

**CORPORATION OF THE CITY OF COURTENAY
COUNCIL MEETING AGENDA**

*We respectfully acknowledge that the land on which we gather is the
unceded traditional territory of the K'ómoks First Nation*

Changes to Council Meetings Due to Coronavirus COVID-19 Pandemic

Due to the Coronavirus COVID-19 emergency, the City of Courtenay with the authority of Ministerial Order No. MO83 *Local Government Meetings & Bylaw Process COVID-19*; has implemented changes to its open Council meetings.

In the interest of public health and safety, public in-person attendance at Council meetings will be prohibited until further notice. Council meetings will be presided by the Mayor or Acting Mayor with electronic participation by Council and staff. Meetings are available for viewing via live web streaming or video recording on the City of Courtenay website and will start at 1:00 p.m. during this period.

**DATE: May 04, 2020
PLACE: City Hall
TIME: 1:00 p.m.**

K'OMOKS FIRST NATION ACKNOWLEDGEMENT

1.00 ADOPTION OF MINUTES

- 1 1. Adopt April 27th, 2020 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

(a) Development Services

- 7 1. Development Variance Permit No. 2001 - 1435 - Griffin Drive
35 2. Development Permit with Variances No. 1908 - 2800 Arden Road

(b) Financial Services

- 95 3. Security Issuing Resolution - Long Term Debenture Loan Authorization Bylaw 2985, 2019

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

- Councillor Cole-Hamilton
- Councillor Frisch
- Councillor Hillian
- Councillor McCollum
- Councillor Morin
- Councillor Theos
- Mayor Wells

8.00 RESOLUTIONS OF COUNCIL

1. Councillor Hillian Resolution - Temporary Housing and Support Services

Whereas there continues to be a significant homeless population in the Courtenay area whose presence in unsupported settings and unsanctioned campsites creates risks related to health and safety, including fire, environmental hazards and unhygienic conditions that, according to health officials, increase the risk of COVID-19 transmission;

Therefore be it resolved that the City of Courtenay work with the Comox Valley Coalition to End Homelessness to present a proposal to the provincial government for funding to address these risks through the provision of temporary housing and related support services.

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

- 103 1. Mr. W. Lamb - Request to Consider a Recreational Vehicle Sani-Dump Sewage Waste Disposal Site in Courtenay

12.00 BYLAWS

13.00 ADJOURNMENT

R9/2020 - April 27, 2020

Minutes of a Regular Council Meeting held in City Hall, Courtenay B.C., on Monday, April 27, 2020 at 1:00 p.m.

Due to the Coronavirus COVID-19 emergency, the City of Courtenay with the authority of Ministerial Order No. MO83 *Local Government Meetings & Bylaw Process COVID-19*; implemented changes to its open Council meetings.

In the interest of public health and safety, public in-person attendance at Council meetings is prohibited until further notice. Council meetings are presided by the Mayor or Acting Mayor with electronic participation by Council and staff via live web streaming and start at 1:00 p.m. during this period.

Attending:

Mayor: B. Wells via video/audio conference
Councillors: W. Cole-Hamilton via video/audio conference
D. Frisch via video/audio conference
D. Hillian via video/audio conference
M. McCollum via video/audio conference
W. Morin via video/audio conference
M. Theos via video/audio conference

Staff:

D. Allen, CAO via video/audio conference
J. Ward, Director of Legislative and Corporate Services/Deputy CAO via video/audio conference
W. Sorichta, Manager of Legislative & Corporate Administrative Services via video/audio conference
T. Kushner, Deputy CAO via video/audio conference
I. Buck, Director of Development Services via video/audio conference
J. Nelson, Director of Financial Services via video/audio conference
M. Fitzgerald, Manager of Development Planning via video/audio conference
E. Gavelin, Network Technician via video/audio conference
A. Berard, Manager of Financial Planning, Payroll & Business Performance via video/audio conference

1.00 ADOPTION OF MINUTES

.01 Moved by Cole-Hamilton and seconded by McCollum that the
MINUTES April 20th, 2020 Regular Council meeting minutes be adopted as amended.
Carried

2.00 ADOPTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

.01
ZONING AMENDMENT
BYLAW NO. 2990 -
1025 RYAN ROAD
3360-20-1916

Moved by McCollum and seconded by Frisch based on the April 27th, 2020 staff report “Zoning Amendment Bylaw No. 2990 - 1025 Ryan Road” Council approve OPTION 1 and complete the following steps:

1. That Council give First and Second Reading of “Zoning Amendment Bylaw No. 2990, 2020” to create a new CD-27 Zone and rezone the property legally described as Lot B, Section 14, Comox District, Plan VIP74579 from C-2A to CD-27;
2. That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw following the resumption of regular Council meetings; and,
3. That Final Reading of the bylaw be withheld pending the registration of Section 219 covenant and completion of a Housing Agreement.

Carried

.02
2020/2021 RCMP
MUNICIPAL POLICING
CONTRACT
EXPENDITURE CAP:
FINAL APPROVAL
1660-20

Moved by Frisch and seconded by McCollum that based on the April 27th, 2020 staff report “2020/21 RCMP Municipal Contract Expenditure Cap: Final Approval” Council approve OPTION 1, with an established strength at 31.4 members and provides for an expenditure cap of \$6,375,449, of which Courtenay is responsible for 90% or \$5,737,904.

Carried

1:54 p.m. - Councillor Hillian and Councillor Morin recused themselves from the video/audio conference meeting citing a possible conflict of interest as both Councillors stated to having an association with an organization applying for funding through the City’s grant-in-aid program.

.03
2020 GRANT-IN-AID
REQUESTS AND
OPPORTUNITY OF A
‘FLOW-THROUGH-
FUNDS’ PROGRAM
WITH THE COMOX
VALLEY COMMUNITY
FOUNDATION
1850-01

Moved by Frisch and seconded by Theos that based on the April 27th, 2020 staff report “2020 Grant-in-Aid Requests and Opportunity of a ‘Flow-Through-Funds’ program with the Comox Valley Community Foundation”, Council receive the attached list of applicants and support OPTION 2 that Staff not remit Grant-in-Aid payments in 2020 and keep the funds available as emergency funds for organizations supporting those in need during the COVID-19 pandemic; and,

That Staff be directed to put the ‘Flow-Through-Funds’ agreement with the Comox Valley Community Foundation on hold and reconsider later in 2021 for 2022 once there is more certainty around future year Gaming revenue.

Carried

Councillors Hillian and Morin returned to the video/audio conference meeting at 2:04 p.m.

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
CORRESPONDENCE
LETTER OF FROM
SAANICH COUNCIL TO
MINISTRY OF
MUNICIPAL AFFAIRS
& HOUSING TO
REINSTATE THE
FINANCIAL HARDSHIP
PROPERTY TAX
DEFERMENT
PROGRAM
0410-20/0470-20

Moved by Frisch and seconded by Cole-Hamilton that the correspondence dated April 21st, 2020 from the Corporation of the District of Saanich addressed to the Ministry of Municipal Affairs and Housing requesting the province reinstate the financial hardship property tax deferment program initially announced in November 2008 by Premier Gordon Campbell, be received for information; and,

That Council sends a letter to the Minister of Municipal Affairs and Housing requesting the province reinstates the financial hardship property tax deferment program to help ease the financial burden of taxpayers impacted by the COVID-19 pandemic.

Carried

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
RCMP ANNUAL
PERFORMANCE PLAN,
2020-2021,
ACKNOWLEDGEMENT
OF CONSULTATION

Moved by Frisch and seconded by McCollum that the correspondence from Inspector Michael Kurvers, Comox Valley RCMP, related to the “RCMP Annual Performance Plan Acknowledgement of Consultation for the fiscal year 2020 - 2021”, be received for information.

Carried

General discussion followed regarding community policing priorities and areas of concern raised by Council with a focus on traffic road safety, crime reduction strategies, homeless encampments, domestic violence, sexual assault, organized crime linked to drug trade and opioid use; and the impact of Coronavirus Covid-19 in relation to the above and potential release of offenders due exposure risk and spread of Covid-19 in correctional facilities.

Council agreed to invite Inspector Michael Kurvers to a future Council meeting to continue discussions related to community policing priorities, and; that the additional items identified at the April 27th, 2020 regular Council meeting be submitted to Inspector Kurvers for inclusion in the 2020 - 2021 Comox Valley RCMP community priority issues acknowledgment of consultation.

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

.01
REPORTS/UPDATES
FROM COUNCIL
MEMBERS
0530-01

Council agreed to skip discussion related to Item 7 *Reports/Updates from Council Members Including Reports from Committees* at the April 27th, 2020 Council agenda in the interest of time; and agreed that each Council member may submit a summary of their events in writing to staff for inclusion in the meeting minutes.

COUNCILLOR
COLE-HAMILTON

Councillor Cole-Hamilton participated in the following events:

- CVRD Director briefings; COVID-19/Regional EOC information updates (2 Total)
- Climate Caucus Board of Directors meeting
- Climate Caucus Climate Summit Coordinating meeting

COUNCILLOR
MORIN

Councillor Morin participated in the following events:

- CVRD Director briefings; COVID-19/Regional EOC information updates (5 total)
- Comox Valley Elected Officials weekly teleconference briefing with Dr. Charmaine Enns, Medical Health Officer
- Comox Valley Food Policy Council meetings (2 total)
- Food security webinar “Orchestrating a Growing Movement in the City of Victoria”
- Telephone meeting with seniors advocate regarding concerns over criminal activity in the area of “The Junction” supportive housing complex, 988 - 8th Street
- Communication with several residents regarding air quality, fire ban, homeless citizens, restricted access to trails, and food security

8.00 RESOLUTIONS OF COUNCIL

.01
IN CAMERA
MEETING

Moved by Hillian and seconded by Morin that notice is hereby given that a Special In-Camera meeting closed to the public will be held April 27th, 2020 at the conclusion of the Regular Council Meeting pursuant to the following sub-section of the *Community Charter*:

- 90(1) (c) labour relations or other employee relations;
- 90 (1) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

Carried

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

12.00 BYLAWS

.01 Moved by Frisch and seconded by Cole-Hamilton that “Zoning
ZONING AMENDMENT Amendment Bylaw No. 2990, 2020” pass first and second reading.
BYLAW NO. 2990, **Carried**
2020 (AMEND
ZONING TO PERMIT A
118 UNIT RENTAL
APARTMENT BLDG
WITH AMENITIES -
1025 RYAN ROAD)

.02 Moved by McCollum and seconded by Hillian that “Tax Rates
TAX RATES BYLAW Bylaw No. 3002, 2020” pass first, second and third reading.
NO. 3002, 2020 **Carried**
(TO ESTABLISH THE
PROPERTY VALUE
TAXATION RATES FOR
2020)

.03 Moved by Hillian and seconded by Frisch that “Tax Rates Bylaw
TAX RATES BYLAW No. 3002, 2020” be finally adopted.
NO. 3002, 2020 **Carried**
(TO ESTABLISH THE
PROPERTY VALUE
TAXATION RATES FOR
2020)

13.00 ADJOURNMENT

.01 Moved by Frisch and seconded by McCollum that the meeting
now adjourn at 2:31 p.m.
Carried

CERTIFIED CORRECT

Corporate Officer

Adopted this 4th day of May, 2020

Mayor



STAFF REPORT

To: Council

File No.: 3090-20-2001

From: Chief Administrative Officer

Date: May 4, 2020

Subject: **Development Variance Permit No. 2001 – 1435 – Griffin Drive**

PURPOSE:

The purpose of this report is for Council to consider a Development Variance Permit to vary the Zoning Bylaw to permit reductions in the required front setback for the property legally described as Lot 11, District Lot 157 Comox District Plan 49928, in order to accommodate the building's second storey addition and associated support columns that encroach into the front yard setback.

CAO RECOMMENDATIONS:

That based on the May 4, 2020 staff report "Development Variance Permit No. 2001 – 2380 – 20th 1435 Griffin Drive", Council approve OPTION 1 and proceed with issuing Development Variance Permit No. 2001.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property was rezoned in February 2019 to the Residential One S (R-1S) zone to permit the addition of a secondary suite. A second storey was added to the home to accommodate the suite which projects into the front yard setback.

The required front yard setback is 7.5m. The building's second story and associated support columns are within 6.53m of the front lot line. The City measures variances from the furthest degree of encroachment, including roof overhangs. The roof overhang is 0.73m, and therefore the total front yard requested is 5.8m, a reduction of 1.7m (**Figures No. 2 & No. 3**).

Of note, section 6.6.1 of the City's Zoning Bylaw allows for encroachment of projecting features such as decks and overhangs. However, this allowance is for a maximum projection of 0.6 meters, less than the required 1.7m required in this instance.

The applicant's rationale can be found in **Attachment No. 2**.



Figure 1. Subject Property.

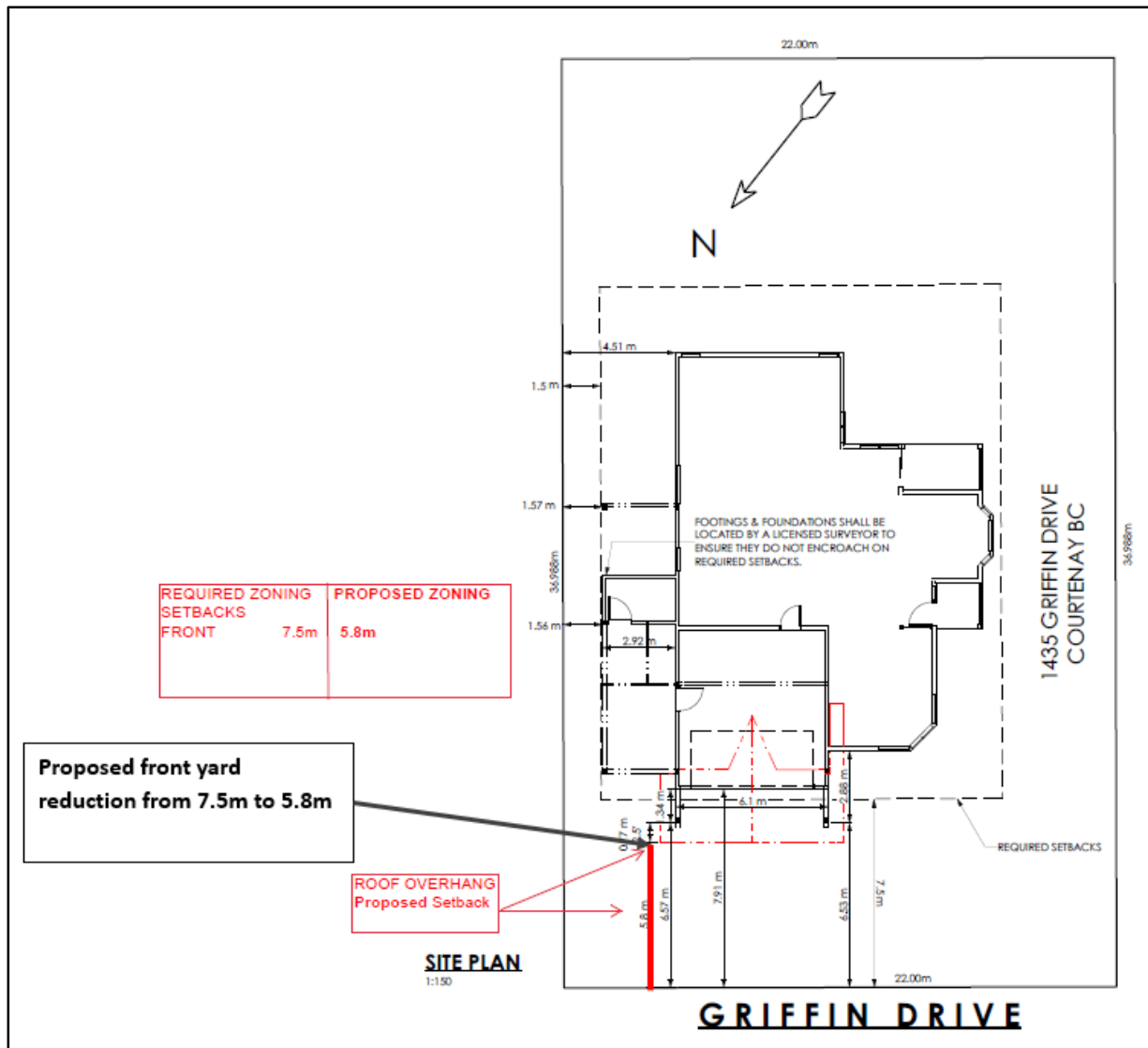


Figure 2. Site plan showing encroachment from overhang.

DISCUSSION:

Zoning Bylaw Review:

The subject property is zoned Residential One S (R-1S). Single family homes, with or without a suite, are permitted in this zone. The site plan is shown in **Figure No. 2**. Compliance with the R-1S zone is summarized below in Table No. 1 with the variance shown in red.

	Regulation	Proposed
Land Use	-Single residential dwelling -Secondary Suite	-Single residential dwelling with suite
Minimum Lot Size	650m ²	813m ²
Minimum Lot Depth	30.0m	36.98m
Lot Coverage	Maximum 40%	23.39%
Front yard setback	7.5m	5.8m
Rear yard setback	9.0m	11.63m
Side yard setbacks	4.5m total Minimum 1.5m	5.25m west side yard 1.5m east side yard
Parking	Single family residence – 2 Suite – 1 Total: 3 spaces required	3 spaces

Table 1. Zoning Compliance (R-1S zone and proposal)

Variance Request (minimum front yard setback): As per section 8.1.51 (1) of *Zoning Bylaw 2500*, the minimum required front yard setback for the R-1S zone is 7.5m. The applicant proposed to reduce this to 5.8m (a difference of 1.7m or 22.7%, see **Figures No. 2 & No. 3**).

The addition is now constructed and the columns and second storey encroachment were not identified during the building permit review process. The rationale for the requested variance is that the columns are existing and removal of the posts at this stage would be of considerable cost to the owner.

Staff assess the requested variances as supportable given the requested variance is low, as only the second story addition and associated support columns encroach into the front yard, while the remainder of the building complies with within the setback requirements. The columns and associated balcony and roof structure also add to the visual interest and character of the home.

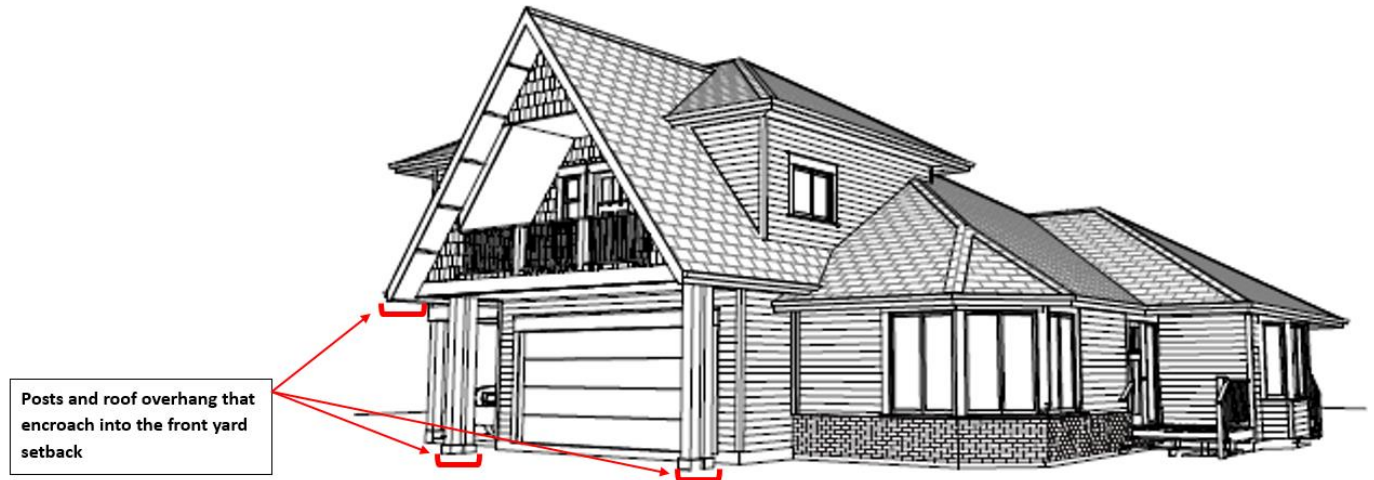


Figure 3. Rendering of the home with the second storey addition. Elements that encroach into the setback highlighted in red.

FINANCIAL IMPLICATIONS:

There are no direct financial implications related to the processing of this development variance permit application. The fee for the Development Variance Permit was \$1,500.

ADMINISTRATIVE IMPLICATIONS:

The processing of development applications is included in the current work plan as a statutory component. Staff have spent approximately 30 hours processing this application to date.

Should the proposed Development Variance Permit be approved, an additional two hours of staff time will be required to prepare the notice of permit, have it registered on title, and close the file. Additional staff time will also be required for processing and issuing of remaining Building Permit processes and related inspections.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications related to this application.

STRATEGIC PRIORITIES REFERENCE:

The November 2019 Strategic Priorities Check-in does not include any additional relevant references.

2019-2022 Strategic Priorities

- Communicate appropriately with our community in all decisions we make
- ▲ Encourage and support housing diversity

OFFICIAL COMMUNITY PLAN REFERENCE:

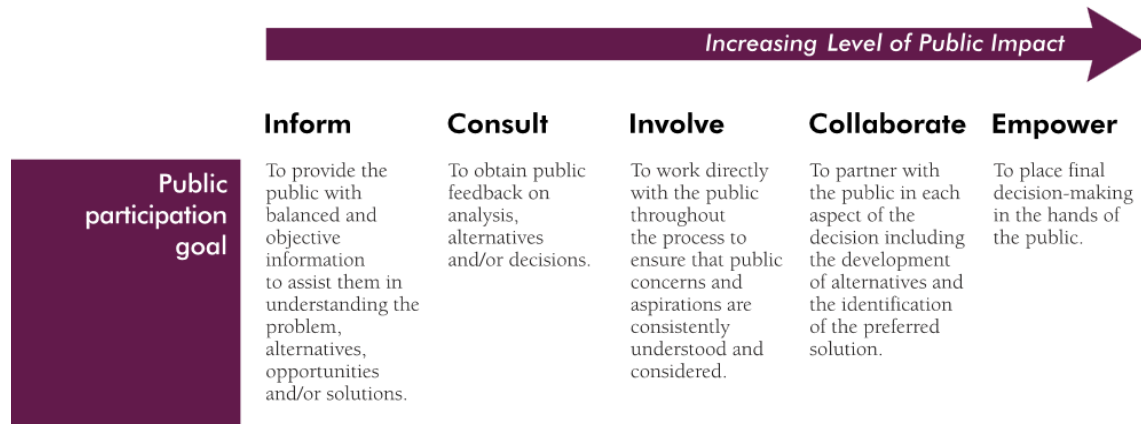
The Official Community Plan does not contain any policy references regarding front yard variance reductions.

REGIONAL GROWTH STRATEGY REFERENCE:

The proposed development is located within the core settlement area outlined in the Comox Valley Regional Growth Strategy. The Regional Growth Strategy states that at least 90 percent of growth in the Comox Valley should be directed to Core Settlement Areas.

CITIZEN/PUBLIC ENGAGEMENT:

Staff **consulted** the public based on the IAP2 Spectrum of Public Participation:



A Public Information package was distributed to property owners and occupiers within 30m of the property. The applicant held a public information meeting on February 5, 2020. The meeting was held at the subject property. According to the applicant, no members of the public attended, and therefore there was no discussion. The applicant’s public information meeting summary is included as **Attachment No. 3**. Two comment sheets were submitted to the City by members of the public from the mail out for the meeting. Neither had concerns with the proposal. The comment sheets can also be found in **Attachment No. 3**.

OPTIONS:

OPTION 1: (Recommended): Approve Development Variance Permit No. 2001.

OPTION 2: Defer issuance of Development Variance Permit No. 2001 pending receipt of further information.

OPTION 3: Not approve Development Variances Permit No. 2001.

Prepared by:

Cassandra Marsh, B.A.
Planner I

Reviewed by:

Ian Buck, RPP, MCIP
Director of Development Services

Attachments:

1. *Attachment No. 1: Draft Development Variance Permit No. 2001*
2. *Attachment No. 2: Rationale for variance request*
3. *Attachment No. Public Information Meeting documentation*

Attachment No. 1:
Draft Development
Permit

THE CORPORATION OF THE CITY OF COURTENAY

Permit No. 3090-20-2001

DEVELOPMENT VARIANCE PERMIT

April 27, 2020

To issue a Development Variance Permit

To:

Name: Lloyd Frederick Gene Garrett
Address: 1435 Griffin Drive
Courtenay, B.C. V9N 8M6

Name: Sylvia Bernice Garrett
Address: 1435 Griffin Drive
Courtenay, B.C. V9N 8M6

Name: Lisa Jaĥetta Garrett
Address: 1435 Griffin Drive
Courtenay, B.C. V9N 8M6

Property to which permit refers:

Legal: LOT 11, DISTRICT LOT 157, COMOX DISTRICT PLAN 49928
Civic: 1435 Griffin Drive

Conditions of Permit:

Permit issued to the property legally described as Lot 11, District Lot 157, Comox District Plan 49928 to permit the following variance:

- *Zoning Bylaw No. 2500, 2007*
 - *Section 8.1.51 (1)* – minimum front yard setback reduced from 7.5m to 5.8m.

Development Variance Permit No. 2001 is subject to the following conditions:

1. Development must substantially conform to the site plan and by Kervin Home Design dated January 22, 2020, contained in *Schedule No.1* and to the plans and elevations by Kervin Home Design dated July 29, 2019 in *Schedule No. 2*;
2. The development shall meet all other applicable requirements, standards and guidelines;
and
3. No alterations or amendments shall be made without the City's permission. A formal amendment application is required if the plans change or additional variances are identified after the permit is issued.

