



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3360-20

From: Chief Administrative Officer

Date: May 30, 2022

Subject: Zoning Amendment Bylaw No. 3071 (to permit secondary suites); Zoning Amendment Bylaw No. 3074 (addition of bike parking standards, reduced multi-residential parking); and Zoning Amendment Bylaw No. 3075 (addition of Development Permit Area guidelines and Temporary Use Permits) – First and Second Readings

PURPOSE:

To consider amendments to Zoning Bylaw No. 2500, 2007, in order to start implementation of the Official Community Plan by:

- adding secondary suites as a permitted use in traditionally single residential dwelling neighbourhoods, provided that other zoning conditions are met such as maximum number of dwelling units (Zoning Amendment Bylaw No. 3071);
- requiring bicycle parking standards as part of new multi-residential developments and reduce the minimum number of required vehicular parking spaces for multi-residential developments (Zoning Amendment Bylaw No. 3074); and
- including Temporary Use Permit (TUP) designations and Development Permit Area (DPA) guidelines within the Zoning Bylaw (Zoning Amendment Bylaw No. 3075).

POLICY ANALYSIS:

- The Official Community Plan Bylaw No. 3070, which has been presented to Council for First and Second Readings, identifies affordable rental housing and active transportation as key and urgent community needs.
- These Zoning Bylaw amendments would immediately and concurrently be adopted with the new OCP to achieve the following:
 - Implement secondary suites as a permitted use in the majority of single residential neighbourhoods throughout Courtenay;
 - Require bicycle parking standards as part of new multi-residential developments; and
 - Reduce the number of vehicle parking spaces for multi-residential developments.

These Zoning Bylaw amendment changes are proposed at this time, in advance of a comprehensive review of the Zoning Bylaw to reflect OCP policies, given the relatively simple amendments required of the Zoning Bylaw, and high impact on supporting key OCP policies.

- The comprehensive Zoning Bylaw update that will follow adoption of the OCP, will be amended to permit more infill housing opportunities such as carriage homes, duplexes, and small lot subdivisions, as well as comprehensive parking standards for all land uses that reflect the direction to reduce automobile dependency and support the electrification of transportation.
- The Local Government Act permits that Development Permit Area guidelines and Temporary Use Permits, where a local government chooses to enact such land use regulation tools, may be designated within either an Official Community Plan or a Zoning Bylaw. Traditionally the City of Courtenay has

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designated both tools within the OCP. As these are both more operational land use regulations that align closely with zoning requirements, they are recommended to be moved to the Zoning Bylaw instead. Additionally, the Zoning Bylaw allows for stronger enforcement opportunities than what is available to enforce the OCP, such as Municipal Information Tickets.

CAO RECOMMENDATION:

OPTION 1: Motions for separate bylaws recommended to be made and voted on separately:

THAT Council give first and second reading to “Zoning Amendment Bylaw No. 3071, 2022” and direct staff to schedule a public hearing for Bylaw 3071.

THAT Council give first and second reading to “Zoning Amendment Bylaw No. 3074, 2022” and direct staff to schedule a public hearing for Bylaw 3074.

THAT Council give first and second reading to “Zoning Amendment Bylaw No. 3075, 2022” and direct staff to schedule a public hearing for Bylaw 3075.

Respectfully submitted,



Geoff Garbutt, M.P.I, MCIP, RPP
Chief Administrative Officer

BACKGROUND:

Secondary suites

Allowing secondary suites as a permitted use within zones that permit single residential dwellings is an increasing and widespread practice in BC to address the affordable housing ‘crises’ in BC. Permitting secondary suites in all single residential dwellings increases affordable rental housing supply in a form often described as ‘gentle infill’ and ‘hidden density’ given that secondary suites are contained within a principle single residential dwelling.

Allowing secondary suites throughout Courtenay has been directed by Council and has received support from the community through the Official Community Plan (OCP) consultation process.

Bicycle parking requirements

The OCP contains a number of policies to double the uptake of sustainable modes of transportation (walking, cycling, and transit) by 2030 and increase such modes more significantly by 2050. This means correspondingly reducing the number of trips taken by private vehicles. These policies include increasing development densities to support frequent transit use, improving municipal active transportation infrastructure connectivity and safety, repurposing existing road spaces from vehicular use to multi-modal uses, and re-balancing parking requirements to accommodate bicycles and electric vehicles, and reflect a decreasing number of private vehicles over time.

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Requiring bicycle parking spaces be provided for multi-residential buildings is an increasing practice in BC to address the growing trend towards supporting sustainable and active modes of transportation. Council has increasingly directed that bicycle parking be incorporated as part of parking standards on recent multi-residential zoning applications, thus creating a precedence and need for formalized bicycle parking standards for new multi-residential dwellings.

