, what would stop other Owners in this R-1 zone to act similarly?

2) What bylaw is in place to prevent this carriage house from becoming an AirBnB?

3) What will be the cost to the City of Courtenay, and in turn to area residents in the form of higher taxes, to improve Sewage, Water and Electrical capacity to service this 1 request? I agree to abide by the City bylaws for increasing taxes, if they follow plans that have been in place and agreed to by all area residents.

4) Malahat Drive is used to bypass the Ryan Road/Lerwick intersection, which creates a large volume of traffic for our residential road. The existing curve in the road DIRECTLY in front of this property creates a hazardous "bottleneck" for this volume of traffic. The applicant provided neighbors with an aerial view of how they would park 4 vehicles on their property. Four vehicles can be PARKED on this property, but MOVEMENT of these vehicles cannot be accomplished without parking some of the same vehicles on Malahat Drive, on the same problem curve. If this amendment is allowed, will the City regulate the parking for this home, or widen the road to alleviate this problem as it increases?

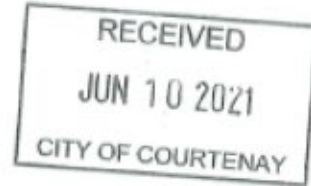
In closing, I'd like to ask City Council how we would be able to continue to trust existing City Plans, and our City Politicians, if 1 Property Owner is able to overturn existing Strategies and Plans, while others adhere to what we all accepted as our City Plan. This would make a travesty of any future Plans.

We have faith that our elected City Politicians work for the betterment of the community as a whole, and not just amend existing City plans whenever 1 individual wants to improve their property at the detriment of many others.

[REDACTED]
1394 Mallard Drive
Courtenay, B.C.
[REDACTED]

[REDACTED]
June 1/21

June 6, 2021



Mayor and Council
City of Courtenay, B.C.

Re: Zoning Amendment Application – 1236 Malahat Drive, Courtenay

Please be advised that we are opposed to the above-mentioned Zoning Amendment Application. Our property directly adjoins this property and we have serious concerns.

-The applicant renovated the property in 2016/17 with no zoning amendments. Although the renovation permit #13590 stated "minor-modification", this indeed was a MAJOR RENOVATION!

-Although the applicant indicates that he has a minimum of 4 parking spaces, this is not accurate. Only two vehicles are able to park in the driveway, any further vehicles will be required to park on the street (the picture on the applicant's application clearly confirms this)

-Malahat is a very busy street, and this property is located on a bend in the road that already obscures vision. Any added vehicles will make a current dangerous situation more dangerous and very unsafe.

-When we viewed the real estate listing <https://www.ronnillister.com/listing-detail/1006387401/1236> MALAHAT DRIVE-Courtenay-BC it confirmed our suspicion that the owners intended this "Carriage House" to be utilized as an AIR B&B. (See the sign that says "Welcome Campers"). As this property is directly in our back yard, we are very much opposed to any AIR B&B next to us.

Please consider our concerns carefully. We already have traffic concerns in our neighbourhood, and feel that approval of this re-zoning application will set a dangerous and very un-safe precedent for our area.

cc. Planning Dept. City of Courtenay

[Redacted]

1405 MALLARD DRIVE

[Redacted]

[Redacted]







Thu 9/9/2021 9:47 PM

[Redacted]

Zoning amendment

To PlanningAlias

You forwarded this message on 9/16/2021 9:06 AM.

I support a few zoning amendments:

- RZ000060 on Comox Rd and Island Highway

I think this will really help the real estate shortage and help people have places to live that are central and do not require vehicles! I especially appreciate that they are mixed use units so I hope there are both residential and commercial use units as it will hopefully also increase job opportunities.

- DP000089 & DP000084 2700 Mission road
The extra homes are needed!

- RZ000059 1236 Malahat road
This (carriage house) is a great option to increase density without affecting the area drastically.