Time Schedule of Development and Lapse of Permit

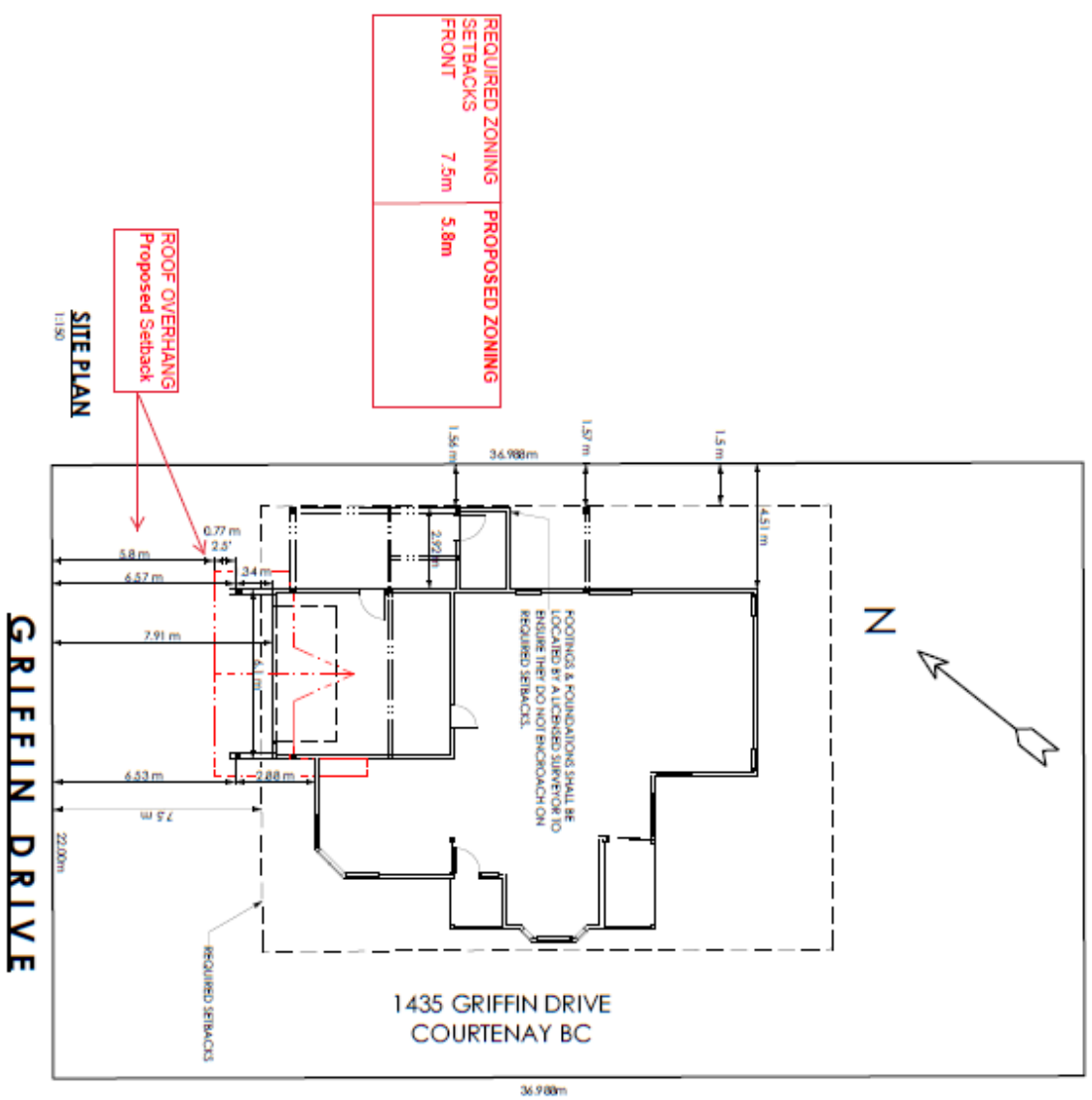
That if the permit holder has not substantially commenced the construction authorized by this permit within (12) months after the date it was issued, the permit lapses.

Date

Director of Legislative Services

DRAFT

Schedule No.1: Site Plan



Revised Dates		Project Title	Project Location
Revised Date	Reason		
		GRIFFIN DRIVE SITE PLAN	1435 GRIFFIN DRIVE
		KERVIN HOME DESIGN 250-671-0316 rod@kervinhomedesign.com www.kervinhomedesign.com	A1
THIS PLAN IS PROPERTY OF KERVIN HOME DESIGN AND MAY NOT BE REPRODUCED OR USED WITHOUT THE WRITTEN CONSENT.		Date: 08/07/2019 Drawn By: [Signature] Scale: 1/1"=1'-0"	Drawing Number: A1

Schedule No.2: Plans and Elevations

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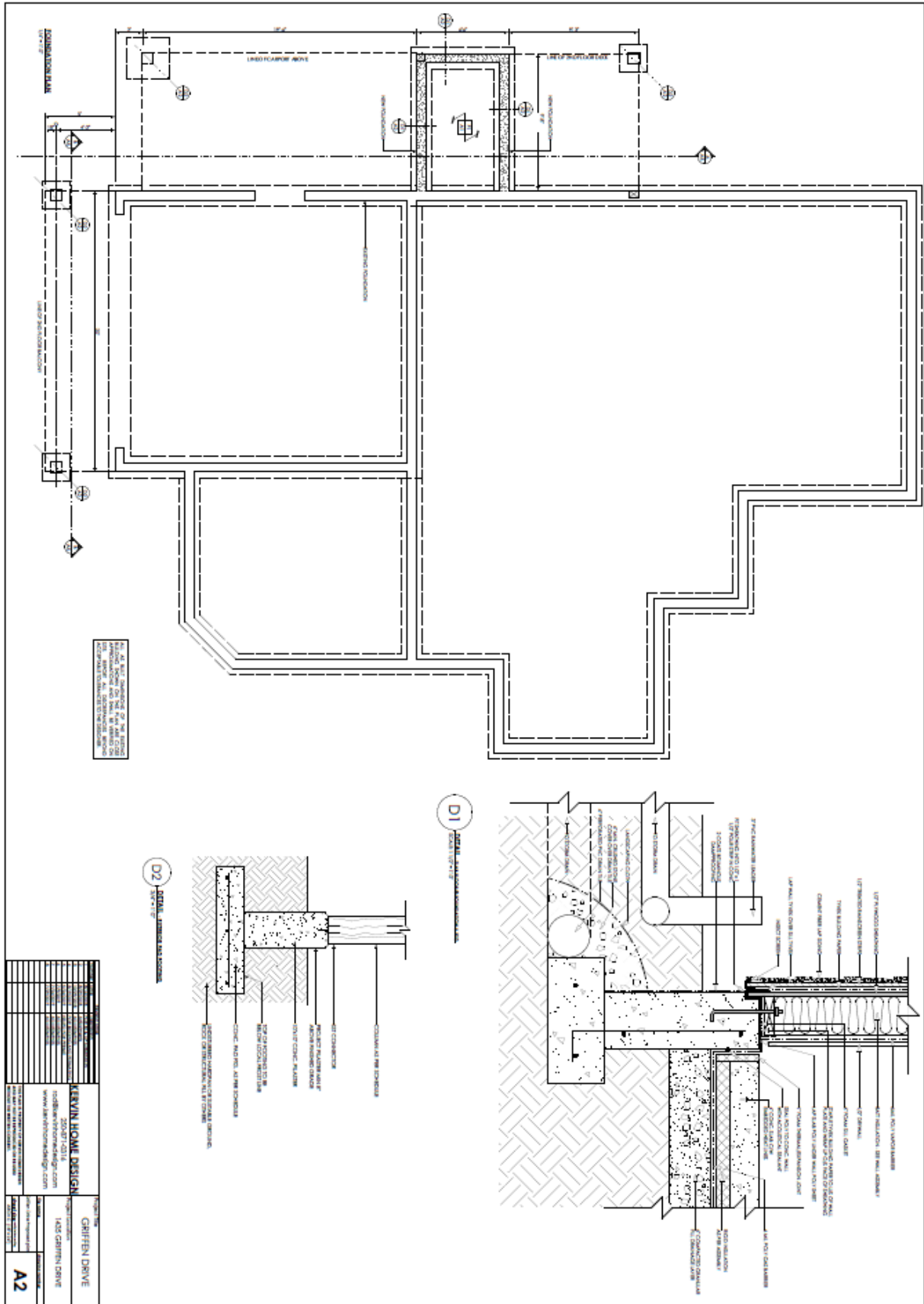
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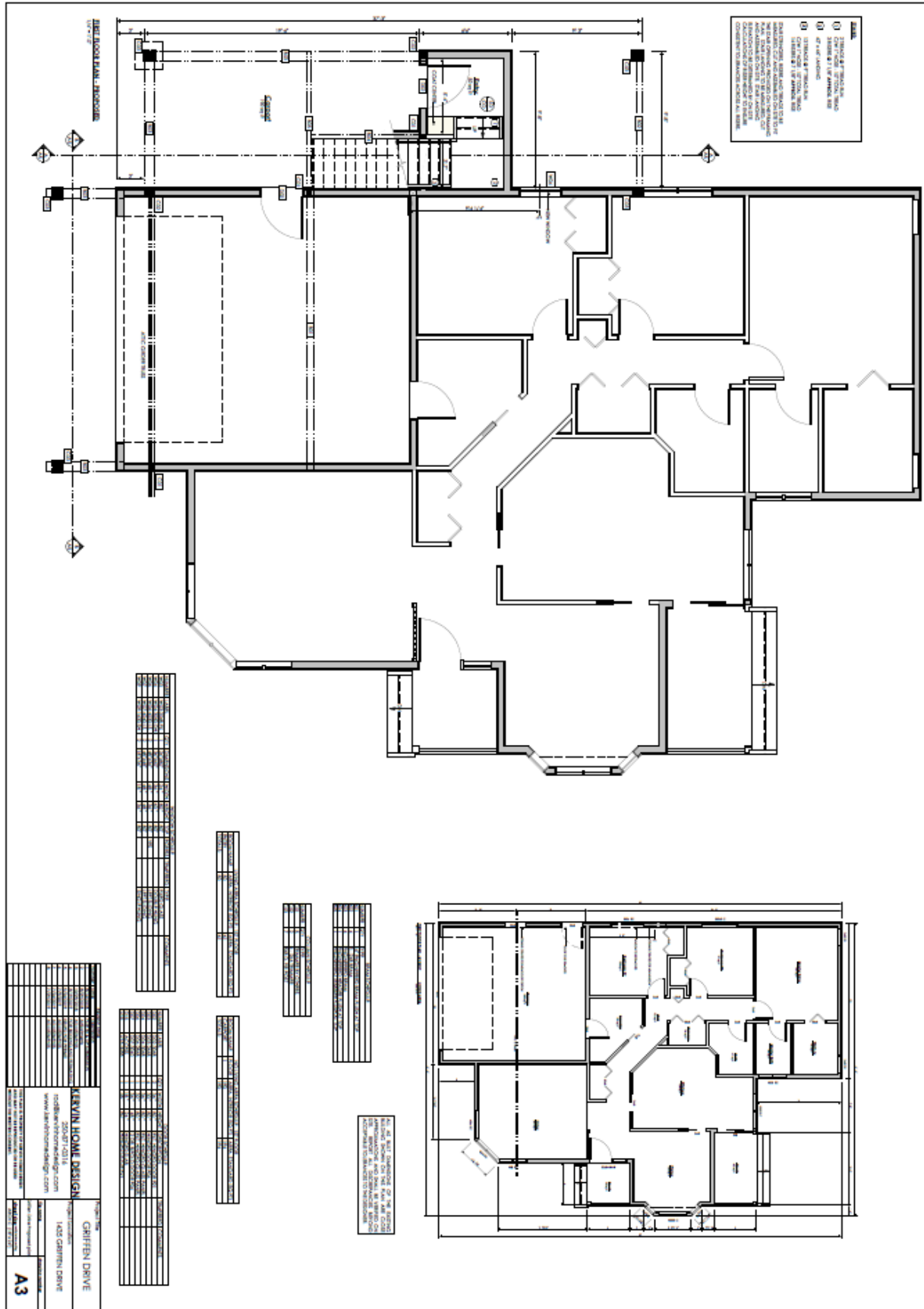
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206 471 2016
www.kevinhomedesign.com

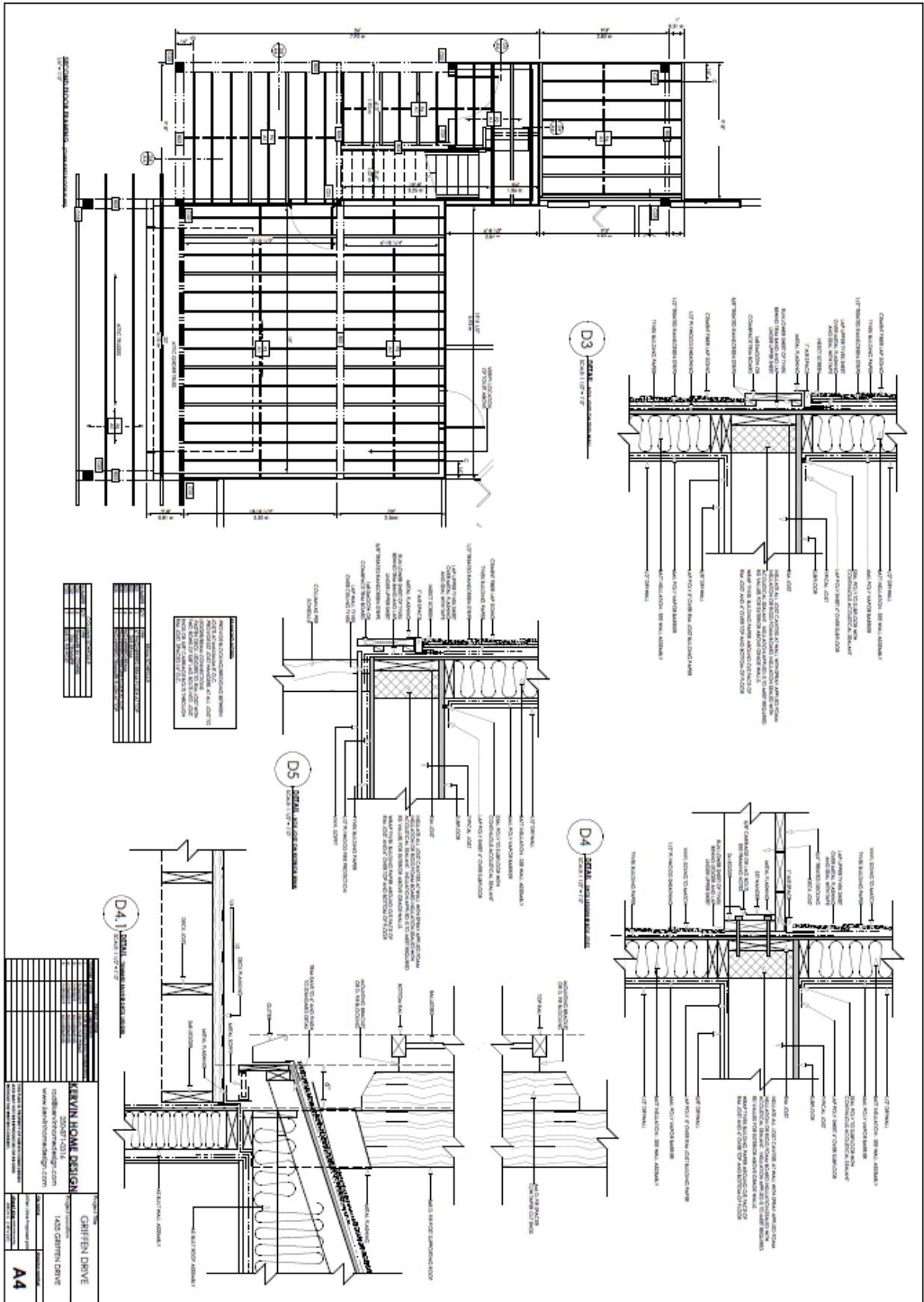
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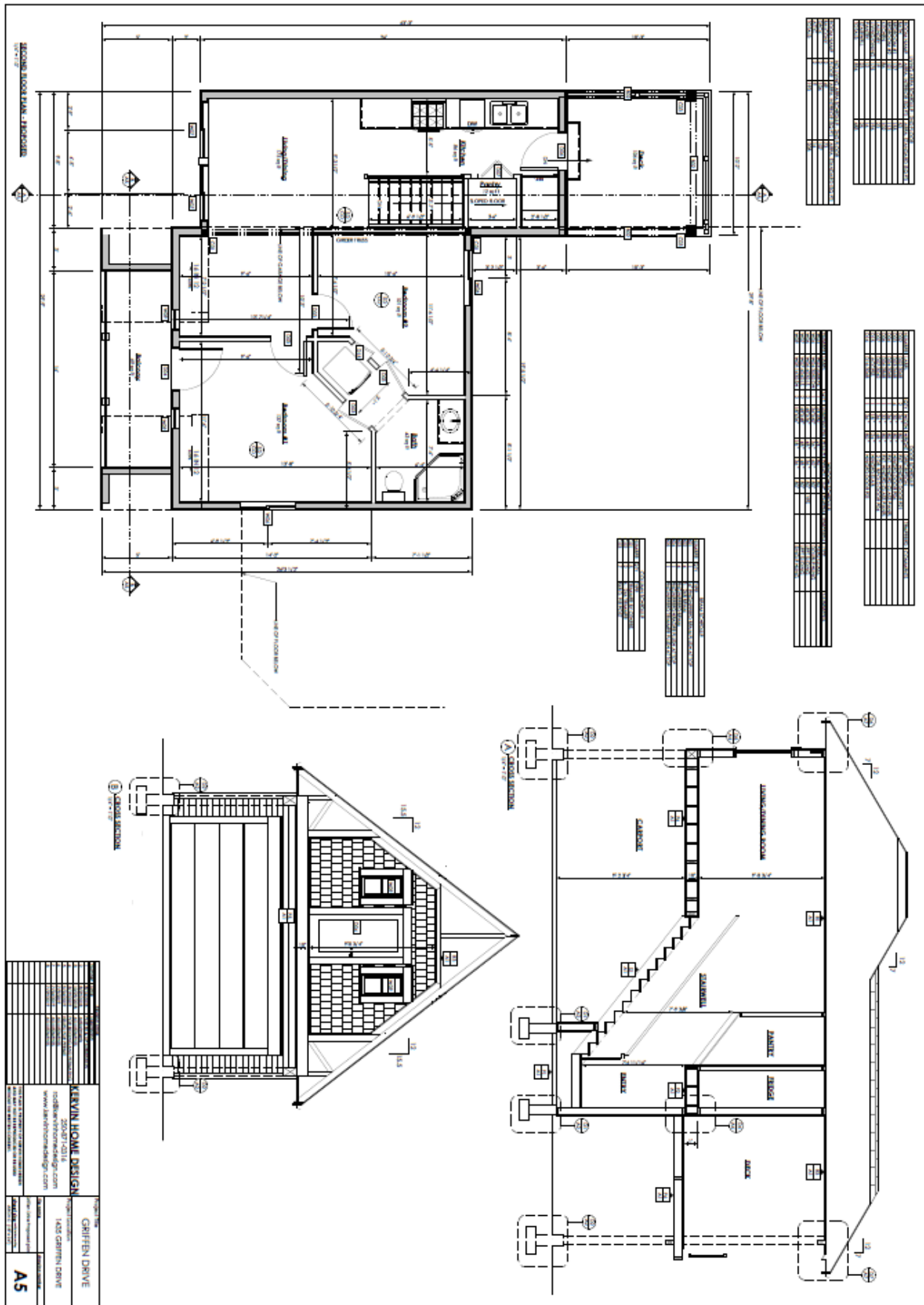




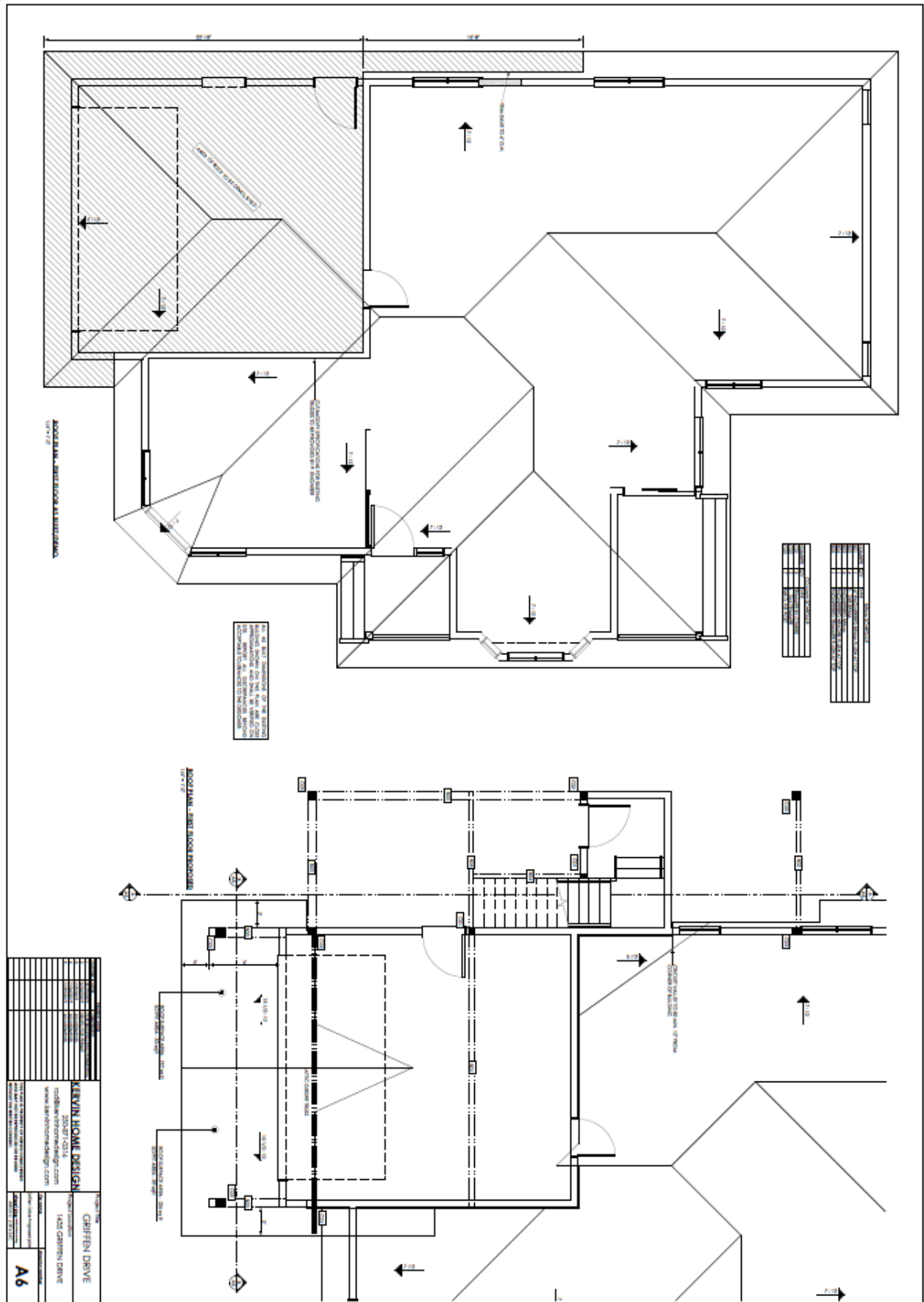
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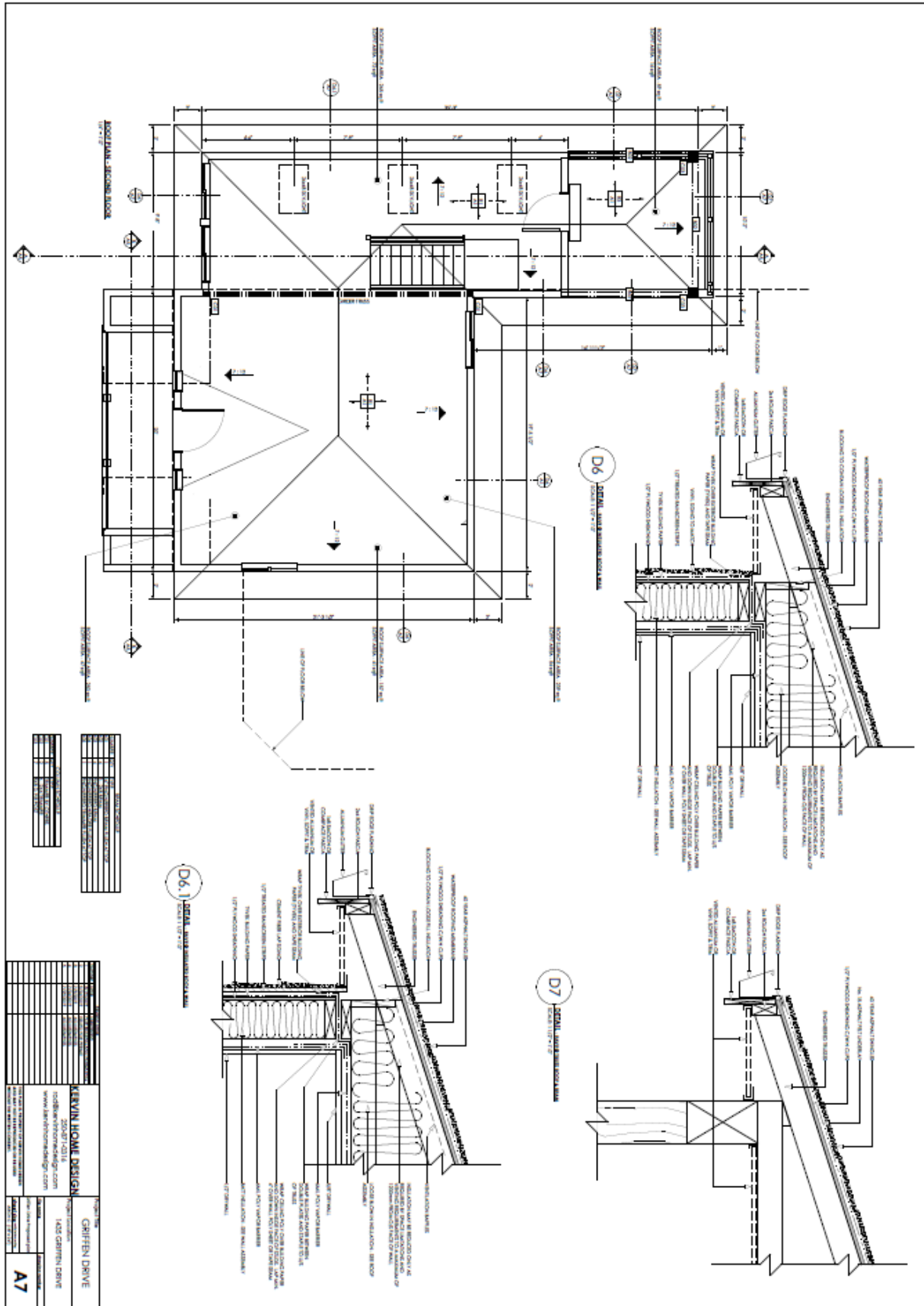
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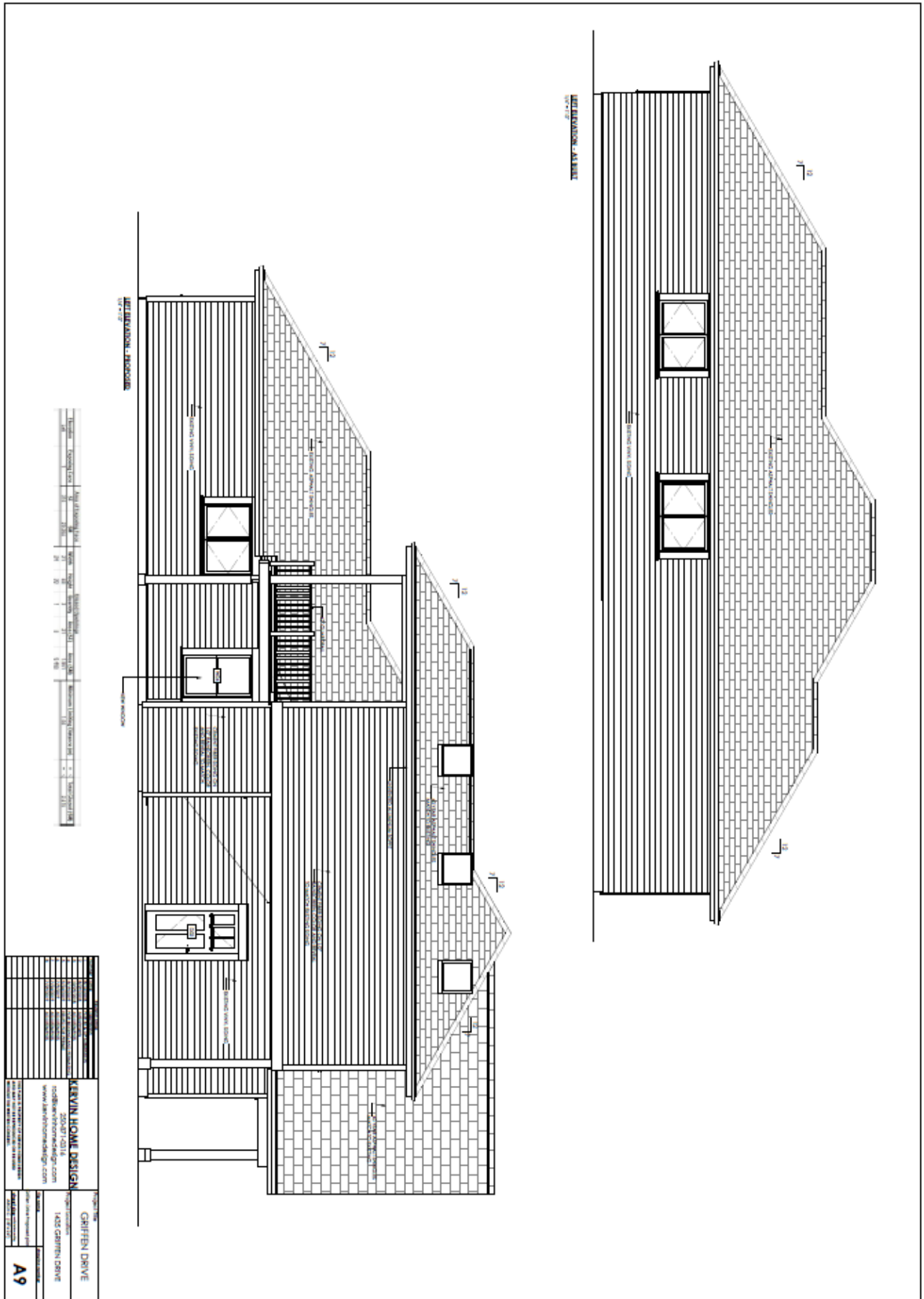