The comprehensive Zoning Bylaw update, that will follow adoption of the OCP, will thoroughly review the parking standards for new developments of all uses, including electrical charging requirements for electric vehicles, car share parking, cash-in-lieu options, bicycle parking for all land uses, and parking variance opportunities (e.g. fewer vehicular parking spaces required if a shared car is provided).

Temporary Use Permits

A Temporary Use Permit is a form of temporary zoning that allows for flexible use of land, on a temporary basis, not otherwise permitted in the Zoning Bylaw. They are governed under Division 8 of the Local Government Act. By law, they can be issued for up to 3 years and can be renewed once. Their issuance and renewal must be approved by a resolution of Council, and they follow the same general application procedures as a Zoning Bylaw amendment. Council may also specify specific conditions under which the temporary use be carried out such as addressing potential negative effects on existing neighbouring uses in terms of noise, lighting, parking, traffic, or other adverse impacts. The permit conditions may also require site rehabilitation after the expiry of the use, and securities may be taken to secure such conditions.

Development Permit Area Guidelines

Governed under Division 7 of the Local Government Act, Development Permits are issued to ensure that special designated treatments occur to a development as relates to:

- Protection of environment, farm land uses, or from hazards;
- Form and character of intensive residential development, commercial, industrial, or multi-residential uses (including mixed-uses); and/or
- Promotion of energy or water conservation, reduction of greenhouse gas emissions.

The Local Government Act permits that Temporary Use Permits and Development Permit Area Guidelines be located within either an OCP or a Zoning Bylaw. Historically, where the City of Courtenay has employed such land use regulatory tools, they have resided in the OCP. These two tools are recommended to be included in the Zoning Bylaw in order to more logically be located with other more operational land use regulations (Zoning Bylaw as implementation tool, OCP as policy tool).

If a local government locates Development Permit Area Guidelines within the Zoning Bylaw, they must also be designated within the OCP. Designation within the OCP must include the special conditions or objectives that justify the designation. The designation of Development Permit Areas for the following purposes has been included in OCP Bylaw No. 3070, thereby providing the precondition to including the more operational Development Permit Area *guidelines* within the Zoning Bylaw:

1. Commercial, industrial, mixed-use developments and any multi-residential with three units or more;
2. Intensive residential development including: duplex, detached secondary residences, single-residential homes in areas with special heritage considerations, as well as bare land stratas and mobile home parks;

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3. Farm Protection;
4. Environmental; and
5. Protection from steep slopes hazardous conditions.

DISCUSSION:

Secondary Suites

As part of Zoning Amendment Bylaw No. 3071, secondary suites would be permitted in most zones that permit a single residential dwelling, and all zones where single residential dwelling is the intended use. For example, some zones allow secondary suites as well as multi-residential dwellings or mixed-use buildings. The distinction between zones where single residential dwellings is the intended use, and where it is a permitted (but not intended as principle) use, are described in the sections below: Zones recommended to include a secondary suite, and Zones *not* recommended to include secondary suites

A secondary suite would be defined as:

“secondary suite” means a dwelling unit which is accessory to the principle use being made of the lot upon which the secondary suite is located:

- (a) having a floor space less than 40% of the habitable floor space of the building,
- (b) located within a building of residential occupancy containing only one other dwelling unit,
- (c) located in and part of a building which is a single real estate entity. This is an amended definition from the definition in the Zoning Bylaw today, in which a secondary suite has the additional restriction of being a maximum of 90m². This removal of a maximum unit size is consistent with the BC Building Code update that in 2019 removed this requirement. This removal of a maximum unit size is recommended in order to provide for maximum flexibility in the secondary suite configuration, and allow for more family-oriented rental housing. The condition that a secondary suite have a floor space less than 40% of the total habitable floor space is recommended to remain, and not be increased for instance, as it maintains the use as an accessory, secondary use, to the intended principle use of a single residential dwelling.

