



THE CORPORATION OF THE CITY OF COURTENAY

MEMORANDUM

To: Chris Marshall, Director of Development Services
From: Cassandra Marsh, Planner I
Subject: Application for Development Permit at 470 Leighton Avenue

File No.: 3060-20-2126

Date: June 9, 2022

PURPOSE:

To consider the issuance of Development Permit No. 2126 for the form and character of a new single family house and a carriage house located at 470 Leighton Avenue, in accordance with the Old Orchard Development Permit Guidelines.

BACKGROUND:

The subject property is located at 470 Leighton Avenue, and is legally described as Lot 16, District Lot 127, Comox District, Plan 3661 within the Old Orchard Development Permit Area. The property is zoned Residential Two B (R-2B) zone and 530m² (5,705ft²) in size. Formerly the property had a house on it which was sited both on 470 and 490 Leighton Avenue (this can be seen in **Figure No. 1**) and has since been demolished. The applicant plans to later construct a similar project on 490 Leighton Avenue, though at this time, no development permit applications have been made.

The applicant intends to construct a new, two-storey, 204m² (2,192ft²) house and a 32m² (345ft²) carriage house with a 32m² (345ft²) garage. The garage will have space for one car and there is another two spaces proposed on the lot to meet the parking requirements for both a single family house and carriage house.

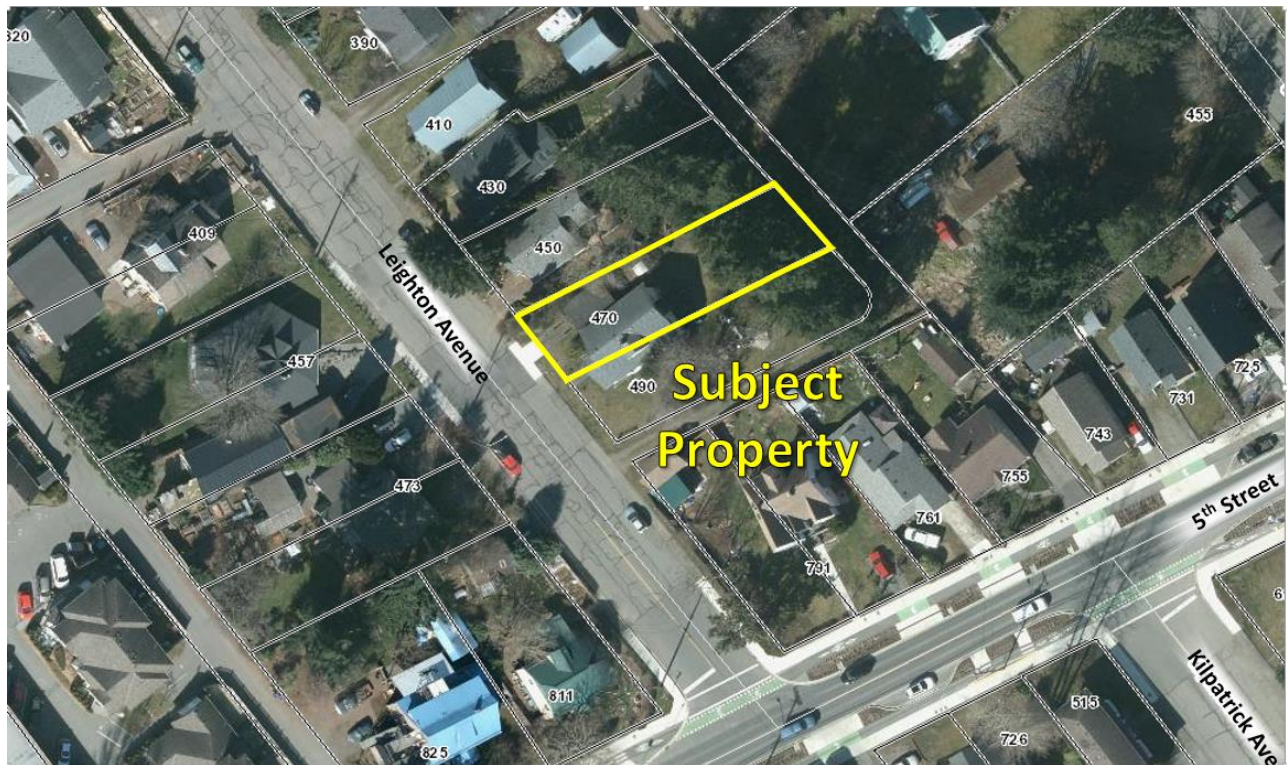


Figure 1. Subject Property

DISCUSSION:

Form and Character

The building and site design is consistent with the Old Orchard Development Permit Area guidelines.

The single family home and carriage house are both two-storey, craftsman style buildings which are consistent in design to one another and in keeping with the heritage character of the neighbourhood. A review of the applicant's plans indicates the scale, form, height, and character of the development is compatible with buildings on adjacent properties on Leighton Avenue. There are asphalt roofs, with varying pitches and the main roof has a 8:12 pitch, which is compliant with the Development Permit guidelines. The design also includes varied massing, hardi-plank siding, board and batten, gables and dormers, a variety of window sizes and shapes, glass doors, stone masonry accents, and wooden posts and beams.

Renderings of the proposed single family dwelling and carriage house are shown below in **Figures No. 2 & No. 3.**



Figure 2. Renderings of proposed house and carriage house



Figure 3. Renderings of proposed single family house (rear)

Siting, Landscaping and Screening

The main building is proposed to be sited closer to the front of the lot, allowing ample space between residences, while the carriage house is situated near the lane for easy access. Both are oriented towards Leighton Avenue. Parking is proposed in the rear, off of the lane, shown in **Figure No. 4**). No trees are proposed to be cut for this development. The applicant is proposing that the gravel parking and garage access be sited around the existing Fir trees in the rear. Existing landscaping will be retained and additional landscaping is proposed as shown in **Figure 5**.

