



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3360-20-2112

From: Chief Administrative Officer

Date: August 29th, 2022

Subject: Zoning Amendment Bylaw No. 3058 to allow for a carriage house at 440 13th Street

PURPOSE:

The purpose of this report is for Council to consider an application to rezone the property located at 440 13th Street from Residential Two A Zone (R-2A) to Residential One E Zone (R-1E) a Zoning Amendment Bylaw to permit a carriage house on the subject property.

CAO RECOMMENDATIONS:

THAT based on the August 29th, 2022 staff report "Zoning Amendment Bylaw No. 3058 to allow for a Carriage House at 440 13th Street" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3058, 2022; and,

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3058 on September 19th, 2022 at 3:15pm.

Respectfully submitted,

Geoff Garbutt M.Pl., MCIP, RPP

Chief Administrative Officer

BACKGROUND:

The subject property is an approximately 1,115m² (0.27 acres) residential lot legally described as Lot 3, Section 41, Comox District, Plan 8140. The property is currently zoned Residential Two A (R-2A) and is located in West Courtenay and contains a single-family house and an accessory building. (**Figure 1**). The applicant is proposing a carriage house on the rear of the property. The property runs the length between 13th and 14th Street, which will allow access to the carriage house from 14th Street. The building renderings are shown in **Figure. No. 2**. The proposed carriage house is 44.0m² (473ft²) in size and includes one bedroom, one bathroom, a laundry room, kitchen, and living room (see **Attachment No. 1**).

The R-2A zone does not permit a carriage house as a use. The applicant is proposing to rezone to R-1E which is intended for compact infill residential development, and permits carriage houses on lots greater than 600m².

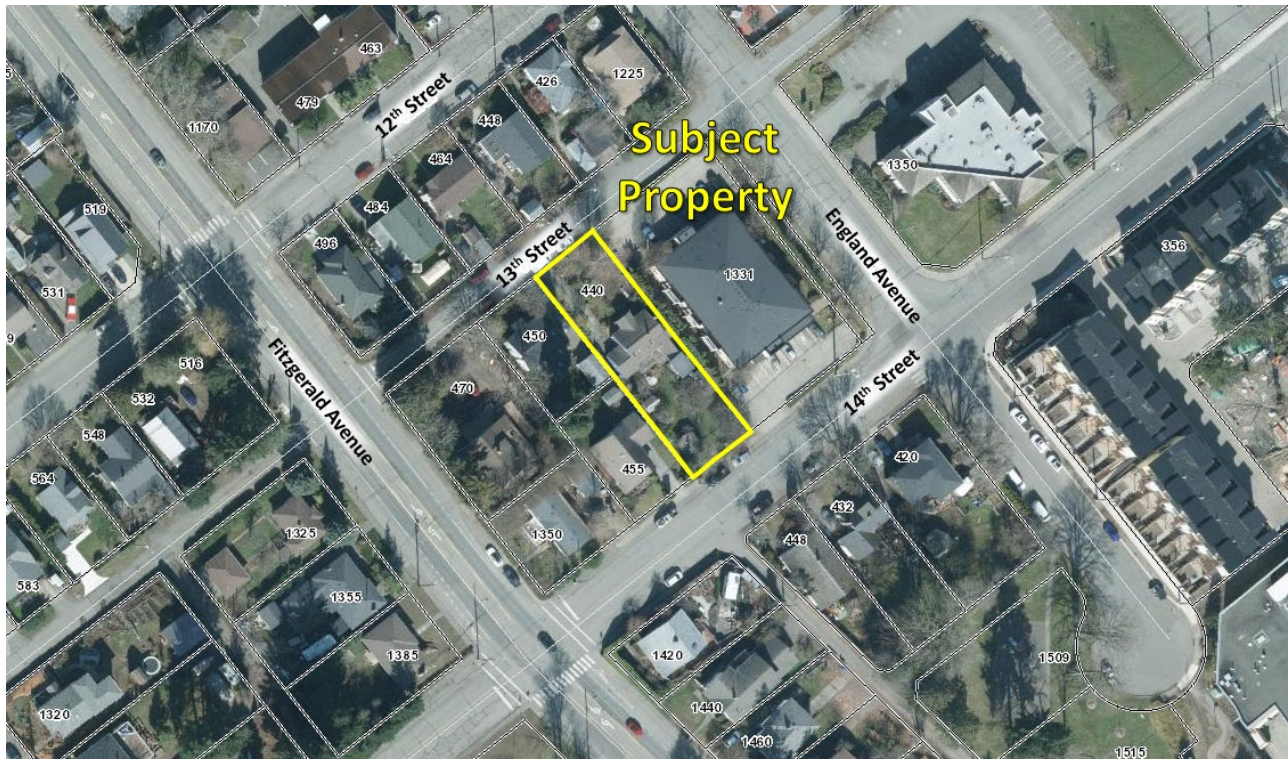


Figure 1. Context map with the Subject Property outlined in yellow.



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 supports 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.

Should Council grant a rezoning, the carriage house will be subject to a Form and Character Development Permit. Staff have reviewed the existing building relative to the Development Permit Checklist for carriage houses and find the existing building compliant with the guidelines. The orientation, and placement of windows and doors is such that it enhances privacy between residences. The roof has varying pitch and the design would add visual interest to the site. The trim and soffits are vinyl, while the siding is Hardie plank and the roof is asphalt shingle.