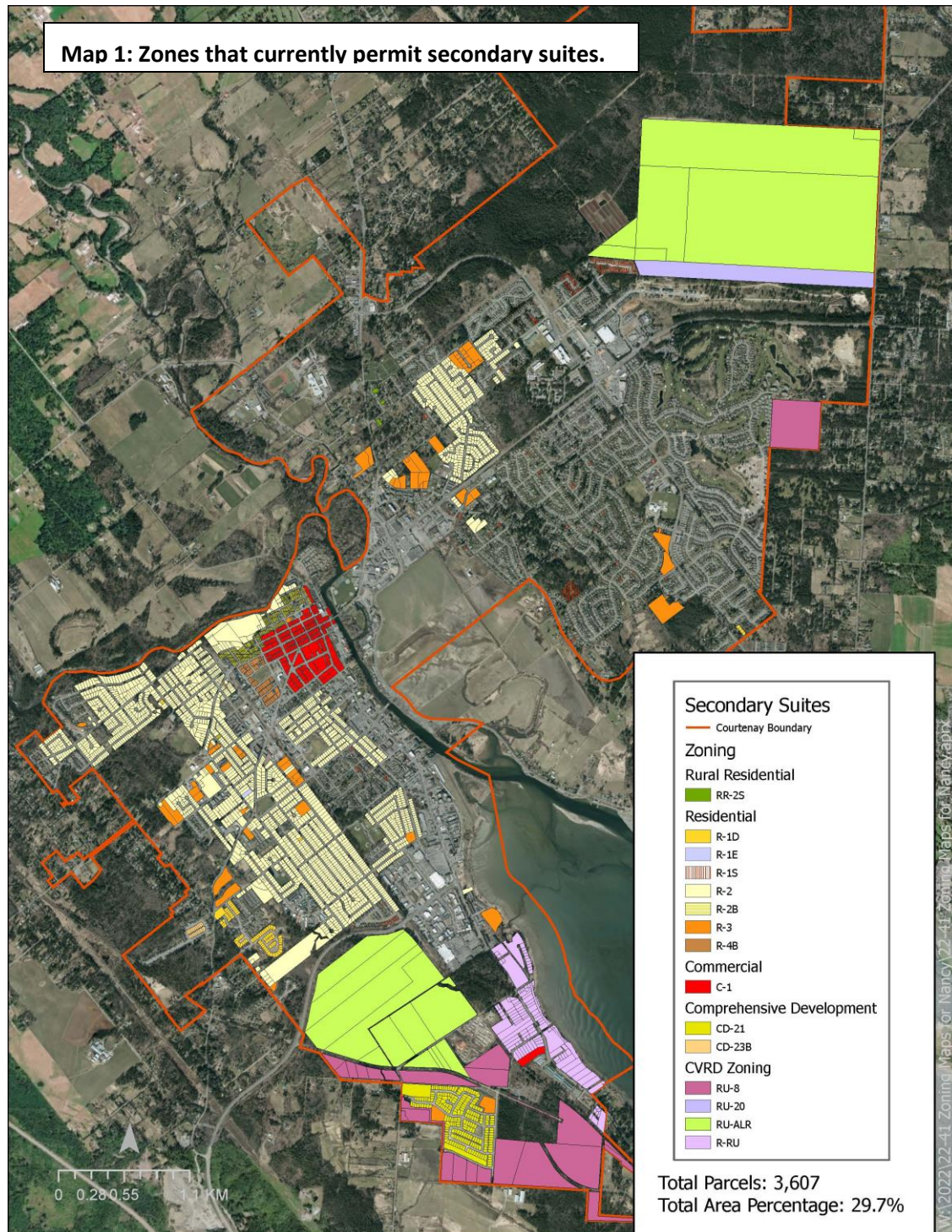
Secondary suites are not required to be located in a basement, but they must form a cohesive and integral part of the overall single residential dwelling. A secondary suite is not permitted in a mobile home.

Currently, secondary suites are permitted in the following zones, and as shown on Map 1:

- Residential One D (R-1D)
- Residential One E (R-1E), with some lot size restrictions
- Residential One S (R-1S)
- Residential Two (R-2)
- Residential Two B (R-2B)
- Residential Three (R-3)
- Residential Four B (R-4B)
- Rural Residential Two S (RR-2S)
- Commercial One (C-1)
- Comprehensive Development Twenty One (CD-21)
- Comprehensive Development Twenty Three (CD-23B)
- Comox Valley Regional District zoning Rural ALR (RU-ALR)
- Comox Valley Regional District zoning Rural Eight (RU-8)
- Comox Valley Regional District zoning Rural Twenty (RU-20)
- Comox Valley Regional District zoning Residential-Rural (R-RU)

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Collectively, these zones cover nearly 30% of Courtenay's land base¹ and represent 3,607 properties.



¹ While 30% of Courtenay's land base could support secondary suites today, it's important to note that a number of the zones, particularly the CVRD zones, have large lot size requirements and therefore they would not be able to support urban residential subdivision potential, and therefore not be able to support many suites.

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In these zones a secondary suite need only obtain a building permit (and associated occupancy permit) to be lawfully occupied. In all other zones throughout Courtenay, a secondary suite would require a rezoning application, and successful rezoning outcome, prior to applying for a building permit.

The expansion of secondary suites as a permitted use in all zones that permit a single residential dwelling will remove a number of barriers to the creation of secondary suites. These include the significant amount of time required to obtain a successful rezoning (estimated at 4-6 months), the \$500 application fee, and the potential for negative neighbour responses which at times can result in fractured neighbour relationships.

It is now considered best municipal land use management practice to utilize municipally serviced land efficiently by increasing densities, particularly residential densities. The City of Courtenay has been a signatory to the Climate Action Charter since 2007 and in so signing, committed to taking actions to create a complete, compact, more energy efficient community. The Comox Valley Regional Growth Strategy also directs community growth to existing municipally serviced lands and contains a number of policies that support secondary suites within municipal lands.