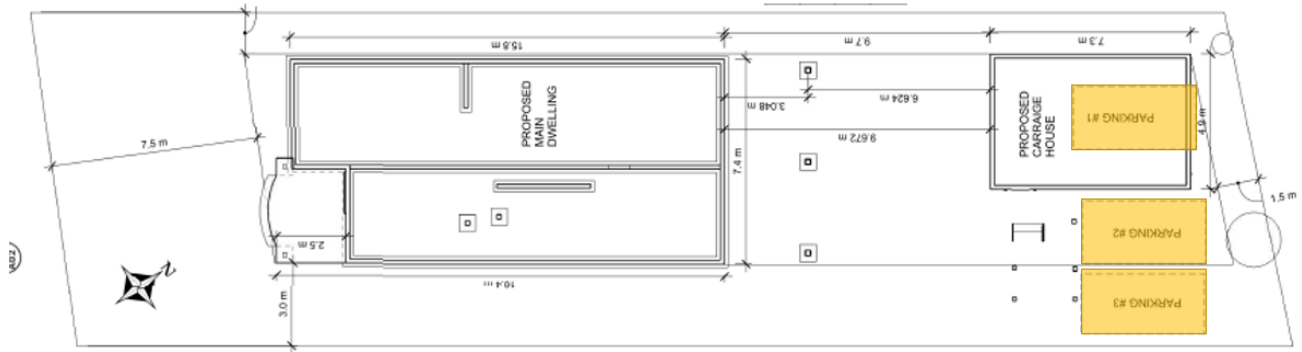


Figure 4. Site plan with parking shown in yellow.

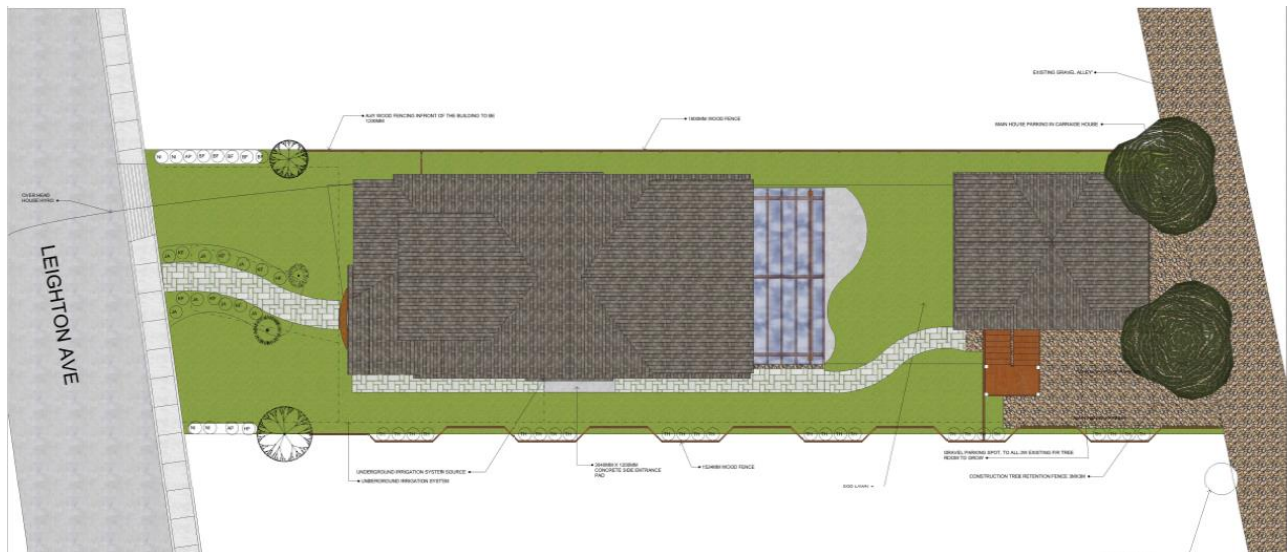


Figure 5. Landscaping for the development.

Zoning

A review of the applicant's site plan demonstrates that the proposed single family dwelling and carriage house comply with the requirements in R-2B Zone.

R-2B zone	Requirement	Proposed
Permitted Uses	Single family dwelling and carriage house	Single family dwelling and carriage house
Minimum Lot Size	365m ²	530m ²
Minimum Lot Frontage	12.0m	12.6m (existing)
Max Coverage	40%	29%
Density	0.55	0.51
Front Setback	7.5m	7.5m
Rear Setback	7.5m	18.5m
Side yard building setback	1.5m minimum 4.5m total minimum	3.0m (south) 1.5m (north)
Max. Building Height	8.0m	7.98m
Carriage House Setback (side)	1.5m	1.5m
Carriage House Setback (rear)	1.5m	1.5m
Carriage House Height	6.0m	6.0m
Carriage House Floor Area	48.0m ²	32.0m ²
Accessory Building Area	50m ²	32m ²
Parking Spaces	2 per single family dwelling 1 per carriage house	3 spaces
Max. Driveway Width	6m	5.5m
Aisle Width	7.2m	7.3m

Recommended Action:

Staff recommend approving Development Permit No. 2126.

Prepared by:



Cassandra Marsh
Planner I

Reviewed by:



Tatsuyuki Setta, RPP, MCIP, AICP
Manager of Development Planning

Approved by:



Chris Marshall, RPP, MCIP
Director of Development Services

Attachments:

Attachment No. 1: Draft Development Permit No. 2126

Attachment No. 2: Old Orchard Development Permit Compliance Checklist

Attachment No. 3: Sustainability Evaluation Checklist

Attachment No. 1 - Draft Development Permit 2126

THE CORPORATION OF THE CITY OF COURTENAY

Permit No. 3060-20-2126

DEVELOPMENT PERMIT

May , 2022

▲ **To issue a Development Permit**

To: **Name:** 1311331 B.C. LTD., INC. NO. BC1311331
 Address: 1160 4TH STREET
 COURTENAY, BC V9N 1H8

Property to which permit refers:

Legal: LOT 16, DISTRICT LOT 127, COMOX DISTRICT, PLAN 3661
Civic: 470 LEIGHTON AVENUE

Conditions of Permit:

Permit issued to allow the construction of a two-storey single family dwelling and carriage house on the above noted property subject to the following conditions:

1. Development must conform to the site plan and elevations by Perspective Design Build Ltd. dated February 10th, 2022 contained in *Schedule No. 1*.
2. Erosion and sediment control measures shall be in place as necessary throughout the site preparation and installation to ensure no sediments migrate offsite.
3. No tree removal shall occur without a tree cutting permit.
4. No alterations or amendments shall be made. If any amendments are required the applicant shall apply for either an amendment to the development permit or obtain a new development permit.

