



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Zoning Amendment Bylaw No. 3072 – 1540 Willemar Ave

File No.: 3360-20-2207/RZ000071

Date: November 21st, 2022

PURPOSE:

The purpose of this report is for Council to consider an application to rezone the property located at 1540 Willemar Avenue from Residential Two Zone (R-2) to Residential One E Zone (R-1E), as well as consider a text amendment to the R-1E zone for accessory building size. This would facilitate a subdivision of the property to allow the existing home to remain on the front half of the property while creating three new compact rear lots to join the neighbouring infill subdivision. The accessory building text amendment would allow a slightly oversized existing detached garage to remain on the property with the existing home but would not impact accessory building allowances for the proposed rear lots.

CAO RECOMMENDATIONS:

THAT Council approve OPTION 1 and give First and Second Readings of Zoning Bylaw No. 3072, 2022 (1540 Willemar Ave); and

THAT Council direct staff to schedule and advertise a statutory Public Hearing for December 12 at 3:15 pm with respect to the above referenced bylaw.

Respectfully submitted,

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

BACKGROUND:

The subject property is a 2,033 m² (0.5 acre) residential lot located at 1540 Willemar Avenue, legally described as That Part of Lot 8, District Lot 104, Comox District, Plan 2317, Lying to the South East of a Line Bisecting the North Easterly and South Westerly Boundaries of Said Lot (*Figure 1*). The property is currently zoned Residential Two (R-2) and has a single detached house and a detached garage (accessory building), both located on the southwest side of the property (the side closest to Willemar Avenue) (*Figure 2*).



Figure 1: Context Map with Subject Property outlined

The northeast, or rear, portion of the lot is undeveloped and was largely cleared in late May 2022 while maintaining the property's required Tree Density Target.

The applicant wishes to subdivide the lot into a total of four lots:

- a 1,040 m² lot fronting on Willemar Ave that can retain the existing house and a 48 m² garage; and
- three new 330-331 m² rear lots that each would join the neighbouring compact bare land strata single residential lot subdivision at 1550 Willemar Ave.



Figure 2: View of subject property from Willemar Avenue

Neighbouring 1550 Willemar Ave to the south received R-1E zoning approval in April 2021 and is since in the process of subdivision to create bare land strata lots with a common driveway alongside the subject property. The subject proposal has been designed to integrate with the adjacent 1550 Willemar Avenue including sharing strata street access (Figure 3).

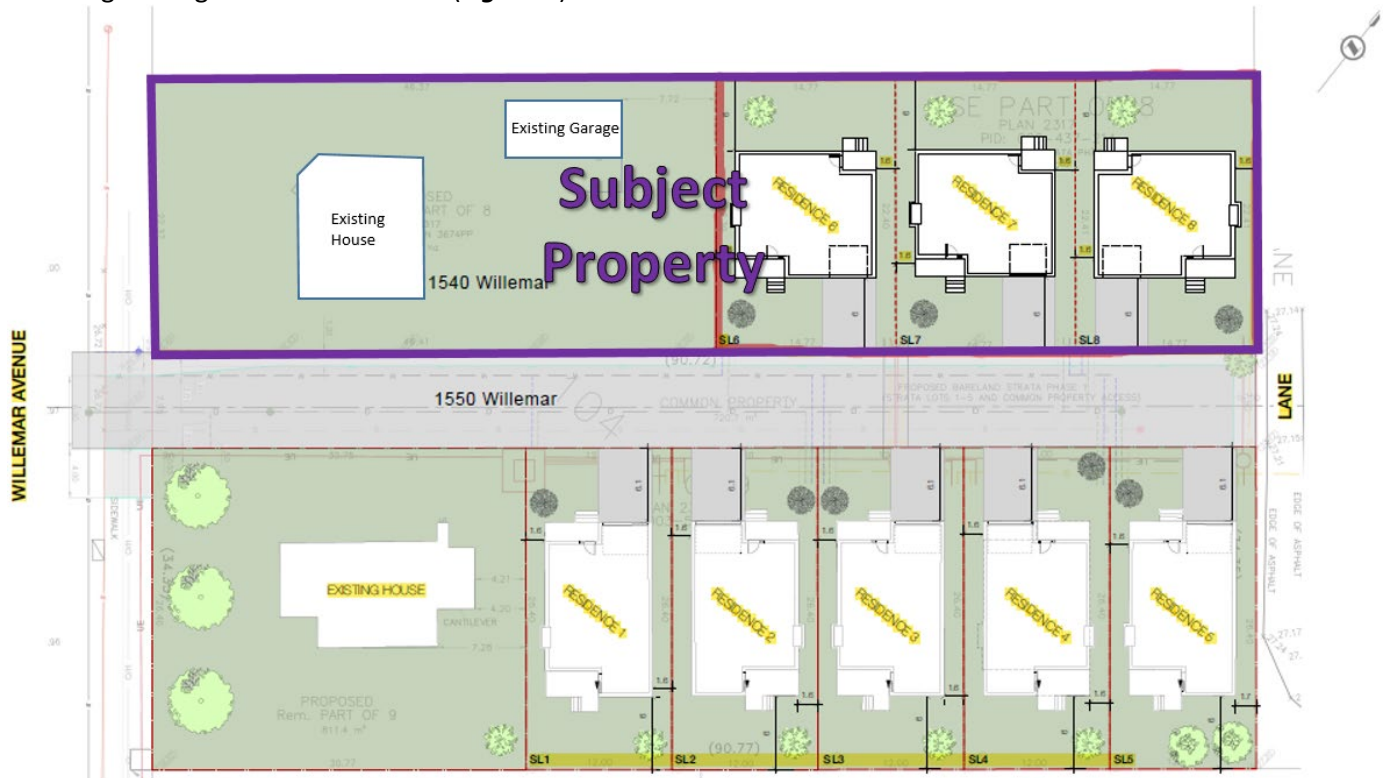


Figure 3: Site plan showing subject property and neighbouring bare land strata development that was rezoned in 2021

A conceptual rendering of a very compact building type is shown in **Figure 4**, though it is expected it would be modified to be less narrow in order to suit lot dimensions and setbacks. Additional conceptual renderings are included in **Attachment No. 1**.