At the individual scale, permitting more secondary suites also allows for more flexible housing arrangements to be made on a property as one's lifestyle or life cycle changes, including with age. It is now considered best practice to support people to age in place, given the independence and general higher health outcomes that result of being able to remain in one's home or neighbourhood. For example, a suite may allow for a senior's family members to live close to them (either in the suite or principle dwelling), or allow an additional income stream when on a fixed income. With Courtenay's population expected to experience the greatest increase in residents aged 75 years old and older over the next couple of decades, these considerations are particularly relevant to Courtenay and the region. Secondary suites can also be suitable family-oriented rental housing, as they traditionally are larger units than in an apartment style, and can offer ground oriented yard access for children, where suite owners permit. Permitting secondary suites is therefore considered a reasonable infill housing option, especially because it results in minimal changes to the character of existing neighbourhoods.

Throughout the two and a half years of OCP consultation, infill housing across the entire city, including in existing neighbourhoods, was discussed repeatedly with strong support voiced by those who participated in consultation. The latest public survey on the draft OCP identified a number of OCP 'big changes' including ones related to housing: "Growth only in existing areas", "More housing choices in all neighbourhoods, including townhomes and apartments", "More rental homes, including below-market rental throughout the city", and "Homes for those greatest in need", all of which received strong support from the 764 responses. Notably, support for secondary suites were mentioned specifically in a number of the comment boxes in which respondents could share whatever views they wished. Through statutory consultation referrals, a number of agencies indicated support for permitting infill housing throughout Courtenay, including Island Health and Ministry of Forest Lands Natural Resource Operations and Rural Development (see Attachment 2 of the May 30, 2022 staff report *Official Community Plan (OCP) Bylaw No. 3070 – First and Second Readings* for public and stakeholder responses to Phase 5 OCP consultation).

Zones *not* recommended to include secondary suites

Of note are a number of zones that currently permit a single residential dwelling, but that are not recommended to include a secondary suite as a permitted use. These can be classified into three broad categories:

1. Zones that permit higher densities. A number of zones (such as the Residential R-3 R-4, R-5 Zones) permit higher density dwellings such as townhomes or apartment or mixed use developments (such as the Multi-Use Zones), which the OCP strongly supports. If suites were added as a

permitted use, this could detract from their appeal as development or re-development sites for higher density development. When the Zoning Bylaw is comprehensively reviewed following OCP adoption, removing single residential dwellings as permitted uses within existing higher density zones will be considered to fully support these areas as higher density lands in support of the OCP growth strategy.

2. Comox Valley Regional District Zones. There are a number of areas in the Courtenay that upon incorporation into the municipal boundaries, did not have their zoning updated to reflect City of Courtenay zoning. As such, these areas continue to retain their Comox Valley Regional District zoning. These areas are notably in the north of the City (e.g. Block 71 large parcel) and in the south. Most of these zones already permit suites. But notably one – Rural One – does not permit suites. This is the zoning for Block 71. Changing the zoning for this zone to accommodate suites at this time is not recommended as it is an area designated for future growth and requires more fullsome analysis.
3. Most Comprehensive Development Zones. The Zoning Bylaw contains 26 Comprehensive Development (CD) Zones, each of which is unique to the lands to which it applies. CD Zones allow for a tailored zoning approach based on a specific development proposal. A number of CD zones do allow for single residential dwellings, often as one use among others such as duplexes or multi-residential. Given the site-specific nature of CD Zones, staff do not recommend amending the CD Zones that permit single residential dwellings to permit secondary suites without further land use analysis.

Zones recommended to include secondary suites

The Zoning Bylaw amendment proposed that the following zones be amended to include secondary suite as a permitted use:

- Residential One (R-1)
- Residential One A (R-1A), except where such properties are located within the floodplain
- Residential One B (R-1B)
- Residential One C (R-1C)
- Residential Two A (R-2A)
- Rural Residential One (RR-1)
- Rural Residential Two (RR-2)
- Rural Residential Three (RR-3)
- Rural Residential Four (RR-4)
- Rural Residential Five (RR-5), except where such properties are located within the floodplain
- Agricultural One (A-1)
- Comprehensive Development One (CD-1A, CD-1B, CD-1G, CD-1H, CD-1I)
- Comprehensive Development Six (CD-6), up to the maximum number of units permitted within the zone. The zone currently permits 66 units and 59 have been lawfully constructed.
- Comprehensive Development Fifteen (CD-15) up to the maximum number of units permitted within the zone. The zone currently permits 80 units and 55 have been lawfully constructed.
- Comprehensive Development Twenty Three (CD-23A)

These are all zones where single residential dwellings are an intended principle use, and where they are the dominant housing form in the neighbourhood. Some of these zones also allow for duplexes, however a secondary suite would not be permitted in a duplex in accordance with the definition of a secondary suite.