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CDD@KHOWEDSIGN.COM	
WWW.KHOWEDSIGN.COM	
1435 GRIFFIN DRIVE	
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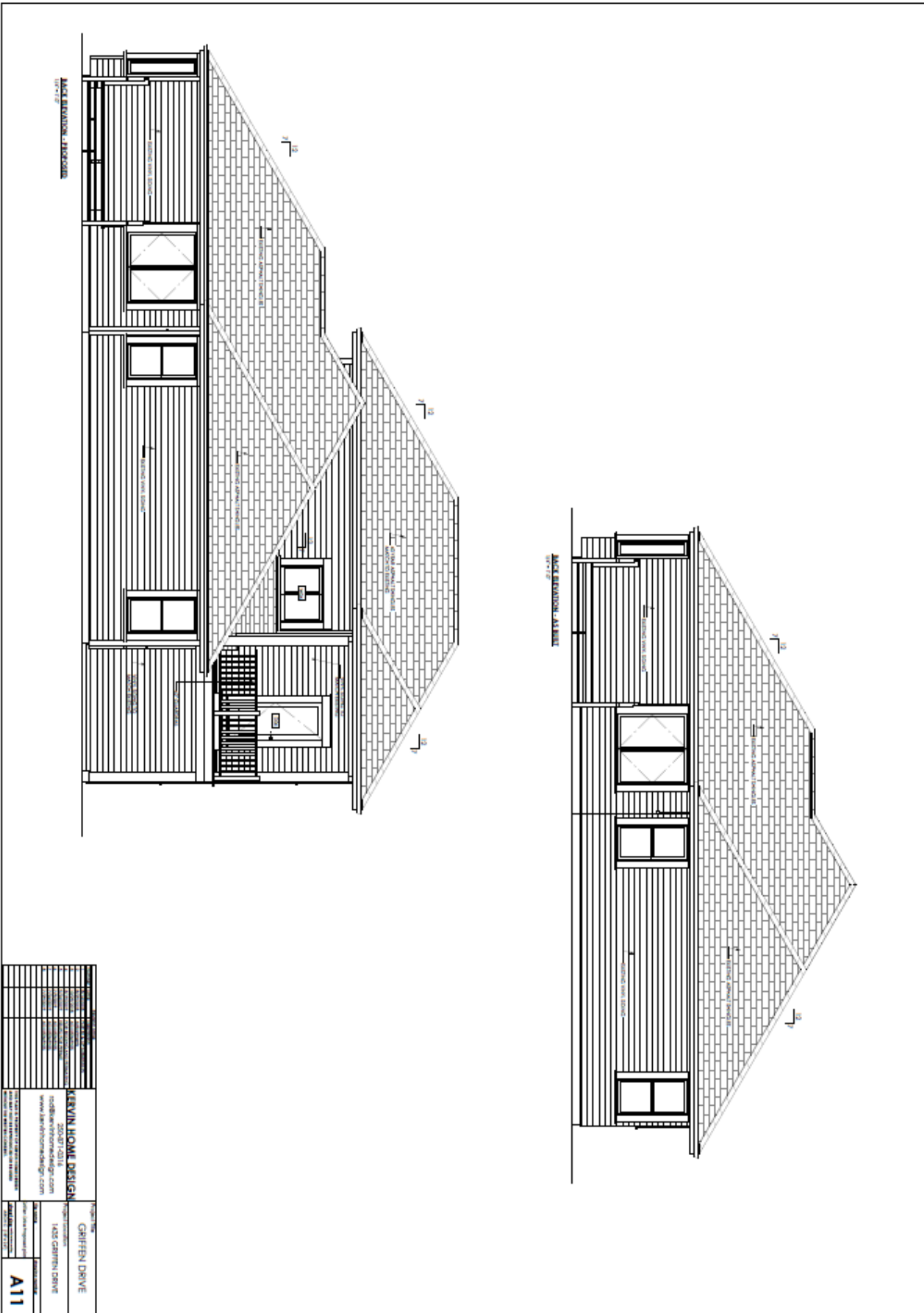






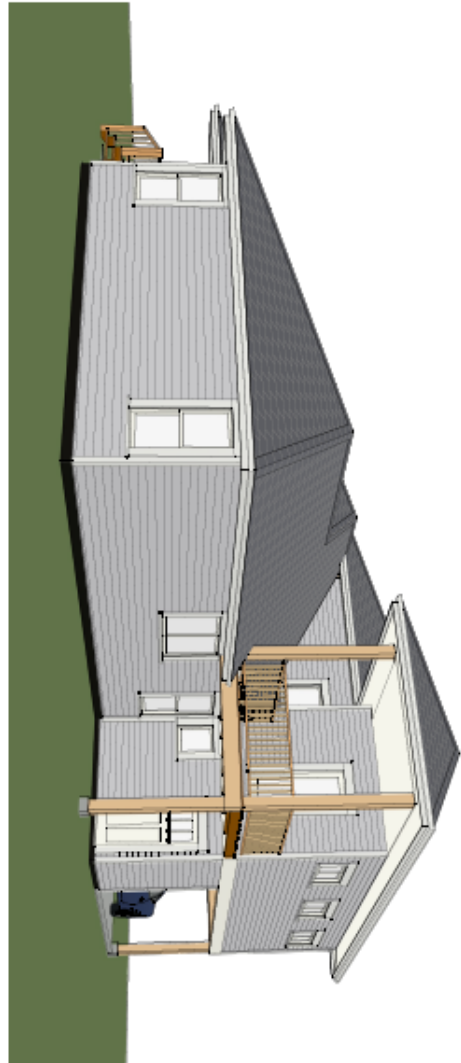




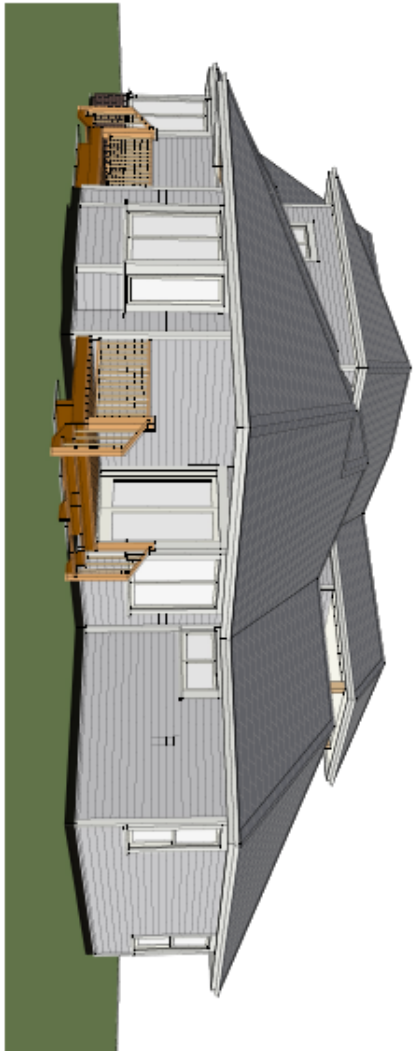


<p>KERVIN HOME DESIGN 2020 Griffin Drive 2020 Griffin Drive 2020 Griffin Drive www.kervinhomedesign.com</p>		<p>GRIFFEN DRIVE 1435 GRIFFEN DRIVE</p>	
<p>DATE: 05/04/2020 TIME: 10:00 AM DRAWN BY: [Name] CHECKED BY: [Name]</p>		<p>PROJECT NO: A11</p>	





BACK LEFT ISOMETRIC



BACK RIGHT ISOMETRIC

ARCHITECT	CLIENT
KEVIN HOME DESIGN 2500/74311 5028N 15TH AVE. #100 VANCOUVER, BC V6P 2C9 TEL: 604-276-0071 WWW.KEVINHOMEDSIGN.COM	GRIFFIN DRIVE 1435 GRIFFIN DRIVE
DATE: 11/19/2019	PROJECT NO.:
SCALE: AS SHOWN	PROJECT NAME:
PROJECT ADDRESS: 1435 GRIFFIN DRIVE	CITY: VANCOUVER
PROJECT NO.: A13	

Attachment No. 2:
Rationale for Variance
Request

Rationale

The purpose of this application is to allow a variance of the Bylaw 2500, 8.1.6 setback of 7.5 meters to proposed 6.53 meters (Front) with the difference of 0.97 meters.

The survey at the property under development attached shows 2 posts have been placed within the existing 7.5 (front set back).

Therefore, I am applying to have this variance to allow the setback amended to accommodate the necessary structure, as currently constructed.

From: Stephanie Novakowski
Sent: Thursday, February 27, 2020 4:57 PM
To: Marsh, Cassandra <cmarsh@courtenay.ca>
Subject: RE: Review Letter - 1435 Griffin Drive

Good Evening Cassandra,

Thank you for your time and help earlier today. Please see attached documents and advise if these are acceptable?

In reference to your point about the setback and the furthest degree of encroachment, we were using the distance as supplied by the surveyor who measured to the concrete. The roof overhang would therefore be 5.8m.

Attachment No. 3:
Public Information
Meeting



PUBLIC INFORMATION MEETING

DATE: Wednesday, February 5, 2020
REGISTRATION: 5:50 P.M.
CALL TO ORDER: 6:00 P.M.

LOCATION: 1435 Griffin Drive
Courtenay, BC, V9N 8M6

Summary: A variance is being sought by Griffith Holdings Ltd. (dba Griffith Homes) to allow a variance of 0.97 meters for two structural posts. These posts were constructed in contravention of Bylaw 2500, 8.1.6 requiring setbacks of 7.5 meters, instead of the constructed posts which are set 6.53 meters.

Address and Map:

1435 Griffin Drive
Courtenay, BC, V9N 8M6





**Griffith
HOMES**

Description of Proposal:

Background: On August 15, 2019, the City of Courtenay Development Services Department issued a Building Permit (BP014422) approving the construction of a secondary, second floor suite to be located at 1435 Griffin Drive in Courtenay, British Columbia. At issue, is the construction of two structural posts that were built in contravention of the Bylaws (Ref. 2500, 8.16) requiring setbacks be at least 7.5 Meters from the property line. Instead, the structural posts were built within the setback at 6.53 meters (Front) from the property line. The structural posts are in contravention of the Bylaw 2400, 8.1.6 by an encroachment of 0.97 meters.

Griffith Holdings Ltd. Position: The encroachment error was missed at several different stages. As the builder, we contend that the error is a shared oversight between the designer, the City of Courtenay, the Land Surveyor and Griffith Holdings Ltd. The error was identified on November 6, 2019 during the Insulation Inspection; following four (4) prior inspections that all passed (Ref. Table 1). By the time the encroachment error was identified, Griffith Holdings Ltd. had completed a substantial portion of the project.

Table 1:

Date	Inspection	Status
September 5, 2019	Footings Inspection	Passed
September 18, 2019	Rain & Drain Inspection	Passed
October 17, 2019	Wall Sheathing Inspection	Passed
October 18, 2019	Plumbing Rough In	Passed

Proposal:

Therefore, Griffith Holdings Ltd. is applying to have a variance approved to allow the setback amended to accommodate the necessary structure, as currently constructed.



Tavis Griffith
Griffith Holdings Ltd. (dba Griffith Homes)
1395 Trillium Drive
Comox, BC V9M 1A4

February 6, 2020

Development Services Department
City of Courtenay
830 Cliffe Avenue
Courtenay, BC, V9N 2J7

RE: Development Variance Permit (Folder: DVP00023)

Dear Development Service Department:

Griffith Holdings Ltd. (dba Griffith Homes) has applied for a Development Variance Permit for the location at 1435 Griffin Drive, Courtenay, BC V9N 8M6. A summary report follows:

Location and duration of the meeting	1435 Griffin Drive Courtenay, BC V9N 8M6 25 Minutes
Number of attendees	0
How the meeting was advertised and how surrounding property owners were notified	A Public Information Meeting notification was hand delivered to the local residents that were listed on the mailing list for residents within 30 meters as supplied by the Planning Clerk. Non-local residents received the notification via mail.
Information provided at the meeting	Sign-In Sheet and Comment Sheets were available. A handout was made available providing the Description of the Proposal. Marking was put down to indicate the setback as per Bylaws. Architectural drawings and the site plan showing the encroachment were available for review.
Summary of questions	None

If you would like additional information, you can telephone me at (250) 207-0385.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tavis Griffith', is written over a light blue horizontal line.

Tavis Griffith
President

Enclosures: Notification, Sign-In Sheet, Comment Sheets, Minutes, Site Plan and Architectural Drawings.



PUBLIC INFORMATION MEETING

February 5, 2020

Applicant: Griffith Holdings Ltd.

Address of Subject Property: 1435 Griffin Drive, Courtenay, BC V9N 8M6

Griffith Holdings Ltd. has applied to the City of Courtenay for a Development Variance Permit for the secondary suite built at 1435 Griffin Drive, Courtenay, BC V9N 8M6. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

We own and live at 1430 Griffin Drive, which is directly across the street from this property. The finished product here looks great.

We have no problem whatsoever to have the variance approved as requested by Griffith Holdings Ltd.

Spiller

Cell

*1430 Griffin Drive
Courtenay*

Please return your comments by: February 12, 2020

Comment Sheets can be submitted by one of the following methods:

1. Drop your comment sheet off at the Development Services Department, City of Courtenay 830 Cliffe Avenue
2. Email your comment sheet to planning@courtenay.ca
3. Fax your comment sheet to 250-334-4241



PUBLIC INFORMATION MEETING

February 5, 2020

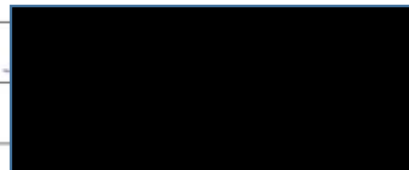
Applicant: Griffith Holdings Ltd.

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Griffith Holdings Ltd. has applied to the City of Courtenay for a Development Variance Permit for the secondary suite built at 1435 Griffin Drive, Courtenay, BC V9N 8M6. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

NO COMMENT



Please return your comments by: February 12, 2020
Comment Sheets can be submitted by one of the following methods:
1. Drop your comment sheet off at the Development Services Department, City of Courtenay 830 Cliffe Avenue
2. Email your comment sheet to planning@courtenay.ca
3. Fax your comment sheet to 250-334-4241



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3060-20-1908

From: Chief Administrative Officer

Date: May 4, 2020

Subject: Development Permit with Variances No. 1908 – 2800 Arden Road

PURPOSE:

The purpose of this report is for Council to consider a Development Permit with Variances to allow the construction of two, four-unit multifamily buildings at 2800 Arden Road with variances to the rear yard setback, maximum number of driveways per road frontage, front yard fence height, and landscape screening width. A covenant will also have to be amended to allow the eight unit, building form and fence requirements.

CAO RECOMMENDATIONS:

That based on the May 4, 2020 staff report entitled “**Development Permit with Variances No. 1908 – 2800 Arden Road**” Council approve OPTION 1 and complete the following steps:

1. That Council direct staff to schedule a Public Hearing for the requested modifications to Covenant CA6752450 when regular Council meetings resume or an alternative Public Hearing format is authorized by the Province and approved by Council; and
2. That a final decision on “**Development Permit with Variances No. 1908 – 2800 Arden Road**” be withheld until Covenant CA6752450 is modified to permit the proposed development.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:***Parcel Context and History***

The subject property is located at 2800 Arden Road and is 2,505m² (0.62 acres) in size. It was created in May 2018, subdivided from 2880 Arden Road after receiving OCP and zoning amendments (Bylaws 2682 and 2683) to Multi Residential and Residential Three (R-3) in 2012. These allow townhouses and apartments as well as other residential uses. It has since remained vacant, but was partially cleared since the City's 2018 aerial photo was taken (**Figure 1**), including conifers near the front lot line and interior fruit trees, but leaving natural vegetation at the rear of the lot.

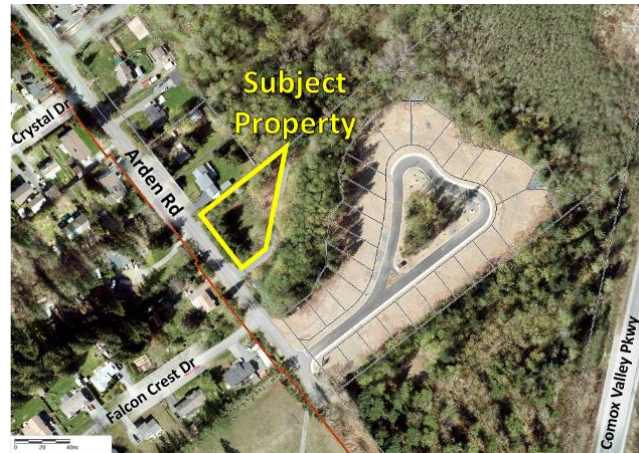


Figure 1. Location Map

During the 2012 OCP/Zoning amendment, Covenant CA2638428 was registered on title. This covenant was meant to facilitate a seven-unit development; the concept plan the covenant was based on is shown in **Figure 2**. In addition to requiring a number of impact mitigation measures, the covenant noted that the multi residential land was intended to be sold to a not-for-profit housing provider – a point recently emphasized by some neighbours – but also allowed for alternatives if a deal is not reached. Specifically, Section 3. (e) thereof detailed providing a simple interest in the land to Habitat for Humanity or a similar not-for-profit for nominal consideration to induce City Council to rezone. Section 3. (f), however, allowed that if the Grantor, despite commercially reasonable efforts, is unable to transfer the subject property as in 3(e), the Grantor will pay into amenity funds prior to building on the lot. At the request of the applicant, in the summer of 2017 staff reviewed all correspondence (including council reports) related to this condition and it was clear the intent was to sell the land to Habitat for Humanity at a rate slightly less than market.

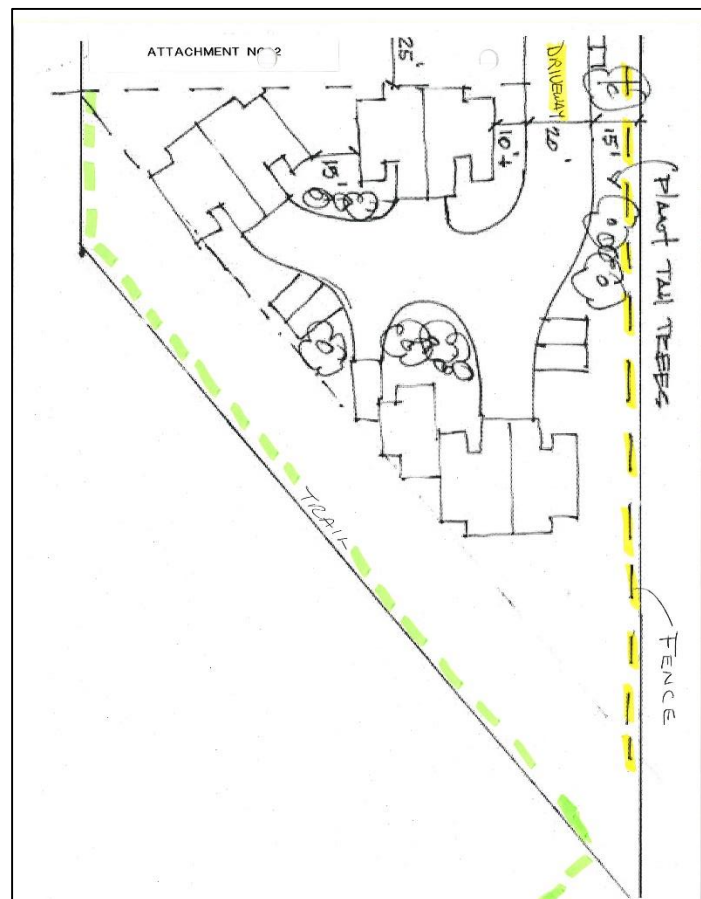


Figure 2. Covenant Concept Plan

In the fall of 2017 City staff met with the then land owner and a representative of Habitat for Humanity to discuss Habitat for Humanity's interest in purchasing the land. The City was advised in the meeting that the location was too far from services (schools, shopping, etc.) to be viable for Habitat for Humanity's model of

housing low income families with children; as such they opted not to acquire this property. Accordingly, when the subject property was subdivided from the parent lot in 2018 a new covenant was registered on the subject property with modified conditions pertaining to affordable housing amenity contributions. Congruent with section 3(f) of the 2012 covenant the new covenant requires that prior to any building permits being issued on the subject property the applicant must make a monetary contribution to the affordable housing reserve fund. The original developer of the parent property also provided an amenity contribution to the affordable housing reserve fund at the time of subdivision approval for each of the 25 bare land strata lots created on the parent parcel just south of the current subject property. All other conditions of the 2012 covenant remain intact. The current applicant purchased the lot in 2019.

Neighbourhood Context

Figure 1 above shows the subject property location, between a single family home and a park with a stream and a public path intended to link in the future to Piercy Creek Greenway. Single family homes dominate the neighbourhood, typically set low on the sloping natural grade. The Transportation Master Plan classifies Arden Road as a collector though it is rural in character with the nearest public transit stop at Cumberland Rd about 800m away.

Figure 3 shows a view across the front of the property from the public path at Arden Road.