- RZ000050 801 Ryan Road
Yes, yes, yes please! That lot needs to be used for something! Such a shame to watch it waste away. And that area really should be (by location) a central hub for our city.
That being said, the infrastructure regarding the bridges will really need to be addressed. Currently, the infrastructure is so dangerous with the likelihood of increased accidents. There will need to be a better way to move people. Increased transit will become a requirement.

Thank you so much for your unceasing work.

[Redacted]

Anonymous correspondence hand delivered to applicant, City, and neighbours (1/3) .

To the Resident Leigh Windsor of 1236 Malahat Drive Courtenay.

Leigh Windsor & Family

We live in the neighbourhood of your property and noticed the application for rezoning displayed in your front yard. I also obtained a letter from a neighbour a few homes away requesting support and approval for this change.

As you invite to convey the neighbourhood to express their view and apprehension we address our comment to you and sent a copy to the City of Courtenay, Planning Service Department 830 Cliff Avenue Courtenay BC.

We found this necessary to write you and the City of Courtenay because you are not straight forward and honest and obscure many facts to the City of Courtenay and your neighbours in the hope to pass this "REZONING"!

All in the vicinity have the right to know all the facts pros & cons prior approval of this application, and we wish you would have done so from the outset.

Nevertheless it is our hope the end the City of Courtenay, Planning Service Department will come to decision that will be just for all parties with a full honest open view with all the facts exposed.

Once this is all done in an orderly fashion and once you property is sold we wish you and your family all the best.

Truthfully From all of us!

Page 1 of 2

Courtenay May 31, 2021

RE: Zoning Amendment Application for Property 1236 Malahat Dr. Courtenay.

To the City of Courtenay, Planning Service Department
830 Cliff Avenue Courtenay BC

Anonymous correspondence hand delivered to applicant, City, and neighbours (2/3) .

As a resident in the vicinity of 1236 Malahat Drive in Courtenay we got a letter of notification requesting approval of application of rezoning to R-1 Zone.

Please read attached letter we got in the mail from the applicant.

As we are invited to express our concern regarding this “Application of REZONING” we have the following concerns and **strongly oppose this application** explaining next.

1: As outlined on page two on the letter from L. Windsor, yes the building was constructed back in 1991 intended as a workshop or storage. It was not a “Carriage House” and nowhere near intended for living-purposes as constructed originally. The previous owner sold clearly stating - **“Large workshop at back”** no mention of Carriage House.

How we know all this information? This property 1236 Malahat Dr. was on the Real Estate market from [REDACTED] WE had great interest in the property and had a few meetings with Realtors, viewed the property and had conversations with the owner Ian & Cricket Pratt. We also inquired about what it would take to upgrade the Workshop to a life-in dwelling. Contractors estimated about \$30'000 dollars just to replace the old Cedar-shingle Roof the unstable upper floor re-enforcement and the workshop Garage Door Heater that was framed in unacceptably according to building code. Also by inquiry with the City of Courtenay Planning Service Department they would not even look at an application of rezoning for this property. With this we moved on and eventually purchased another property nearby. Sometime later L. Windsor acquired the property.

Yes renovation begun in 2016-2017 to renovate the building (Workshop Garden-Shed) and was totally outfitted to a “Carriage House”. It was renovated upgraded even though no zoning changes were in place for Renovation with permit #13590.

Rezoning was not requested at that time but decided to go ahead with renovation just a little short of a full dwelling with Hot-Water & Cooking- Stove with the hope it would sale for more without the rezoning.

The applicant indicated “MINOR -MODIFICATION” for Renovation permit #13590.

Far from the truth, it was a **major** interior and exterior modification project that required Rebuilding and reinforcing the entire upper floor. The Roof- Structure was modified pushed out and inserted windows among other major framing structures. Water Supply and waste water drainage constructed all new, also electrical supply and Heading was upgraded just to mentioning a few things. This project was in the tens of thousands of Dollars not just “MINOR -MODIFICATION” and now is a Carriage House. I am sure your record of renovation permit #13590 will show this. If it was just minor modification for personal use, why was a Renovation permit acquired? All this work was done with the intent for a quick turnover and sale without re-zoning in the hopes a buyer will accept it as is under the present Zoning.