Zoning Review

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

Table 1: Zoning Analysis

	Proposed R-2A Zone	Proposal Details
Permitted Uses	Single residential dwelling with a suite, or secondary residence, or carriage house.	A single residential dwelling and a carriage house
Max. Lot Coverage	40%	18%
Max. FAR	0.7	0.31
Min. Lot Size	600 m ² (for a SFD with a carriage house)	1,115 m ²
Min. Lot Frontage	10.0 m	17.0 m
Front Setback	6.0 m	Existing
Rear Setback	1.5 m (carriage house)	6.4 m
Side Setback	1.5 m minimum	3.1 m
Building Height	6.5 m (carriage house)	6.4 m
Landscape and Screening	A vegetated buffer that will reach 3.0m in height at maturity on pre-existing property lines.	Buffer required only along southern* property boundary 3.0m in height 1.5m in width
Min. Parking Spaces Per Residential Unit (Section 7)	2 per SFD and 1 per carriage house (3 total)	3 total

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, Form and Character Development Permit 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 Development Permit and Building Permit applications 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. This is in keeping with the Urban Residential areas in OCP Bylaw No. 3070, where gentle infill is supported in order to provide a greater variety in housing choices.

REGIONAL GROWTH STRATEGY REFERENCE:

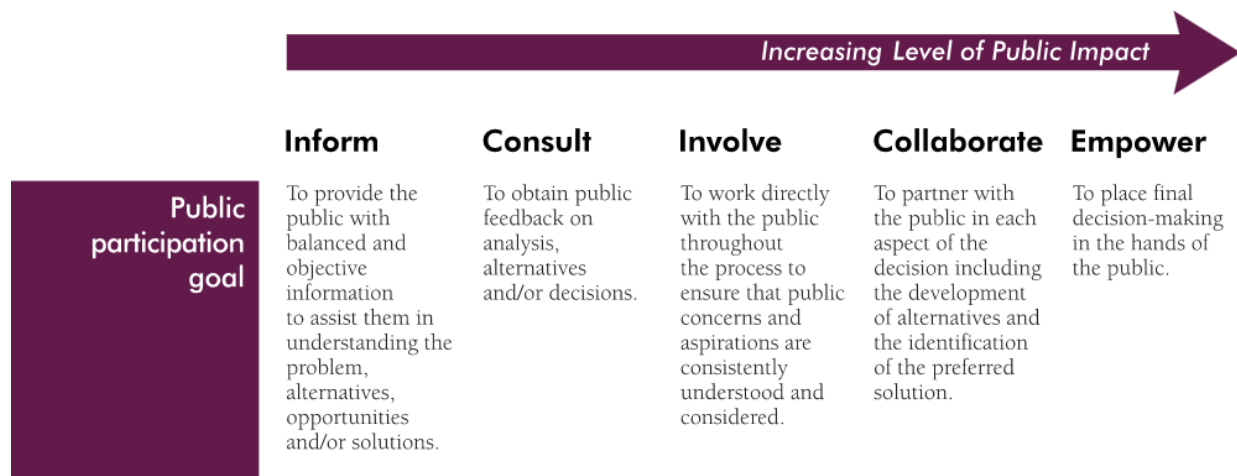
The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

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 Alternative Development Information Meeting process. The information provided to neighbours and the summary of the process can be found in **Attachment No. 2**.

The applicant received 3 verbal comments. Of these, all were in support. The City received 3 responses from the public. Of the responses received by the City, 2 were in support, and one was neither for or against the proposal, but seeking more information. Public comments can be found in **Attachment No. 3**.

OPTIONS:

OPTION 1: (Recommended)

That based on the August 29, 2022 staff report “Zoning Amendment Bylaw No. 3058 to Allow for a Carriage House at 440 13th Street” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3058, 2022; and,

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3058 on September 19th, 2022 at 3:15pm.

OPTION 2: Defer consideration of Bylaw No. 3058 with a request for more information.

OPTION 3: Defeat Bylaw No. 3058.

Prepared by:

Cassandra Marsh
Planner II

Reviewed by:

Chris Marshall, RPP, MCIP
Director of Development Services

Concurrence by:

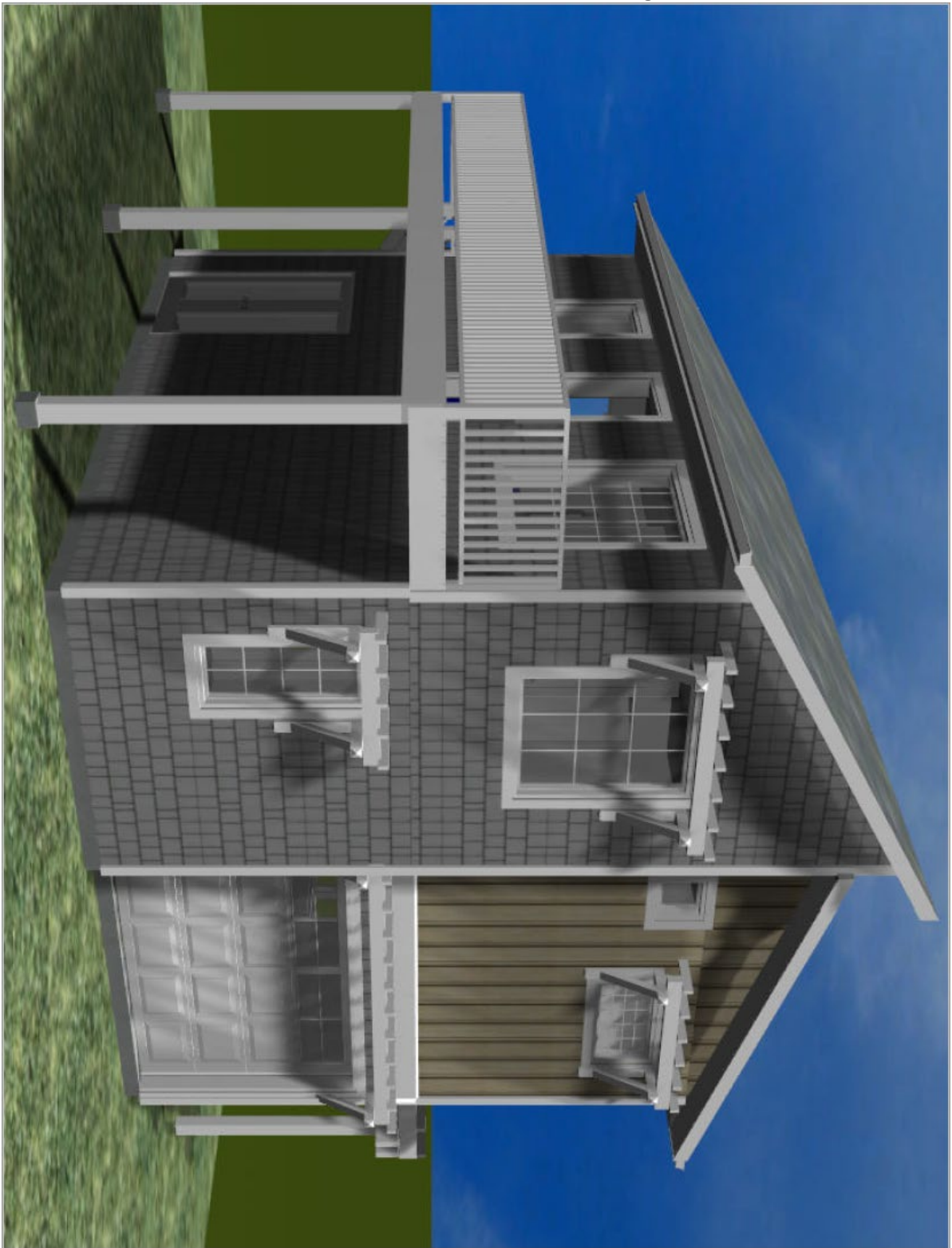


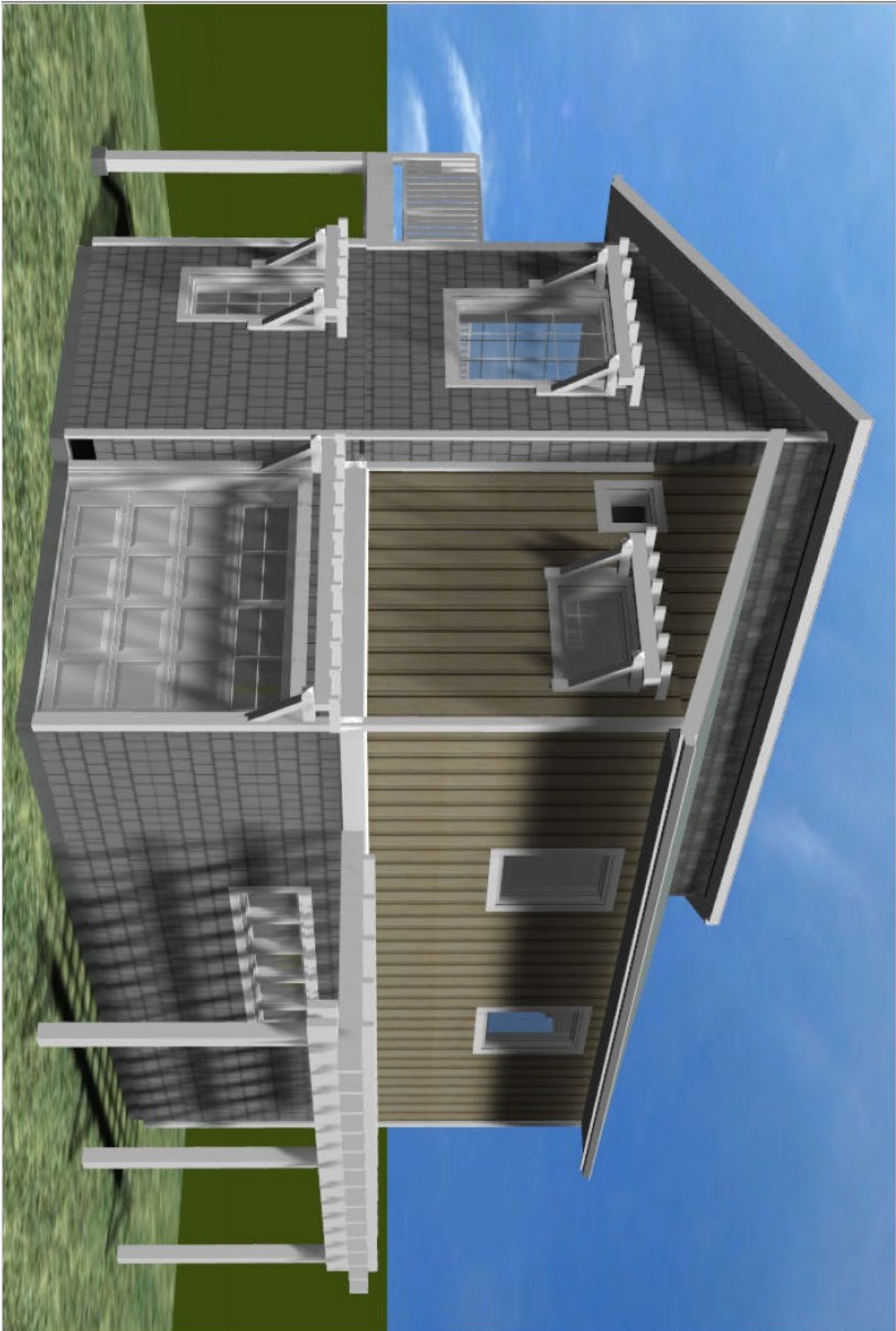
Geoff Garbutt, M.Pl., MCIP, RPP
Chief Administrative Officer