Development Proposal

The applicant intends to construct two, four-unit multifamily buildings, each comprising two two-storey units and two basement units. The upper units are about 145m² (1545ft²) plus garage and the lower units are 71m² (767 ft²). **Figure 4** shows the proposed site plan with variances highlighted as well as covenant conflicts. **Figures 4-7** show elevations, with additional drawings attached to **Attachment No. 2 – Draft Permit**.

The applicant maintains that the concept plan the covenant was based on is unworkable for a number of technical reasons (**Attachment No. 1**), and has proposed an alternative plan. Consequentially, CA6752450 would need to be amended or released for the application to be approved, to allow the eighth unit, the 4-unit building form and the shortened fence length as discussed below. While public hearings are not required as part of development permit applications, in this instance the covenant was registered as part of a public zoning process. While some covenant conditions, such as the not-for-profit housing requirement provide for alternatives, other conditions such as the unit count and housing form are fixed. Accordingly, best practice is to follow the same process to amend the covenant that was used to formulate the conditions of the covenant – a Public Hearing.



Figure 3. Subject Property and Neighbours along Arden Rd

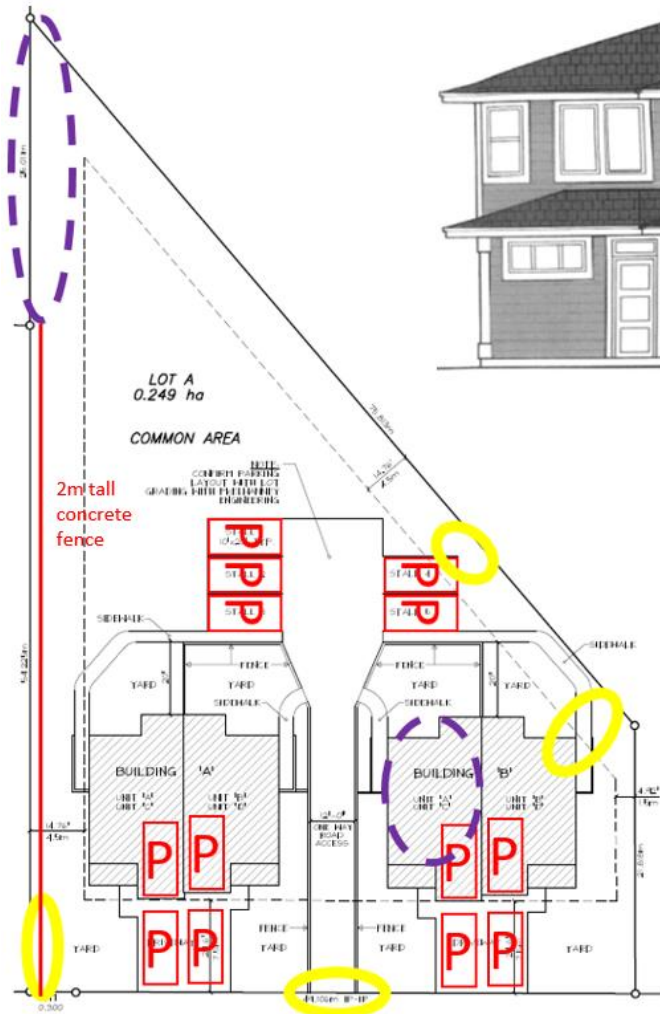


Figure 4. Site Plan with Variances (yellow) and Covenant amendments (purple)



Figure 5: Proposed Front Elevation (north bldg. detail)



Figure 6: Proposed Rear Elevation



Figure 7: Proposed Side Elevation (south)

Note: Applicant wishes to increase basement ceiling height by 0.3m (1') above that pictured to keep back grade low, addressing neighbour preference in **Attachment No. 3**, p. 21. No impact on building height and no concern from Development Services.

DISCUSSION:

Zoning and Subdivision and Development Servicing Bylaw Review

The proposed development will meet the provisions of the Residential Three (R-3) zone with the exception of *Sections 6.8.1, 8.3.5 (2) and 8.3.10* summarized below. It meets or exceeds zoning parking requirements, but it does not meet *Subdivision and Development Servicing (SDS) Bylaw No. 2919, 2018, Section 17 C*, which refers to *Master Municipal Construction Documents (MMCD) Design Guideline Section 5.14.2* also summarized below. **Table 1** below shows zoning requirements, along with the abovementioned SDS-required MMCD guideline, and proposed development specifications.

Table 1. Bylaw Requirements and Proposed Specifications

Bylaw 2500, 2007 Section	Attribute	Requirement	Proposed
6.8.1	Front Yard Fence Height Max	1.25m	2.0m (note this is required by covenant)
8.3.1	Permitted Uses	Includes Multi residential	Multi residential
8.3.4	Max. Floor Area Ratio	40%; 60% (apartment)	34.2%
8.3.5 (1)	Front Setback	7.5m	7.5m
8.3.5 (2)	Rear Setback	7.5m; apartment 9.0m 2nd storey, 10.0m 3rd storey	3.5m (4.2m to building minus 0.6m roof overhang and 0.1m error margin)
8.3.5 (3)	Side Setback	4.5m total; 1.5m min.	9m total; 4.5m min.
8.3.6	Max. Height	10m	6.3m
8.3.7	Useable Open Space	50m ² /2+ bed unit (400 m ²)	652m ²
8.3.10	Min. Landscape Screen/Fence Height; Width	3m; 3m	3m; 1.75m
Schedule 7A	Parking Spaces	12	13
Schedule 7B	Parking Min. Dimensions	5.5m X 2.75m	5.5m X 2.75m

Bylaw 2919, 2018 Section	Attribute	Requirement	Proposed
17 C --> MMCD Design Guideline 5.14.2 and TAC Table 8.9.2	Number of Driveways (Max.)	2 per road frontage	3 on one frontage

*Bylaw 2919, 2018 Section 17 C requires following Master Municipal Construction Documents (MMCD) Design Guidelines unless specifically modified in Bylaw 2919.

Variances

Number of Driveways

The development, as proposed, has three driveways in total on Arden Road, one more than is permitted under Subdivision and Development Servicing Bylaw No. 2919, 2018, Section 17 C. In this regard, Bylaw 2919 follows the Master Municipal Construction Documents (MMCD) Design Guidelines, which also incorporate the use of many other guiding technical manuals including the Transportation Association of Canada's (TAC) Geometric Design Guide for Canadian Roads. Chapter 8 of the TAC Guide deals with access and Table 8.9.2 outlines the suggested number of driveways based on the width of road frontage. These are two driveways for frontages between 16m and 50m and three driveways for frontages between 51m and 150m. The subject property has 49.4m of frontage which permits two driveways. It is just one metre shy of the required frontage to have three.

The proposed development, which had Planning staff input early on for balancing unit density with neighbourhood fit, has a driveway for the front/top units of each building and one for the rear/bottom units of both buildings. Additional driveways in an urban road cross section can add maintenance costs for taxpayers and can reduce road safety with additional collision points, though these factors are mitigated considerably by the location's low traffic and the road's rural design standard. The Arden Road Local Area Plan calls for maintaining this rural standard into the future.

Setbacks

The proposed development requires a rear yard setback reduction to 3.5m in one location on the lot's shallow south side due to the irregular lot shape. This allows 4.2m to the building wall plus 0.6m for roof overhang and a 0.1m margin of error. The Zoning Bylaw No. 2500 Section 8.3.5 (2) requirement for a rear yard setback is 7.5m except for apartments which shall be 9.0m for the second storey and 10.0m for the 3rd storey. In this regard, *apartment* is defined (in part) as a building of not less than three units and not being a townhouse, and *townhouse* is defined (in part) as having no dwelling unit located above another. Accordingly, the proposed fourplex buildings are considered apartments and the 10m requirement would apply in this case. Maintaining a 10.0m rear yard setback would decrease the buildable area on the southeast side of the property, disallowing two residential units from the proposed plan and likely requiring development to be concentrated on the northwest side which borders a residential property (if an alternative plan was to build the proposed number of units). The extent of non-compliance is limited to a corner of one building, a landscape buffer will be in place at the location of proposed setback variance and reach 3m+ in height near the property line, total usable open space far exceeds the zoning requirement, and the neighbouring property on this side is a park.

In order to fit the rear parking lot, the Zoning Bylaw Section 8.3.10 (1) landscape screen/fence requirement would need to be reduced from 3m to 1.83m in width where the eastern corner of the rear parking lot meets the rear lot line. 1.75m allows a small margin of error. Moving rear parking to fully comply with Section 8.3.10 (1) would cut significantly into usable open space and also create grading and stormwater retention problems, as the relatively flat lot area would need to extend farther back, steepening the hill behind it to the stormwater pond (See Grading Plan in **Attachment No. 4**). The parking lot design previously had one more space and a landscape screen as narrow as 0m in one corner. One space was removed to improve the screening. The proposal still has one more than zoning requires which is likely warranted considering the units' number of bedrooms and distance to public transit. As with the rear yard setback variance request, this is mitigated by its limited extent, only at one point along the rear lot line, and by the adjacent park use.

A variance is also requested to Zoning Bylaw Section 6.8.1, to allow a covenanted 2.0m concrete fence in the front yard along the northern property line (offset 1m into the subject property), rather than reducing it to 1.25m. The covenant requires in part that the Grantor or subsequent owner, will install a two-metre high concrete fence offset one metre along the northern property line of the lot. This is interpreted as requiring the full height along the entire property line. Here, compliance with Zoning would require noncompliance with a covenant condition that is important to the next door neighbour. The 1.25m front yard fence height maximum is intended to facilitate open, welcoming streets and crime prevention through design 'eyes on the street', but a taller fence provides better sound-proofing and is already covenanted with the City on the property.

Development Services staff assesses the requested variances as supportable.

Covenant CA675240

The applicant wishes not to construct the rear portion of the aforementioned concrete fence interpreted as being required along the entire property line, instead building only to the northwest neighbour's rear lot line, so as to leave the rear 25m open for wildlife to pass into the property's largely undisturbed vegetation area. Building the additional length would fully enclose the rear of the property. It would add expense, potentially require additional tree removal, reduce opportunity for wildlife access and provide limited clear benefit to neighbours. The applicant's proposal is consistent with the fence location in the original concept drawing (figure X above).

Covenant CA675240 also requires no more than seven (7) dwelling units on the Land in the form of two duplexes and one triplex. As noted above the applicant is proposing eight units total in the form of two fourplexes adding one more unit than the covenant allows. The applicant contends that the seven-unit clause was based on a concept plan that cannot be built due to numerous spatial inadequacies such as for building separation, drive aisle geometry, driveway depth, and parking stall conflicts, detailed in **Attachment No. 1**. Staff confirm that the lot doesn't have sufficient width to accommodate the design the covenant was based on.

Multi Residential Development Permit Guidelines

Form and Character

The applicant addresses Multi Residential development permit area form and character requirements in a checklist and adds further detail in a response to a review letter in **Attachment No. 4** at the end of this report.

These are a new building type for the neighbourhood though they appear as duplexes which are permitted on many nearby R-2-zoned properties. While they are set significantly higher and farther forward than some of the closest neighbours on the same side of the street, neighbours across the street or further down the same side have similarly short front yards and/or tall height. The angled rear lot line and high sanitary sewer main elevation are problematic for setting buildings lower and farther back. The building locations meet minimum front yard setback requirements.

Both buildings front onto Arden Road and have high-quality fibre cement siding with wood trim. Siding on both buildings is mostly horizontal; one building is punctuated by Boothbay Blue board and batten, the other Gray Slate shingle to colour-match each building and bring visual interest and differentiation. Roofs are sloped with a 3.5:12 pitch, flatter than typically recommended for duplexes but reducing total height for neighbourhood fit. Minimal side windows on the bottom two floors facilitate privacy. Massing is broken up through setting the sides and top floor of each building back and by separating the two buildings with a driveway and landscaping.

Landscaping and Parking

A detailed landscape plan was submitted for this application and forms part of the attached draft development permit (**Attachment No. 2 Schedule No. 2**). It includes new coniferous and deciduous trees for screening and beautification, including six Pacific Dogwoods, a protected species in the City of Courtenay. The plan exceeds the Tree Density Target of twelve trees. The back of the property is to feature a new stormwater detention pond and have invasive species removed but otherwise be largely left in its natural state and accessible to bordering forested lands at 2201 Ronson Road. Tree removal is not required, some clearing already having been previously done. Any future tree removal, such as if required for the pond or as requested by a neighbour (discussed under citizen/public engagement below) would be subject to separate permitting under Tree Protection and Management Bylaw No. 2850, 2016.

The proposal does not have a play structure but does have clearly defined yards for each unit, including some fencing, which may be more desirable and adaptable at this scale of development. There is also shared backyard open space and there are six parking spaces in the back, accessed by a central driveway fenced off from unit yards. Two additional driveways each serve two upstairs units; including garages, upstairs units each have two legal spaces plus a third de facto space in the driveway in front of the property on Arden Road, the lot line about six metres back from the curb. All outdoor parking will be paved and dust-free.

FINANCIAL IMPLICATIONS:

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

ADMINISTRATIVE IMPLICATIONS:

The processing of development applications is included in the current work plan as a statutory component. Staff have spent 70 hours reviewing the application, conducting review of the plans and coordinating with the applicant to request additional information.

If approved, there will be approximately one additional hour of staff time required to prepare the notice of permit, have it registered on title and close the file. Additional staff time will be required for processing and issuing a building permit and related inspections.

ASSET MANAGEMENT IMPLICATIONS:

The City will inherit 49.1m of upgraded frontage to a rural standard per Subdivision and Development Servicing Bylaw No. 2919, 2018 and the Arden Corridor Local Area Plan.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

The November 2019 Strategic Priorities Check-in does not include any additional relevant references.

▲■ Identify and support opportunities for lower cost housing and advocate for senior government support

●▲ Encourage and support housing diversity

OFFICIAL COMMUNITY PLAN REFERENCE:

The proposed development is consistent with the Multi Residential land use designation of the OCP.

Residential Policy:

4.4.5 City supports the designation of multi residential housing in a variety of locations to avoid large concentrations of the same type of housing in one area and to help provide more diversity within neighbourhoods. In this regard,

(a) multi residential development shall be limited in scale and size outside the downtown area

(b) the multi residential description is subject to the following criteria:

- sufficient amenity space for the recreational needs of the development
- access to schools, parks, walkways, transit and complementary commercial/ service uses
- adequate buffer areas from major roads and adjacent land uses

Climate Change Policy:

Objective 1 (4): The City will reduce the ratio of parking for new developments within its jurisdiction.

Objective 5 (4): The City will review and amend all landscaping policies for all land uses to promote naturoscaping principles to screen and protect sensitive ecosystems, control and direct surface run-off and ensure that only plant species native or non-invasive to Courtenay are used.

Arden Local Area Plan

9.6.4.4. Housing Objectives:

- Strive for housing form that maintains a 'rural aesthetic'

- Maintain housing opportunities for a diversity of resident demographic profiles including young families, family members and seniors

Policies:

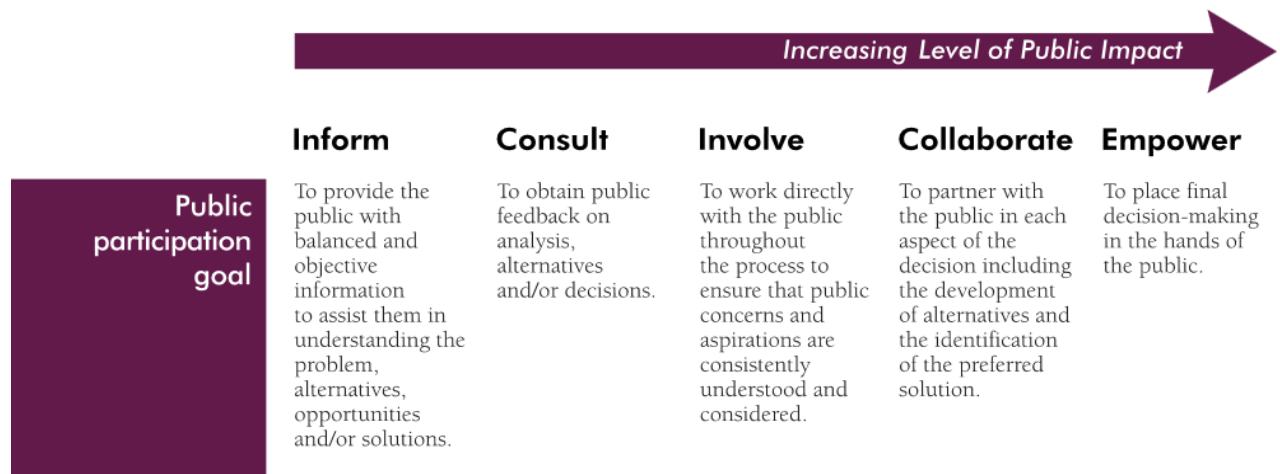
3. Concentrate higher density housing along Arden Road, near the intersection of Arden and Cumberland and near the Arden Elementary school. Aim for 10 units/acre as desired density in these locations to support transit services [the proposal works out to 12.9 units/acre].

REGIONAL GROWTH STRATEGY REFERENCE:

The proposed development is consistent with the RGS goal to ensure a diversity of housing options to meet evolving demographics and needs. It is consistent with Objectives 1-C: Develop and maintain a diverse, flexible housing stock [through introducing under-represented medium-density housing]. It is also generally consistent with Objective 1-A: Locate housing close to existing services [near Tin Town via developing trails though not highly central]; Objective 1-B: Increase affordable housing options [2-bedroom downstairs units may be relatively affordable though market]; and Objective 1-D: Minimize the public costs of housing [through multifamily building efficiencies and low-hazard location, though driveways can add some maintenance costs].

CITIZEN/PUBLIC ENGAGEMENT:

Staff **consulted** the public based on the IAP2 Spectrum of Public Participation:



In accordance with the *Local Government Act* and City regulation, the City has notified property owners and occupants within 100m of the subject property with regard to the proposed amendment.

Prior to this application proceeding to Council, the applicant held a public information meeting on Tuesday, August 13th, 2019 at 5:00-6:30pm at the Florence Filberg Centre. The applicant misplaced the sign-in sheet but in the detailed summary (**Attachment No. 3**) noted that ten residents signed in, and an estimated 20 attended. Reported topics of discussion included covenant requirements and proposed amendments thereto, parking provision, building height, and neighbourhood consistency.

The applicant also reported three subsequent meetings with the property owner of 2770 Arden Road. One of the topics discussed was a not-for-profit development intent of the multi-family rezoning and whether the zoning should remain in the absence of not-for-profit development.

The aforementioned property owner also requested lowering the buildings, altering the planned fence to follow covenant specifications, lowering the rear parking lot, and removing some cottonwood trees at the rear of the property. The applicant maintains that lowering the buildings and parking lot are not feasible. Building height is also well within zoning allowance if significantly higher than the neighbour. The applicant did change plans for the fence in response to the neighbour comment, however, originally asking for it to be wooden, along the property line, and only 1.8m. As reflected in the Public Information Meeting summary, the applicant's intention is not to remove rear yard cottonwood trees; however, the applicant has subsequently indicated openness to allowing at a future time removal of a small number of the cottonwoods which may affect the neighbour's septic system and neighbourhood drainage, if the City supports it and approves it under a separate tree cutting permit. Meeting topics are summarized in Table 2.

Table 2. Public Information Meeting and Subsequent Meetings

Topic	Original Proposal	Changes
Covenant requirements	Requires amendment to unit count & configuration; fence height, length, material & location. Other requirements met.	Changes to fence height, material and location, plus some increase in length to better-align with covenant.
Onsite parking (add more)	14 spaces (2 more than required)	No change
Building height (lower)	6.3m tall (10m allowed);	No change
Building location (back up)	7.5m front setback (7.5m allowed)	No change
Neighbourhood (single family home) consistency	Two four-unit buildings that look like duplexes from road (allowed in R-3 zone)	No change
Not-for-profit housing (should be)	Market housing with some amenity contribution (allowed by zoning and covenant – though unit count and configuration require covenant amendment)	No change
Parking lot height (lower)	Finished grade ranges 38.2m-38.6m	No change
Cottonwood trees (remove some)	To be retained (encouraged under tree protection bylaw unless	No change at this time but amenable in future if City supports

Development Services received written comments from twelve people representing six addresses (**Attachment No. 3**). All were against the development and all mentioned insufficient off-street parking, though the proposal provides two more than bylaw requires. Most comments also mentioned pedestrian infrastructure and safety (children walking in the area and there being no sidewalks), the neighbourhood's rural/single family dwelling character, eight units being too many, and potential problems with rentals. Many discussed the property being intended for low-cost/not-for-profit housing, honouring covenants, and traffic control – especially for the Cumberland Road-Arden Road intersection. More than one also brought up speed reduction, a need for a playground in the area, and concerns about building height and the northern property line fence. Also mentioned were mailbox move location, lack of nearby transit, water run-off, erosion, stream security, geotechnical safety, soil contamination testing, northern landscape buffer, cottonwood trees, general landscaping, beautification, bonding, development cost charges, building type/classification, property value and crime. For the more technical topics, the applicant provided the studies and documentation required at this stage in the development process to City staff's satisfaction – should this application be approved, additional items may be required for building permit.

OPTIONS:**OPTION 1:** (Recommended):

That based on the May 4, 2020 staff report entitled “**Development Permit with Variances No. 1908 – 2800 Arden Road**” Council approve OPTION 1 and complete the following steps:

1. That Council direct staff to schedule a Public Hearing for the requested modifications to Covenant CA6752450 when regular Council meetings resume or an alternative Public Hearing format is authorized by the Province and approved by Council; and,
2. That a final decision on “**Development Permit with Variances No. 1908 – 2800 Arden Road**” be withheld until Covenant CA6752450 is modified to permit the proposed development.

OPTION 2: Defer issuance of Development Permit with Variances No. 1908 pending receipt of further information.

OPTION 3: Not approve Development Permit with Variances No. 1908.

Prepared by:



Mike Grimsrud
Planner 2

Reviewed by:



Ian Buck, MCIP, RPP
Director of Development Services

Attachments:

1. *Attachment No. 1: Application Rationale*
2. *Attachment No. 2: Draft Development Permit No. 1908*
3. *Attachment No. 3: Public Engagement*
4. *Attachment No. 4: Additional Materials*

Attachment No. 1: Application Rationale



June 11, 2019

Our File: 2211-47530-00

Mr. Matthew Fitzgerald, MCIP, RPP
Planning Supervisor
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Mr. Fitzgerald,

**LOT A, DISTRICT LOT 231, COMOX DISTRICT, PLAN EPP710858-
PROPOSED MULTI-FAMILY DEVELOPMENT OF 2800 ARDEN ROAD- DEVELOPMENT SYNOPSIS**

The following development synopsis has been prepared on behalf of Supreme Convenience Stores Ltd. (BC0384657) in support of the following applications:

1. Text amendment to covenant CA6752450;
2. Development Permit;
3. Development Variance Permit.

1.0 GENERAL

The subject property is legally described as Lot 1, District Lot 231, Comox District, Plan EPP71085 (PID #030-431-450), and is located at 2800 Arden Road, Courtenay. The 2,505 square meter property lies within an area bounded by single family residential (north), Piercy Creek Greenway (east and south), and Arden Road (west). Refer to McElhanney drawing SK-03 entitled "Existing Site Plan", overleaf.

The property generally slopes from west to east and is covered in a mixture of grasses and cottonwood trees. The property does not contain any environmentally sensitive areas or existing structures.

The development proposes two (2) three storey buildings. Each building half contains a basement suite and a first/second floor suite; for a total of four (4) dwelling units per building and eight (8) units total. Suites are configured in either two bedroom (basement) or three bedrooms (first/second floors).

This is a purpose-built rental unit project, with property ownership being retained by the developer.

2.0 TEXT AMENDMENT TO COVENANT CA6752450

This request for a text amendment pertains to Item #2 of covenant CA6752450. Specifically, the following:

Staff Note: Applicant now intends to sell units; they still might be rented out by new owners, or might be owner-occupied

1211 Ryan Road
Courtenay BC
Canada V9N 3R6

Tel 250 338 5495
Fax 855 407 3895
mcelhanney.com



June 11, 2019
Matthew Fitzgerald, City of Courtenay
2800 Arden Road Development Synopsis

- (a) no more than seven (7) dwelling units to be built on the land in the form of two duplexes and one triplex.
- (b) the entrance driveway shall be located at least 4.5 meters from the north property line.
- (c ii) a two meter high concrete fence offset one meter along the northern property line of the land.

Generally, the conceptual development plan that formed the basis of the above noted requirements (attachment 2 of covenant CA2638428) contains several fundamental design flaws that preclude this plan from being implemented. These being:

- The overall parcel width is not sufficient to support the two (2) buildings, associated building separation, driveway, and required building side yard setbacks.
- The proposed drive aisle and building access geometry shown does not meet applicable road design specifications.
- There is not sufficient space provided in front of the proposed buildings to achieve the required 6 meter vehicle parking requirement.
- The vehicle parking stall sizes shown do not meet applicable design specifications.
- The location of the auxiliary vehicle parking spaces does not allow access/egress without conflicting with vehicles parked in front of the garages.

In recognition of the above limitations, we have collaborated with City Planning staff to derive a proposed development plan that meets the overall objectives of the covenant. Highlights of this plan include the following:

- Two (2) duplex style buildings are orientated to Arden Road.
- A 4.5 meter wide building setback is provided along the north property line.
- A 1.8 meter high concrete fence is proposed along a section of the north property line. This is a modest reduction from the covenant requirement (2.0 meters) in an effort to reduce the overall visual impacts of the fence while maintaining a comparable level of screening.
- All vehicle parking stalls are provided off-street (14).
- Required front and side yard setback requirements are respected.
- A modest variance to the rear yard setback is required to accommodate the Arden Road building orientation given the shallow length of the south property line.
- No building decks back onto the existing adjacent properties.
- An expansive greenspace is provided within the eastern quadrant of the site.
- A total of eight (8) dwelling units are proposed, four (4) first/second floor and four (4) basement suites. In spite of the additional one (1) dwelling unit, the proposed building scale and massing is consistent with the duplex buildings shown on the covenant plan.
- The overall building/development hardscape footprint is reduced.