As soon as the Renovation was completed the owner put the property on the Real Estate Market.

[https://www.ronnilister.com/listing-detail/1006387401/1236 MALAHAT DRIVE-Courtenay-BC](https://www.ronnilister.com/listing-detail/1006387401/1236%20MALAHAT%20DRIVE-Courtenay-BC)

[https://www.coopergroup.ca/listing-detail/1006387401/1236 MALAHAT DRIVE-Courtenay-BC](https://www.coopergroup.ca/listing-detail/1006387401/1236%20MALAHAT%20DRIVE-Courtenay-BC)

Anonymous correspondence hand delivered to applicant, City, and neighbours (3/3) .

Page 2 of 2

The property has been (or was) nearly a year on the market with no buyer. In fact the owner - L. Windsor was repeatedly told by Realty Agents that if he could get a “REZONING” approved, the property would sell for more and faster no problem. Therefore the owner L. Windsor has submitted a rezoning application with the intent to put the property back on the market as soon as the rezoning is approved. It has become a known fact the owner has no plans to stick around. All evidence indicates that the sole purpose for the renovation & rezoning application is to sell it and move on. We feel strongly this is not right as it is solely intended for re-sale. We do not object to the sale or quick profit that might come from it, what we object is the way the proceedings moved on to this point of acquiring a rezoning. We do not object to the now “Carriage House”, we object to the now “Carriage House” for the use of rental property and application of new zoning! (More in the conclusion comments of this letter.)

2: Concern: Parking. The Applicant indicates that he has a minimum of 4 parking spaces. True, but only if you park one car behind the other not side by side as there is no space at the entry of the driveway to park side by side, only one behind the other. **The picture on the letter from the applicant confirms this fact clearly!** It has been a known practice by the owner and his family that once the third car shows up will park on the street. Why, because if car #1 needs to move all other cars need to move to get out. Therefore they just park on the street. Malahat Drive has already become a very busy street and is a major neighbourhood connector and people drive faster than usual on this stretch of road and the Property of 1236 Malahat is located right on a road-bend that obscures vision big times and with Cars parked on this location is already a hazard. If a rezoning is approved for this location for rental purposes, Cars will be parked 24/7 on the street! Guaranteed!

3: Concern: Should this Property be granted approval for rezoning, this will set a Benchmark for others in the neighbourhood to apply that will only dilapidate our community.

In Conclusion:

This is why we strongly object the re-zoning application.

The owner L. Windsor of 1236 Malahat Drive Courtenay is not straight forward with his true intention for the rezoning application and is obscuring his true motive. As explained, from the very outset the whole property (not just the Building in question) was outfitted for the purpose for Re-Sale. – Was not able to get the money with the zoning in place now, therefore the REZONING Application. Once this is approved, the Property will be on the market again GUARANTEED!

Once the REZONING is approved the Windsor Family will move away and leave the property to the next owner who might abuse this privilege. This irresponsibly can **and most likely will** result in - More Traffic / Street Parking / Cats - Dogs-barking / Loud & late -yard gatherings -just to mention a few things that will affect our quality of life with no return!

Having said all this, please consider all facts carefully. Research all of these facts for yourselves prior making a hasty decision. We trust in your professional decision making and hope for a just decision in behalf of all residents.

Sincerely
Resident's from multiple Families in the vicinity of
1236 Malahat Drive in Courtenay

NOTE! We have purposely left out Name & Address in fear of breach of “CONFIDENTIALITY”! However, should this zoning application move for approval we have no other option to come forward and pursue with the Law in Court.