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Returning to the discussion of CD zones, the exception to the earlier stated recommendation of not to include suites in CD zones, is if a CD Zone is intended for single residential dwellings and maximum permissible density has not yet been achieved. Some such zones state a maximum density that has not already been achieved and will not be achieved due to all the property under said zone already being developed as is described below. Staff recommend including secondary suites in the following CD zones as they will not change the overall intent of the original CD zone.

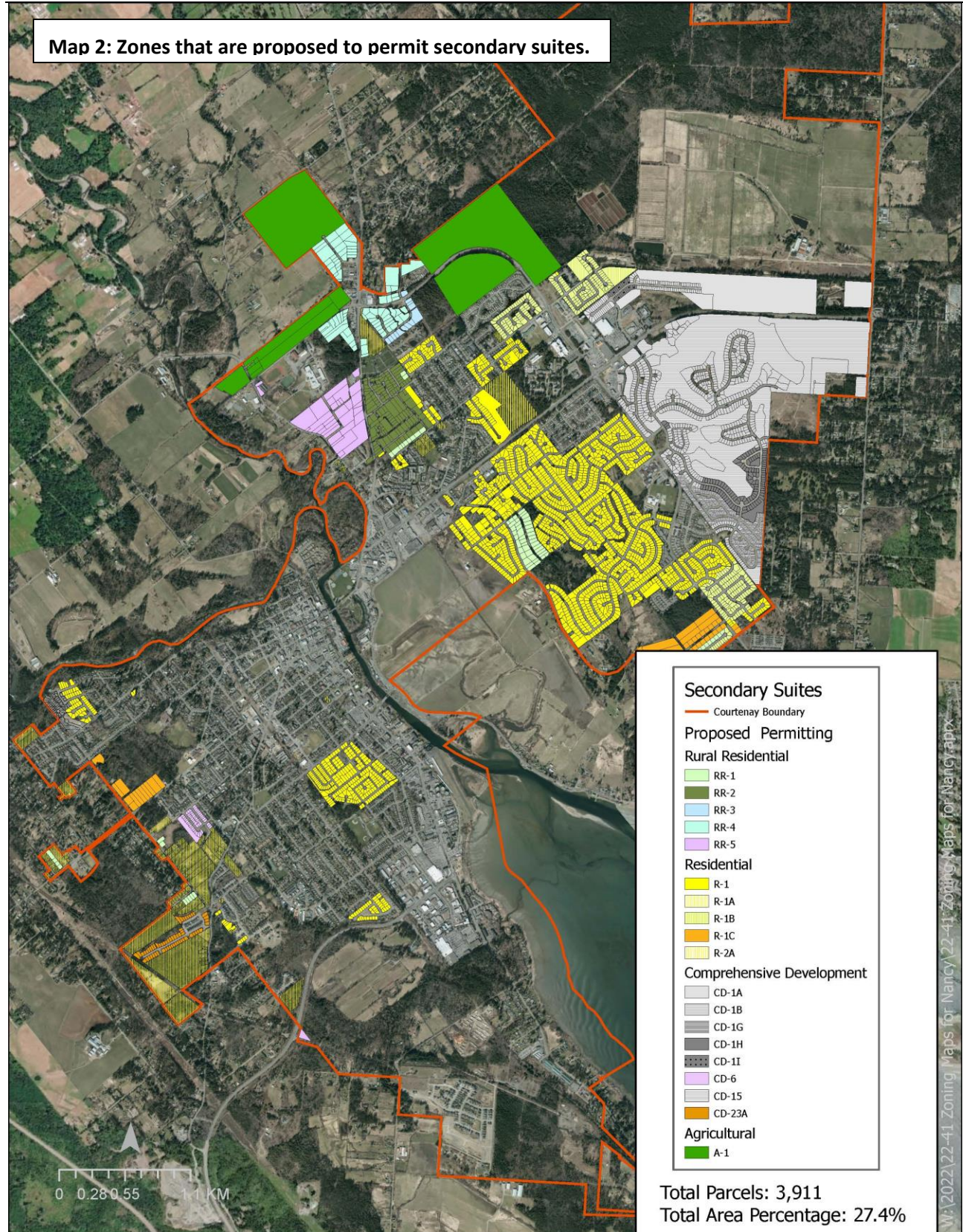
- Comprehensive Development One (CD-1A, CD-1B, CD-1G, CD-1H, CD-1I).
- Comprehensive Development Six (CD-6), up to the maximum number of units permitted within the zone. The zone currently permits 66 units and 59 have been lawfully constructed.
- Comprehensive Development Fifteen (CD-15) up to the maximum number of units permitted within the zone. The zone currently permits 80 units and 55 have been lawfully constructed.
- Comprehensive Development Twenty Three (CD-23A).