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Matthew Fitzgerald, City of Courtenay
2800 Arden Road Development Synopsis

- Building designs consider the existing site topography and incorporate walkout basements. Thus, the requirement for changes in site grading that would have otherwise been required have been marginalized.

Based on the above rationale, we request that the City support this covenant text amendment request.

3.0 DEVELOPMENT PERMIT

The development proposal complies with the City's land use and multi-family development permit policies as follows:

- Provides higher residential unit density utilizing existing municipal infrastructure.
- The subject property is immediately adjacent to greenway walkway networks promoting alternative modes of transportation and opportunities for leisure activities.
- Expands on existing housing diversity within the local area, providing options for various social and economic needs.
- Adds eight (8) dwelling units to the local housing rental market.
- Building massing and orientation is consistent with the character of the existing neighborhood.
- The proposed development does not impact any environmentally sensitive areas.
- Stormwater management designs will be in accordance with the Water Balance Model of BC strategies.
- Building surface treatments include hardi-plank siding, board & baton, and hip roofs; consistent with existing homes within the immediate area.
- All buildings maintain an Arden Road streetscape orientation.
- A network of walkways link unit entrances to vehicle parking areas.
- An extensive landscape treatment is proposed; utilizing native and drought resistant materials.
- All vehicle parking requirements are met on-site.

4.0 DEVELOPMENT VARIANCE PERMIT

The following development variance to Zoning Bylaw 2500 are requested:

- Section 8.3.5 (2): reduce the building rear yard setback from 7.5 meters to 4.2 meters.
 - This variance request is a result of maintaining the two (2) buildings orientated towards Arden Road. Unfortunately, the south property line is quite short and results in the rear corner of one of the buildings projecting to within 4.2 meters of this property line. The subject building corner is adjacent to the park/walking trail and additional landscape screening has been proposed within the immediate area to marginalize the visual & acoustical impacts of this setback reduction.



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Matthew Fitzgerald, City of Courtenay
2800 Arden Road Development Synopsis

- Section 8.3.10: reduce the required fence height from 3.0 meters to 1.8 & 1.2 meters.
 - A 1.8 meter high concrete fence is proposed along a portion of the north property line. This reduction request is a reduction from both the Bylaw and covenant requirement. This request is intended to reduce the overall visual impacts of the fence while maintaining a comparable level of screening.
 - A 1.2 meter high black chain link fence was installed along the south property line (adjacent to the park/greenway) during the development of the parent parcel. The developer sees no need to replicate another fence immediately adjacent to the existing.

5.0 SUSTAINABILITY

Confirmation of the development's compliance with the City's sustainability strategies is detailed within the Sustainability Evaluation Checklist included with this Application.

6.0 AFFORDABLE HOUSING AMENITY & PARKS, RECREATIONAL, CULTURAL, AND SENIORS FACILITIES AMENITY RESERVE FUND

The developer supports the City's affordable housing & community initiatives and will provide a cash contribution to these efforts in accordance with Covenant 6752450.

Yours truly,

MCELHANNEY LTD.

Derek Jensen, ASCT

Reviewed by:

Bob Hudson, P.Eng.
Branch Manager

Cc: BC0982942 Ltd., Don Cameron

Attachment No. 2: Draft Development Permit No. 1908

THE CORPORATION OF THE CITY OF COURTENAY

Permit No. DPV 1908

DEVELOPMENT PERMIT WITH VARIANCES

May 4, 2020

To issue a Development Permit with Variances

To:

Name: Supreme Convenience Stores Ltd. (BC0384657)
Address: PO Box 3730
Courtenay, B.C. V9N 7P1

Property to which permit refers:

Legal: Lot A, District Lot 231, Comox District, Plan EPP71085
Civic: 2800 Arden Road

Conditions of Permit:

Permit issued to permit construction of two four-unit multifamily buildings on the above referenced property with variances granted as described below:

Variances to Zoning Bylaw No. 2500, 2007:

Section 6.8.1 – Front Yard Fence Height from a maximum of 1.25m to 2.0m.

Section 8.3.5 (2) – Rear Setback from a minimum of 7.5m for the first storey, 9.0m for the second storey, and 10.0m for the third storey, to 3.5m.

Section 8.3.10 – Landscaped Screen, Fence or Combination Thereof Height and Width from a minimum of 3.0m in width to 1.75m in width

Variances to Subdivision and Development Servicing Bylaw 2919, 2018:

Section 17 C, referencing MMCD Design Guidelines 5.14.2 and TAC Table 8.9.2 – Maximum number of driveways per road frontage, from 2 to 3.

Development Permit with Variance No. 1908 is also subject to the following conditions:

1. The development shall be substantially consistent with the plans as shown in *Schedule No. 1*, as designed by D Bell Designs, issued to the City June 20, 2019;
2. That landscaping shall be in substantial conformance with the plans and specifications contained in *Schedule No. 2*, as signed by Mystic Woods Landscape Design, dated April 23, 2020;
3. Submission of landscape security in the amount of \$76,551.25 (\$61,241 x 125%) is required,

as estimated by Corrine Matheson and Alison Mewett, dated April 23, 2020;

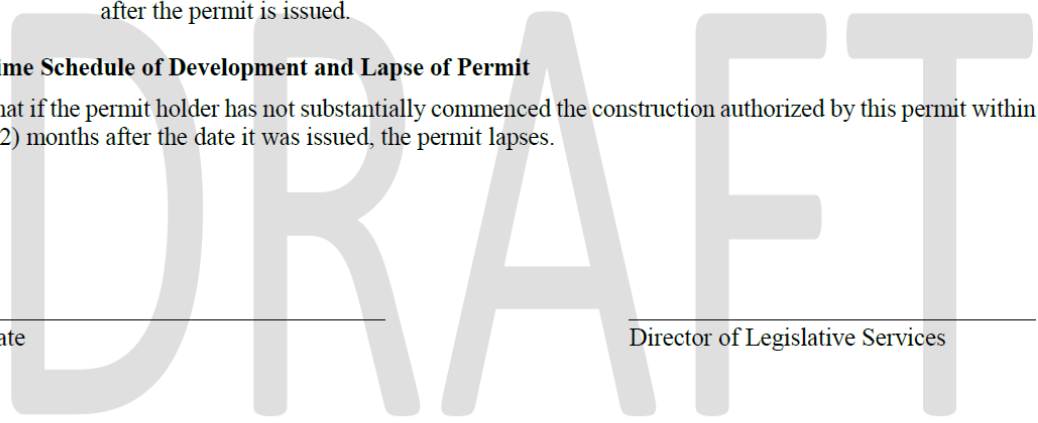
4. Landscaping must be completed within one year of the date of issuance of the occupancy permit by the City;
5. The minimum depth of topsoil or amended organic soil on all landscaped areas is to be as follows:
shrubs – 450mm; groundcover and grass – 300 mm; and trees -300 mm.
6. All new street lighting in the proposed development must use Full Cut Off/Flat Lens (FCO/FL) luminaries to light roads, parking, loading and pedestrian areas. Exterior building lighting must have FCO lighting fixtures;
7. Any removal of trees on the property requires a Tree Cutting Permit;
8. A sign permit shall be obtained prior to any signage being installed on the property;
9. The development shall meet all other applicable requirements, standards and guidelines; and
10. No alterations or amendments shall be made without the City’s permission. A formal amendment application is required if the plans change or additional variances are identified after the permit is issued.

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

Director of Legislative Services



DPV1908

Schedule No.1: Plans & Elevations
Page 2 of 2



Hardie Siding - Gray Slate
 Hardie Shingle - Gray Slate
 Trim - Ultra White
 Shingle - Dual Black

FRONT ELEVATION
 $1/4" = 1'-0"$

South building



Hardie Siding-Boothbay Blue
 Board and Baton - Boothbay Blue
 Trim- Ultra White
 Shingle-Dual Black

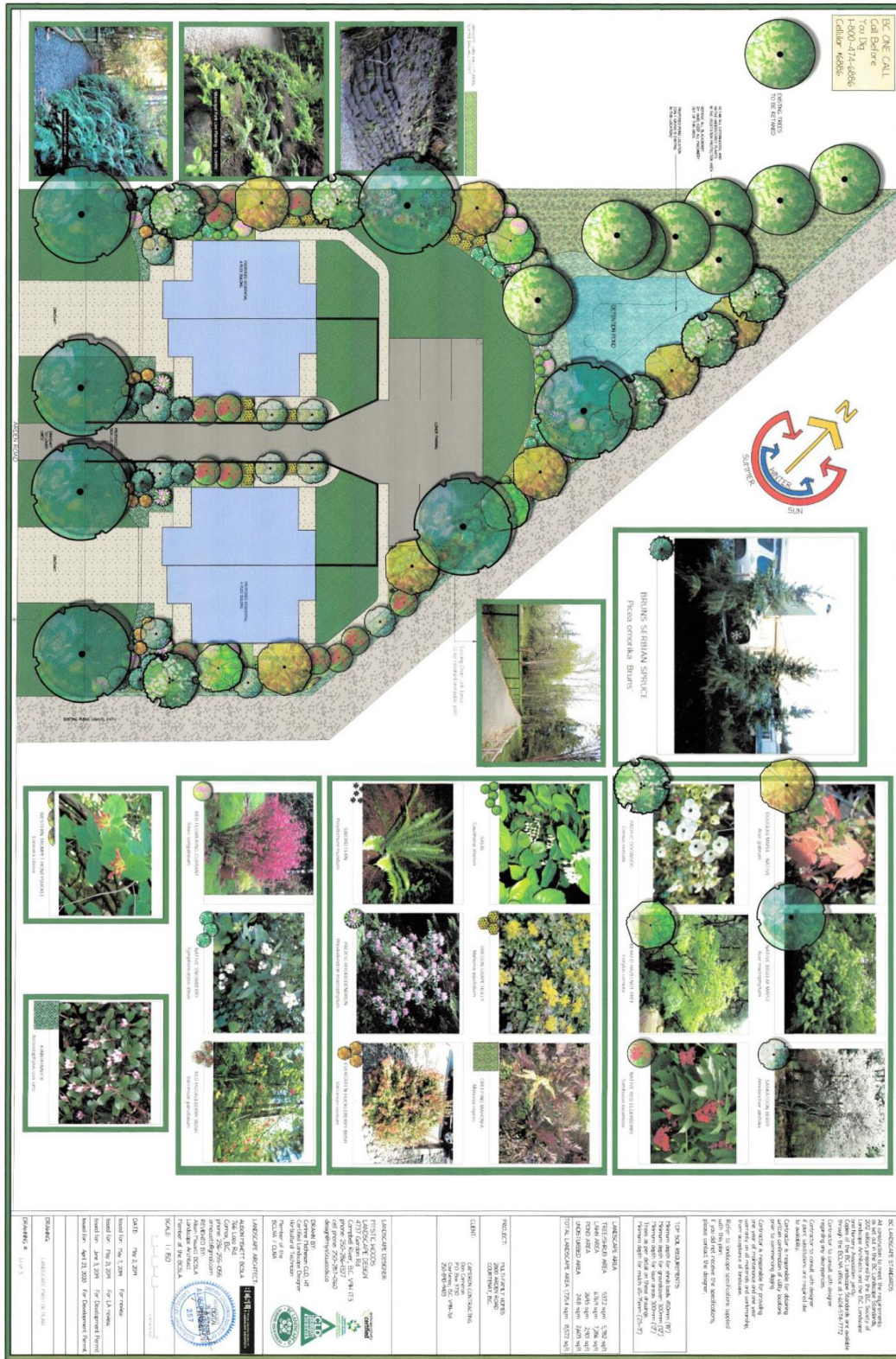
FRONT ELEVATION
 $1/4" = 1'-0"$

North Building

DPV1908

Schedule No.2: Landscape Plan
 Page 1 of 3

Staff Note:
 Four Pacific
 Crabapple
 trees to be
 planted on
 property
 near front
 lot line
 instead of
 four bigleaf
 maple trees
 pictured off
 subject
 property



DPV1908

Schedule No.2: Landscape Plan
 Page 3 of 3

BC ONE CALL
 Call Before You Dig
 1-800-774-6886
 Callcut: 6635

Note: This is a general representation of the location of underground utility lines. It is not a guarantee of their depth, location, or existence. The user should always call before digging.

GENERAL NOTES:

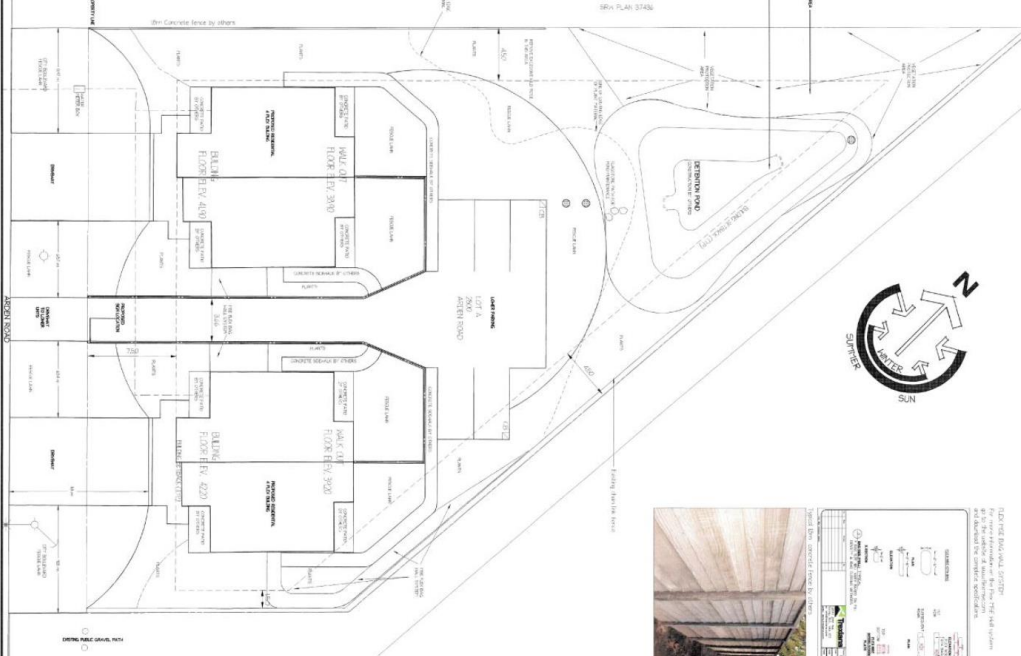
1. The landscape plan is a general representation of the site and is subject to change without notice.
2. The landscape plan is based on the information provided by the client and is not a guarantee of accuracy.
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GENERAL NOTES (continued):

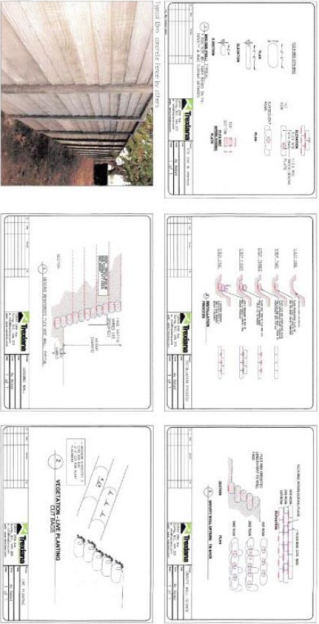
11. The landscape plan is based on the information provided by the client and is not a guarantee of accuracy.
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GENERAL NOTES (continued):

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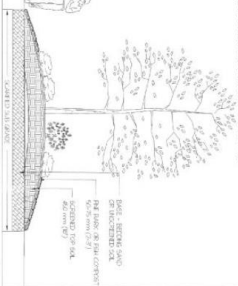


PLANT MATERIALS:

ROSEMARY: 15 plants @ 150cm x 150cm @ 1.2m spacing.

LAVENDER BUSHES: 15 plants @ 150cm x 150cm @ 1.2m spacing.

MIRISTICUM PLANTING: 15 plants @ 150cm x 150cm @ 1.2m spacing.



GENERAL NOTES:

1. The landscape plan is based on the information provided by the client and is not a guarantee of accuracy.

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DATE: 2020-04-20

SCALE: 1:100

PROJECT: 2800 Arden Rd

CLIENT: [Client Name]

DESIGNER: [Designer Name]

DATE: 2020-04-20

SCALE: 1:100

PROJECT: 2800 Arden Rd

CLIENT: [Client Name]

DESIGNER: [Designer Name]

DPV1908

Schedule No.3: Landscape Cost Estimate

Page 1 of 1

LANDSCAPE INSTALLATION ESTIMATE

April 23, 2020

LANDSCAPE ARCHITECT

Alison Mewett, BCSLA
766 Lazo Road
Comox, BC V9M 3V6
(236) 255-1055
amewett@gmail.com

PROJECT

Cameron Contracting
Multi-family Residential
2800 Arden Road
Courtenay, BC

Planting beds: 537m² (5,780 ft²)
Detention pond: 270m² (2,906 ft²)
Xeric Lawn: 677m² (7,287 ft²)

Plant material	\$ 12,390
Topsoil @ 450mm (18") for shrubs – 320 cuyd @ \$35	11,200
Topsoil @ 300mm (12") for groundcover/lawn – 430 cuyd @ \$30	12,900
Fine mulch, delivered @ 100mm (4") – 71 cuyds @ \$55	3,905
Flex MXE Bag Wall system materials	1,200
Hydroseed lawn – 7,287 sqft @ \$0.16	1,166
Fertilizers and miscellaneous	400
Machine work to grade and move materials	5,070
Labour to install plant materials and other work to complete	8,500
Irrigation system installed	<u>5,000</u>
Total (not including taxes)	\$ 61,241

Concrete fence construction (by others)

Materials estimated at cost.

This estimate is approximate and may not reflect actual cost to install.

Alison Mewett, BCSLA
Landscape Architect

Corinne Matheson, CLD, QP
Mystic Woods Landscape Design



Attachment No. 3: Public Engagement



Our File: 2211-47530-00

City File: 3060-20-1908

January 22, 2020

Mike Grimsrud
Planner II
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Mr. Grimsrud,

2800 ARDEN ROAD DP & DVP- NEIGHBOURHOOD PUBLIC INFORMATION MEETING SUMMARY

This summarizes the outcomes of both the neighborhood public information meeting as well as subsequent meetings with the property owner of 2770 Arden Road.

1. Public Information Meeting

A neighbourhood public information meeting regarding the above application was hosted by Cameron Contracting and McElhanney Ltd. (McElhanney) on Tuesday, August 13, 2019. Detailed meeting summary as follows:

- Meeting notifications were mailed on August 1, 2019, per the contact list provided by the City of Courtenay (City).
- The meeting was conducted at the Florence Filberg Centre, beginning at 5:00pm and completing at 6:30pm.
- Staff from McElhanney and Cameron Contracting Ltd. were available to present the development proposal and answer any questions from the public.
- The following development documents were presented for public viewing:
 - McElhanney Site Plan and Lot Grading Plans.
 - Mystic Woods Landscape Plans.
 - Bell Design Architectural Plans.
 - Cameron Contracting Building Façade Rendering Plans.
- We have record of ten residents attending the meeting. However, we estimate that approximately 20 members of the public likely attended (we noticed that several members of the public did not sign the sign-in sheet).
- One (1) written comment was received.
- A summary of the discussion topics brought forward by the public and McElhanney's response to the same are summarized as follows:

- *Why is the development application inconsistent with the covenant (CA6752450) on title and the concept land use plan that formed the basis of same.*

Covenant requirement - No more than seven (7) dwelling units to be built on the land in the form of two duplexes and one triplex.

The conceptual development plan that forms the basis of the maximum dwelling unit yield noted above contains several fundamental design flaws that precludes the ability to implement the same. Specifically, the following:

- The overall parcel width is not sufficient to support the building orientation, required building separation, and driveway accesses, while maintaining the required building side yard setbacks.
- The proposed drive aisle and building access geometry does not meet applicable road design specifications.
- Building locations do not meet the 6m driveway depth requirement.
- Auxiliary vehicle parking stalls conflict with other vehicle parking provisions.

The development proposal includes a total of eight (8) dwelling units in the form of two (2) duplex buildings. The addition of one (1) dwelling unit (beyond the covenant requirement) is a modest density increase and occupies the same building footprint as the two (2) duplex building configuration required by the covenant.

Covenant requirement - The entrance of the driveway shall be located at least 4.5 meters from the north property line.

The development proposal locates all driveway accesses in excess of 4.5 meters from the north property line.

Covenant requirement - Install a landscape buffer of at least 4.5 meters in width along the north property line and install a two meter high concrete fence (at an offset of one meter) along the northern property line.

The development application provides a 5.0 meter building setback along the north property line for landscape treatment.

The initial development application included a wooden fence along a portion of the north property line. Subsequent to this public information meeting, a two meter high concrete fence (at an offset of one meter) will now be provided along the north property line and adjacent to 2770 Arden Road.

Covenant requirement - All dwelling units on the land shall be oriented towards Arden Road and the back of the land.



The development proposal orientates all dwelling units towards Arden Road and the back of the land.

Covenant requirement - Amenity contributions towards the City's Affordable Housing Reserve Fund and Parks, Recreation, Cultural, and Seniors Facilities Amenity Reserve Fund shall be provided when applying for a building permit.

The developer supports these important City initiatives and has agreed to provide the requisite contributions in accordance with City policy.

Covenant requirement - Construction of the land is subject to the Multiple Residential Development Permit Guidelines.

The development application conforms to the applicable Multiple Residential Development Permit Guidelines as presented within the development permit application submission, and is summarized as follows:

- Provides higher residential unit density utilizing existing municipal infrastructure.
 - The subject property is immediately adjacent to greenway walkway networks promoting alternative modes of transportation and opportunities for leisure activities.
 - Expands on existing housing diversity within the local area, providing options for various social and economic needs.
 - Building massing and orientation is consistent with the character of the existing neighborhood.
 - The proposed development does not impact any environmentally sensitive areas.
 - Stormwater management designs will be in accordance with the Water Balance Model of BC strategies.
 - Building surface treatments include hardi-plank siding, board & baton, and hip roofs, consistent with existing homes within the immediate area.
 - All buildings maintain an Arden Road streetscape orientation.
 - A network of walkways link unit entrances to vehicle parking areas.
 - An extensive landscape treatment is proposed, utilizing native and drought resistant materials.
 - All vehicle parking requirements are met on-site.
- *There is not enough on-site parking and people will start parking along Arden Road. While there is garage parking provided, people use these areas for storage, and they shouldn't be counted as parking stalls.*

The development proposes a total of 14 off-street vehicle parking stalls; two (2) additional parking stalls beyond the minimum required by Bylaw (12 stalls). To this end, we confirm that the development proposal has exhausted all available on-site opportunities for off-street vehicle parking.

We do note that until such time as Arden Road is widened beyond its current configuration (if ever), there is sufficient building setback from Arden Road to allow two (2) vehicles to park in front of each garage. While not included within the development parking stall calculation, there is an opportunity for an additional four (4) vehicles to park on-site without impacting vehicle/pedestrian traffic on Arden Road (18 total off-street parking stalls).

- *The proposed buildings are much higher than some of the existing homes on the east side of Arden Road. Is there an opportunity to lower the buildings? Also, is there an opportunity to set the buildings back further from Arden Road?*

The site grading plan has been derived on the understanding that re-grading of the existing land is to be minimized (DP Guideline). To this end, the proposed floor elevations of the 3 storey structures have been established to be below Arden Road, reduce the requirement for retaining walls, and match existing site grades at the rear of the buildings to the extent possible. Further, the building elevations also recognize the existing gravity sanitary sewer elevation within the Arden Road corridor and maintain the minimum elevation required to facilitate gravity sanitary service to the main & upper building floors.

In summary, the proposed building elevations are as low as possible without significant site regrading, and allowing gravity sanitary service to the main and upper floors.

Due to the irregular shape of the subject property, the proposed buildings cannot be set back from Arden Road any further than proposed.

- *The proposed buildings are inconsistent with the existing single family homes fronting Arden Road.*

The subject property is zoned R-3 Multi-family Residential. The development proposal is consistent with this land use, the multifamily development permit guidelines, and covenant CA6752450. Further, building massing, façade finishes, and orientation is consistent with existing neighborhood homes.

2. Meetings with the Property Owner of 2770 Arden Road.

Further to the neighborhood public information meeting, McElhanney and/or Cameron Contracting Ltd. have participated in three (3) additional and separate meetings with the property owner of 2770 Arden Road. Topics of discussion and related outcomes are as follows:

- *The intent of the prior rezoning of this property to multi-family was to facilitate a not-for-profit development. Recognizing that this is no longer occurring, the property should be zoned back to single family.*

The subject property was rezoned to multi-family prior to the developer (and current property owner) purchasing same. As such, the reason(s) why a not-for-profit group did not proceed at this location are unclear to us. The developer has made a development application consistent with the current zoning regulations.

- *The proposed buildings are much higher than my home. Is there an opportunity to lower the buildings?*

The site grading plan has been derived on the understanding that re-grading of the existing land is to be minimized (DP Guideline). To this end, the proposed floor elevations of the 3 storey structures have been established to be below Arden Road, reduce the requirement for retaining walls, and match existing site grades at the rear of the buildings to the extent possible. Further, the building elevations also recognize the existing gravity sanitary sewer elevation within the Arden Road corridor and maintain the minimum elevation required to facilitate gravity sanitary service to the main & upper building floors.

- *The covenant requires a two (2) meter high concrete fence along the north property line. Can the development plan be altered to accommodate this?*

Since this discussion, the development plan and application has been amended to include a two (2) meter high concrete fence at a one (1) meter offset from the north property line (and adjacent to 2770 Arden Road) as requested.

- *Is there an opportunity to lower the on-site parking lot area and reduce the potential visual impacts resulting from parking cars at this location?*

The elevation of the on-site parking area has been designed to the maximum applicable design criteria to ensure this area is as low as possible. Proposed finished parking lot grades range from 38.2 meter to 38.6 meters. The top of the proposed concrete fence adjacent to this area will range from 39.0 meters to 39.8 meters (0.4 to 1.2 meters above the parking lot surface).