Attachment No. 4: Applicant’s Rationale

April 24, 2021

Zoning Bylaw Amendment Application

Leigh & Carolyn Windsor
1236 Malahat Drive
Courtenay, BC
V9N 8B2

Summary

The goal of our rezoning application is to create additional rental stock and densification by adding “carriage house” as a permitted use on our large residential lot (nearly 1,500 m²) which is currently zoned R-1. With minor internal modifications (removal of internal passage between the workshop and the entrance to the second floor living space), the existing accessory building at the rear of our lot and the finished space on it’s second floor would meet the existing definition for “carriage house” in the Zoning Bylaw (No. 2500, 2007) and would make a beautiful living space for a single person or couple.



April 24, 2021

Zoning Bylaw Amendment Application

Leigh & Carolyn Windsor
1236 Malahat Drive
Courtenay, BC
V9N 8B2

Statement on Conformance to Affordable Housing Policy

This residential infill project will provide additional rental housing stock and densification within walking distance of major destinations in East Courtenay (North Island Hospital Comox Valley, North Island College, Comox Valley Aquatic Center, Costco as well as the concentration of shopping/retail at the crossing of Lerwick and Ryan Roads). Additionally, this rezoning application would allow for the addition of affordable rental stock within an existing, long-standing building – no demolition or new construction would be required. With minor internal modification (addition of proper cooking fixtures, cabinetry, and laundry appliances), our carriage house proposal would provide furnished (or unfurnished) living space for a single person or couple. Due to the large size of our residential lot (nearly 1,500 m²), the unit would also have a private outdoor landscaped space for the enjoyment and well-being of the tenant(s).

Statement on Conformance to Sustainability Checklist

The original accessory building was added to the property in 1991 (Building Permit #4774) and has existed as a fixture in the treed quiet space of our back yard for 30 years. In 2016/2017, we renovated the existing building including the space above the workshop (under Building Permit #13590) with the goal of addressing maintenance deficiencies (failing roof and leaking windows) and creating space for out-of-town family to stay during visits. This work was done professionally, to code, and used modern materials (HardiePlank siding, 30-year fibreglass shingle roof, Energy Star vinyl windows, etc). The plumbing fixtures were selected to minimize water consumption. All the work done has been tastefully designed and fits with the high quality and character of the main house. Our location is within walking distance of major local amenities and the local walking trail network. We are also situated on local bus routes, allowing for a range of transportation options for tenants (including walking and cycling).

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;*
 - c. *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.

Project Address: 1236 Malahat Drive, Courtenay, BC, V9N 8B2	Date: May 10, 2021
Applicant: Leigh Windsor	Signature:

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;	This zoning amendment would add a 1-bedroom rental unit in an existing building (no new construction required) in an established family neighborhood.
b) Balances the scale and massing of buildings in relation to adjoining properties;	The original accessory building was added to the property in 1991 (Building Permit #4774) and has existed as a fixture in the treed quiet space of our back yard for 30 years.
c) Complements neighboring uses and site topography;	N/A
d) Provides or supports mixed used developments or neighborhoods;	This zoning amendment would add a 1-bedroom rental unit in an existing building (no new construction required) in an established family neighborhood.
e) Promotes walking to daily activities and recreational opportunities;	Our property is within walking distance to local schools, North Island Hospital Comox Valley, North Island College, Comox Valley Aquatic Center, Costco as well as the concentration of shopping/retail at the crossing of Lerwick and Ryan Roads
f) Supports a range of incomes;	This residential infill project will provide additional rental housing stock and densification. Increased supply of rental stock should result in reduction of rental rates.
g) Is a positive impact on views and scenery;	All the work done during permitted renovation in 2016/2017 has been tastefully designed and fits with the high quality and character of the main house (same siding and colour scheme).
h) Preserves and provides greenspace, trails and landscaping;	The suite / carriage house would have use of sections of our large, private, landscaped yard. We are also within walking distance to the local trail network.