Figure 4: Conceptual Rendering

The subject property currently has a 48 m² detached garage while the R-1E zone has a size limit of 45 m² for accessory buildings. Staff propose a text amendment to permit that the accessory building remain lawful. The text amendment will not impact the proposed compact rear lots as is described in the discussion of this report.

The subject property is located within one kilometre of Lake Trail Community School, two elementary schools, numerous parks, and within 1.5 km of downtown Courtenay. These destinations are easily accessible by car or bicycle and there is a #8 bus stop within 100 m of the subject property as an additional transportation option. Nearby land use is mostly single detached residential, although there is a concentration of multi residential buildings about a block away around 13th St and Willemar Ave, and in the Lake Trail Neighbourhood Centre (land use designation).

DISCUSSION:

OCP Review

The development proposal facilitates infill development within an established neighbourhood designated Urban Residential in the Official Community Plan (OCP). The property is not subject to a Local Area Plan. The application was made before the adoption of OCP Bylaw 3070, under OCP Bylaw 2387 (2005); however, the application fits current OCP requirements.

The proposed compact single residential development is gentle infill approximately 100 m from the western corner of Lake Trail Neighbourhood Centre (a growth centre), fitting OCP Land Use Objective 3: “Moderate infill development occurs across the entire city outside of growth centres”. The small lots proposed suit construction of modest-sized detached homes that can add high quality product to the more affordable end of the single detached market, pursuant to Urban Residential Policy 1: “Support gentle infill that encourages greater housing choices and tenure types”.

Affordable Housing (AH) Policy 2 reads: “Amend the Zoning Bylaw to reduce minimum lot size requirements and establish maximum lot size requirements in the Urban Residential designation to support densification of existing and future neighbourhoods. In the establishment of lot sizes, ensure that the ability to accommodate a second dwelling unit is considered, and that wherever Environmentally Sensitive Areas are present, their protection shall take precedence.”

This zoning amendment would reduce minimum lot size to facilitate subdivision of an Urban Residential property. While the R-1E zone does permit secondary suites and secondary detached dwellings on larger lots within the zone, modifying proposed lot sizes to accommodate secondary dwelling units was considered but found problematic at this development scale considering lot size needs of the existing dwelling residents as well as some strata titling considerations. Recognizing the City’s commitment to address the acute need for affordable housing, as well as challenges to providing non-market affordable units or freehold land contributions with this development, the applicant has offered to contribute \$5,000

per net new lot to the Affordable Housing Amenity Reserve Fund as well as \$1,000 per net new lot to the Parks, Recreation, Culture and Senior Facilities Reserve Fund, in keeping with OCP Bylaw 3070 community amenity contribution targets. These will be secured through a Section 219 covenant registered on title prior to zoning amendment final approval.

Environmentally Sensitive Areas

As this development proposal has been processed across two different OCP policy frameworks, including new Environmental Development Permit Area guidelines, discussion of how Environmentally Sensitive Areas could be implicated with this proposal is presented here.

Land Use Objective 1 reads: “Community growth is located away from hazardous lands, agricultural lands, and Environmentally Sensitive Areas”. Environmentally Sensitive Areas (ESAs) were not expected nor were they identified in City maps at time of application therefore an Environmental Impact Assessment was not required, and all subsequent design considerations including layout and servicing were made with this understanding. Cottonwood trees were permitted to be cleared at the rear of the subject property in late May 2022 with the goal of reducing conflict with the neighbouring development and readying the subject property while easily accessible, should rezoning and subdivision be approved. A tree cutting permit was issued for the neighbouring property earlier that month, immediately followed by clearing, and it was shortly thereafter established that the subject property would not need a tree cutting permit because it would continue to meet the Tree Density Target of 10 trees after cutting. For clarity, the remaining trees have not been assessed for long term retention viability in relation to the proposed development, as that is not required to satisfy the Tree Bylaw for properties under 4,000 m² in size. As such, it is possible that remaining trees on the property may need to be removed to facilitate the development proposal. As the parent parcel is under 4,000 m² in size, the Tree Bylaw permits that the Tree Density Target be met by any combination of retention, planting, or cash-in-lieu. In other words, the ultimate presence of trees on the property has yet to be determined. Retention of all of the existing trees is not expected given the lot layout.