- *There are a number of cottonwood trees at the rear of the property. Can they be removed?*

The development proposal limits tree removal to only that necessary to facilitate the buildings, supporting infrastructure, and landscape treatments. The balance of the property will remain in a natural state in accordance with the City's Tree Protection Bylaw.

We trust you find the above information in order. Please don't hesitate to contact the undersigned should any additional information or clarification be required.

Sincerely,
McElhanney Ltd.



Derek Jensen, ASCT
djensen@mcelhanney.com

Reviewed by:



Chantal Richard, P.Eng.
crichard@mcelhanney.com

DJ/njg

Cc: City of Courtenay, Matthew Fitzgerald
Cameron Contracting, Don Cameron

PUBLIC INFORMATION MEETING

August 13, 2019

2800 Arden Road - Development Permit & DVP

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]
Address: 2875 Arden Rd Phone: [REDACTED]

Cameron Contracting has applied to the City of Courtenay for a DP and a DVP for a proposed multi-family residential development - comprised of 2 buildings - each containing 2 basement suites and 2 - 2 storey suites for a total of 8 units. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

Beautification - walking paths - playground - landscaping
2 parking spots for each rental - guest parking
sidewalks curbs and speed bumps - lower speed to 40
Has the soil been tested for contaminants? Comprehensive geotech
for soil erosion & flooding Riprap in ditches leading to creek
Crossing light at Cumberland & Arden Bids.
Development cost charges - What are they being used for?
Will they be used for beautification and improvements to
our area
What kind of insurance is there that the fish stream will
not be compromised
Is the bond from the builder enough to ensure all
is complete?
Is there a property manager who screens tenants?
How onerous are the bonds imposed on the builder
that insures what is planned is done?

Please return your comments by Monday, Aug 26, 2019

Comment sheets can be submitted by one of the following methods:

1. Drop off or mail your comments to: Development Services Dept. City of Courtenay, 830 Cliffe Ave, Courtenay, BC V9N 2J7
2. Email your comments to planning@courtenay.ca
3. Fax your comments to: 250-334-4241

Where is the low cost housing as we were led to believe from Chris Grage. Habitat was to have this land - given for this purpose. Seven unit is enough.

Grimsrud, Michael

From: [REDACTED]
Sent: Thursday, August 22, 2019 9:55 PM
To: PlanningAlias
Subject: I Regarding the proposed 3 storey 4-plexes on 2800 Arden Road:

From: [REDACTED]
To: "planning" <planning@courtenay.ca>, "mgrimsrud" <mgrimsrud@courtenay.ca>
Sent: Thursday, August 22, 2019 9:51:40 PM
Subject: Regarding the proposed 3 storey 4-plexes on 2800 Arden Road:

To Courtenay Planning Dept.:

Regarding the proposed 3 storey 4-plexes on 2800 Arden Road:

We live @ 2770 Arden Rd. right beside this proposed project and possibly the one resident who it affects the most.

Starting from the beginning:

This lot should never have been rezoned to R-3 Multi -family in the first place. It was rezoned to this after City Council was told it was to be for Habitat for Humanity (Non-Profit Society) and therefore the rezoning was passed but with many covenants attached to the property to protect our residence and the surrounding neighbourhood. This took place in 2012. Now 7 years later a private developer (Cameron Contracting) purchased this terribly rezoned property which in an area is totally rural with acreage & half acre properties abound and decides to negate a bunch of covenants put in place by the City of Courtenay which is to protect us and our neighbours in this rural area.

These are the covenants they are trying to change with variances that we are opposed to.

1) Going from 7 units to 8:

- 8 units instead of 7 creates more people living on an already congested lot (.61 of an acre) with on-street parking everywhere
- Arden Rd. as it stands now is a narrow road and with on-street parking it will become dangerous
- Remember there is not a single duplex on the whole South Arden road so parking on the street is almost unheard of or seen.
- transit is not an option this far out of the city.

2) No altering of land:

- In drawings that have been viewed it shows Cameron Contracting building up the front & side yards anywhere from 3 to 7 feet in order to make this project work.
- The problem is it creates 2 major issues
- 1) an extremely high building (3 storeys, which will dwarf our property and not fit in with the character of the neighbourhood)
- 2) creates water run off onto our property

3) A full North property fence line.:

- Cameron Contracting wants to reduce the length of the fence line to half way down.
- Shortening the fence line makes no sense because it is needed for privacy but also for safety and liability as there is a proposed retention pond on the property.
- Whoever heard of a proposed project especially R-3 in a single family neighbourhood that does not have full fencing.

4) North property fence to be concrete & 2 metres high:

- Cameron Contracting wants to lower the height to 1.8 metres.
- Lowering the fence height makes no sense either because privacy is huge in this instance because of the height of these units.(3 storey)


5) **4.5 metre full length Landscape buffer on North property line:**

- Cameron Contracting wants to shorten length of buffer.
- Landscape buffer covenant should be enforced for privacy.

On a side note: by shortening the fence length Cameron Contracting is bypassing another issue which is the huge/menacing Cottonwood trees on the bottom North property line. They lean heavily onto our property as well as Cameron's lot with roots growing into our whole backyard. I had asked the previous owner to remove them (8 or 9 trees) but to no avail.

In closing this very controversial rezoning in the first place with a new owner/developer that wants to take even more advantage of the situation by getting rid of covenants that protect our property and neighbours from this previous terrible rezoning. This proposed project with its footprint isn't so bad but it's the height that does not fit in with the neighbourhood. With it's extreme 3 storey height and invasive nature and dismissal of covenants it will immediately reduce our property value drastically. Someone has to rethink or readjust this proposal or what is the point in having covenants. The current owner knew what he was purchasing with these covenants in place so why doesn't he stick to the rules instead of trying to bully them away, so it's time to enforce them rather than let him take financial advantage of them.

Thank you for your time



PUBLIC INFORMATION MEETING

August 13, 2019

2800 Arden Road - Development Permit & DVP

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]
Address: 2674 ARDEN ROAD, COURTENAY Phone: [REDACTED]

Cameron Contracting has applied to the City of Courtenay for a DP and a DVP for a proposed multi-family residential development - comprised of 2 buildings - each containing 2 basement suites and 2 - 2 storey suites for a total of 8 units. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

To Whom It May Concern
THE PROPOSED BUILDING OF 8 UNITS ON ARDEN RD IS
UTTERLY UNACCEPTABLE - ALL HOUSES IN THIS AREA ARE
SINGLE STRUCTURES AND 2 STOREY BUILDINGS WOULD
BE WAY OUT OF PLACE AND 8 UNITS ARE FAR TOO
MANY FOR THAT VERY SMALL PLOT OF LAND.
PARKING ALSO IS A BIG CONCERN, TRAFFIC
ON ARDEN IS BUSY AND WE DO NOT WANT TO SEE PARKING
ON THE STREET LIKE THEY HAVE ON 20TH ST [AN ACCIDENT
WAITING TO HAPPEN]. ARE YOU AWARE THAT WE HAVE A DAY
CARE ON ARDEN AND THESE CHILDREN GO FOR WALKS EVERY DAY.
PARKED CARS ON SIDE OF ROAD FORCE PEOPLE TO WALK AROUND
VEHICLES INTO TRAFFIC.
CAMERON CONTRACTING PLEASE THINK OF RESIDENTS AND
NOT DOLLAR SIGNS.

Please return your comments by Monday, Aug 26, 2019

Comment sheets can be submitted by one of the following methods:

1. Drop off or mail your comments to: Development Services Dept. City of Courtenay, 830 Cliffe Ave, Courtenay, BC V9N 2J7
2. Email your comments to planning@courtenay.ca
3. Fax your comments to: 250-334-4241

PUBLIC INFORMATION MEETING

August 13, 2019

2800 Arden Road - Development Permit & DVP

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]
Address: 2674 ARDEN ROAD, COURTENAY Phone: [REDACTED]

Cameron Contracting has applied to the City of Courtenay for a DP and a DVP for a proposed multi-family residential development - comprised of 2 buildings - each containing 2 basement suites and 2 - 2 storey suites for a total of 8 units. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

Please See attached:-

Please return your comments by Monday, Aug 26, 2019
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3. Fax your comments to: 250-334-4241

I have several comments regarding the Cameron Contracting at 2800 Arden Road.

Firstly, I feel that the new zoning was handled very underhandedly. We were told that the land was to be given to Habitat for Humanity but when they turned the proposal down Cameron Contracting came from no where and suddenly there are going to be 8 units built on the property??!! Eight units on that one piece of land is far too much, if you look at the Arden and surrounding streets all the homes are single family dwellings. I feel that this new development will look VERY out of place and not fit in with the current houses in the area not to mention we will lose the rural feel that we currently have, especially after now learning that the 8 units are to be rentals.

Cameron Contracting has already built several large homes at the top of Arden Road so why can't they build the same kind of thing on this property?? It will be less units but at least the feel & look of area will be unchanged.

Secondly, if there are 8 units being build on this one property where are all the residents that rent these units going to park?? These day's it is common for families to have at least two cars, if not more, so where will they park?? On the road?? We do not have any sidewalks on Arden Road as it is so will we be expected to maneuver around parked cars while dodging vehicles driving past?! I brought this up with Cameron Construction at the meeting we had last Tuesday and he was unable to answer my question. He said that there will be a parking space for each of the units, so if there is more than one vehicle per unit they will be fighting over parking spaces?? And if they are unable to get a parking space where are they going to park?? If you look at the development Cameron on 20th Street, which is the same proposed development, the street is full of parked cars on both 20th Street and the other side on Cumberland Road. Yes the units may have driveway's that technically fits two cars, one behind the other, but they are so small and narrow the majority of people park on the street and if there is room people don't want to park behind one another as they constantly have to move cars when leaving. And what happens when the residents have visitors, where do they park?? If there were less units built there would be no issues with parking.

I understand that Courtenay is growing and there is a lack of housing for people, but we purposely chose Arden Road to make our home and raise our family because of the quiet, rural & friendly neighbourhood feel to the area. If these eight units get the go ahead there will be far more traffic, more people and the friendly neighbourhood feel will be lost.

Cameron Contracting are only looking out for themselves, which I understand, they are there to make money for themselves, but at what expense does that come at?? They want to build as many units as they can as more units means more money. But after the units are built and Cameron Contracting are long gone, we are the ones that will be left with all the issues afterwards not them.

Since the trail at the bottom of Ronson Road has been built we have watched the number of people using it increase consistently, the majority of which continue their walk up Arden Road, so what is the purpose of putting in a trail to promote walking and then build 8 units, where there are no side walks, where are people supposed to walk??

I urge you to please think everything through before approving the plans for 8 units, it is far too many for the size of the land and I also feel that having them all be rental's will have a huge negative impact on the neighbourhood.

Thank you for taking the time to read my comments.

[Redacted signature block]

[Redacted signature block]

PUBLIC INFORMATION MEETING

August 13, 2019

2800 Arden Road - Development Permit & DVP

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]
Address: 2674L ARDEN ROAD COURTENAY Phone: [REDACTED]

Cameron Contracting has applied to the City of Courtenay for a DP and a DVP for a proposed multi-family residential development - comprised of 2 buildings - each containing 2 basement suites and 2 - 2 storey suites for a total of 8 units. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

All homes in this area are single family homes and NOT rental's, this proposed development will have a negative impact on the street & 8 units is far too many for that plot of land. Not only will the development look out of place i.e there are no buildings that look like that on the street, but where are these new tenants going to park? There are no sidewalks on Arden as it is and it is hard enough to take my 7 year old for a walk, bike/scooter ride as it is due to the traffic on the road & now we'll be dodging parked cars aswell!!!

There is no way that there will be enough parking 'off road' for the tenants & their visitor's as the land is far too small. Our Street will look like 20th Street (the other Cameron development) where cars are parked all along the street & even on the Cumberland road side.

Have a look at the area before seeing how much money there is to be made. Most house holds have at least two →

Please return your comments by Monday, Aug 26, 2019

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vehicles, we actually have 4 vehicles in our house hold and I know that another neighbour has 5 vehicles & another 3. So if this is the case for the new tenants where will they be forced to park?... On Arden Road of course!

There is also a daycare right across from the proposed development & those children go on daily walks. How are they supposed to navigate both on-coming traffic & parked vehicles with no sidewalks.

I feel that if this development goes ahead it will ruin the 'rural feel' of the neighbourhood and create lots of headaches and accidents waiting to happen.

yours truly

[REDACTED]

[REDACTED]

Grimsrud, Michael

From: [REDACTED]
Sent: Sunday, August 25, 2019 2:34 PM
To: PlanningAlias
Cc: [REDACTED]
Subject: 2800 Arden Road- Development Permit and DVP Comments and Questions

City of Courtenay Planning Department,

[REDACTED]
2825 Arden Road

Return email addresses:

[REDACTED]

Questions:

1.) How did this property sell to Cameron Contracting when it was set out in the covenant that this property, lot 26, 2800 Arden Rd, was to be given to Habitat for Humanity or to a not for profit society? I would like to add as well that the price in which it was purchased was very low and below asking price. Were there other non-profit organizations approached before it was listed? What other societys were approached? We would like to see proof that Habitat for Humanity was approached or that other organizations. L'Arche, Transition Society, John Howard Society?

Where does it state in the R-3 Zoning that duplex dwellings are permitted to have a secondary suite? To add at your meeting Mc Elhanney writes in his statement calls these units 'duplex style'- where in the R-3 zoning is this type of building? To me this is not a duplex as it has suites, which I do not see in the R-3 zoning so I can only make the assumption that this is a 4 plex?

2.) Is the building being built on current grade? My understanding is that the land is not to be altered and the plans indicate that the driveways will be the same grade as Arden Rd. How is this possible?

3.) Are there going to be street lights? How many? And where will they be located?

4.) The covenant states that there will only be 7 units and now they are asking for 8 units. We are not in favor of more. The engineer states that it is impossible to build 7 strategically. Please explain to us why? Could they not just be smaller units or simply less units?

5.) New developments must 'suit' the neighborhood. Can you explain to me how 2, 3000 square foot facades will suit the current residential area? Not to mention that these were also to be awarded to people in need, a community that helps those in need so they can also live affordably -instead you are putting in higher end homes with suites that are going to be solely FOR PROFIT to a company that already makes money most likely above the average person.

Comments and Concerns:

1.) Street Parking and Mailbox being moved only slightly, south down the road.

People turn around all the time at the mailboxes. Now you are asking people to turn around in basically an intersection with Falcon Crest and then people battling with street parking along the same side. **Would it not make sense to put the mailbox at the first street of the recipients addresses to avoid half of the residents doing u-turns every day in unsafe areas?**

Not to mention that the children's bus stop is at the pathway system to the right of this property, this is a safety concern- children won't be seen in between the cars parked on one side or both sides of the road.

The city has just declared the stream and culverted area a sensitive fish habitat, now you are getting cars to park on roads, whom some leak oil/gas into the ditches that drain into this culverted fish habitat.

It doesn't make sense to award 1.5 parking spots to 8 units where there is no practical public transportation where people will have to use cars to commute.

Petty theft happens often around here, all of our cars have been broken into more than once and it is a fact that street parking increases petty theft- that concerns us as a community that has struggled with this for years.

The variances do not reflect the stated covenant that is put in place to protect a neighborhood and the neighboring properties. The variances are asking to push the green space buffers and the heights of fences for the neighboring property, we do not agree.

We are stating in this email that we are **NOT** in favor of the variances that Cameron Contracting is asking for.

We would really appreciate answers to our questions and concerns as well as next steps in which you will take with our questions, comments and concerns.

Sincerely,



PUBLIC INFORMATION MEETING

August 13, 2019

2800 Arden Road - Development Permit & DVP

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]
Address: 2737 Arden rd Phone: [REDACTED]

Cameron Contracting has applied to the City of Courtenay for a DP and a DVP for a proposed multi-family residential development - comprised of 2 buildings - each containing 2 basement suites and 2 - 2 storey suites for a total of 8 units. This project is under review by staff in the Planning Department of the City.

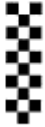
Given the information you have received regarding this project do you have any comments or questions?

We do not feel there is adequate parking
aloted for this development. Arden rd has no
sidewalks so if vehicles are parked on the
road it is a definite safety concern for all
of the area residents. It is already often
unsafe for people walking as with it being
straight people often drive to fast, we believe
there should be speed bumps or rumble areas
installed. With all of the development in the
area the city should have also done improvements
to the arden/cumberland intersection as it is
very dangerous (a roundabout!) and installed
a childrens playground in the immediate areas.

Please return your comments by Monday, Aug 26, 2019

Comment sheets can be submitted by one of the following methods:

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12/28/2008 12:08 2508970539

ARDEN ELEMENTARY

PAGE 01/01

PUBLIC INFORMATION MEETING

August 13, 2019

2800 Arden Road - Development Permit & DVP

COMMENT SHEET

Name: [Redacted] Email: [Redacted]

Address: 2610 falconcrest drive Courtenay Phone: [Redacted]

Cameron Contracting has applied to the City of Courtenay for a DP and a DVP for a proposed multi-family residential development - comprised of 2 buildings - each containing 2 basement suites and 2 - 2 storey suites for a total of 8 units. This project is under review by staff in the Planning Department of the City.

Given the information you have received regarding this project do you have any comments or questions?

My concerns regarding this development is the re-zoning from a 1 unit to 8 unit. Going to an 8 unit is going to create a parking catastrophe. Just 700ft down the road the same developer developed a higher end subdivision & is now trying to put in beside a rental property. Our neighbourhood has been a well established residentially owned neighbourhood. If this application does proceed & is operated by a property mgmt company, I can see our neighbourhood not maintaining its quiet urban atmosphere. Parking will def become an issue. Renters & visitors will be parking on Arden Rd. Guarantee there will be 2 cars / basement suite & 2 cars upstairs. Check out other developments & you can see parking is an issue. I am strongly opposed to this development.

Please return your comments by Monday, Aug 26, 2019

Comment sheets can be submitted by one of the following methods:

1. Drop off or mail your comments to: Development Services Dept. City of Courtenay, 830 Cliffe Ave, Courtenay, BC V9N 2J7
2. Email your comments to planning@courtenay.ca
3. Fax your comments to: 250-334-4241

Grimsrud, Michael

From: [REDACTED]
Sent: Tuesday, September 3, 2019 10:58 AM
To: Grimsrud, Michael
Subject: Overheight building and cottonwoods on lot 2800 Arden Rd.
Attachments: pic3.jpg; pic2.jpg; pic1.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

To Michael Grimsrud- Planner II- Development Planning:

Hi my name is [REDACTED] My family and I reside at 2770 Arden Road, right beside lot 2800, the potential fourplex building site. After earlier consultation with you at city hall I am submitting some photos of the foreseen overwhelming height issues presented by this three-storey project. The tall grade stake in one photo is actually an indicator of the garage entrance or bottom of the second-floor height. This gives you an idea just how high these massive units will be. In the back of the lot 2800 the units will look exceedingly higher of course. Also, if you research the existing grade heights (submitted on the grade site drawings) you will see just how much Cameron Contracting is wanting to raise this development from its natural grade. This includes the units, driveways, sidewalks, and parking lot-almost to an alarming degree. Always cheaper and easier than excavating down but at our expense. Someone has to take steps to lower this development.

I have also included a photo as you suggested of the 100ft cottonwood trees (eight in total), but they do not do justice to the problem. Only a visual can appreciate the leaning of them towards my property as well as root issues all over my backyard and ditch. Once again, I would encourage a site meeting with anyone from the planning department to further discuss this complicated development.

Thank-you for your time and consideration

[REDACTED]



Zilkie, Rhonda

From: [REDACTED]
Sent: December 03, 2019 6:58 PM
To: [REDACTED]
Subject: Arden Road Proposal

Staff note sender brought in printed copy of email; sender mostly obscured recipient name; and recipient is not a City of Courtenay Councillor.

Dear Councillor [REDACTED]

Re: The proposed 2-3 storey four-plexes on 2800 Arden Road on a 0.61 acre property.

We live at 2770 Arden Road right beside this proposed project and probably the one residence that is affected by this project the most. Some history- starting back in 2012, this lot was and should never have been re-zoned to R-3 "multi-family" in the first place. It was re-zoned to this designation after city council was told it was to be given to Habitat for Humanity or a non-profit society for a nominal fee, thus inducing the council to grant the re-zoning. This is an area of single family homes and large properties. In the re-zoning process Peter Crawford (the head city planner at the time) then put covenants in place on this property to protect our residence, knowing full well it was a questionable re-zoning to begin with. These covenants are supposed to continue with whoever owns the lot as reconfirmed to us back in January 2019 by Tatsuyuki Setta (manager of planning at that time).

Fast-forward to March 2019, a private developer purchased this complicated re-zoned property and wants to build two 3-storey four-plexes on the lot, but also wants in turn, to disregard or alter these important covenants that the City of Courtenay put in place to protect us.

These protective covenants are:

- 1) No more than 7 residences on the lot, this is for privacy and traffic.
- 2) A 2 metre high concrete lap fence to run the full length of the North property line, for privacy and noise buffer.
- 3) A 1 metre offset of the fence onto lot 2800 for further buffer.
- 4) A 4.5 metre full landscape buffer on North property line with high trees promised by Peter Crawford.

The developer is trying to shorten the length of the fence, lower the height of the fence, and not recess it 1 metre onto lot 2800. They are not wanting to do the full 4.5 metre landscape buffer the full length of the North property line with tall trees. Additionally, they are planning to build 8 units instead of 7, increasing on-street parking. On a side note, on the North property line there are extremely dangerous 100-foot tall cottonwood trees. Their root systems are encroaching onto and throughout our backyard, with the possibility and potential of damaging our septic field. I had asked the previous owner about removing some, but to no avail.

Also of significant disappointment is the height of these two four-plexes. The developer wants to build up the front of the property as high as 7 feet to the front entrance, making it disturbingly high. All surrounding dwellings have built with the lay of the land on this heavily sloped section of Arden Road. With the extreme height of the proposed 3 storey high units and invasive nature it is out of character with the neighborhood. In saying all this, we are not against development and do not mind the footprint of this project. We just would like to see the project lowered on the lot if at all possible and of course the covenants enforced so that our privacy and property value will not take such a hit. We have reached out to Ian Buck and Michael Grimsrud many times about our concerns with this project with good dialogue and will continue to do so. We have even had a meeting with the developer also expressing our issues and hopefully will continue to communicate with him as in our eyes it is the best policy. We understand the O.C.P. and we get the need for rental units in the city, but please think about the existing residents in such a rural area right beside such a tall and densified project. This email is just to give you some history and awareness of the project going forward.

Thank you for your time,

[REDACTED]

Grimsrud, Michael

From: [REDACTED]
Sent: April 23, 2020 8:17 AM
To: Grimsrud, Michael
Subject: lot 2800 height issue

Follow Up Flag: Follow up
Flag Status: Flagged

To Mr. Mike Grimsrud - City of Courtenay ;Planning Dept.
As to earlier discussions on the 1 foot clerical error on buildings for lot 2800 Arden Rd, these are our preferred solutions in order from best to worst.

#1 best - lower front main elevation by 1 foot (this helps to reduce overall height of 3 storey project.)

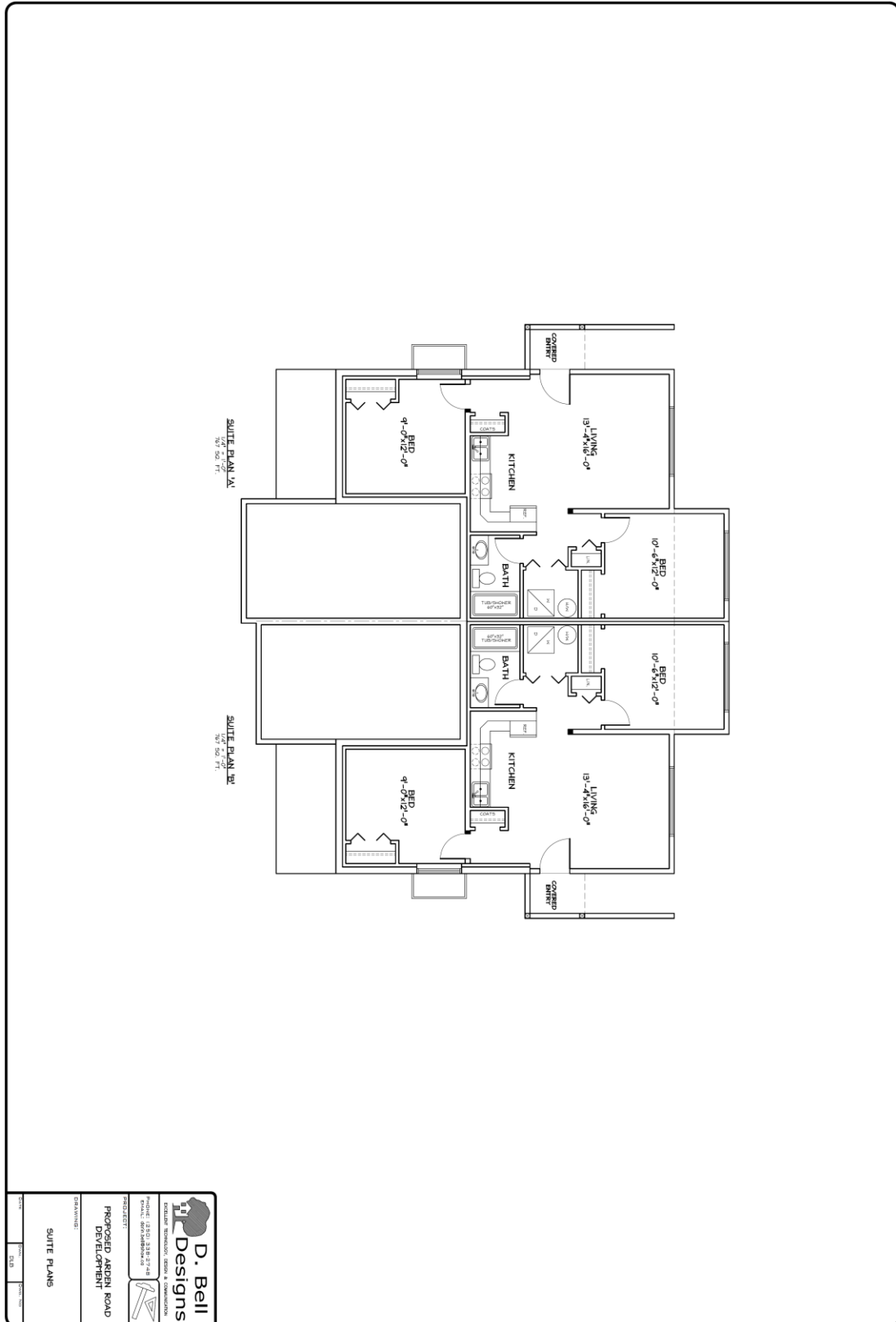
#2 2nd best - leave main and basement floor elevations alone and increase basement wall height by 1 foot (a compromise solution.)