While such CD Zones are relatively few in number, they cover a significant amount of Courtenay's urban residential land base, particularly the Crown Isle specific CD-1 zones.

All zones recommended to include secondary suites are shown in Map 2. This represents an additional 3,911 parcels, or additionally 27% of Courtenay's land base, roughly doubling the area from today.

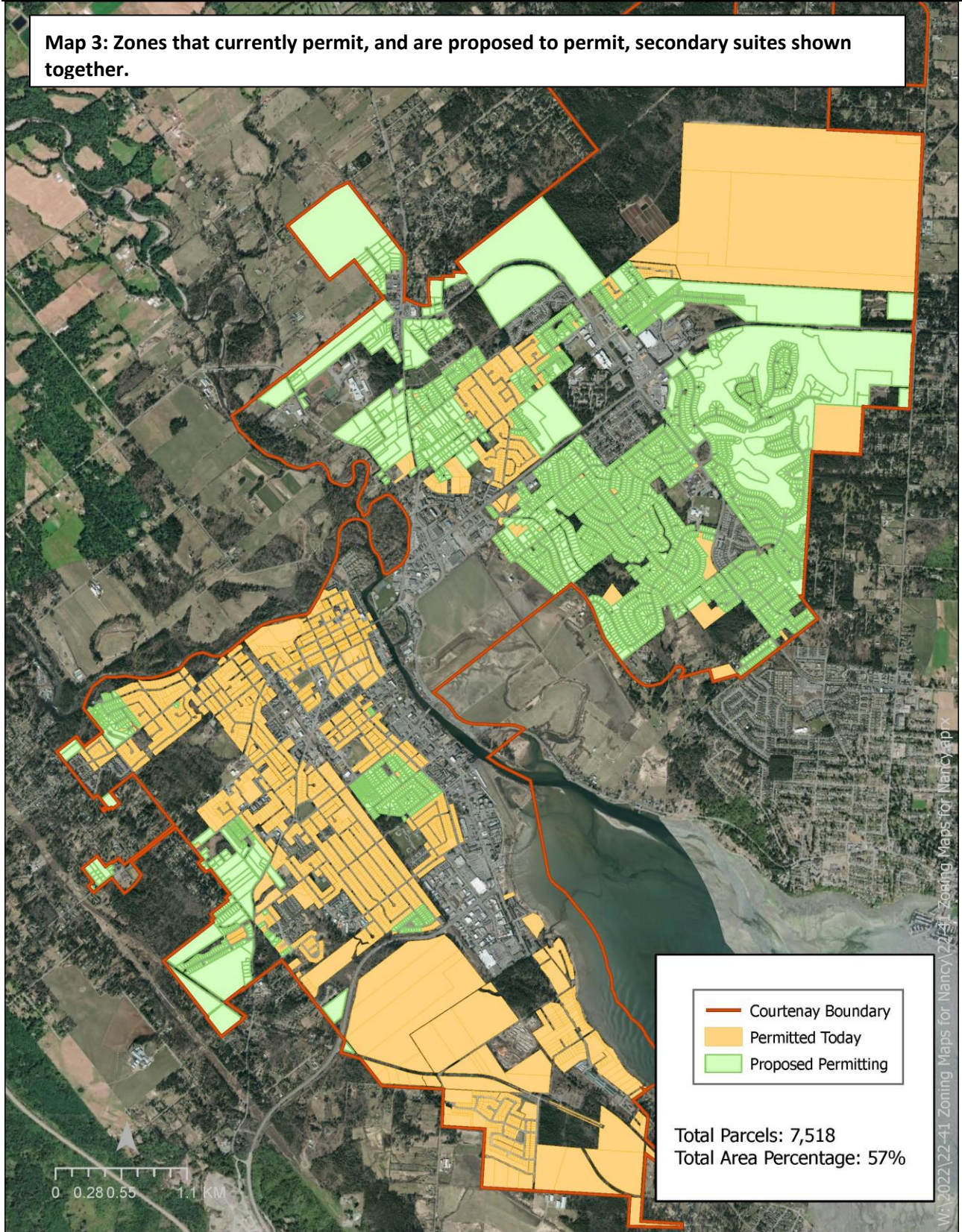
Map 3 shows the areas of Courtenay that would be permitted a suite alongside the areas in which suites are already permitted, should the zoning amendment be approved.

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Map 3: Zones that currently permit, and are proposed to permit, secondary suites shown together.



No parking requirements secondary suites

With the exception of properties fronting on a cul-de-sac, building permit applicants for a secondary suite will not be required to provide an off-street parking space. This is an amendment from the current standard in which a secondary suite is required to provide one parking space and the single residential dwelling is required to provide two parking spaces.