The adoption of the new OCP on July 25, 2022 included a new Terrestrial Environmentally Sensitive Areas map which shows additional lands that could possibly contain Environmentally Sensitive Areas. This mapping was updated based on Urban Forest Strategy analysis (strategy adopted in 2019, mapping imagery from 2018), which was intended to identify all remaining undisturbed lands within the City in order to evaluate all such remaining areas for the potential to contain ESAs. OCP policy was subsequently designed to ensure that more areas within the City be subject to Environmental Impact Assessments as a precautionary measure. This includes more lands being included on the ESA maps (as described here), as well as requiring that any property over 4,000 m² (approximately 1 acre) be required to submit an Environmental Impact Assessment whether an ESA is mapped or not. Requiring that more lands be subject to Environmental Impact Assessments prior to development has been adopted as policy to recognize that ESA mapping is generally imperfect¹ and therefore is potentially missing ESAs.

As clearing had already occurred in good faith in accordance with City bylaws before the potential ESA type had been established or location had been published, the property is not required to provide an EIA or be subject to the Environmental Development Permit requirements. Given the site’s isolated context staff suspect that field surveying would have shown no ESAs.

¹ Aside from lotic (flowing) freshwater aquatic systems such as creeks and rivers, which are generally well mapped.

Zoning Review

The applicant’s rationale for the rezoning can be found in **Attachment No. 3**.

The conceptual site plan above meets all requirements of the R-1E zone, summarized in **Table 1**, except for accessory building maximum building area, discussed below. Exact lot dimensions and buildable areas will be determined during subdivision.

Table 1: Zoning analysis

Attribute	Existing R-2 Zone	R-1E Zone	Proposed Development
Permitted Use	a. Single residential or duplex; b. secondary suite; c. secondary residence (min. lot 1,250 m ²); d. carriage house (min. lot 1,250 m ²); e. home occupation; f. accessory buildings and structures	a. Single residential; b. secondary suite (min. lot 450 m ²); c. secondary residence (min. lot 600 m ²); d. carriage house (min. lot 600 m ²); e. home occupation; f. accessory buildings and structures	Single residential
Density (min. lot size)	a. 750 m ² ; b. 900 m ² (duplex)	300 m ² (3,230 ft ²)	330.8 m ² (3,561 ft ²)
Density (max. Floor Area Ratio)	N/A	0.7	<0.7
Min. Lot Frontage	a. 20.0 m; b. 21.5 m corner	a. 10.0 m; b. 13.0 m corner lot	14.77 m
Max. Lot Coverage	40%	40%	<40%
Front Setback (minimum)	7.5 m	6.0 m (a 1.0 m projection is permitted)	6.0 m
Rear Setback (minimum)	a. 9.0 m for single residential; b. 6.0 m for secondary residence; c. 4.0 m for carriage house d. 1.5 m for carriage house with laneway-access	a. 6.0 m (a 1.0 m projection is permitted); b. 6.0 m; c. 6.0 m; d. 1.5 m	a. 6.0 m (with 1.0 m projection); b. N/A c. N/A d. N/A
Side Setbacks (minimum)	a. 1.5 m and total 4.5 m both sides; b. 4.5 m any one side that flanks street, excluding a lane	a. 1.5 m; b. 3.0 m any side that flanks a street, excluding a lane; c. 3.0 m on one side of the principal building where a secondary residence or carriage house behind the principal building lacks side or rear street or laneway access (in order to ensure access)	a. 1.6 m; b. N/A; c. N/A
Principal Bldg. Height	8.0 m	8.0 m	To comply at building permit stage
Secondary/Carriage Height	5.5 m / 6.5 m	6.5 m	N/A

Attribute	Existing R-2 Zone	R-1E Zone	Proposed Development
Accessory Bldg. Height	4.5 m	4.5 m	<4.5 m (existing)
Accessory Max. Building Area	greater of 50 m ² or 10% of rear yard	45 m ²	48 m ² (<10% of rear yard)*
Accessory Building location: Side, Rear yards	Permitted if conforms to setbacks	Permitted if conforms to setbacks	Existing conforms
Accessory Building location: Front yard	Permitted if conforms to setbacks	Permitted if conforms to setbacks	N/A
Accessory Building Setbacks (minimum)	a. 1.5 m side, rear; b. 4.5 m where flanks street excluding lane; c. 6.0 m front	a. 1.5 m side, rear; b. 4.5 m where flanks street excluding lane; c. 6.0 m front	Existing: a. 1.8 m side, 7.72 m rear; b. N/A; c. N/A
Vehicular Parking Stalls	2 per single residential unit. Standards in accord with Zoning Div. 7	2 per single residential unit. Standards in accord with Zoning Div. 7 as well as zone specific options described in rows below	Design will comply
Parking Max. Yard Area; Frontage	50%; 50%	50%; 50%	<50%; <50%
Strata Access Road Parking Isle Min. Width	N/A	6.5 m	6.8 m (via 1550 Willemar Ave)
Parking Reduction option for strata lots when 0.5 common property visitor parking spaces and 2 Secure Covered Bicycle Spaces provided	N/A	Minimum requirement for primary residence may be reduced by 1 vehicular space	N/A
Landscape Screening Height Min.	N/A	3.0 m (upon maturity, along pre-existing property lines, to City's satisfaction)	Design will comply
*Discussed in more detail below.			

Text Amendment for Existing Accessory Building Size and R-1E Amendment Recommendation

The existing property contains a 48 m² detached garage (accessory building). A common urban residential zone provision is that accessory buildings not exceed the greater of 50 m² or 10% of the rear yard, which is the case for the R-2 zone (existing).