Time Schedule of Development and Lapse of Permit

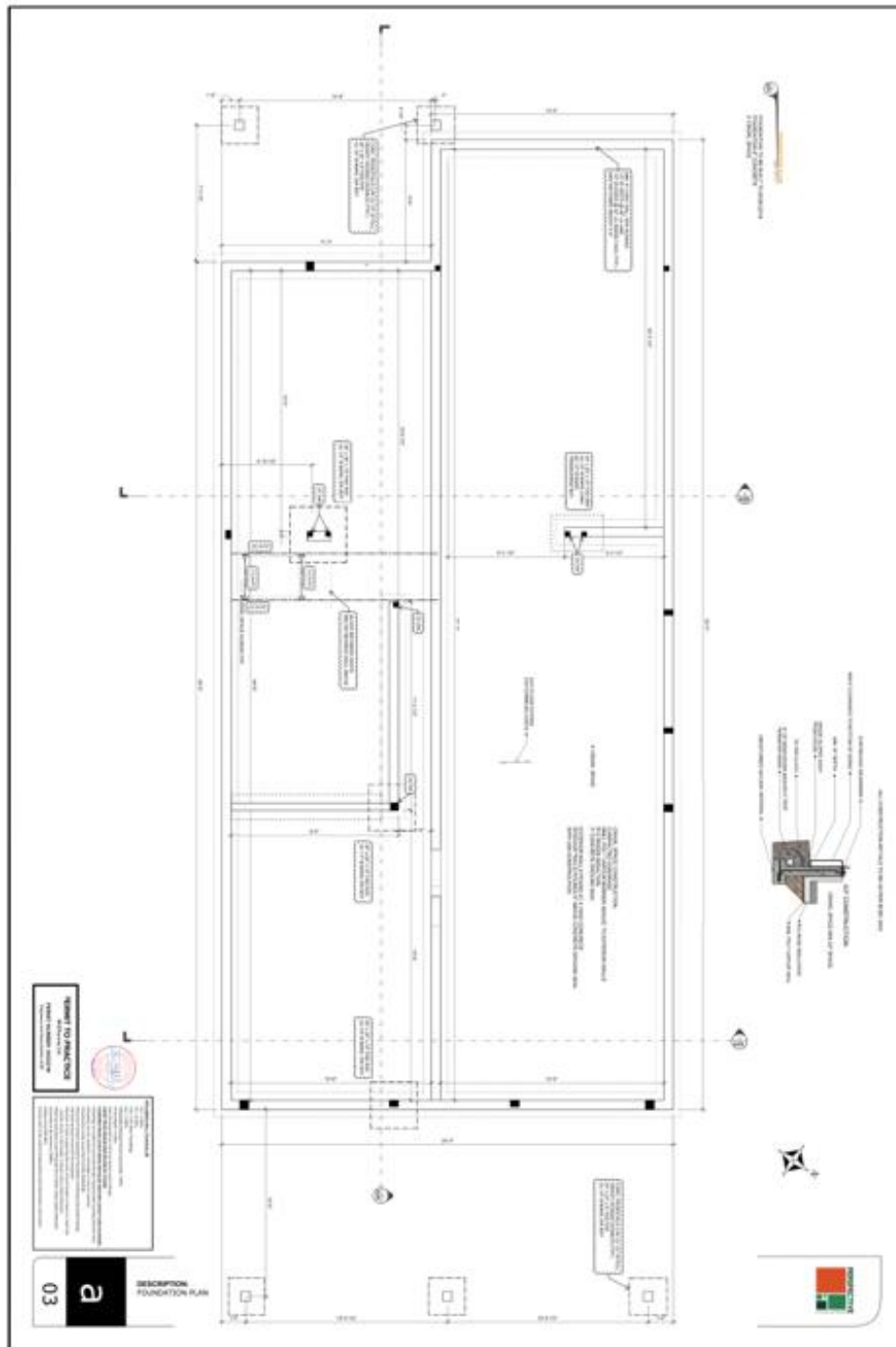
That if the permit holder has not substantially commenced the construction authorized by this permit within (12) months after the date it was issued, the permit lapses.