Staff recommend this amendment to generally not require off-street parking spaces for a suite to recognize that single residential dwellings have traditionally been designed to have abundant parking opportunities on-site, often as a driveway and enclosed garage, while still meeting the requirement that parking not occupy more than 50% of the front yard. Courtenay street standards have also generally been designed and paved the full road width which can in many locations accommodate on-street parking. Further, an OCP objective is to minimize the amount of land dedicated to parking across all land uses in order to reflect the goal of accommodating and incentivizing more active and sustainable modes of transportation, not prioritizing the accommodation of vehicular forms of transportation, and limiting impervious surfaces within Courtenay's many watersheds. Specifically, an OCP policy identifies the opportunity to maximize existing road infrastructure for more uses, including on-street parking.

Short-term rental considerations

The Zoning Bylaw or any of the proposed amendments do not provide direction on the duration of tenancy for a suite, or any residential unit within the City for that matter. As such, it is possible that secondary suites could be occupied by either residents, or short-term rental occupants. Exploring options for regulating short-term rental accommodations will be addressed separately and will include considerations for business licencing, owner occupation, types of dwellings that can be rented or zones, signage requirements, and possibly maximum number of units across the City that may be rented at one time.

Bicycle Parking for Multi-Residential Dwellings

As part of Zoning Amendment Bylaw No. 3074, multi-residential dwellings would be required to provide a minimum number of bicycle parking spaces of both "Class I" and "Class II" standards, described below. The "Class I" and "Class II" approach to distinguishing bicycle parking for short-term visitor use (Class I), and long-term occupant use (Class II), is consistent with the Town of Comox's parking standards for bikes, which is applied to all land uses within the Town of Comox Zoning Bylaw. A number of design specifications proposed in Zoning Amendment Bylaw No. 3074 are consistent with Comox's. However, Comox's bicycle parking standards do not address requirements for oversized or electric bikes which are increasing in market share. Additional discussion is provided below on requirements for oversized bikes and general access to bike parking electrified outlets.

Class I Bicycle Parking Space

These are intended for short-term use by visitors and would take the form of bicycle parking spaces provided within a bike rack in a convenient and safe location near a multi-residential building's entrance. The Bylaw amendment includes provisions to direct the dimensions of the bicycle parking space, including requiring that that 20% of the spaces have access to an electrified 110V outlet, and that a minimum proportion of the spaces be weather protected by means of an overhead shelter.

Class II Bicycle Parking Space

These are intended for long-term parking use by dwelling occupants and would take the form of a secure controlled access and sheltered bike parking facility such as a locker, or a bike room within a multi-

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residential building or accessory building. The Bylaw amendment includes provisions to direct the dimensions of the bicycle parking space and secured facility (whether room or locker), and require that 100% of the spaces have access to an electrified 110V outlet. Compared to only a portion of Class I bike parking spaces being electrified, all Class II parking spaces are proposed to be electrified given that all residents should have opportunity to access an electric bike for regular personal use, and residences are logical locations where prolonged charging would occur.

Oversized bikes

For both Class I and Class II bicycle parking spaces, a minimum of 10% of such spaces must be designed for an oversized bike. Oversized bikes are longer in length and can often carry more goods and people than a standard sized bike, thus offering a viable replacement option to a vehicle for more users. Oversized bikes are increasing in market share and expected to provide an important option for people wishing to replace a vehicle with a bicycle. For Class I parking, a minimum of 50% of the parking spaces for oversized bikes must have access to an electrified 110V outlet. For Class II parking, as described above, all bike parking spaces regardless of size must have access to an electrified 110V outlet.

Bicycle Parking Space Ratios

Proposed bike parking ratios are as shown in the table below:

USE	MINIMUM REQUIRED BICYCLE PARKING SPACES
1) RESIDENTIAL	
Multi-residential	<ul style="list-style-type: none"> - Class II Bicycle Parking Spaces per dwelling unit – 2 - Class I Bicycle Parking Spaces – calculated as 10% of the minimum number of Class II spaces required

By comparison, vehicular parking space ratio requirements are currently 1.5 per dwelling unit with an additional 10% of the minimum number of spaces being also required for visitor parking. Staff recommend that 2 bicycle parking spaces be required per dwelling unit to accommodate for the option for two dwelling occupants, each requiring a bike. A family may be able to share one car but it generally will require a bike for each member, thus necessitating more bike parking spaces than car parking spaces.

Requiring more than 2 bike parking spaces per dwelling unit is not recommended at this time given the significant difference in bike parking standards from today's standard of no spaces required. However, because the OCP directs a compact and efficient growth pattern in which more multi-residential housing options are provided for more residents, including families, family-supportive multi-residential design considerations, such as bike parking, will require further consideration and accommodation. As such, staff recommend that the bike parking requirements be revisited, and generally recommended to increase, including increase for oversized bikes, as part of the comprehensive Zoning Bylaw review that will follow adoption of the OCP. In this way, bike parking ratios can transition as a development requirement over the short term, and be reviewed comprehensively with vehicular parking ratios in more detail in the near future.