The Residential One E zone was written with the expectation that 45 m² is sufficient for an accessory building on a small lot, which is the intent of the zone: compact infill residential development. However, as presented in the October 19, 2020 Staff Report to Council for the creation of the R-1E zone through Bylaw 3009, an additional intended benefit of the zone is also to retain existing residences, and even residents, on development properties. It is reasonable to expect that existing residences would retain their existing accessory buildings. This means that there is reoccurring potential for existing accessory buildings that would have been lawful under the previous zone to no longer be lawful under the new R-1E zone, thus becoming legally non-conforming. While from a land use regulation perspective it is acceptable to create legally non-conforming conditions through zoning amendments, staff believe that a better approach would be to make such accessory buildings lawful, and amend the R-1E zone accordingly so that all larger R-1E properties may benefit from this change. Opportunity for this revision will occur when the comprehensive Zoning Bylaw review takes place which is expected to start in the New Year.

For now, and for this application, in order to ensure that the size of the existing accessory building remains lawful, staff recommend including the following text amendment to the R-1E zone:

“Notwithstanding the maximum building area in (8.1.53 (2)), accessory buildings and accessory structures shall have a total building area not exceeding 45.0 m², or 10% of the rear yard, whichever is greater, on That Part of Lot 8, District Lot 104, Comox District, Plan 2317, Lying to the South East of a Line Bisecting the North Easterly and South Westerly Boundaries of Said Lot (1540 Willemar Avenue)”

The proposed rear yard area of the large front lot would be about 525 m² so amending the R-1E zone to permit accessory buildings to have a building area up to *the greater of 45 m² or 10% of the rear yard* would permit the existing garage without changing the accessory building allowances for the three new smaller rear lots.

Covenant Conditions

A Section 219 covenant will be registered on title prior to rezoning final approval to secure the following:

1. Amenity contributions: The applicant agrees to pay \$5,000 per net new lot to the *Affordable Housing Amenity Reserve Fund* and \$1,000 per net new lot to the *City's Parks, Recreation, Cultural and Senior Facilities Amenity Reserve Fund* at subdivision.
2. Willemar Avenue improvements: Cash-in-lieu must be provided at subdivision for frontage improvements up to the centreline of Willemar Avenue including new pavement, concrete curb and sidewalk per Bylaw 2919.

Conclusion

The proposed development facilitates infill on an underdeveloped property in an established neighbourhood, consistent with the OCP. It allows modest-sized single detached dwellings on small lots to add housing diversity and provides amenity contributions appropriate to the scale of development. Staff supports the proposal.

FINANCIAL IMPLICATIONS:

There are no direct financial implications related to the processing of this application as the fees are designed to offset administrative costs.

ADMINISTRATIVE IMPLICATIONS:

Processing Zoning Bylaw amendments is a statutory component of the corporate work plan. Staff has spent approximately 40 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.

ASSET MANAGEMENT IMPLICATION

If development proceeds, approximately 22 m of pavement, concrete curb, and sidewalk to the centreline of Willemar Avenue will be upgraded to current Subdivision and Development Servicing design standards. These will be incorporated into the City's asset registers for ongoing maintenance.

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 and meets the following relevant policies and objectives:

Land Use Objective 1: “Community growth is located away from hazardous lands, agricultural lands, and Environmentally Sensitive Areas”.

Land Use Objective 3: “Moderate infill development occurs across the entire city outside of growth centres”.

Urban Residential Policy 1: “Support gentle infill that encourages greater housing choices and tenure types”.

Affordable Housing Policy AH 2: “Amend the Zoning Bylaw to reduce minimum lot size requirements and establish maximum lot size requirements in the Urban Residential designation to support densification of existing and future neighbourhoods. In the establishment of lot sizes, ensure that the ability to accommodate a second dwelling unit is considered, and that wherever Environmentally Sensitive Areas are present, their protection shall take precedence.”

REGIONAL GROWTH STRATEGY REFERENCE:

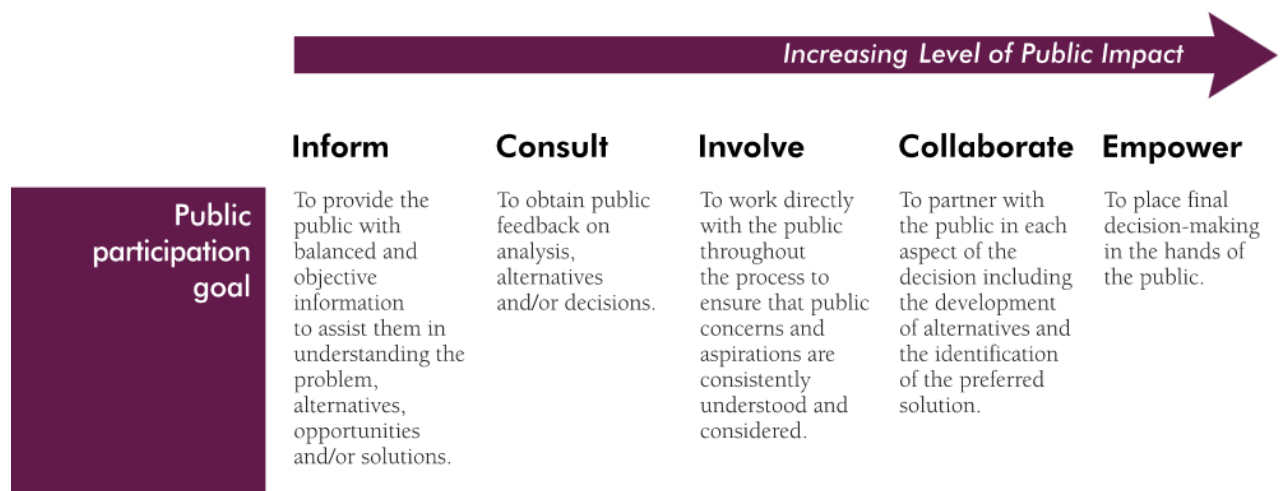
The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