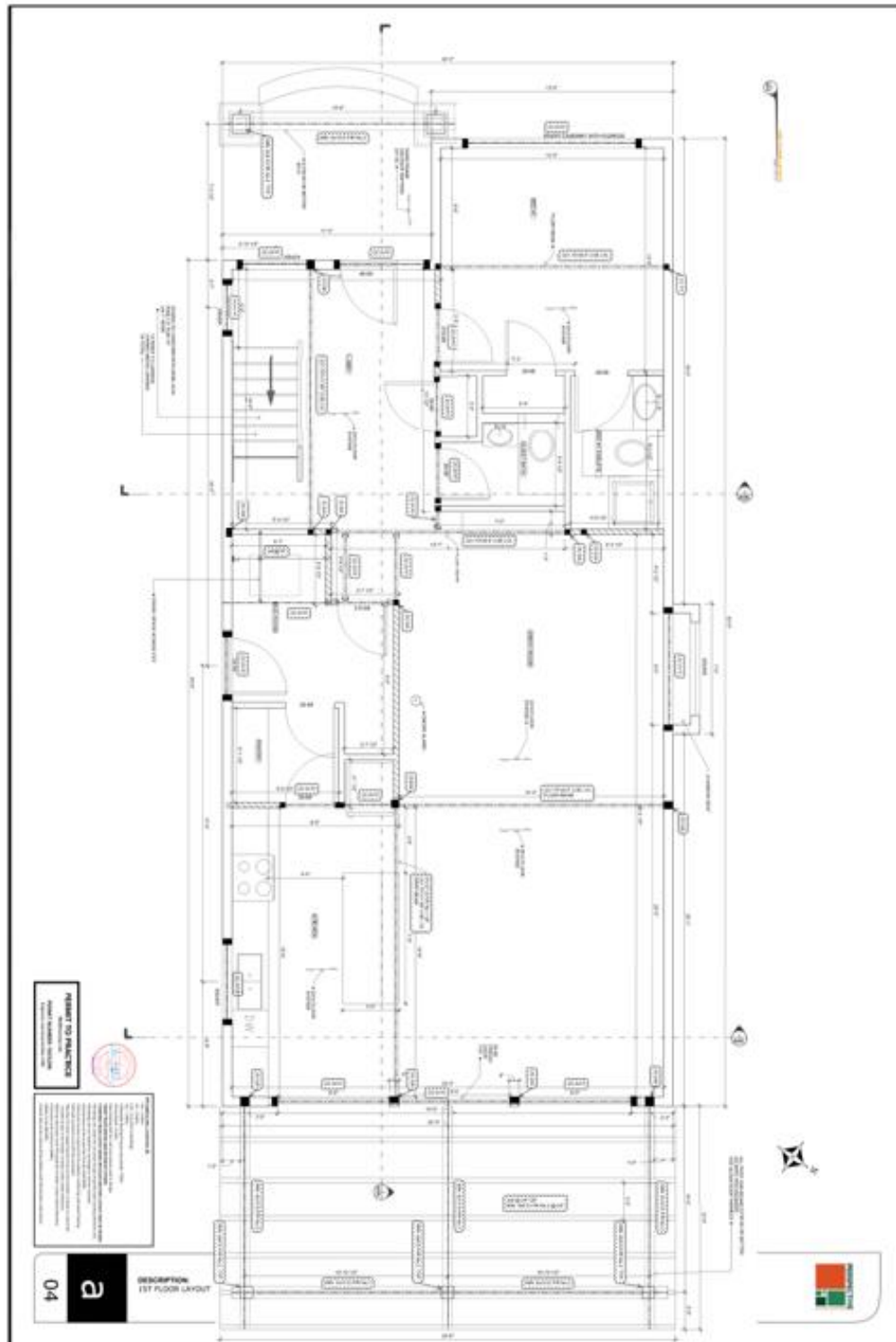
Date

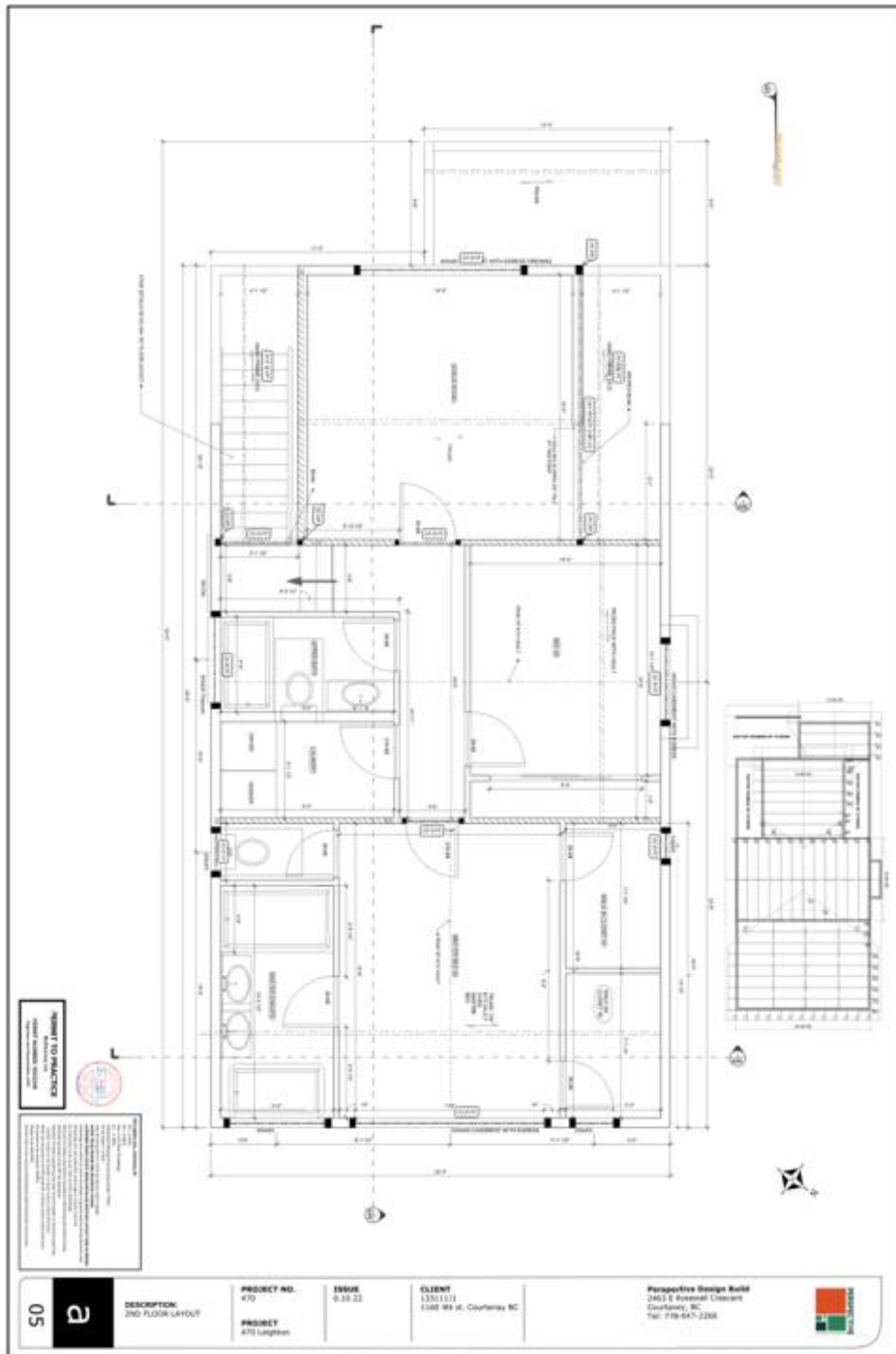
Corporate Officer

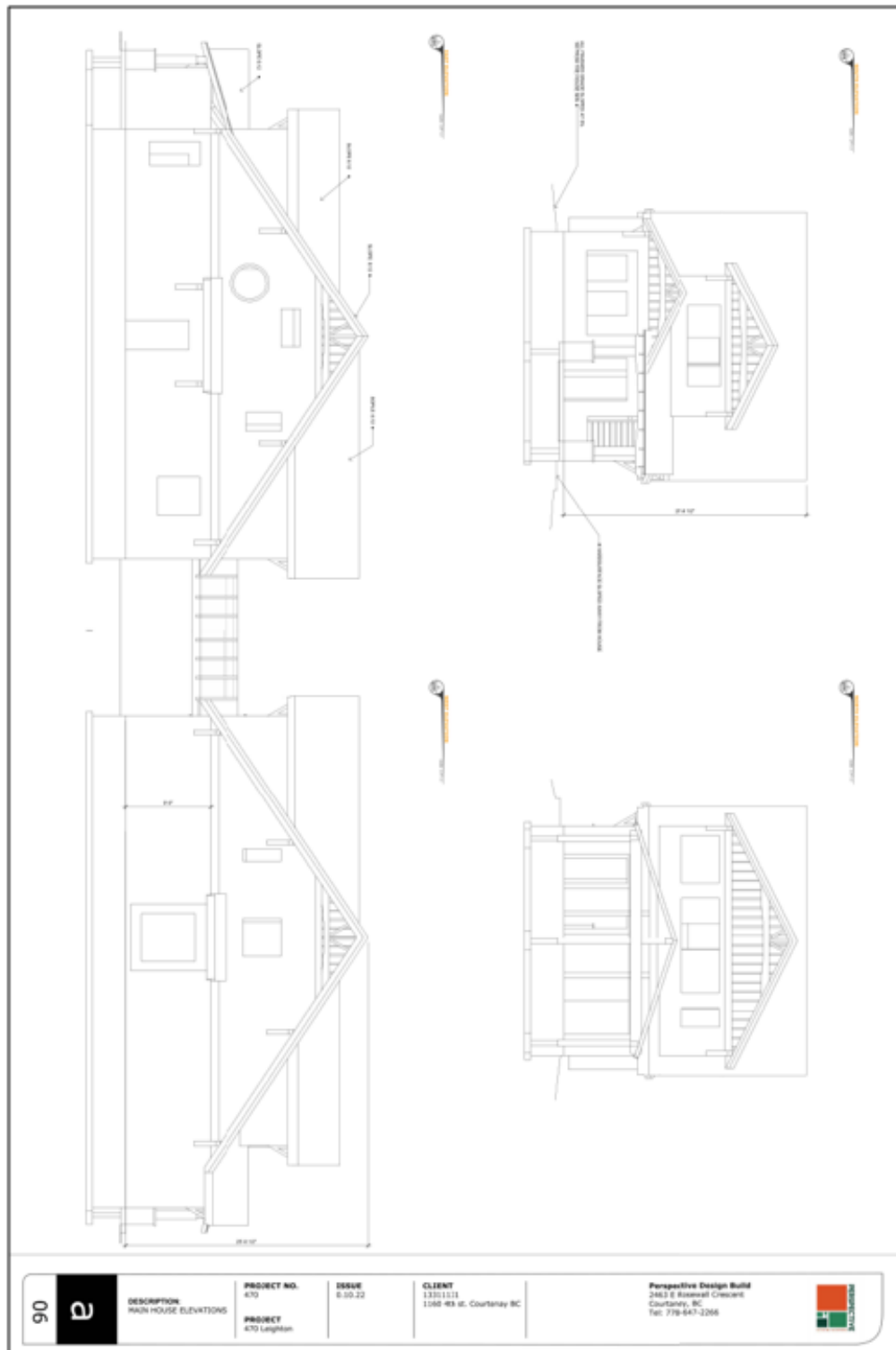


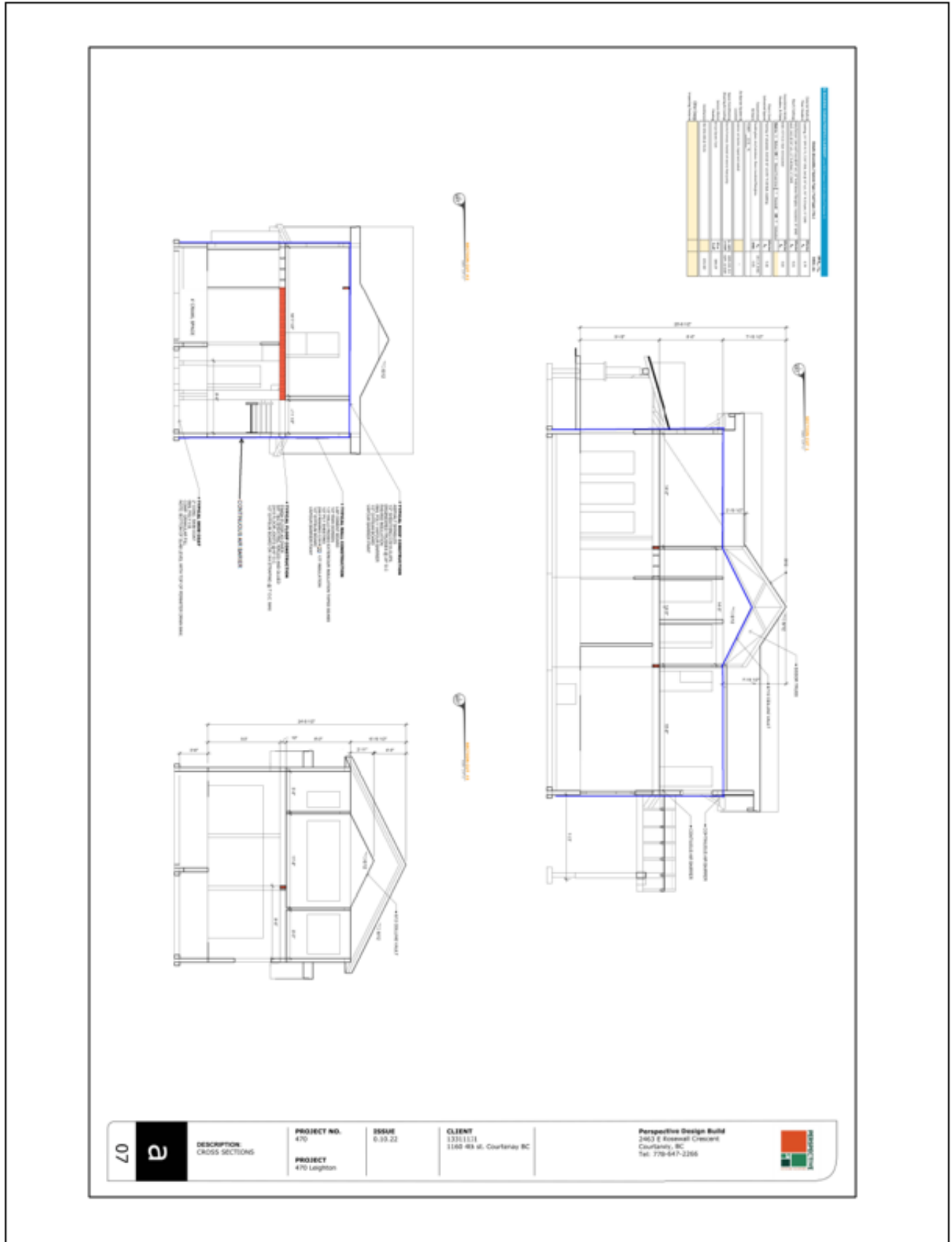




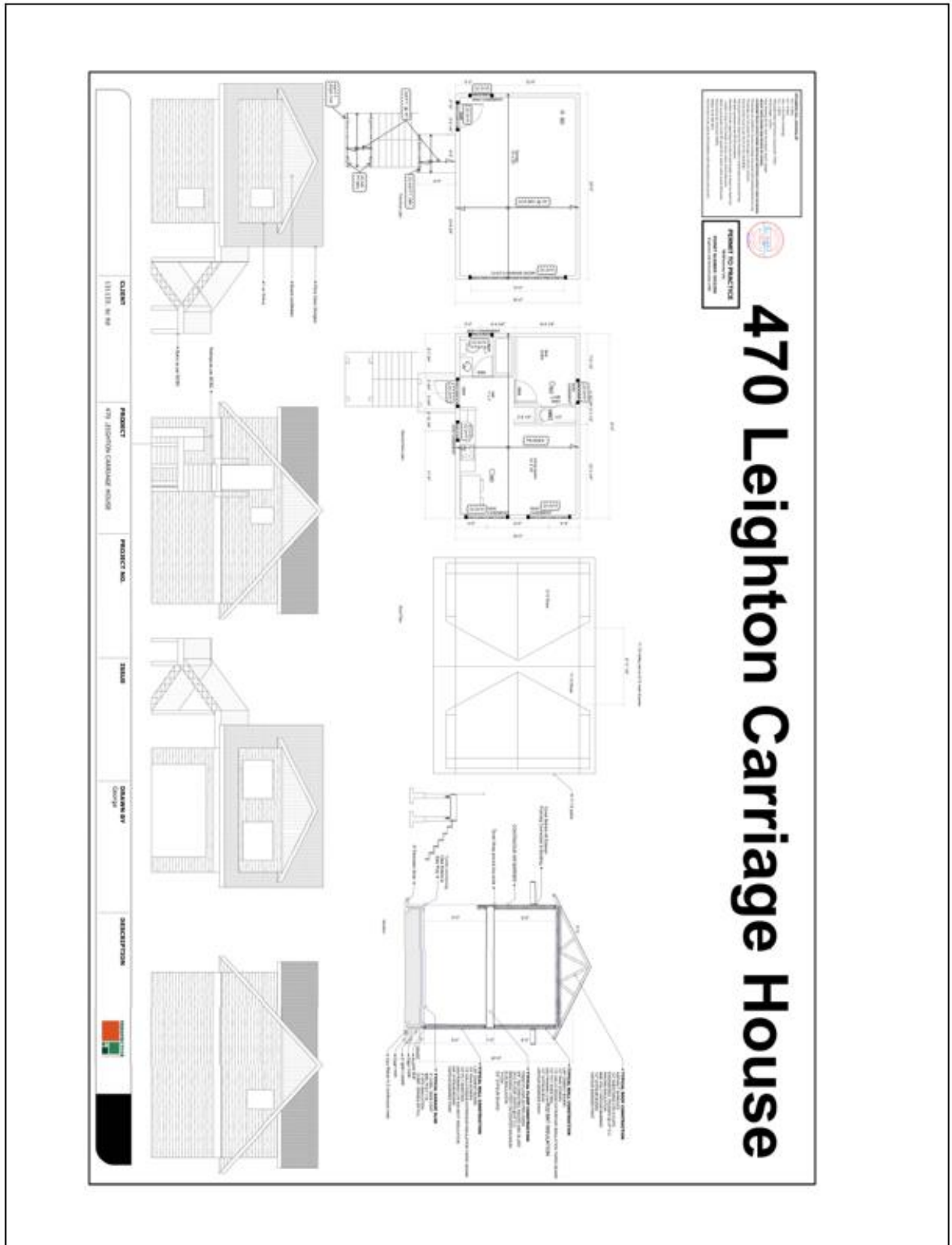


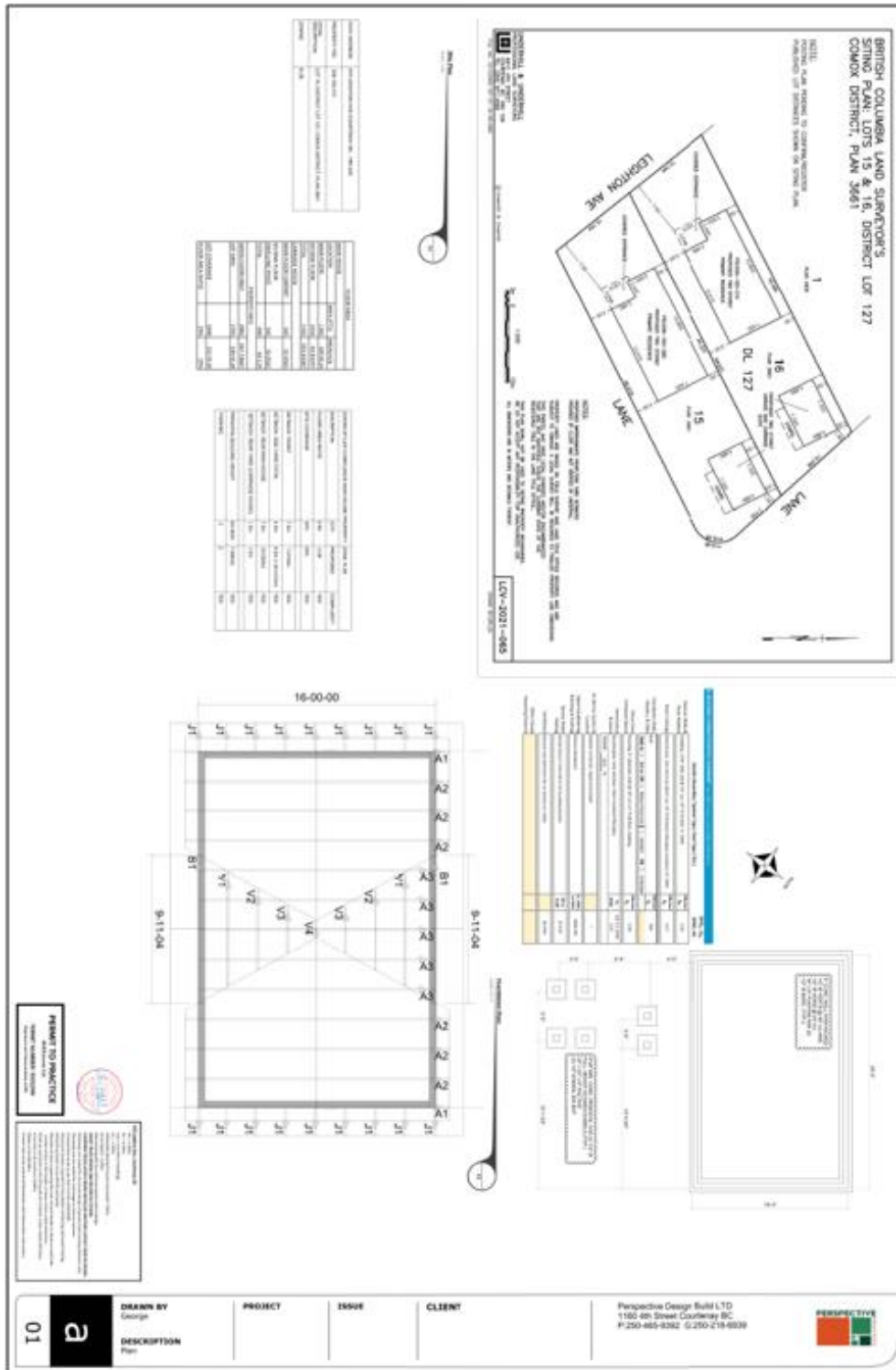






Attachment No. 2 – Old Orchard Development Permit Checklist







CITY OF COURTENAY
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COMPLIANCE CHECKLIST

OLD ORCHARD DEVELOPMENT PERMIT AREA

The following checklist provides a quick reference for compliance with the guidelines contained within Section 8.8 Old Orchard and Area 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 comment. Incomplete forms will result in application delays.

Project Address: 470 Leighton Avenue		Date: SEPTEMBER 28/2021	
Applicant: Perspective Design Build Ltd.		Signature:	
A. FORM AND CHARACTER	Yes	No	Comment
1. The Orientation, scale, form, height and materials proposed for a building or structure must reflect the heritage theme characteristics outlined for the Old Orchard and area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A combination of fibre cement siding, board & batten and stonework on a Craftsman style home
2. Roofs should have articulated lines and designed to reduce the bulk of a residence on upper floors. Roofs with slopes greater than 6:12 are preferred.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Main roof line 8:12 Dormers 6:12
3. The principal entrance to a residence should be at the front of the house and be defined by porches, dormers, port cohere, canopies or be recessed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Faces Leighton Ave with a timberframed 9'x11'6" entryway porch