Building Design. <i>The application:</i>	Description of how the criteria are met
a) Exhibits high standard of design, landscaping and environmental sensitivity;	All the work done has been tastefully designed and fits with the high quality and character of the main house. Our landscaping in "park-like" - look at the pictures.
b) Maintains a high standard of quality and appearance;	The permitted renovation of the accessory building work was done professionally, to code, and used modern materials (HardiePlank siding, 30-year fibreglass shingle roof, Energy Star vinyl windows, etc).
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;	Shed-dormer with multiple windows was added to the existing roof line at renovation.
d) Avoids creating a strip development appearance;	N/A - accessory building is located in the rear of our large lot and cannot be seen from the road.
e) Satisfies Leadership in Energy and Environmental Design (LEED) certification (or accepted green building best practices);	N/A
f) Uses environmentally sensitive materials which are energy sensitive or have accepted low pollution standards;	Renovation used modern materials (HardiePlank siding, 30-year fibreglass shingle roof, Energy Star vinyl windows, etc). The plumbing fixtures were selected to minimize water consumption.
g) Builds and improves pedestrian amenities;	N/A
h) Provides underground parking;	N/A - existing off-street parking is available on our property.
i) Applies CPTED (Crime Prevention Through Environmental Design) principles;	N/A
Transportation. <i>The application:</i>	Description of how the criteria are met
a) Integrates into public transit and closeness to major destinations;	Our location is within walking distance of major local amenities and the local walking trail network. We are also situated on local bus routes, allowing for a range of transportation options for tenants (including walking and cycling).
b) Provides multi-functional street(s);	N/A
c) Prioritizes pedestrian and cycling opportunities on the public street system and through the site location that can provide an alternative to public road;	N/A
d) Provides or contributes towards trail system, sidewalks, transit facilities, recreation area or environmentally sensitive area;	Our location is within walking distance of major local amenities and the local walking trail network. We are also situated on local bus routes, allowing for a range of transportation options for tenants (including walking and cycling).
Infrastructure. <i>The application:</i>	Description of how the criteria are met
a) Includes stormwater techniques that are designed to reduce run-off, improve groundwater exchange and increase on-site retention;	N/A
b) Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City standards;	N/A

Character & Identity. <i>The application:</i>	Description of how the criteria are met
a) Provides a positive image along waterfront areas and fronting road;	N/A - accessory building is located in the rear of our large lot and cannot be seen from the road.
b) Is designed with quality and variety of features within the project (i.e. street furniture, street lights, signs, curb treatments);	N/A
c) Provides public and private amenity space;	N/A
d) Preserves heritage fixtures;	N/A
e) Orients to views, open space and street;	N/A
Environmental Protection & Enhancement. <i>The application:</i>	Description of how the criteria are met
a) Protects riparian areas and other designated environmentally sensitive areas;	N/A
b) Provides for native species, habitat restoration/improvement;	N/A
c) Includes tree lined streetscapes.	N/A

Attachment No. 6: Carriage House Development Permit Checklist



CITY OF COURTENAY
Planning Services
 830 Cliffe Avenue
 Courtenay, BC, V9N 2J7
 Tel: 250-334-4441 Fax: 250-334-4241
 Email: planning@courtenay.ca

COMPLIANCE CHECKLIST

DUPLEX, CARRIAGE HOUSE & SECONDARY RESIDENTIAL DEVELOPMENT PERMIT AREA

The following checklist provides a quick reference for compliance with the guidelines contained within Section 8.9 Duplex, Carriage House and Secondary Residential Development Permit Area of the City of Courtenay Official Community Plan No. 2387, 2005. Applicants are required to complete this checklist and indicate in the comment box how their proposal complies with each development permit guideline. Where an element of the design does not comply with a guideline, a justification stating the divergence and the reason shall be made. A separate sheet may be used to provide comments. **Incomplete forms will result in application delays.**