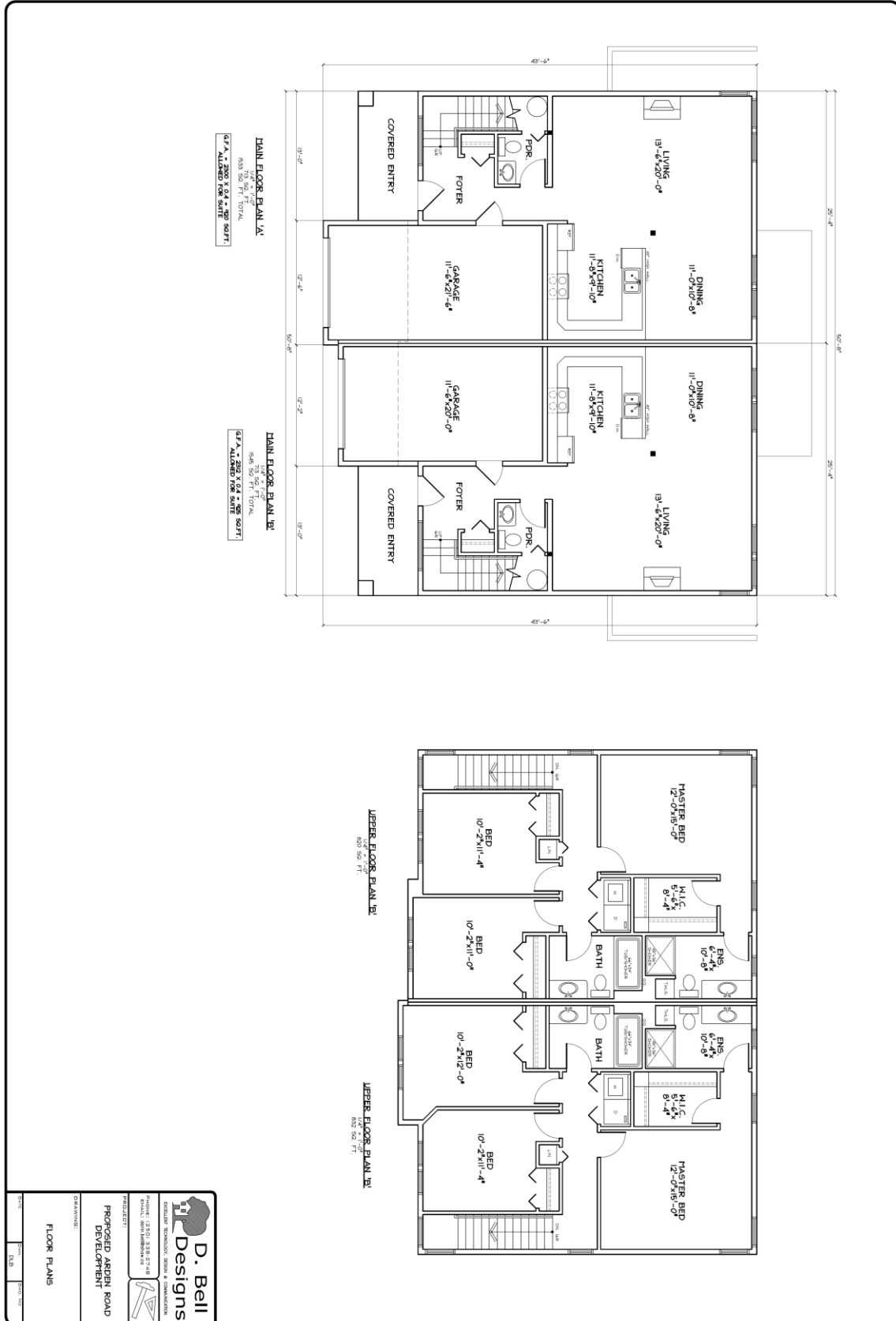
#3 worst solution - raise basement elevation 1 foot (this also raises backyard elevation thus creating further rear property privacy loss.)

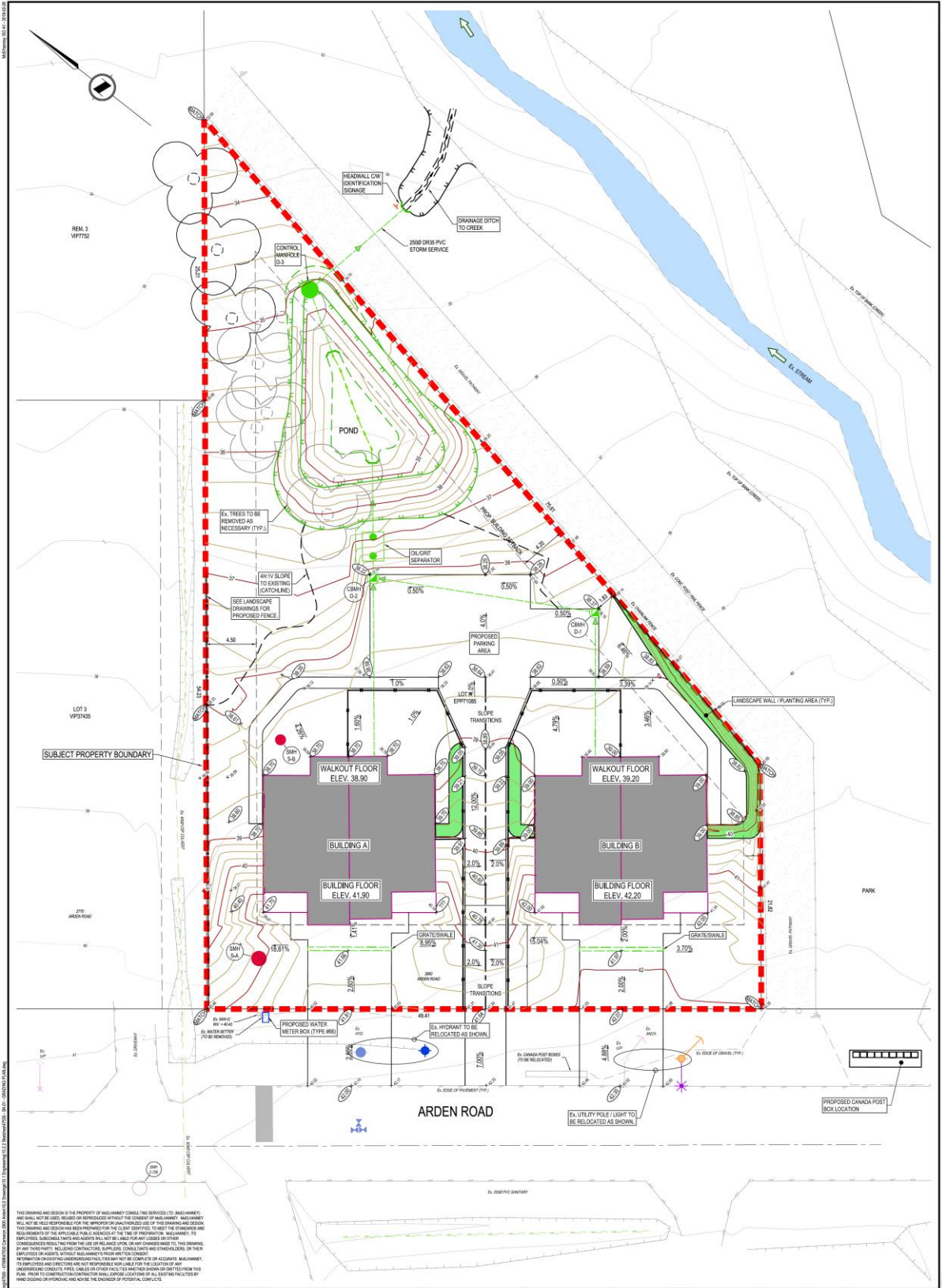
Thanks for allowing our input into this issue as our residence is right along side this proposed development and is adversely effected by this

[REDACTED] - 2770 Arden Rd.

Attachment No. 4: Additional Materials







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Rev	Date	Description	Drawn	Checked	App'd
4	2020-04-21	UPDATED TO REMOVE ONE PARKING STALL	PW	VR	DJ
3	2019-04-12	ISSUED FOR PERMITS APPLICATION	CE	VR	DJ
2	2019-04-11	ISSUED FOR APPROVAL	VR	VR	CE
1	2019-04-08	ISSUED FOR REVIEW	VR	VR	CE
1	2019-04-08	ISSUED FOR REVIEW	VR	VR	CE

McEilhanney
 1211 Ryan Road
 Courtenay BC
 Canada V9R 9J6
 Tel: 250-338-0465



PRELIMINARY NOT FOR CONSTRUCTION
 THIS DRAWING HAS NOT BEEN APPROVED AND MAY CONTAIN ERRORS AND OMISSIONS

CAMERON CONTRACTING LTD.
 640 ANDERTON ROAD, COMOX, BC V9M 2J3
2800 ARDEN ROAD MULTIFAMILY PRELIMINARY FLOOR ELEVATION AND GRADING PLAN
 2800 ARDEN ROAD
 COURTENAY, BC

Drawing No.	SK-01
Project Number	2211-47530
Rev.	4


**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

MULTI RESIDENTIAL DEVELOPMENT PERMIT AREA

The following checklist provides a quick reference for compliance with the guidelines contained within Section 8.5 Multi 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 comment. **Incomplete forms will result in application delays.**

Project Address: 2800 ARDEN ROAD, COURTENAY		Date: OCT 30/19	
Applicant: DERIK JENSEN		Signature: <i>[Signature]</i>	
A. FORM AND CHARACTER	Yes	No	Comment
1. The design of buildings shall reflect the heritage of the City of Courtenay and the use of materials such as stone, brick, ornamental work and wood with varied details and columns is required. All designs will be assessed to compare the submitted design with these guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED.
2. All multi residential projects shall front or appear to front onto abutting roadways. This may be achieved through appropriate treatment of the building exteriors and through the provision of pedestrian entranceways and walkways directly to the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BUILDINGS ORIENTATED TO ARDEN ROAD.
3. Buildings located on corner lots, lots adjacent to a single residential building, and lots next to public open spaces shall be stepped down toward the flanking street, adjacent building, or public open spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED.
4. The design and introduction of a new building type to a residential neighbourhood shall provide harmony and lend continuity to the neighbourhood and should not create excessive disruption of the visual character of the neighbourhood.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED
5. The design of a new project or an addition to an existing project shall be based on a comprehensive design concept and shall give adequate attention to the general architectural style, detailing, scale, materials, character of fenestration, character and materials of roofs, treatment of entrances, gradation of heights, relationship of indoor and outdoor spaces, design and placement of play areas, access parking arrangement and circulation, and landscape character and design. Plans submitted with Development Permit applications shall illustrate the aforementioned points.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED
6. No more than four townhouse units shall be linked in a row unless warranted by special design treatment.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
7. Where townhouse units have attached garages or carports, the units shall be wide enough to allow the creation of attractive entrances to the individual units between garages. Where lane access is available, parking entrances shall be limited to lane access.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
8. Where individual townhouse or multi-family units have vehicular access via public street, combined driveway access points are required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEE ATTACHED.

9. The design and siting of buildings and individual units shall take advantage of views, natural amenities and adjacent open spaces and shall provide the maximum of units with good sun exposure to enhance the liveability of units.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED.
10. Stepped or alternating massing shall be used in the design of buildings in order to break up the volume of the building(s) and to avoid a box like appearance.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SEE ATTACHED
11. Sloped roofs shall be encouraged to harmonize with surrounding residential areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SLOPED ROOFS PROVIDED
12. Building shall ensure visual privacy between units and also between private amenity spaces such as balconies or patios.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. Where a development is to be constructed in several phases, the proposed phasing plan indicating the sequence and timing of construction shall be included as part of the development permit application.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
B. SIGNAGE	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"/>	N/A
C. SITING, LANDSCAPING AND SCREENING	Yes	No	Explanation of Non-Conformity
1. A Landscape Architect or registered professional shall prepare a plan which will incorporate plant species, quantities and installation suitable for the project.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. A detailed landscaping and screening plan, drawn to scale and showing the type, size and location of proposed landscaping, shall be submitted with the development permit application.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Recreation and play areas shall be provided within each project and shall be sensitive to the needs of the all age groups likely to reside in the development.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
4. Care will be taken in developments intended for family living to ensure that the fundamental needs of family living are not compromised. This includes adequate storage, places for outdoor play, attention to sound and sight separation, and safe convenient parking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. A continuous landscaped buffer area of at least 7.5 metres in width shall be provided along the inside of all property lines adjacent to Cumberland Road, 17 th Street, 29 th Street, Island Highway, Cliffe Avenue, Ryan Road and Lerwick Road. A perimeter landscaped buffer area of at least 4.5 metres in width shall be provided along the inside of all property lines adjacent to all other roads and at approved access points.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8m LONG SECTION OF PARKING AREA REQUIRES A VARIANCE TO 0.3m (MIN)
6. If a property is adjacent to the Agricultural Land Reserve boundary, a fence and landscaped buffer area of at least 10 metres in width shall be provided along the inside of the property line.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
7. Buildings shall be sited to ensure the privacy of residences and adjoining properties, retain view amenities, and minimize the impact of noise or other off-site effects. Noise attenuation fencing will be required adjacent to arterial and collector roads.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED.

8. Buildings shall be sited to retain existing tree stands and terrain as much as possible. Protective barriers, such as snow fencing, shall be installed around all existing plantings which will be retained at the drip line for the duration of construction. No material or temporary soil deposits may be stored within these areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	EXISTING MATURE TREES TO BE RETAINED WHERE POSSIBLE
9. Buildings shall be sited to ensure the privacy of residences and adjoining properties, retain view amenities, and minimize the impact of noise or other off-site effects, noise attenuation fencing or buffering will be required adjacent to arterial and collector roads.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED.
10. Grading requirements of a development shall be resolved within the property boundary. Cut and fills shall be minimized and blended into the existing terrain. Stepped retaining walls shall be used where possible. Stepped foundation walls and floor levels for buildings shall be used on sloped sites. Slopes shall be determined to promote opportunity for re-planting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED.
11. Buildings shall locate refuse containers, utility services, etc. to minimize visibility and they shall be screened by landscaping and fencing to a minimum height of 2 metres. In general, chain link fencing shall be used only when screened by landscaping. Similarly, utilities, meters, exhaust elements, satellite dishes, etc., shall be screened by landscaping, fencing or roof elements.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
12. To separate internal roads, parking, service or storage areas from adjacent properties, a landscaped buffer area of at least 30 metres in width.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
13. Development shall include installation of street trees and sidewalks along all adjacent streets. Boulevards of adjacent streets shall be landscaped, irrigated and maintained by adjacent developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Undeveloped areas of the site shall be left in its natural state if there is substantial existing native vegetation. Otherwise, the owner will undertake vegetation control within 6 months of building occupancy satisfactory to the City.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
15. Any development adjacent to or near stream or wetland areas shall adhere to the requirements of the Streamside Stewardship, 1993 guidelines and the "Land Development Guidelines for the Protection of Aquatic Habitat 1992" prepared by the Department of Fisheries and Oceans and the Ministry of Water, Land and Air Protection along all streams and their tributaries.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
16. The City may require an environmental analysis of site conditions in areas subject to natural hazards such as slope slippage, drainage, or high vegetation value, prior to development.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
17. It is City policy to limit the peak run off from areas of new development to that which the same catchment areas would have generated under the pre-development land use. A storm water management plan will be required as part of any development and shall be prepared by a Professional Engineer to comply with the City's stormwater management policies and plans and the City's Water Balance Model.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
18. Setbacks areas abutting stream areas shall be fenced prior to development occurring to prevent encroachment of equipment or material into the stream system.	<input type="checkbox"/>	<input type="checkbox"/>	N/A

19. A biophysical assessment of the site prepared by a professional biologist may be required outlining any environmental values to be protected during and after developments and the methods to achieve this to the satisfaction of the City and federal and provincial agencies.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
20. Prior to the subdivision or development of land containing a stream, the natural watercourse and surrounding area shall be considered for dedication to the Crown, the Municipality or other public agencies committed to the protection and preservation of natural watercourses			N/A
21. The City will require the following minimum depth of topsoil or amended organic soils on all landscaped areas of a property: <ul style="list-style-type: none"> • shrubs – 450 mm • groundcover & grass – 300 mm • trees – 300 mm around and below the root ball 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
22. All landscape areas shall be serviced by an underground irrigation system.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D. LIGHTING	Yes	No	Explanation of Non-Conformity
1. Lighting should be designated for security and safety. However, there should not be glare on neighbouring properties, adjacent roads or the sky.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
2. All new, replacement and upgraded street lighting in existing and proposed developments will be Full-Cut Off/Flat Lens (FCO/FL) luminaires to light roads, parking, loading and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
E. PARKING	Yes	No	Explanation of Non-Conformity
1. Large surface parking areas should be broken down into smaller parking lots evenly dispersed throughout the development and integrated with planted landscaped areas. Visitor parking spaces shall be clearly identified within each development. Tree Planting is required in parking areas.	<input type="checkbox"/>	<input type="checkbox"/>	N/A
2. Parking areas shall be screened from adjacent properties and from direct views of parking vehicles from the street. The screening should consist of landscaping and fencing.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED 1
3. Outdoor parking and loading areas should be located to the sides and rear of buildings. Parking areas shall include landscaped areas, defined by concrete curbs, to provide visual breaks between clusters of approximately ten stalls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED
4. Direct and functional pedestrian pathways to connect building entrances to parking areas and sidewalks of the abutting streets shall be provided. Installation of features such as distinct paving, special landscaping with trees and benches, and overhead weather protection on exterior building walls where appropriate is required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEE ATTACHED.



October 30, 2019

Our File: 2211-47530-00
City File: DVP 3060-20-1908

Mr. Michael Grimsrud
Planner 1
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Mr. Grimsrud,

LOT A DISTRICT LOT 231, COMOX DISTRICT, PLAN EPP71085 - PROPOSED MULTIFAMILY DEVELOPMENT OF 2800 ARDEN ROAD

This is in response to the City of Courtenay's (City) September 19, 2019 email correspondence and provides the clarification and/or additional project information requested by the City (italics below).

- 1) *Per Subdivision and Development Servicing Bylaw No. 2919, the MMCD Design Guidelines Section 5.14.2 allows for only one driveway per road frontage. The proposal shows 3 driveway entrances. This would require a variance for Council consideration. Please add this variance request and initial your application form or authorize me to do so.*

Please proceed with adding this additional variance request on our behalf.

- 2) *Per Zoning Bylaw No. 2500 Section 8.3.10 (1), a landscape screen, fence or a combination thereof of not less than 3.0m in height **and width** shall be provided and maintained to the satisfaction of the City on all property lines adjoining all other adjoining properties. The landscaping proposed may provide sufficient screening to meet the height requirement in places, but is as narrow as about 0.5m between the rear lot line and parking lot. Please provide me the actual buffer width at this narrowest point and please re-write this request on your application form to specify both height and width accordingly or authorize me to do so.*

The separation distance between the property line and the parking lot at this location is 0.3m. Please proceed with adding this additional variance request on our behalf.

- 3) *Please confirm that the two front elevations given are one for each building and clarify which is which.*

We confirm that the blue colored building rendering represents Building A (northern building) and that the grey colored building rendering represents Building B (southern building).

Page 1 of 8

1211 Ryan Road
Courtenay BC
Canada V9N 3R6

Tel 250 338 5495
Fax 855 407 3895
mcelhanney.com



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4) *Please provide an ISA arborist assessment of existing trees to be retained.*

The existing on-site mature trees are limited to the northeast quadrant of the site. The development proposal seeks to retain these trees to the extent possible (see landscape plan and site servicing plans). The Owner advises that an ISA arborist assessment will not be provided to support this application.

5) *The big leaf maple trees planned for the front of the lot are native, in keeping with the Arden Corridor Local Area Plan (LAP), but are problematic in that they appear to be in the boulevard, and that they would conflict with the power lines overhead. Please update the plans to show trees of a more appropriate native species that will not conflict with power lines and are planted inside the property line. BC Hydro has a guide available online.*

Having coordinated this request with Mystic Woods, Pacific Crabapple will be substituted for the four (4) big leaf maple trees noted on the landscape drawings. We further confirm that these same trees will be located on the subject property. We request the City note these design changes on the submitted drawings.

6) *Please review the plans submitted for consistency with Multi Residential development permit areas guidelines available at <https://www.courtenay.ca/assets/Departments/Development~Services/MultiResDPChecklist.pdf> and fill out a checklist with comments; improvements or commentary on the following items may be of particular interest:*

A. *Form and Character*

- *The design of the buildings shall reflect the heritage of the City of Courtenay and the use of materials such as stone, brick, ornamental work and wood with varied details and columns is required. All designs will be assessed to compare the submitted design with these guidelines.*

Building facades are consistent with both local residential construction and houses. Hardi-plank siding and wood trim will be utilized.

- *Buildings located on corner lots, lots adjacent to a single residential building, and lots next to public open spaces shall be stepped down toward the flanking street, adjacent building, or public open spaces.*

Reduced building massing on the 2nd storey is not possible with this development proposal, as the building width is constrained by the parcel width.

- *The design and introduction of a new building type to a residential neighbourhood shall provide harmony and lend continuity to the*



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neighbourhood and should not create excessive disruption of the visual character of the neighbourhood.

Building facades are consistent with both historical and new building construction within the Arden Road corridor.

- *Where individual townhouse or multi-family units have vehicular access via public street, combined driveway access points are required.*

A combined driveway access for this development is not possible given the size and configuration of the subject property.

C. Siting, Landscaping and Screening

- *A continuous landscaped buffer area of at least 7.5 metres in width shall be provided along the inside of all property lines adjacent to Cumberland Road, 17th Street, 29th Street, Island Highway, Cliffe Avenue, Ryan Road and Lerwick Road. A perimeter landscaped buffer area of at least 4.5 metres in width shall be provided along the inside of all property lines adjacent to all other roads and at approved access points.*

A robust development landscape plan has been prepared. Further to our application submission, we note that a 2m high concrete fence located 1m into the subject property and extending the full length of Lot 3 Plan VIP37435 will be provided in accordance with the covenant document.

- *Buildings shall be sited to ensure the privacy of residences and adjoining properties, retain view amenities, and minimize the impact of noise or other off-site effects. Noise attenuation fencing will be required adjacent to arterial and collector roads.*

Buildings have been setback from Arden Road in accordance with the zoning requirements and in consideration of the shape of the subject property. The building locations are not expected to impact adjacent property view corridors.

- *Grading requirements of a development shall be resolved within the property boundary. Cut and fills shall be minimized and blended into the existing terrain. Stepped retaining walls shall be used where possible. Stepped foundation walls and floor levels for buildings shall be used on sloped sites. Slopes shall be determined to promote opportunity for re-planting.*

Great care has been taken with the development site grading to match the existing site topography where feasible. To this end, significant on-site earthworks have been avoided.



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City of Courtenay
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E. Parking

- *Parking areas shall be screened from adjacent properties and from direct views of parking vehicles from the street. The screening should consist of landscaping and fencing.*

Vehicle parking for the main level units is located in front of the building as expected. Vehicle parking for the basement units is provided at the rear of the property, screened from the adjacent neighbor by landscape material and 2m high concrete fence.

- *Outdoor parking and loading areas should be located to the sides and rear of buildings. Parking areas shall include landscaped areas, defined by concrete curbs, to provide visual breaks between clusters of approximately ten stalls.*

The proposed vehicle parking for the basement units is located at the rear of the property. This parking is not large enough to incorporate landscape islands as it contains six (6) stalls.

7) For Building Permit:

A. General

- *All servicing and/or offsite improvements are required to comply with standards contained within the Subdivision and Development Servicing Bylaw No. 2919.*

Understood.

- *Per Covenant CA6752450 the developer is required to provide a landscaping buffer along the north property line, a 2 meter high concrete fence one meter off the northern property line of the land as well as amenities for the Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund as well as The Affordable Housing Reserve Fund.*

Per above, the developer has agreed to install a 2m high concrete fence located 1m off the northern property line. The developer's amenity contribution obligations are understood.

- *A Covenant will be required on the property for stormwater infrastructure maintenance. For this purpose provide a stormwater infrastructure maintenance manual to be included on the Covenant.*

Understood.



October 30, 2019
City of Courtenay
File 47530 – 2800 Arden Road

B. Roads

- *The development shows an intention to relocate the existing mailbox. For purposes of Public Safety the City requires setbacks from the lane adequate for a vehicle to park and a Canada Post employee or passenger to safely exit the vehicle to access the mail box. Further inquiry with Canada Post has informed the City that a 6 meter setback with a 12 to 18 meter minimum pullout length is preferred. Increase the paved road width and structure base to provide these dimensions in front of the relocated infrastructure. The pullout for the relocated Canada Post box must additionally avoid the Park trailhead so as to reduce incidence of the general Public using this space as a pullout or parking.*

The requirement to relocate the existing Canada Post mailbox station is understood and based on our coordination effort with the same, the preferred mailbox location is in front of the City's park. On behalf of the owner, we can confirm that this development will not be contributing to the Arden Road improvements noted above, in support of this alternate mailbox location.