4. Design components that can make up the required architecture components includes consideration of multiple gables, dormers, bay windows, decorative shingles, wood trim, porches and verandas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The design incorporates multiple gables, shingles, wood trim and a front porch
5. 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. Stucco should be limited to no more than 60 percent of exterior cladding. Vinyl and metal siding are not permitted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fiber cement siding, cedar shingles and stone masonry accents
6. The design and finishing around windows and exterior doors should visually enrich the building elevation. Windows and doors should be articulated with trim. Nail-on metal windows set flush with adjacent cladding (such as stucco) without trim or adequate equivalent detailing is strongly discouraged. Generally, treatment around all windows and doors should be of a consistent and coordinated design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The door and window trim are articulated with sills and complementary colour and design
7. Buildings should reflect the preferred heritage character 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. • Articulate the front facades to create, a sense of scale, neighbourliness, and architectural interest. 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2 storey building similar to others in the area with extra care taken in creating a sense of scale, neighbourliness and architectural interest
8. Building design including the placement of windows, balconies and doors shall ensure visual privacy between residences.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Majority of windows face Leighton Ave and the rear laneway

B. SIGNAGE	N/A	Yes	No	Explanation of Non-Conformity
1. All signs shall conform to the City of Courtenay Sign Bylaw No. 2760, 2013 and all amendments thereto.	<input type="checkbox"/>	<input type="checkbox"/>		
C. SITING, LANDSCAPING AND SCREENING	Yes	No	Explanation of Non-Conformity	
1. A landscaping plan, drawn to scale and showing the type, size and location of proposed landscaping, shall be submitted as part of the Development Permit application and the landscaping shall be completed within 1 year of occupancy of the residence.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
2. The maintenance and planting of fruit and nut trees are encouraged to reflect the neighbourhood's heritage as much of the area was an orchard prior to becoming a residential subdivision.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
3. Landscaping and screening elements should incorporate water conserving landscape principles.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
4. Residential dwelling units shall be situated to ensure the privacy of residences and adjoining properties and to retain existing significant trees when feasible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
5. Consideration shall be given to shared driveways and pedestrian access to the street from each residence.	<input type="checkbox"/>	<input type="checkbox"/>	N/A	
6. The City will require the following minimum depth of topsoil or amended organic soils on all landscaped areas of a property: • shrubs – 450 mm • groundcover & grass – 300 mm • trees – 300 mm around and below the root ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
D. PARKING AND GARAGES	Yes	No	Explanation of Non-Conformity	
1. All properties which abut a lane should access the property from the lane and all parking should be in the rear yard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
2. On all properties that do not abut a lane, access should be provided from the street via a driveway beside the principal building. Garages are encouraged to be located beside or to the rear of units, and should be recessed behind the front façade.	<input type="checkbox"/>	<input type="checkbox"/>	N/A	
3. To reduce the amount of impervious surfaces on a lot, driveways and parking areas are encouraged to be surfaced with a permeable paving material such grassed cellular paving, porous pavers, or a comparable alternative satisfactory to the City.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
4. Garages incorporated into the building structure should not be placed at the front of the building and should not project beyond the front elevation. Garage doors should incorporate windows.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
5. For corner sites with no lane access, garages are encouraged to be in the rear yard with access via a driveway from the flanking street subject to the approval of the city Engineer. Garage entrances are encouraged to be faced away from the street where possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
6. Detached parking garages located near the rear property line are encouraged to allow for permeable surfaces and landscape areas in rear yards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