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*

Attachment No. 1: Plans and Parking

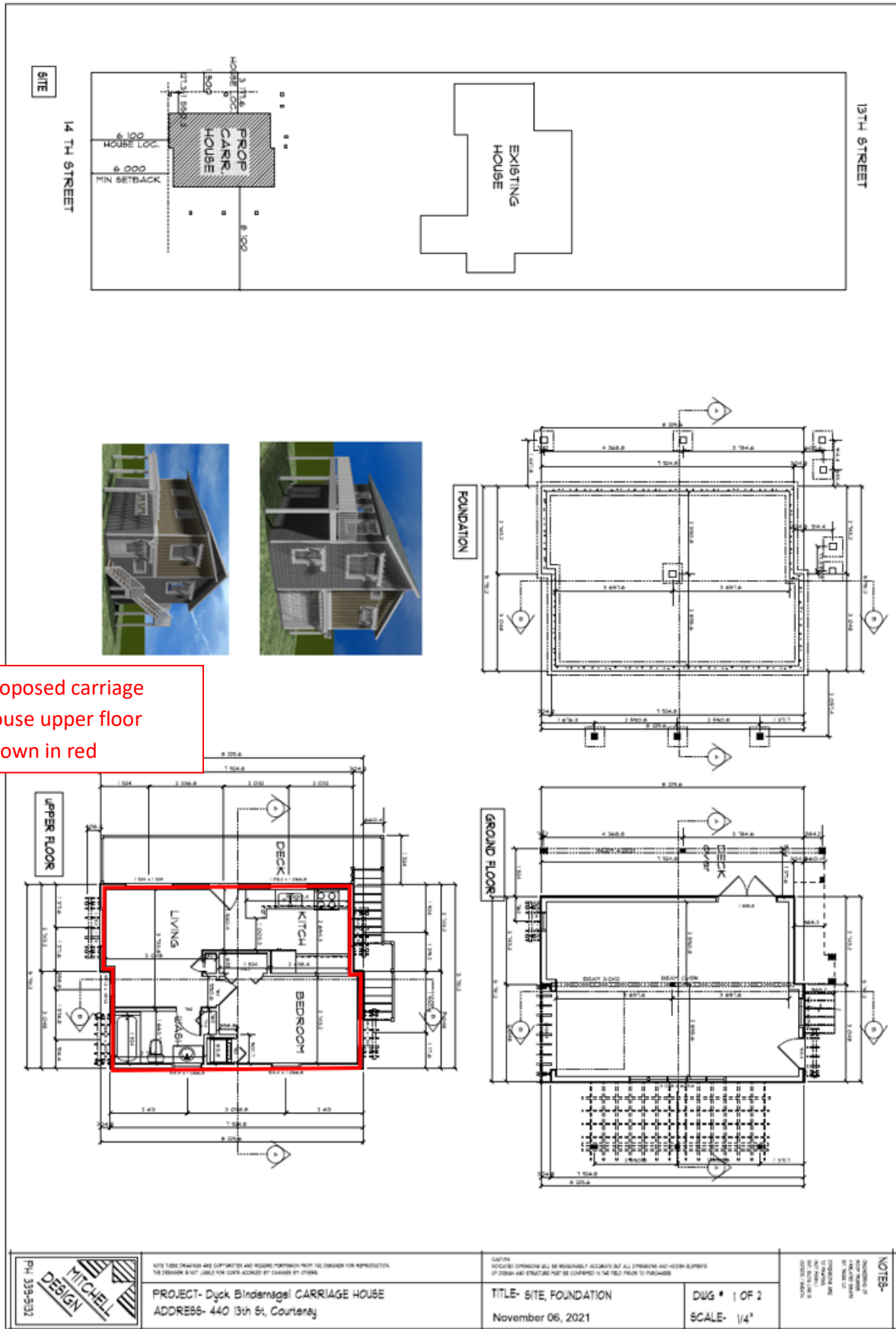


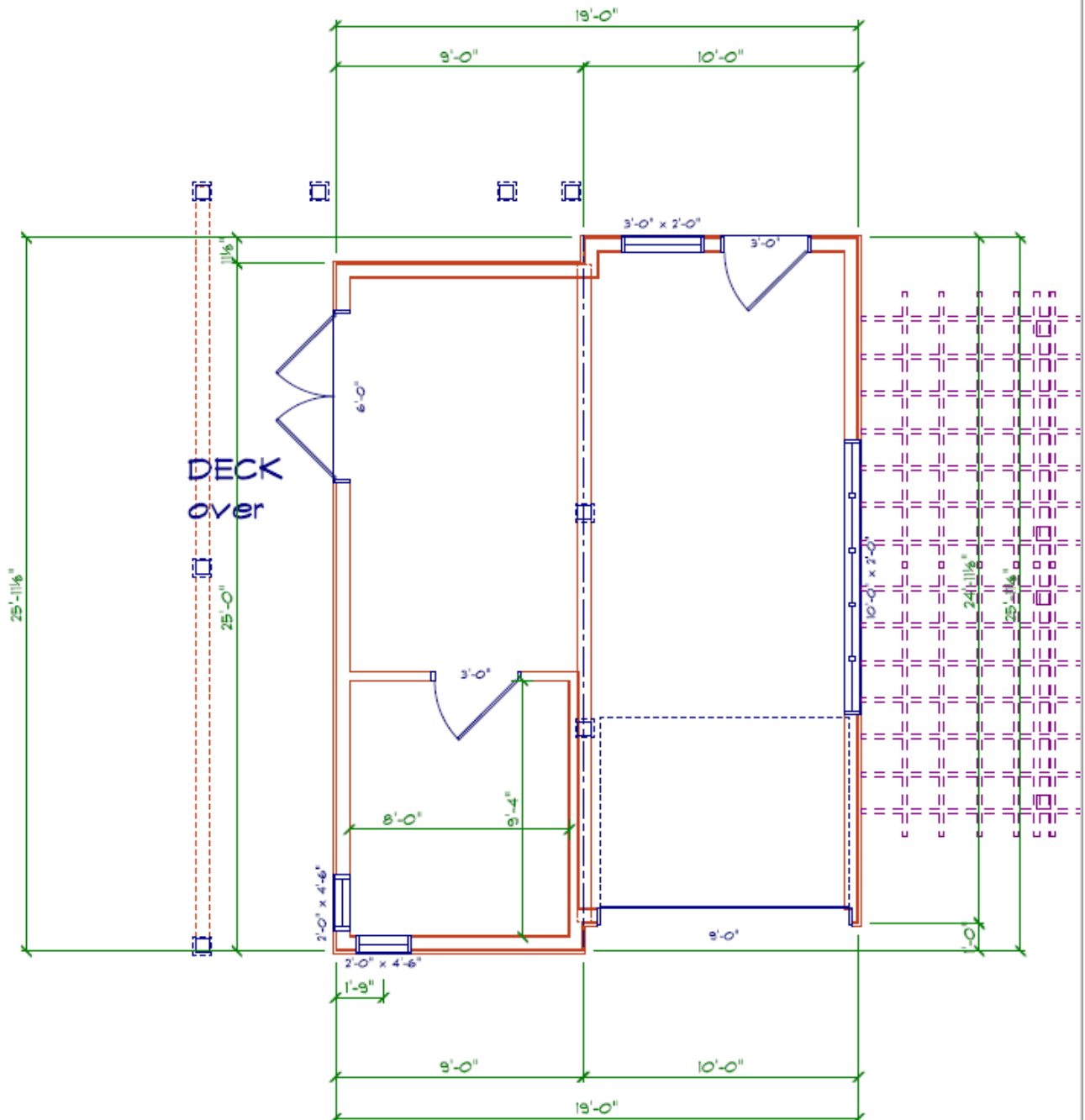


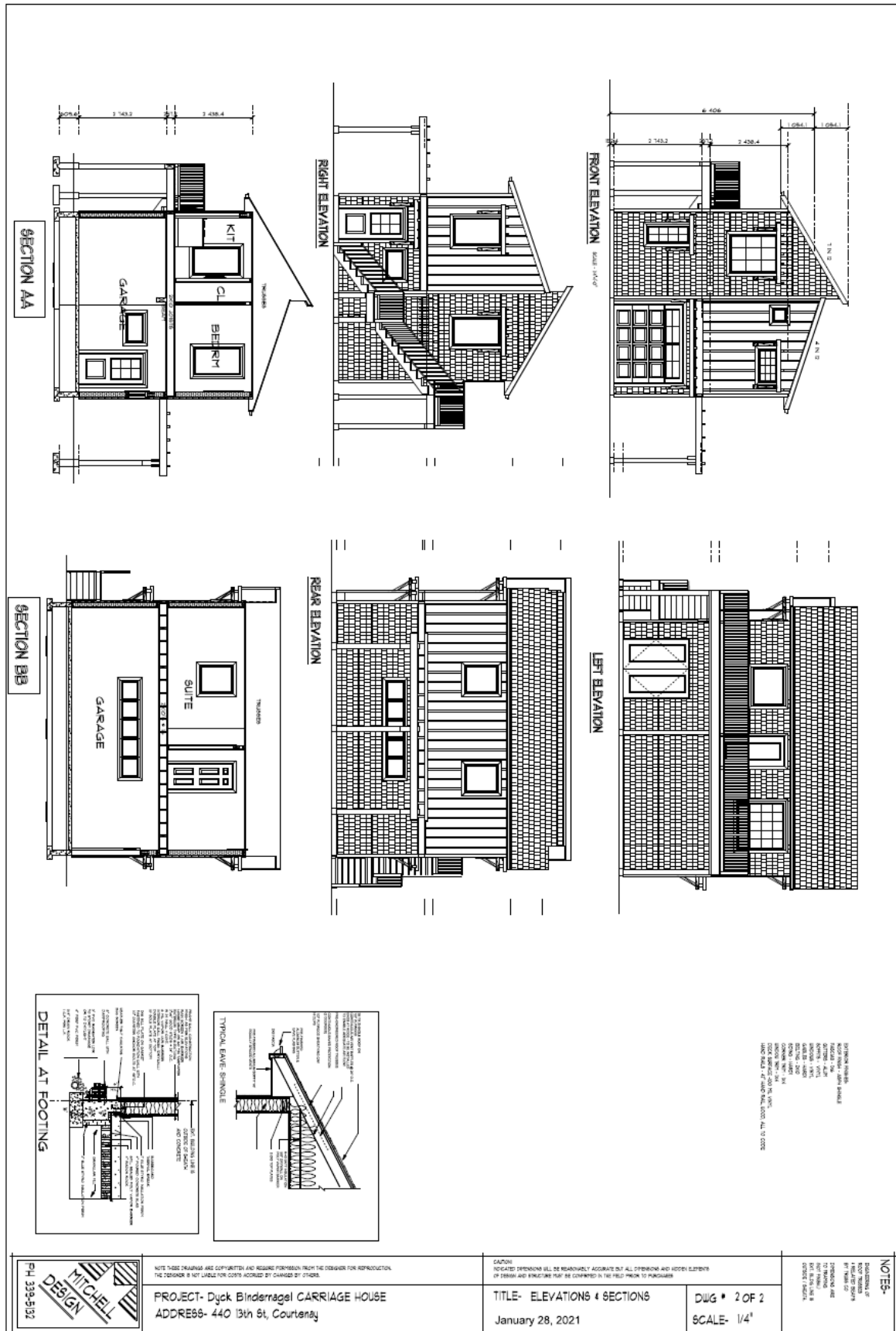