Project Address: 1236 MALAHAT DRIVE		Date: AUGUST 26, 2021	
Applicant: LEIGH WINDSOR		Signature:	
A. FORM AND CHARACTER	Yes	No	
		Comment	
1. The Orientation, scale, form, height and materials proposed for a duplex, carriage house or secondary residential unit shall reflect the positive characteristics of the surrounding neighbourhood.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CARRIAGE HOUSE AND MAIN HOME ARE SOME OF THE MORE ATTRACTIVE STRUCTURES IN THE NEIGHBOURHOOD.
2. Roofs should have articulated lines and designed to reduce the appearance of bulk of the residence on upper floors. Roof slopes with greater than 6:12 pitch are preferred, however, proposals for lower pitch rooflines with significant articulation and design interest may be considered.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROOF PITCH > 6:12. SHED DORMER EXISTS ON THE SIDE FACING INTO THE YARD.
3. The principal entrances to a duplex should be at the front of the building and should be defined by porches, dormers, port cochere, canopies or be recessed.	<input type="checkbox"/>	<input type="checkbox"/>	N/A (NOT A DUPLEX)
4. On corner lots, all street facing elevations should have an equal level of quality and design detailing. It is encouraged that an entrance to one unit is from the primary street and the entrance to the second unit on the flanking street.	<input type="checkbox"/>	<input type="checkbox"/>	N/A (NOT A CORNER LOT)
5. Design components that can make up the required architecture components include: multiple gables, dormers, bay windows, decorative shingles, wood trim, porches and verandas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROOF INCLUDES SHED DORMER W/ HARDY SHINGLES. WINDOW AND DOORS ALL WOOD TRIM.
6. Exterior finishes should be durable and have a common theme. Materials including wood, fibre cement siding, brick or stone masonry and limited amounts of stucco are appropriate. Although use of vinyl is strongly discouraged, where residences in an existing neighbourhood are predominantly vinyl-clad, vinyl may be used. Metal siding is not permitted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TRIM AND SOFFIT ALL PAINTED WOOD. SIDING A MIX OF HARDY PLANK & SHINGLE (MATCHES HARDY PLANK ON HOUSE).
7. Buildings should reflect and enhance the character of the neighbourhood by: <ul style="list-style-type: none"> • Respecting the rhythm and scale of the existing streetscape • Visually breaking the larger massing into smaller individual components • Articulating the front facades to create a sense of scale, neighborliness and architectural interest. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CARRIAGE HOUSE VERY MUCH IN CHARACTER WITH THE MAIN HOUSE. CARRIAGE HOUSE NOT EASILY SEEN FROM ROAD
8. Stepped or alternating massing should be considered in order to avoid a box-like appearance.	<input type="checkbox"/>	<input type="checkbox"/>	N/A (BEING SITUATED AT THE REAR OF THE LOT, CARRIAGE HOUSE NOT EASILY SEEN FROM ROAD).