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 occupants within 100 m of the property and collected and summarized feedback. This occurred over a three week period thus exceeding the two week period minimum per the Alternative Development Information Meeting process. The City received one anonymous comment to date, concerning trees (which are discussed above) and stormwater detention which will be required to meet Subdivision and Development Servicing Bylaw No. 2919 standards. This comment was relayed to the applicant to address; the applicant received no comments directly. The information provided to neighbours and the summary of the consultation process and can be found in **Attachment No. 2**, as can the public comment.

OPTIONS:

OPTION 1: (Recommended)

THAT Council approve OPTION 1 and give First and Second Readings of Zoning Bylaw No. 3072, 2022 (1540 Willemar Ave); and

THAT Council direct staff to schedule and advertise a statutory Public Hearing for December 12 at 3:15 pm with respect to the above referenced bylaw.

OPTION 2: Defer consideration of Bylaw No. 3072 with a request for more information.

OPTION 3: Defeat Bylaw No. 3072.

Prepared by:



Mike Grimsrud,
Planner 2

Reviewed by:



Nancy Gothard, RPP, MCIP
Manager of Community & Sustainability Planning

Concurrence by:



Rob Roycroft, RPP, MCIP
Interim Director of Development Services

Concurrence by:

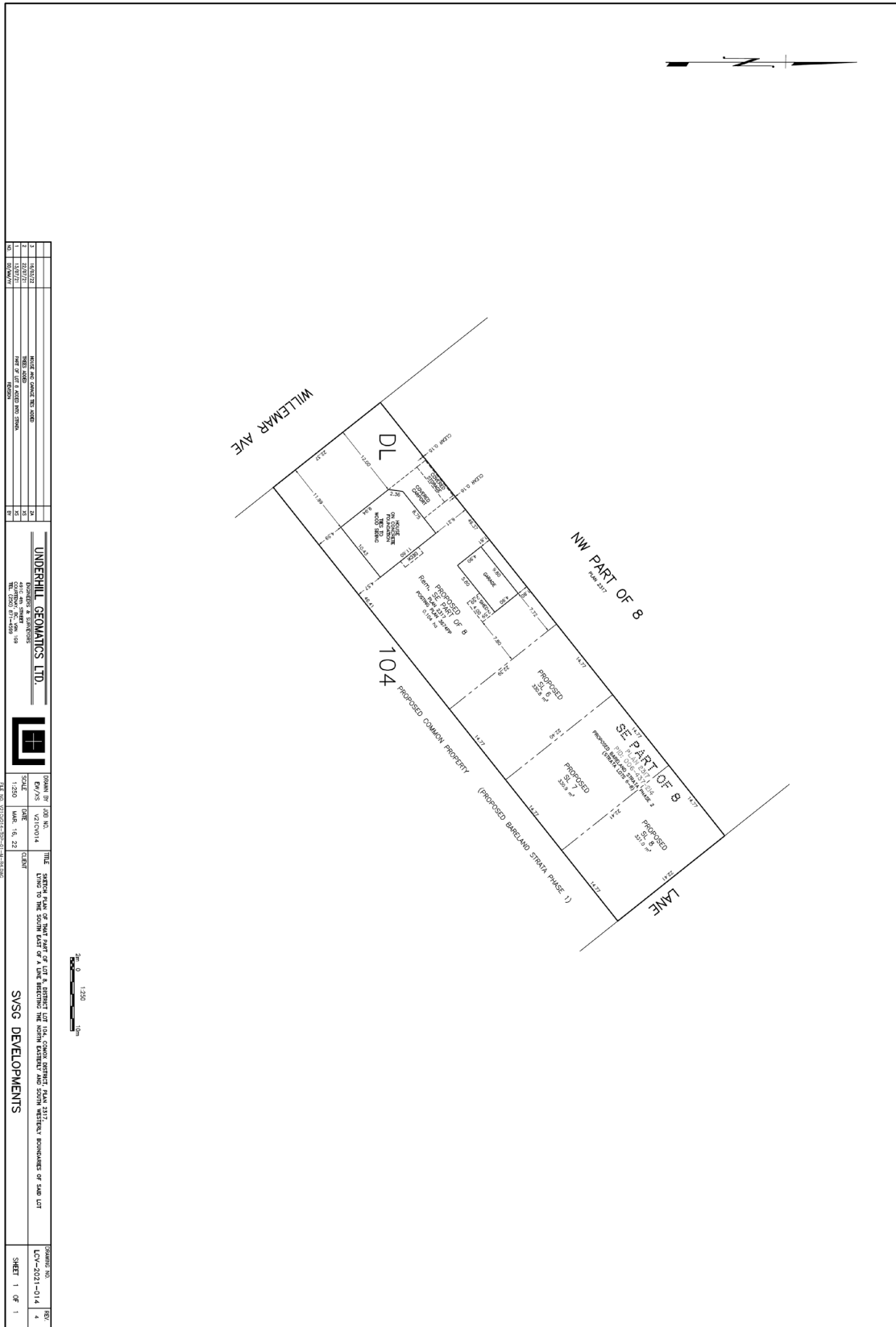


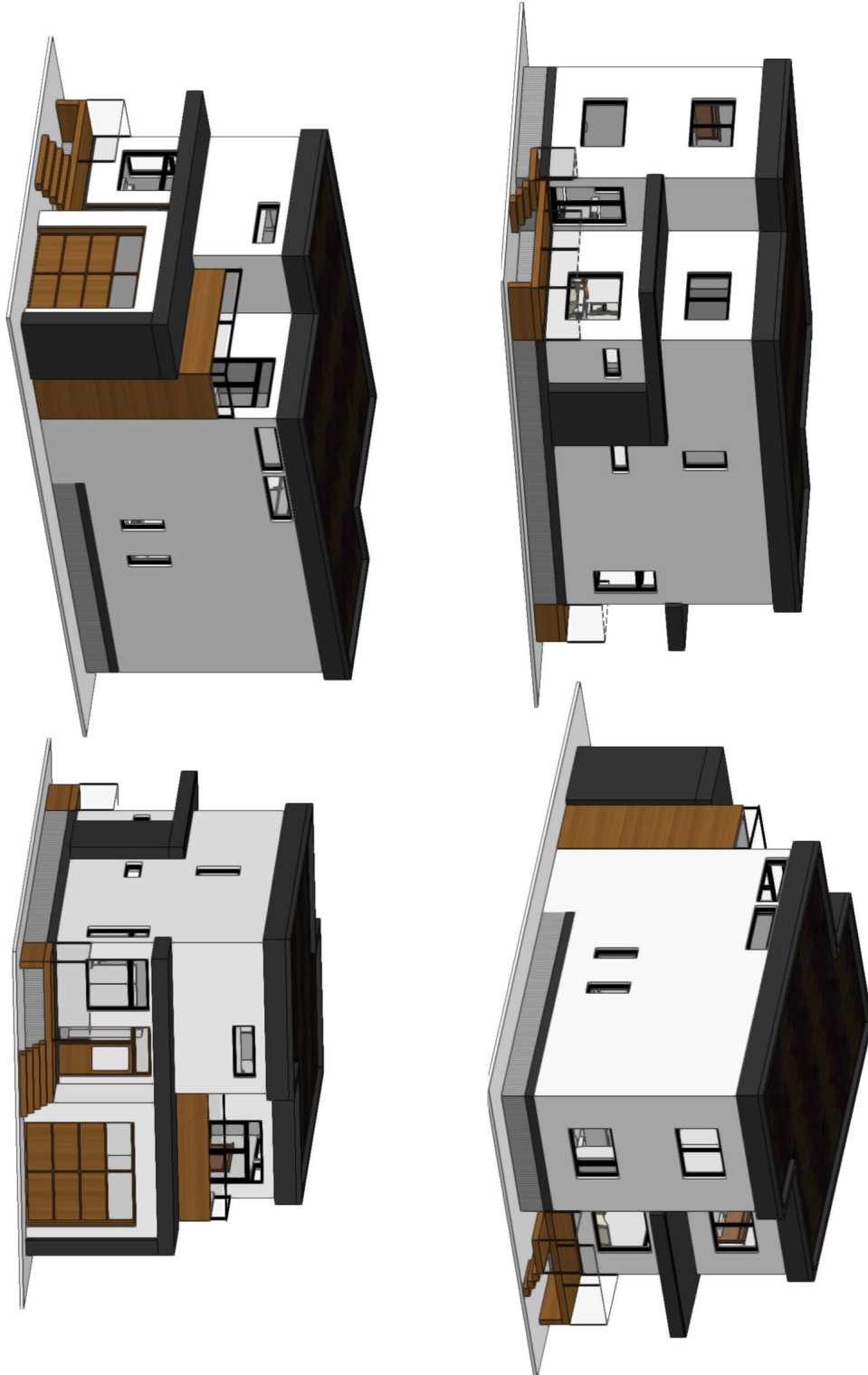
Geoff Garbutt, M.Pl., RPP, MCIP