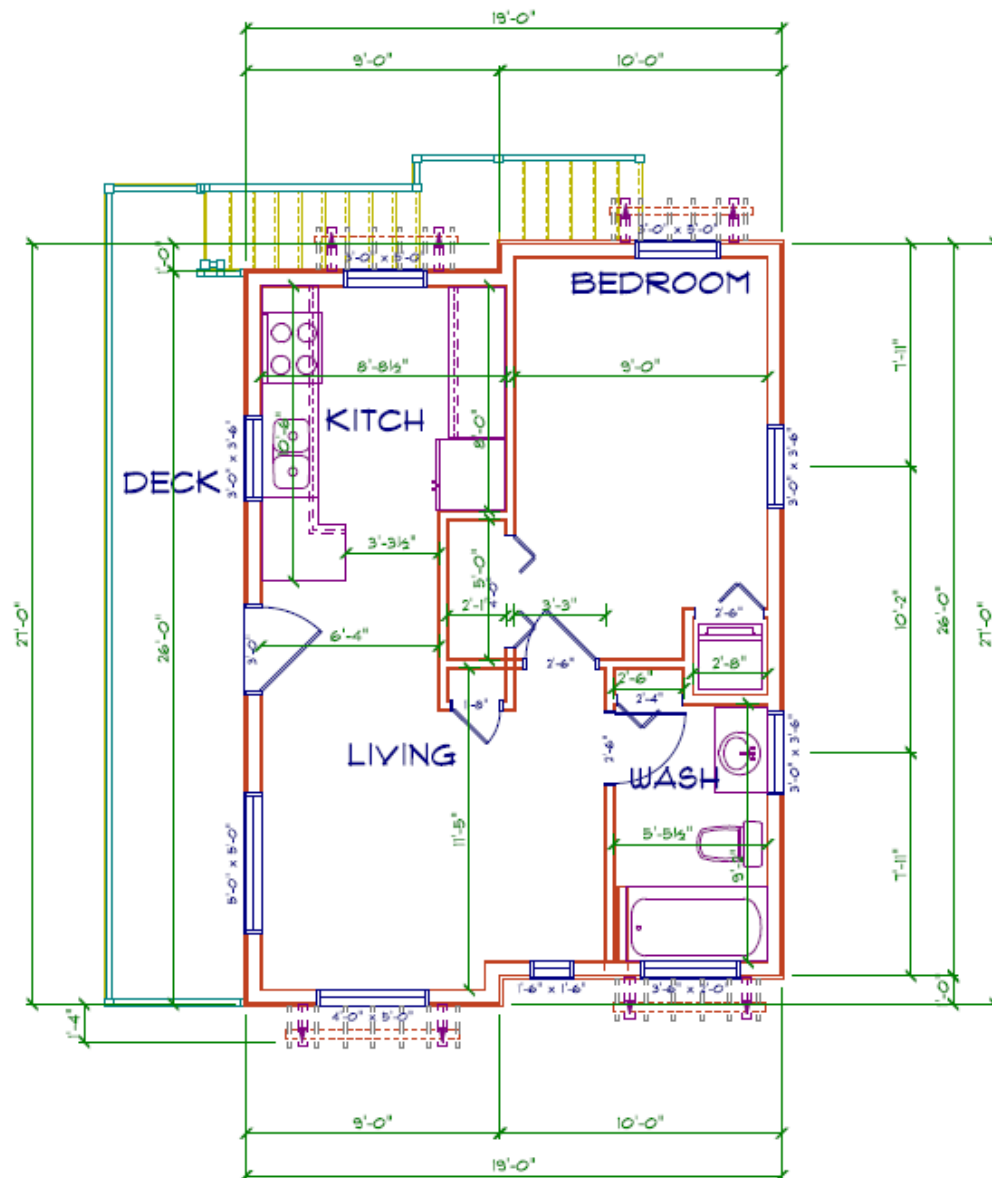


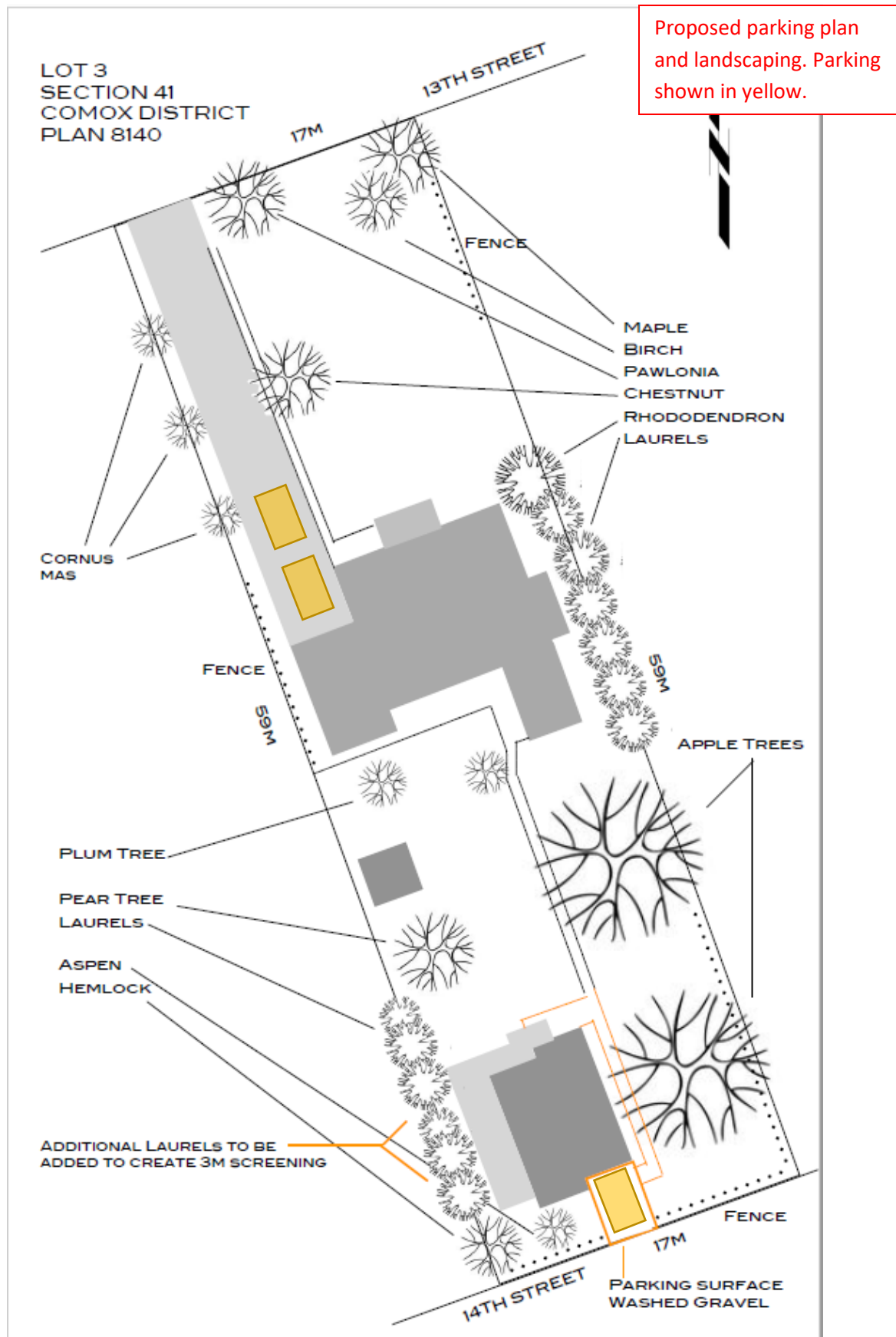
Zoning Amendment Bylaw No. 3058 to Allow for a Carriage House at 440 13th Street”












Attachment No. 2: Public Information Mail out Summary

440 13th Street
Carriage House project

PIM

As a result of the PIM initiated on December 3, 2021, three separate neighbours spoke with us, voicing their support for the project. No criticisms of the project were relayed to us.

Attachment No. 3: Public Comments



Tue 12/7/2021 5:00 PM


response to rezoning application

To PlanningAlias

We are writing in support of the rezoning application for R2-A R1-E made by Wendy Dyck and Chris Bibdernagel for a carriage house at Lot 3, Section 41, plan 8140.