9. Building design including the placement of windows, balconies and doors shall ensure visual privacy between residences.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EXISTING MANDORS/WINDOWS WERE REPLACED WITH NEW AND DORMER WINDOWS LOOK INTO YARD.
10. Duplex, carriage house and secondary residential development should fit into the immediate surroundings of its location and not appear visually out of character with adjacent homes or surrounding neighbourhood. To minimize the impact of a duplex, avoid wide, flat faces that dominate the street by articulating and staggering front facades to create depth and architectural interest.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EXISTING ACCESSORY BUILDING WHICH WE HAVE APPLIED TO BECOME A CARRIAGE HOUSE HAS REMAINED DIMENSIONALLY THE SAME SINCE CONSTRUCTION 30 YEARS AGO.
11. To Promote variety in design, duplex developments with front to back configurations or up and down layouts should be considered as an alternative to side by side duplex development.	<input type="checkbox"/>	<input type="checkbox"/>	N/A (NOT A DUPLEX).
12. Duplexes shall reflect the façade characteristics of single family homes.	<input type="checkbox"/>	<input type="checkbox"/>	N/A (NOT A DUPLEX)
13. Mirror image duplexes are discouraged. Varying the layout and staggering duplex units is encouraged to create architectural diversity.	<input type="checkbox"/>	<input type="checkbox"/>	N/A (NOT A DUPLEX)
B. SITING, LANDSCAPING AND SCREENING	Yes	No	Explanation of Non-Conformity / COMMENT
1. Duplexes and carriage homes should be situated to ensure the privacy of residences on adjoining properties and to retain existing significant trees where feasible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CARRIAGE HOUSE LOCATED AT REAR OF LOT (ADJACENT TO OTHER REAR YARDS) AND IS WELL TREED.
2. Carriage houses shall be situated to the rear of the property where appropriate and in keeping with the existing neighbourhood design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	STRUCTURE IS LOCATED AT THE REAR OF OUR VERY DEEP LOT. VERY MUCH IN KEEPING WITH LOCAL DESIGN COMMENT
C. PARKING AND GARAGES	Yes	No	Explanation of Non-Conformity / COMMENT
1. Where feasible, all properties which abut a lane should access the property from the lane and all parking should be in the rear yard.	<input type="checkbox"/>	<input type="checkbox"/>	N/A (PROPERTY DOES NOT ABUT A LANE)
2. For corner sites with no lane access, garages/carriage houses are encouraged to be in the rear yard with access via a driveway from the flanking street subject to approval from the City Engineer.	<input type="checkbox"/>	<input type="checkbox"/>	N/A (NOT A CORNER SITE)
3. Garage entrances are encouraged to be faced away from the street where possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	GARAGE ENTRANCES DO NOT FACE STREET
4. To reduce the amount of impervious surfaces on a lot, driveways and parking areas are encouraged to be surfaced with permeable paving material such as grassed cellular paving, porous pavers, or a comparable alternative satisfactory to the City. The width of driveways should be minimized and shared between units wherever possible.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	EXISTING DRIVEWAY AND PARKING AREAS ARE CONCRETE FROM ORIGINAL CONSTRUCTION
5. Garages incorporated into the building structure should not project beyond the front elevation. Garage doors shall incorporate windows.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	GARAGE DOES NOT PROJECT BEYOND FRONT ELEVATION AND DOORS HAVE WINDOWS
6. Detached parking garages and associated carriage houses are encouraged to be located near the rear property line, subject to zoning bylaw siting requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CARRIAGE HOUSE LOCATED AT REAR OF LOT
7. Parking and driveways shall not occupy more than 50% of the area of the front yard or, where the site has a flanking side street, not more than 50% of the area flanking side yard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DRIVEWAY AND PARKING <50% OF THE AREA OF THE FRONT YARD

D. NATURAL ENVIRONMENT & HAZARDOUS CONDITIONS	Yes	No	Explanation of Non-Conformity / COMMENT
1. Buildings and structures must be located on the portions of the site that are not environmentally sensitive.	<input type="checkbox"/>	<input type="checkbox"/>	N/A (NO PORTION OF THE SITE IS ENVIRONMENTALLY SENSITIVE)
2. The City may require that works be constructed to protect vegetation where there is a desire to preserve significant or landmark trees or where concern may be created by the development of the land.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BUILDING EXISTS WITHIN TREED AND LANDSCAPED YARD. NO TREES HAVE OR WILL BE REMOVED.
3. In areas where slopes are in excess of 30%, the City may require that tree preservation areas be established to control erosion and/or protect banks.			N/A (NO SLOPE > 30%)
4. In order to ensure adequate protection from erosion and soil instability, the City may regulate all land clearing, land grading, irrigation works, landscaping and may require hazard lands to remain free of development.			N/A (EXISTING LANDSCAPING AND IRRIGATION ARE MATURE) -> NO CLEARING REQUIRED.