7. The area between a parking space or driveway and the property line shall be fully landscaped.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. Parking and driveways shall not occupy more than 50% of the front yard area.	<input type="checkbox"/>	<input type="checkbox"/>	N/A no front driveway
E. NATURAL ENVIRONMENT & HAZARDOUS CONDITIONS	Yes	No	Explanation of Non-Conformity
1. Buildings and structures must be located on the portions of the site that are not environmentally sensitive.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	New structure to utilize most of the same area as the previous structure on the property
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"/>	
3. In order to provide for the protection of and access to natural features and to promote pedestrian rather than vehicular access in as many areas as possible, public trails must be continued, created and secured. The City may require or accept the grant of public trails as a condition of subdivision or development permit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. In areas where slopes are in excess of 30 percent, the City may require that tree preservation areas be established to control erosion and/or protect banks.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
5. In order to ensure adequate protection from erosion, soil instability the City may regulate all land clearing, land grading, irrigation works, landscaping, and may require hazard lands to remain free of development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
F. DUPLEX	Yes	No	Explanation of Non-Conformity
1. A duplex development should fit into the immediate surroundings of its location and not appear visually out of character to the adjacent homes. 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 type="checkbox"/>	<input type="checkbox"/>	
2. To promote variety in design, duplex developments with front to back configurations or up and down layouts should be considered as an alternative to the common side by side duplex development.	<input type="checkbox"/>	<input type="checkbox"/>	
3. Duplexes should relate to the façade characteristics of single family homes.	<input type="checkbox"/>	<input type="checkbox"/>	
4. Varying the layout and staggering duplex units is encouraged to create architectural diversity.	<input type="checkbox"/>	<input type="checkbox"/>	
5. On corner lots, all street facing elevations should have an equal level of quality of design and 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"/>	
6. To reduce the amount of impervious surfaces on a lot, driveways should be minimized in width and shared between units wherever possible	<input type="checkbox"/>	<input type="checkbox"/>	

G. MULTI RESIDENTIAL, COMMERCIAL & INDUSTRIAL N/A	Yes	No	Explanation of Non-Conformity
1. Multi residential, commercial, and industrial buildings in this neighbourhood must complement the residential heritage character of the area that is reflected in the traditional elements of the predominant architectural styles found in the character residences of the Old Orchard and Area.	<input type="checkbox"/>	<input type="checkbox"/>	
2. Variety, continuity, and pedestrian interest should be expressed in the design of buildings, especially at the ground level. Monolithic structures and long expanses of straight walls must be avoided. The use of dormers, bay windows, balconies and other forms of building articulation are encouraged.	<input type="checkbox"/>	<input type="checkbox"/>	
3. Multi residential, commercial and industrial buildings must be designed in context with surrounding low density residential buildings. Massing should step down as the building nears street frontages and adjacent properties.	<input type="checkbox"/>	<input type="checkbox"/>	
4. Windows which are divided into smaller paned sections by wood or metal muntins or transoms are supported. Large expanses of glass are not encouraged.	<input type="checkbox"/>	<input type="checkbox"/>	
5. Signage shall be consistent and enhance the neighbourhood's heritage character.	<input type="checkbox"/>	<input type="checkbox"/>	
6. Mechanical equipment shall be appropriately screened and buffered to reduce any negative visual and acoustical impacts.	<input type="checkbox"/>	<input type="checkbox"/>	

Attachment No. 3 – Sustainability Evaluation Compliance Checklist



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SUSTAINABILITY EVALUATION

COMPLIANCE CHECKLIST

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

The Sustainability Evaluation Checklist Policy states: *Proposed developments will be considered where a development:*

- provides substantial benefits to the City;*
- will not negatively impact on the City's infrastructure, neighborhood or environment;*
- new development that supports destination uses such as the downtown, Riverway Corridor or a Comprehensive Planned Community;*
- Meets applicable criteria set out in the OCP.*

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

Project Address: 470 Leighton Ave	Date:
Applicant: Perspective Design Build Ltd.	Signature:
APPLICATION REQUIREMENTS To be filled out by applicant	
Land Use. The application:	Description of how the criteria are met
a) Provides a mix of housing types and sizes;	n/a
b) Balances the scale and massing of buildings in relation to adjoining properties;	The proposed 4 bedroom house is in keeping with the scale of the neighbourhood
c) Complements neighboring uses and site topography;	The proposed 4 bedroom house is in complements the site as well as the surrounding neighbourhood
d) Provides or supports mixed used developments or neighborhoods;	n/a
e) Promotes walking to daily activities and recreational opportunities;	The proposed home is centrally located
f) Supports a range of incomes;	n/a
g) Is a positive impact on views and scenery;	Replacing an old derelict home with a beautiful new Craftsman style home with complementary landscaping is very positive
h) Preserves and provides greenspace, trails and landscaping;	Any existing landscape that can be preserved will be and other landscaping will be complementary to the surroundings

Building Design, <i>The application:</i>	Description of how the criteria are met
a) Exhibits high standard of design, landscaping and environmental sensitivity;	The Craftsman style plan has been thoughtfully designed to the highest standards. Landscaping that is carefully planned to insure water conservation, blend with its immediate surroundings and consist of native plantings where possible
b) Maintains a high standard of quality and appearance;	Yes
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;	Yes
d) Avoids creating a strip development appearance;	Yes
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;	All materials proposed have been carefully planned to insure longevity to reduce waste, and where possible are energy sensitive with low pollution standards.
g) Builds and improves pedestrian amenities;	n/a
h) Provides underground parking;	n/a
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;	The project is close to public transit and has a very high walkability rating being only minutes from downtown.
b) Provides multi-functional street(s);	n/
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;	n/a
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;	
b) Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City standards;	

Character & Identity, <i>The application:</i>	Description of how the criteria are met
a) Provides a positive image along waterfront areas and fronting road;	The proposed home and landscaping will provide a very positive image along the fronting 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;	Yes
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;	The landscape plan will incorporate native species where possible
c) Includes tree lined streetscapes.	n/a