C. Water and Sanitary Servicing

- *The relocated hydrant is required to have a direct connection to the water main on Arden Road per MMCD Drawing W4. Any existing services of insufficient size/location to be abandoned with applicable disconnection fees.*

Understood.

D. Stormwater

- *On-site source control facilities must demonstrate that they will not result in downstream breakout and include a geotechnical report supporting their implementation.*

On-site stormwater attenuation requirements will be achieved via the proposed stormwater pond. As no stormwater infiltration systems are proposed, please clarify why a geotechnical report commenting on downstream breakout is warranted.

- *The June 12th, 2019 McElhanney Consulting Services Ltd. Site Servicing Report notes that the Pond will flood at the 100 year storm and water will flow overland to the creek. Provide upgrades to the gravel pathway as necessary to ensure it will not be negatively impacted if the overland flows cross it.*

Understood.



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- *The outfall must be extended to the creek and designed in a manner to prevent erosion of the creek bank. A "Storm Outfall" sign is required.*

Understood.

E. Building

- *BC Building Code does not permit suites within a multi-unit building (more than one dwelling) so the suites according to the Building Code will be required to comply with all fire separation and fire ratings as if it were a unit in a multi-unit building. This will mean that the Building code would consider each building as a 4 plex unit requiring 1 Hr fire ratings between units, along with BC Housing Documents (HPO) reflecting 4 units per building. The Covenant on the property limits the maximum unit count to 7 with 2 duplexes and on Triplex, so according to the Building Code requirements this property would have 8 units on the property in the form of 2 four plexes.*

Understood.

- *The noted "Sanitary Pump Package" on the services drawing will require a Professional Engineer to design, install, and inspect to ensure compliance with all required Acts, Standards, and Bylaws. This could be included in the overall Civil Engineers Designs with supporting documentation about the equipment (tank, pumps, alarms, backup power, etc.) and Schedule B, along with approvals from Development Engineering.*

Understood.

- *Limiting distance requirements between the two units may limit the amount of unprotected openings to 8-10% of the wall area.*

Understood.

8) For Your Information:

- *Public Works Staff does not support the proposal of several multi-family driveways to the development due to the increase of maintenance costs to the taxpayer.*

Please see rationale for variance request above.

- *The Draft Transportation Master Plan, viewable at <https://www.courtenay.ca/assets/City~Hall/Council/Agendas/2019/2019-07-02%20DRAFT%20Transportation%20Master%20Plan.pdf>, shows future Arden Rd collector connection to the Comox Valley Parkway (P. 34).*

Understood.



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- *BC Hydro has no objections to the development; however:*

Modifications to the BC Hydro system will be necessary in order to extend the electrical system to this development. BC Hydro will need to complete a thorough system study and design to provide a cost estimate for this work. Clearance must be maintained for any new development from our primary lines. We require 3m clearance from the lines and 6m clearance from and transformers. The developer must submit an application for service with our BC Hydro Express Connect Department by phone @ 1-877-520-1355 or online.

Understood.

- *Emterra Environmental curb-side collection can be provided.*

Understood.

- *The proposal maintains a large percentage of pervious surfaces, consistent with Arden Corridor LAP policy, however pervious hard scape surfaces (e.g. parking lot) are also encouraged.*

As noted, the development proposal includes a large percentage of permeable surfacing. Additional permeable surfacing is not being considered.

- *Arden Corridor LAP states that housing shall be inspired by illustrative examples provided in plan, objectives of which are to maintain a 'rural aesthetic' which includes elements such as: front porches, having the building appear more as a single family home (rather than mirror), dormers, more roof variety, stepped massing, rear garages.*

See response above.

Beyond the above, we note the following development proposal consistencies with the City's multifamily development permit guidelines:

- Provides higher residential unit density utilizing existing municipal infrastructure.
- The subject property is immediately adjacent to greenway walkway networks, promoting alternative modes of transportation and opportunities for leisure activities.
- Expands on existing housing diversity within the local area, providing options for various social and economic needs.
- Adds eight (8) dwelling units to the local housing rental market.
- Building massing and orientation is consistent with the character of the existing neighborhood.
- The proposed development does not impact any environmentally sensitive areas.



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- Stormwater management designs will be in accordance with the Water Balance Model of BC strategies.
- Building surface treatments include hardi-plank siding, board & baton, and hip roofs, consistent with existing homes within the immediate area.
- All buildings maintain an Arden Road streetscape orientation.
- A network of walkways links unit entrances to vehicle parking areas.
- An extensive landscape treatment is proposed, utilizing native and drought resistant materials.
- All vehicle parking requirements are met on-site.

Please contact the undersigned if any further information is required

Yours truly,

MCELHANNEY LTD.

A handwritten signature in blue ink, appearing to read 'D Jensen'.

Derek Jensen, ASCT
Project Manager

Reviewed by:

A handwritten signature in blue ink, appearing to read 'Bob Hudson'.

Bob Hudson, P.Eng.
Branch Manager

Cc: 0384657 BC Ltd, Don Cameron



STAFF REPORT

To: Council

File No.: 1760-02

From: Chief Administrative Officer

Date: May 4, 2020

Subject: Security Issuing Resolution – Long Term Debenture Loan Authorization Bylaw 2985, 2019

PURPOSE:

The purpose of this report is to authorize the City of Courtenay to access the Municipal Finance Authority (MFA) Fall 2020 Debenture Issue for the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization bylaw 2985, 2019.

POLICY ANALYSIS:

Section 182 of the *Community Charter* requires that a municipality must not borrow long term funds under a loan authorization bylaw unless the financing is undertaken by the applicable regional district through the Municipal Finance Authority of British Columbia. Section 122 of the *Community Charter* requires Council to pass a municipal security issuing resolution in order to be included with the regional security issuing bylaw to borrow funds with the applicable Debenture Issue through MFA.

EXECUTIVE SUMMARY:

The 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization bylaw 2985, 2019 was adopted by Council on March 2, 2020 upon successful completion of the Alternative Approval Process. The bylaw has now received the Certificate of Approval from the Inspector of Municipalities and the final step for inclusion in the Comox Valley Regional District security issuing bylaw and the Fall 2020 MFA long term debenture is for Council to pass a borrowing resolution.

CAO RECOMMENDATIONS:

That based on the May 4, 2020 staff report “Security Issuing Resolution – Long Term Debenture Loan Authorization Bylaw 2985, 2019”, Council approve OPTION 1 and approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2020 Fall borrowing session, \$3,000,000 as authorized through the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019 and;

That the Comox Valley Regional District be requested to consent to the borrowing over a 25 year term and include the borrowing in a Security Issuing Bylaw.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

At its regular meeting held November 4th, 2019 Council passed the following resolution:

“Moved by Hillian and seconded by McCollum that based on the November 4th, 2019 staff report “2020 Greenwood Trunk Connection Sanitary Sewer Capital Borrowing”, Council approve OPTION 1 and endorse the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019; that Bylaw No. 2985 proceed to First, Second and Third reading; and,

That Council approve the Alternative Approval Process (AAP) to gain approval of the electors.”

Bylaw No. 2985 received 3 readings at the same meeting.

Bylaw No. 2985, along with supporting documentation was forwarded to the Inspector of Municipalities on November 7th, 2019. The Inspector of Municipalities provided statutory approval of Bylaw No. 2985 on December 13th, 2019.

An Alternative Approval Process (AAP) was held pursuant to section 86 of the *Community Charter* beginning in January, 2020 with a deadline of February 18, 2020 at 4:30pm. One Elector Response Form was received during the AAP process.

At its regular meeting held March 2, 2020 Council passed the following resolution:

.01	Moved by Frisch and seconded by Cole-Hamilton that based on
GREENWOOD TRUNK	the March 2 nd , 2020 staff report “Greenwood Trunk Alternative Approval
SEWER ALTERNATIVE	Process Results” Council approve OPTION 1 and that 2020 Greenwood
APPROVAL PROCESS	Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No.
RESULTS	2985, 2019 proceed to final adoption.
1760-02	Carried

On April 3, 2020 after the statutory one month quashing period, Bylaw No. 2985, along with supporting documentation was forwarded to the Inspector of Municipalities to apply for a Certificate of Approval. The Certificate of Approval from the Inspector of Municipalities was received by the City on April 27, 2020.

DISCUSSION:

Section 182 of the *Community Charter* restricts local governments to financing long term debt with their local regional district through the Municipal Finance Authority of British Columbia (MFA). Once a certificate of approval has been received by the Inspector of Municipalities, Council must then pass a Municipal Security Issuing Resolution and forward it to the Comox Valley Regional District to be included in the next Regional District Security Issuing Bylaw that will go through further adoption at the regional level.

In order to secure the required \$3,000,000 financing to construct the Greenwood Trunk Sanitary Sewer Connection Council must pass the following resolution:

“That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2020 Fall Borrowing Session, \$3,000,000 as authorized through the “2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019” and that the Comox Valley Regional District be requested to consent to our borrowing over a 25 year term and include the borrowing in a Security Issuing Bylaw.”

FINANCIAL IMPLICATIONS:

There are no financial implications related to passing the municipal security issuing resolution itself. Annual debt servicing costs related to the borrowing will remain within the Sewer fund and have been accounted for and previously approved in the 2020-2024 Sewer Fund Financial Plan. They do not affect the general taxation debt levy.

ADMINISTRATIVE IMPLICATIONS:

After Council passes the municipal security issuing resolution, it will be certified and sent to the Comox Valley Regional District along with certified copies of bylaw No. 2985 and the certificate of approval for inclusion in the Regional District Security Issuing Bylaw.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications for the AAP process. As outlined in the November 4, 2019 staff report, the Greenwood Trunk Sanitary Sewer Connection is included in the City’s asset management plan and is a high priority project.

STRATEGIC PRIORITIES REFERENCE:

Strategic Priorities Chart: Operational Strategies (CAO/Staff)

Financial Services - 2. Draft Borrowing Bylaws: Prepare

Engineering Services - 2. Greenwood Sewer Trunk: Approval

We focus on organizational and governance excellence

- Communicate appropriately with our community in all decisions we make
- Responsibly provide services at levels which the people we serve are willing to pay

We proactively plan and invest in our natural and built environment

- Focus on asset management for sustainable service delivery

▲ Look for regional infrastructure solutions for shared services

We actively pursue vibrant economic development

●▲ Work with the business and development sectors to mutually improve efficiencies

▲ Continue to explore innovative and effective economic development opportunities

We support diversity in housing and reasoned land use planning

● Continue to develop and revisit all infrastructure master plans

- **AREA OF CONTROL:** The policy, works and programming matters that fall within Council's jurisdictional authority to act
- ▲ **AREA OF INFLUENCE:** Matters that fall within shared or agreed jurisdiction between Council and another government or party
- **AREA OF CONCERN:** Matters of interest that are outside Council's jurisdictional authority to act

OFFICIAL COMMUNITY PLAN REFERENCE:

Section 6.3 Sanitary Sewer Treatment to follow policies to reduce infiltration, consider downstream capacity of existing sewer mains, and to provide an effluent network that is limited to areas within the City's municipal boundaries.

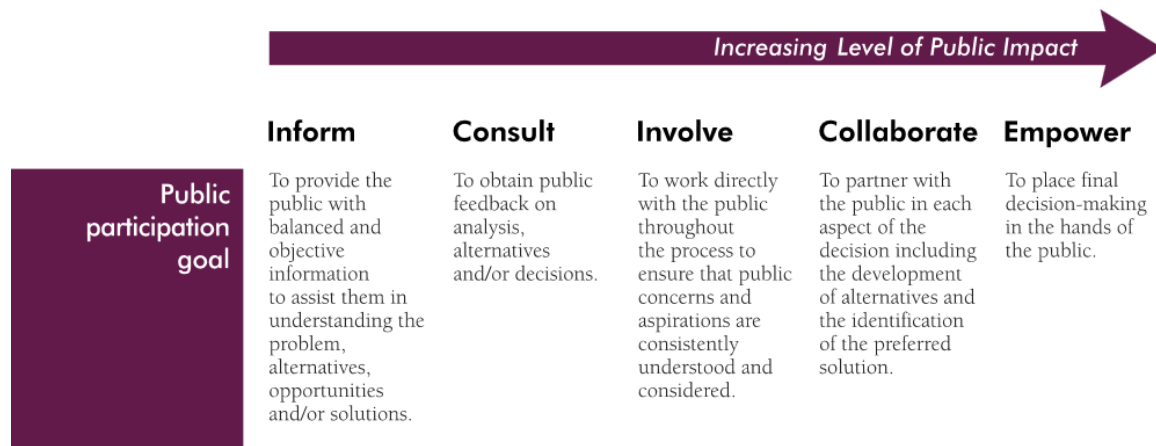
REGIONAL GROWTH STRATEGY REFERENCE:

These sewer projects provide the public with infrastructure that addresses public health needs and concerns and provides equal service to all residents within the municipality and region (per Comox Valley Regional Growth Strategy Bylaw No. 120, 2010, Part 3.2.5, Objective 5-D Page 56).

CITIZEN/PUBLIC ENGAGEMENT:

Section 180 of the Community Charter requires that Council gain approval of the electors before a loan authorization bylaw can be adopted. The City will “**Empower**” the public based on the IAP2 Spectrum of Public Participation. This is the highest level of public participation in decision making under this practice. Information about the IAP2 Core Values can be found at:

<https://iap2canada.ca/Resources/Documents/0702-Foundations-Core-Values-MW-rev1.pdf>



OPTIONS:

OPTION 1: That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2020 Fall Borrowing Session, \$3,000,000 as authorized through the “2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019”; and

That the Comox Valley Regional District be requested to consent to our borrowing over a 25 year term and include the borrowing in a Security Issuing Bylaw.

[Recommended]

OPTION 2: That Council defer approving borrowing related to bylaw No. 2985

OPTION 3: That Council not approve borrowing related to bylaw No. 2985

It should be noted that delaying approval to borrow these funds will impact securing long term debt in 2020.

Prepared by:

Jennifer Nelson, CPA, CGA
Director of Financial Services

Attachments:

- #1 - 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019
- #2 – Certificate of Approval

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2985

A bylaw to authorize the borrowing of the estimated cost of constructing the Greenwood Trunk Connection to the sanitary sewer system.

WHEREAS it is deemed desirable and expedient to construct the Greenwood Trunk Connection to the sanitary sewer system servicing East Courtenay.

AND WHEREAS the estimated cost of constructing the Greenwood Trunk Connection to the sanitary sewer system including expenses incidental thereto is the sum of \$4,100,000 of which the sum of \$3,000,000 is the amount of debt intended to be borrowed by this bylaw;

NOW THEREFORE, the Council of the Corporation of the City of Courtenay in open meeting assembled, enacts as follows:

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of the Greenwood Trunk Connection to the sanitary sewer system generally in accordance with the general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - a) To borrow upon the credit of the Municipality a sum not exceeding \$3,000,000.
 - b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the said Greenwood Trunk Connection to the sanitary sewer system.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty five years.
3. This bylaw may be cited as **“2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019”**.

Read a first time this 4th day of November, 2019

Read a second time this 4th day of November, 2019

Read a third time this 4th day of November, 2019

Received the approval of the Inspector of Municipalities this 13th day of December, 2019

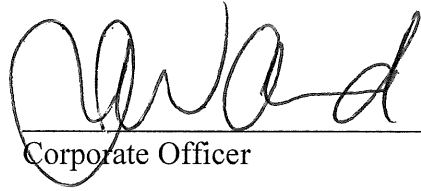
Published in two editions of the Comox Valley Record on the 9th day of January, 2020 and the 16th day of January, 2020

Received the approval of the electors of City of Courtenay on the 18th day of February, 2020

Finally passed and adopted this 2nd day of March, 2020



Mayor



Corporate Officer



Certificate of Approval

Under the authority of the *Local Government Act*, I certify that Bylaw No.2985, cited as the "2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019" of the City of Courtenay has been lawfully and validly made and enacted, and that its validity is not open to question on any ground in any court of British Columbia.

Dated this 20 day
Of April , 2020

A handwritten signature in black ink, appearing to be "J. L.", written over a horizontal line.

Deputy Inspector of Municipalities of British Columbia

Wendel Lamb
58 Mills Road
Courtenay, BC
V9N 9L3
March 12, 2020

Mayor and Councillors
City of Courtenay

I write to you today to bring up an important and serious matter that needs to be acted upon with some urgency as we will soon be coming into the 2020 camping season.

10 years ago there were 3 sani-dump stations in the City of Courtenay alone - one at the now demolished Husky station on 11th, one at the old Canadian Tire store at Ryan and the bypass, and one at the Husky/Mohawk station at Mansfield and Cliffe.

They have all now closed. Today there is none left at all after the closing of the last dump station at the Cliffe Ave Husky/Mohawk last fall. They closed because there were such line ups that RV units were blocking the driveways and access to their fuel pumps. Comox has no sani-dumps and so that leaves only one for the whole Valley up in Cumberland at the Gas N Go Home store.

Although some commercial campsites have their own onsite sewage disposal systems, the majority campgrounds do not. Miracle Beach Provincial Park and Elk Falls have their own sani-dump stations but most Provincial parks don't. Locally there is Kitty Coleman, Kin Beach, Teepee Park, etc plus all the outback country camping done like Comox Lake and the Upper and lower Campbell Lakes etc. All these have no onsite systems and so everybody brings it all home to the Valley. Even large events like Musicfest have a couple of hundred RVs spending the weekend but then there are no onsite sani-dumps so where do they go to dump after heading towards home?

As everyone knows- the Valley is growing. One only has to drive by the many RV dealers in the Valley to see all the RV units that they load up in their lots every spring and then manage to sell every year! The amount of people and families who spend their weekends and holidays camping in their campers, trailers and motorhomes is growing by leaps and bounds.

So that is the problem and it is really going to show it's ugly head this year starting right after the May long weekend when everybody is returning home from their first major camp of the year!

Where are they going to dump their waste? Human behaviour as it is, we know there will not be many willing to drive all the way up to Cumberland to use the sani-dump at the Home store. So where will they dump it? Back Roads, logging roads, ditches and possibly even storm drains out in their streets!

This is indeed a serious issue and is actually a whole Comox Valley regional issue because RVers live everywhere, either Comox, Courtenay or any of the 3 of the Regional District areas. I even brought this up to two of the Regional directors at an open house they had a couple of weeks ago. I asked had there been any discussion with the City regarding this issue even though it is a Valley wide problem? Courtenay needs to be involved as they have the sewer system to make a sani-dump station work. They said they were not aware of any discussions. That is not good enough.

This cannot be ignored!

Con't

Several Towns, Cities and municipalities own and operate their own sani-dumps not only as a service to their taxpayers but also as a service to the many tourist travellers that you see out on the roads every summer exploring the Island or the rest of the Province or Country. Duncan and Lake Cowichan both operate their own sani-dump stations for example. I am pretty sure we will be the only major municipality on the island that doesn't have a sani-dump station.

I have done some thought and some homework on this and have identified several possible locations within the City itself. There are certain requirements needed, such as-

First there needs to be good access in and out particularly if someone is pulling a 30' travel trailer or larger 5th wheel, so one way in and one way out with lots of room to make wide turns is preferred. A non-residential area of course would be great and a site that is easy to locate and find so that travelling tourists can have an easy time to get to it. There also needs lots of 'stacking' or 'line up' space as there can be 10 or more units lined up waiting their turn on a Sunday afternoon after returning from the weekend trip.

Second. Ease and cost of installation. So some where there is water, sewer and hydro close by.

Third. Designed and built properly by someone who has used sani-dumps before so that it all works successfully. All 3 of the old (now closed) dump stations all sloped away from the drain pan and the sewer pipe so your trailer was actually leaning the opposite way for the tanks to drain properly. Many people had to block up the unit on the opposite side to get it to totally drain. (I am one of them by the way)

I have come up with several potential sites but have decided to review just three here today. The number one site so far from my list is the Dove Creek Place.

Dove Creek Place off Headquarters Rd. The old Dove Creek Road section that used to lead to the single lane bridge. The City limit ends here but the City does own the road. There is a large cul de sac half way down now so Rvs, trailers, etc would turn off Headquarters, drive down and turn around at the cul de sac and return back up to the Headquarters intersection where the sani-dump station would be located. When they realigned Headquarters road to make the curve towards the new Dove Creek bridge, they also had to realign the old Dove Creek road intersection so it would make a 90 deg match for good visibility etc. This created a large gravel area on the south side of Dove Creek Place where the old road used to connect. This would make an ideal location for the sani-dump station in many ways such as-

Acces to Sewer and water. The **sanitary sewer** line ends in a manhole on Headquarters Road at Pebernat road, just some 100- 150' feet away.

The **water main** ends on Headquarters Road even closer as there is a hydrant right around the corner on the west side.

Hydro. There is a hydro pole right in the gravel area that the sani dump would be located. A drop service off that pole would provide for the electrical needs.

Allows for multiple units to line up at busy times all the way up and down both sides of Dove Creek Place

Easy access from Highway 19A down Vanier Dr or East Courtenay from Veterans Memorial Way ,

Also coming from or going to the Inland Island Highway using the Piercy Connector is right there.

No close neighbours to effect.

The only negative is it is fairly secluded and may be susceptible to vandalism.

The old Regional District office site off Headquarters- opposite Vanier School. Good access in, then turn to the left into the old front parking lot. Turning within the parking lot might work to exit back out the same way or add an exit driveway with a new culvert back out to Headquarters on the south side.

There is a water service into the property- probably for the office building and was used up until a few years ago for the compost display area.

Would need to check about sewer but there still might be the sewer service pipe that went to the old office building. Otherwise there is sewer out on Headquarters.

Negatives- Very busy area especially during Saturday morning Farmers Market, MusicFest weekend, Fall Fair etc. Depending on final layout the stacking (waiting lineup) might be only 6-8 units. Con't

Old Farquarhson Farm off the bypass. Reopen the 'right turn' in driveway and they would exit at the north driveway. Southbound RVs can do a left turn in but might be tricky during heavy traffic times.

Easiest site to hook up services. Sewer line and or manhole right there, water service existing and hydro poles also right there including a fairly new drop service for the farm sale buildings recently built last year.

Negatives- ALR land- is this use even possible? Possible negative effect on farm market stand. **Optics** of the whole set up from bypass although a fence on the bypass side could hide the activity.

The facility itself can be a fairly easy to maintain system. This could be accomplished by someone from the Public Works or the Regional District checking on it once every day or two during the summer months but maybe only once or twice a week off season as there wouldn't much activity over the winter months, Another alternative is to either contract it out to a private individual or partner up with a service club like Rotary or the Lions club to look after and maintain the site in exchange for a share of or even all of the income. There are many ways to approach this but action definitely needs to be taken this year!

A properly built station is comprised of four main parts-

The pad and sewer drain itself- concrete pad approx. 5' X 6' sloped to the center sewer pipe and surrounded by a 6" high curb to keep all contents inside.

A wash down water hose, usually hung on a spring from a pole so the hose end cannot touch the ground but is easily maneuvered around. Waterline has both a vacuum breaker and a double backflow preventer. This water pole and line are usually red in colour.

Fresh potable water fill up- Separated by 50-60' away for hygiene purposes (and usually after the sani-dump station) is for the RVer to fill their onboard potable water tanks. This system is usually painted blue and also has back flow preventers built in.

Control and pay system pedestal- This system accepts payment for using the sani-dump and pays income to the City to cover maintenance and servicing costs and possibly even some capital repayment. I found a company that manufactures these systems based in Oregon that has them in 46 States and two Canadian Provinces. I contacted them and they sent me some information regarding their system. They have 5 units on Vancouver Island in 5 different Provincial parks. Miracle Beach, Elk Falls, Rathrevor, Goldstream and French Beach.

The system takes payments and then unlocks the sewer pipe so the customer can then insert their RV sewer hose and empty their tank. Although they can be run by solar panels in off grid situations, he recommended that with our northern location that electrical power is the way to go. The controller can be set up to take loonies or toonies or credit/debit card payments (using a built in cell service transmitter). He did mention that

depending on location that sometimes just using credit/debit cards only for payments can drastically reduce any chance of vandalism as there would be no coins within.

The equipment and locking mechanism are supplied on a 60 month service agreement with costs as follows-

A onetime setup fee of \$2400 USD

\$150 USD per month (\$1800 USD annually) service fee

Sani-Star provides parts and phone support for the full term

City gets 100% of the income

Con't



The right hand picture is the Sani-dump station at Elk Falls Provincial Park in Campbell River



Above is a credit/debit card only payment system and the locking mechanism raised to allow drain hose access

As you can see, these systems operate and collect the fees 24/7 and have proven themselves at Provincial Parks, campgrounds, service stations, rest areas and truck stops all across North America.

Even though the (now closed) Mohawk station was only charging a \$5 fee, now that there is none here it would be expected that with a well-designed, functional and easy to use set up that fees in the \$8-\$10 range would be accepted by the general public.

I am willing to do more work into investigating this further such as the proper specifications for the design including sourcing and pricing of some other items that would be needed to get this set up, such as the water stand posts, signage etc.

I plan to meet with the Chamber of Commerce as to inquire about possible business involvement and of course because of the Chambers interest from their own involvement with the Valley Visitors Information Center who will be dealing with sani-dump station inquiries from the traveling visitors.

Con't

I also plan to send a similar styled letter to the Comox Valley Regional District because as this is a Valley wide regional issue, they should also be involved especially on a cost sharing basis.

I would be willing to do a presentation to Council directly so we could go further into more detail and would also be happy to either sit on or even chair a group discussion with staff to get things organized to move forward soon on this very important issue that cannot wait for another year or two to be addressed. Something needs to get going in the next couple of months.

I thank you for your time and hope to hear from you soon.

Wendel Lamb- 250-338-6863 home and 250-703-1644 cell

wblamb@shaw.ca



Dove Creek Place site