Chief Administrative Officer

Attachments:

1. *Attachment No. 1: Plans and Perspectives*
2. *Attachment No. 2: Alternative Public Information Meeting Mailout Summary*
3. *Attachment No. 3: Applicant's Rationale*
4. *Attachment No. 4: Sustainability Evaluation Checklist*

Attachment No. 1: Plans and Perspectives





CONTRACTOR TO COVER ALL FEES
 LOCATION OF BUILDING SITE AND
 LOCATION OF ALL SERVICES REFER TO
 THE SITE PLAN AND TO BE DETERMINED
 BY THE CONTRACTOR IN ACCORDANCE WITH
 THE LOCAL BUILDING BYLAWS AND ALL LOCAL BUILDING BYLAWS



**MODLUX
 INTERIORS**
 1115 SHOPPERS ROW
 CAMPBELL RIVER, BC
 Tel: 778 - 344 8125
 info@modluxinteriors.com

PROJECT
 3560 DEVELOPMENTS
 1540 WILLEMAR RD
 CAMPBELL RIVER, BC

DRAWING
 FLAT ROOF OPTION
 ISSUED FOR PRESENTATION

SCALE **DATE**
 1/4" = 1'-0" MAY 12, 2021

SHIRT
 ID06

Attachment No. 2: Alternative Public Information Meeting Mailout Summary

Notice of Rezoning Application

Sept 6th 2022

Material from Applicant for
Public Information meeting

1540 Willemar

This letter and information package is to formally give notice of the pending application to rezone 1540 Willemar from R-2 to R-1E. This new zone was developed by the City of Courtenay in order to address the need for infill development. Projects of this nature are designed to bridge the gap in home ownership from condos/townhouses to single family homes by potentially offering a product that is intended to be more affordable than the typical large lot family home.