We have viewed the proposed plan and find that it will be an enhancement to the neighborhood as well as providing badly needed housing.


Submitted by 1225 England Avenue.



Fri 12/17/2021 9:40 AM

Re 440 13th street redone

To PlanningAlias

 You replied to this message on 12/17/2021 10:10 AM.

Hi: no real objection. Would like to have seen a sketch of the proposed house. Will it be on a slab or crawl space. Might make a difference to the tree roots. It's a balcony it must be two levels. Hope it fits in the area.

Thanks.

A

RE: Rezoning of property at 440 13th St

To: PlanningAlias

You replied to this message on 12/13/2021 9:23 AM.

Good morning, sorry about that little slip. Yes we totally support Chris and Wendy's project to build a cottage home.

Sent from my Galaxy

----- Original message -----

From: PlanningAlias <planning@courtenay.ca>

Date: 2021-12-13 8:33 a.m. (GMT-08:00)

To: [REDACTED]

Cc: "Marsh, Cassandra" <cmarsh@courtenay.ca>

Subject: RE: Rezoning of property at 440 13th St

Good Morning

Thank you for your email. It's not quite clear however, I think it's just missing a word to indicate whether you are in support or not in support of this proposal.

If you have time to clarify that would be great. Thanks

Sue

Happy Planning

Sue Blamire

Planning Clerk, City of Courtenay

Tel: 250-703-4839

Development Services Info Page: www.courtenay.ca/dev

We respectfully acknowledge that the land on which we gather is the

Unceded traditional territory of the K'omoks First Nation

From: [REDACTED]

Sent: Sunday, December 12, 2021 2:25 PM

To: PlanningAlias <planning@courtenay.ca>

Subject: Rezoning of property at 440 13th St

We live at 426 12th street and totally Chris and Wendy in the building of a carriage house on their property.


[REDACTED]



Thu 9/9/2021 9:47 PM

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.



Attachment No. 4: Applicant’s Rationale and Affordable Housing Statement*Project Summary for Development Proposal*
440 13th Street

The proposed development is for a carriage house to be sited at the back of the property at 440 13th Street. As the property rear boundary fronts on 14th Street, the project would be built with a ‘street face’, seeking to blend into and enhance the existing streetscape as much as possible.

The carriage house design incorporates multiple siding finishes (hardishingle, batten, hardiplank) and an offset face to visually minimize the bulk of the structure. Muntined windows, a proposed pergola feature and a balcony also differentiate the building’s exterior. Exterior paint colours will seek to create a harmonious whole while still giving the illusion of two buildings. The design of the carriage house will comply with all of the development guidelines for its zone.

The property is fully landscaped, and almost all of the existing landscaping will be retained, including three heritage fruit trees.

440 13th Street Courtenay

Affordable Housing Policy Conformance Statement
440 13th Street

Affordable Housing is a huge issue facing the the Comox Valley. In the past ten years, it has becoming increasingly difficult for people with lower incomes to find affordable housing. The City has identified the key role that housing plays in the environmental, economic, and social life of our community.

First on the list of adopted strategies in the City of Courtenay's **Affordable Housing Policy** (A. Regulatory Framework, 1), is the *expansion of the application of secondary suites and secondary residences, achieved by encouraging the provision of secondary suites in areas seeking single residential lot zoning.*

The proposed carriage house project for 440 13th Street would add a modest 475 square foot (44 square metre) residence above a garage. With its central location (walking distance to grocery store, Airpark walkway, downtown Courtenay shopping, library) and ready 14th Street access, the suite would be ideal for a non-driving individual, or someone who values its high walkability score and is looking to increase their level of physical activity.

440 13th Street Courtenay

Attachment No. 5: Sustainability Evaluation Checklist

Statement on Conformance with Sustainability Evaluation Checklist 440 13th Street

Land use

b) balances the scale and massing of buildings in relation to adjoining properties,

The design for the proposed carriage house presents as two, smaller buildings as opposed to one larger.

c) complements neighbouring use and site topography,

The siting takes advantage of a downward street slope to minimize impact of two-storey structure

e) promotes walking to daily activities and recreational opportunities,

Simply by virtue of its location in the downtown core. The building is also five minutes from a grocery store, as well as downtown shops.

g) is a positive impact on views and scenery.

The design is attractive, designed to be viewed as a street-facing structure; impact of sun shading will be limited to the property in question.

h) preserve and provides green space, trails and landscaping.

The site was chose in part so that none of the existing large heritage fruit trees would need to be removed.

Building design

c) includes articulation of building faces and roof lines with features such as balconies, entrances, bay windows, dormers and vertical and horizontal setback with enhanced colours

The design incorporates multiple siding finishes (shingle, batten, plank) and an offset face. Muntined windows, a proposed pergola feature and a balcony also differentiate the building's exterior

i) applied crime prevention through environmental design principles

Good property maintenance will assert visible ownership of space, with natural surveillance from the windows of the upper story suite, fencing that eliminates escapes routes, and sufficient lighting for safety of tenant.

Transportation

a) integrates into public transit and closeness to major destinations

The project would be half a block from closest bus stop, high walkability score, with 15 minutes pedestrian access to grocery store, liquor store, library, downtown shopping, Airpark trail, Cooper Park and numerous pubs & restaurants

440 13th Street, Courtenay