As you will see in the following pages this rezoning application is in conjunction with an already rezoned property development currently ongoing at 1550 Willemar Ave.

It is our goal to add value to the existing neighborhood through design and future landscaping. While build design must still be confirmed we have also included a concept drawing of a possible build plan. These would still have to be approved by City at the building permit phase of this development.

View relevant documents on the City of Courtenay website www.courtenay.ca/devapptracker (search by file number or address – 1540 Willemar Ave). Please feel free to also review the information pertaining to 1550 Willemar as well as this is intended to be a continuation of that development. Again, concept drawings for both properties have been changed to allow for build heights to conform with city bylaws.

Should you have any questions or concerns please contact me directly:

Shannon Black

Cell: (604) 213-1665

Email: srblack2000@hotmail.com

Please use subject: 1540 Willemar

If you wish to contact the city directly please return your comments 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

-By mail: City of Courtenay, Planning Services Department, 830 Cliffe Ave, Courtenay BC V9N 2J7

-Email your comments to planning@courtenay.ca

-Fax comments to 250-334-4241

Please have all comments submitted no later than September 30th, 2022.

I would like to thank you in advance for your time and look forward to answering any questions you may have.

Respectfully

Shannon Black

Material from Applicant for
Public Information meeting

Project Summary

The reason for the rezoning of 1540 Willemar, as is shown in the lot lay out, is to allow for the creation of 4 lots. One consisting of the existing home on 1540 Willemar and 3 new lots ,in the back half, which are to be integrated into the development of 1550 Willemar.

The back half of this property is inaccessible in its current configuration and will remain that way for as long as the main house stays intact, (which is the long-range plan). This lack of access, combined with its size, makes the maintenance of the back of 1540 nearly impossible and extremely costly. As such, the easiest access is via 1550 Willemar and the pending development therein. It should be noted that the laneway will not be used as an access point for this proposed development!

We maintain that “Infill” development plans for properties such as these are a real benefit to their surroundings both in esthetics AND safety! We strive to work with neighbors, the community, and the city to proceed in a manner conducive to the long-range growth and overall plan for the area and city.

Material from Applicant for
 Public Information meeting



CONSTRUCTOR TO CONFIRM ALL LEVELS, BUILDING DIMENSIONS, LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK SHALL BE ACCORDANCE WITH SOIL ENGINEERING CERTIFICATION, AND ALL LOCAL BUILDING BY-LAW.

ARCHITECTURAL NORTH

PROJECT: 1540 WILLEMAR ROAD, CAMPBELL RIVER, BC
 DRAWING NO: 2022-08-29

MODLUX INTERIORS

1115 SHOPPERS ROW
 CAMPBELL RIVER, BC
 TEL: 778-348-2545
 info@modluxinteriors.com

PROJECT: 1540 WILLEMAR ROAD, CAMPBELL RIVER, BC
 DRAWING NO: 2022-08-29

UPDATED PROPOSED SITE LAYOUT

SCALE: ARCHITECT

DATE: 2022-08-29

DRAWN BY: ID

CHECKED BY: ID

WEST

Concept Drawings



ID01

CONSTRUCTOR TO CONFIRM ALL LEVELS, BUILDING DIMENSIONS, LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK SHALL BE ACCORDANCE WITH SOIL ENGINEERING CERTIFICATION, AND ALL LOCAL BUILDING BY-LAW.

ARCHITECTURAL NORTH

PROJECT: 1540 WILLEMAR ROAD, CAMPBELL RIVER, BC
 DRAWING NO: 2022-08-29

MODLUX INTERIORS

1115 SHOPPERS ROW
 CAMPBELL RIVER, BC
 TEL: 778-348-2545
 info@modluxinteriors.com

PROJECT: 1540 WILLEMAR ROAD, CAMPBELL RIVER, BC
 DRAWING NO: 2022-08-29

FLATROOF OPTION

SCALE: ARCHITECT

DATE: MAY 08, 2021

WEST

ID06

From: [REDACTED]
To: [PlanningAlias](#)
Subject: rezoning Application 1540 Willemar
Date: Sunday, September 11, 2022 5:53:02 PM

Public Comment to the Public Information meeting

This area is low and swampy with lots of standing water. It has many large cottonwood trees that provide shade and contribute to cooling and wind blocking for the neighbourhood! This area is a urban sponge that contributes to flood prevention and water retention. In the face of climate change this all considered I would like to see environmental engineering to keep the area a urban sponge, it's Important for flood mitigation and prevention also preventing the area from turning into a heat island! Not apposed to the developing of this area with the recommendation of engineering to assure it will continue to be a urban sponge and some tall trees should be left for cooling!

--

Sent from [REDACTED]

Material from Applicant
summarizing the Public
Information meeting

October 7th, 2022

Mail Out Summary

I would like to submit the following summary in response to the mail out package (see attached) that was sent out Sept 6th, 2022. As you can see, I gave more than the minimum required to respond.

I personally received NO reply of any kind.

It has been brought to my attention that there was a reply sent into the planning dept on Sept 11th, 2022. It is quoted below. (This has been copied and pasted from the email sent to me – NO alterations have been made of any kind!)

journeyman66@hotmail.com

2022-09-11 5:52 PM

“This area is low and swampy with lots of standing water. It has many large cottonwood trees that provide shade and contribute to cooling and wind blocking for the neighbour hood! This area is a urban sponge that contributes to flood prevention and water retention. In the face of climate change this all considered I would like to see environmental engineering to keep the area a urban sponge, it's important for flood mitigation and prevention also preventing the area from turning into a heat island! Not apposed to the developing of this area with the recommendation of engineering to assure it will continue to be a urban sponge and some tall trees should be left for cooling! “

It needs to be noted that this rezoning application is in conjunction with the pending subdivision of 1550 Willemar. As such, all the engineering mentioned has already been accounted for and is being vetted by the appropriate departments within the City of Courtenay.

The Trees mentioned would fall within the building layout of the proposed single-family homes and as such cannot remain.

It also should be noted that these lots did not have the “swampy” characteristics prior to the build up of the back alley which served to create a “Dam” between these properties and the drainage ditch on the far side of the alley. This change was done years ago and has rendered the back half of 1530, 1540, and 1550 Willemar all but useless. Our rezoning and proposed future development will meet all the required water management criteria and landscaping will re-establish green elements as required by city bylaw.

Respectfully Submitted

Shannon Black

Attachment No. 3: Applicant's Rationale

1540 Willemar Ave Re Zoning Application Summary

The proposed rezoning of 1540 Willemar Ave. is in keeping with the growing need for infill development and the addition of a “Bridge” housing product in our marketplace.

I use the word “Bridge” to describe the, ever growing, gap in price and product between the Condo/Townhouse developments and the single-family home market. While some areas are being developed to accommodate this need, the available land is rapidly running out and the land that is available is unattainable for the average small builder or home buyer.

I am applying for the recently created R1-E ZONE that is looking to address the need and opportunity to do “Infill” developments on properties within the Courtenay jurisdiction. This rezoning will allow for another in-fill development in conjunction with the adjoining property, 1550 Willemar, which has already been rezoned to R1-E and is in the subdivision process. As seen in the lot lay out and concept drawings this will provide for an additional 3 small sized lots and complete the overall development scheme originally discussed with planning personnel.

In keeping with the City of Courtenay Affordable Housing Policy, I refer to Section A.3 and A.11. While these, in and of themselves, are not “Affordable Housing Projects”, infill developments are designed to be a “More Affordable” approach to single family home ownership. Cost prohibitive land values demand that the houses being built be of such a high value that it is becoming increasingly difficult to jump from a typical “Starter” condo/townhome into a single detached family home.

The nature of infill housing development is to provide a new home that gives buyers the chance to own a top-quality home at a more manageable price

point. As well, it allows for community growth and development without the added costs of infrastructure etc.

The growing need for truly affordable housing also requires the growth of mid range family homes that are within reach for those individuals looking to improve their own housing position or situation. Young professionals with little time for yard maintenance, new families that need more space but cannot afford the jump, and even those who just need to downsize their lot due to not being able to maintain it any longer, all benefit greatly from the newly created R-1E zone.

As mentioned in the Sustainability Document, the other immediate benefit of infill development is the greatly improved community appeal and aesthetics. The properties that have infill development potential are often ones that have gone unattended for many years as they are just too large for the average homeowner to deal with and become a growing eye sore in their respective neighborhoods.

I would welcome the opportunity to discuss any details and look forward to your correspondence.

Respectfully

Shannon Black

Attachment No. 4: Sustainability Evaluation Checklist



CITY OF COURTENAY
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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:*

- 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: 1540 Willemar Ave **Date: March 3, 2022**

Applicant: Shannon Black **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;	New R-1E zone allows for appropriate infill development
b) Balances the scale and massing of buildings in relation to adjoining properties;	Zone is in keeping with the spirit of existing bylaws and utilizes architecture to compliment its environment
c) Complements neighboring uses and site topography;	Small lot infill projects allow for creative architecture and design to be implemented in such a way to renew established areas while maintaining / improving the neighborhoods appeal and aesthetic
d) Provides or supports mixed used developments or neighborhoods;	N/A
e) Promotes walking to daily activities and recreational opportunities;	N/A
f) Supports a range of incomes;	Smaller lot development presents opportunities for builders to offer a "Bridge" product for people looking to enter into the single family home market
g) Is a positive impact on views and scenery;	All development is done under the guidance and coordination of the city planners and other authorized personnel
h) Preserves and provides greenspace, trails and landscaping;	The new zone enables this lot to "Reclaim" portions of the land that have been grossly over grown and unmanagable

Building Design. <i>The application:</i>	Description of how the criteria are met
a) Exhibits high standard of design, landscaping and environmental sensitivity;	Increasing demands on build performance have resulted in much greater attention to detail and involvement of a higher focus on environmental vs build approach
b) Maintains a high standard of quality and appearance;	In order for infill development to be successful it MUST compliment, not only the land it is on but add to the overall impact and appearance of the surrounding area
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;	See attached concept drawing
d) Avoids creating a strip development appearance;	See attached concept drawing
e) Satisfies Leadership in Energy and Environmental Design (LEED) certification (or accepted green building best practices);	N/A (at this time - rezoning application only)
f) Uses environmentally sensitive materials which are energy sensitive or have accepted low pollution standards;	N/A
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;	N/A
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;	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;	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
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