Reduced vehicle parking requirements for Multi-Residential dwellings

The OCP provides direction to make sustainable modes of transportation more accessible, safe, and convenient, and at the same time decrease the amount of land dedicated to personal vehicle modes of transportation, including the amount of land dedicated to parking. This Zoning Bylaw amendment therefore proposes that the multi-residential vehicle parking standards be reduced from 1.5 parking spaces per dwelling unit to 1.2 parking spaces per dwelling unit, to reflect the addition of bicycle parking standards to new developments. The amendment would not change the existing requirement that an additional 10%

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of the minimum number of spaces be provided for visitor parking. By reducing the number of vehicular parking spaces in a new development, space that would have otherwise been required to be allocated to vehicular parking may be used for bicycle parking which, per space, requires much less space than a vehicle parking space.

During the comprehensive Zoning Bylaw update that will follow adoption of the OCP, staff recommend that the number of parking spaces required per multi-residential dwelling unit be revisited to consider further reductions in support of OCP policies.

FINANCIAL IMPLICATIONS:

Once building occupancy is granted for a secondary suite, municipal service utility fees (garbage & recycling, water, and sewer) are charged at the standard dwelling unit rate. 2022 rates are \$1,085.68 therefore a single residential dwelling with a suite would be double this for a total of \$2,171.36.

There are no immediate municipal financial implications of requiring bike parking and reducing vehicular parking for multi-residential dwellings. Providing transportation infrastructure for more active travel users over time, and proportionally fewer vehicular users, will result in a more efficient transportation system. Further, active transportation options create less wear and tear on roads than vehicles.

There are no financial implications to locating the Development Permit Area guidelines and Temporary Use Permit regulations in the Zoning Bylaw.

ADMINISTRATIVE IMPLICATIONS:

Suites

Over the past 5 years (2017 – 2021), the number of secondary suite rezoning applications has varied between 2 (2021) and 6 (2018). When rezoning applications to permit detached secondary residences (e.g. carriage home) are added, the total of both types of secondary units varies between 3 (2021) and 6 (2018). This information is included here to provide a sense of the volume of applications that will be reduced from staff processing time for secondary suites (a subject of this Staff Report) as well as secondary residences more generally. Permitting detached secondary residences in more zones will be explored in more detail in the future comprehensive Zoning Bylaw update in order to support OCP policies to permit more housing options throughout the entire city.

Staff time dedicated to secondary suite rezoning applications is estimated at 32 hours per application, representing approximately a full week of work for one full time staff member. Staff time to process secondary detached residential rezoning applications are generally similar, and require additional processing time as they also require Development Permits to be issued (in addition to building permits). The reduction in time spent processing zoning applications for secondary suites will allow for more planning staff time to be allocated to other forms of planning applications.

It is the policy intention that by removing the rezoning requirement for secondary suites on the balance of single residential dwelling properties throughout the city that more secondary suites will be built. Therefore, an administrative implication of more permissive zoning policy is the intended potential for more building permit applications, and therefore more building services staff time, including supportive staff time from other departments to provide referral comments.

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Staff note that the \$500 rezoning application fee for suites (the fee for secondary detached residences is \$2,500) is a subsidized application fee, that was enacted by previous affordable housing policy in order to support suites as a form of affordable housing. Staff note that the suite rezoning application fee does not currently cover the newspaper public hearing notice requirement, where a public hearing has been made a requirement.

Bike parking addition and reduction in vehicular parking spaces

No administrative implications of adding bike parking and reducing vehicular parking standards for multi-residential dwellings have been identified.

Development Permit Area guidelines and Temporary Use Permits as part of Zoning Bylaw

As discussed, moving the Development Permit Area guidelines and Temporary Use Permit regulations from the OCP to the Zoning Bylaw will allow for stronger enforcement abilities, thus increasing the opportunity to secure compliance when a related land use infraction occurs. These additional enforcement abilities would lead to increase in bylaw division services, which has been recently increased at the City of Courtenay.

From a development applicant's and planning staff's perspective, locating the Development Permit Area guidelines and Temporary Use Permit regulations in the Zoning Bylaw is expected to be more logical and intuitive and could facilitate smoother communications between staff and applicants when working together on relevant land use applications (e.g. directing applicants primarily to the Zoning Bylaw, rather than the Zoning Bylaw for zoning provisions and the OCP for DPAs, which is the current practice and can feel like an overwhelming amount of material to consult).

ASSET MANAGEMENT IMPLICATIONS:

Additional suites will add additional pressure to municipal servicing, however they are a more efficient form of housing to service than single residential dwellings, and therefore can assist in funding the long term operations of municipal services.

STRATEGIC PRIORITIES REFERENCE:

We support diversity in housing and reasoned land use planning

- Complete an update of the City's OCP and Zoning Bylaws

- **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:

Official Community Plan Bylaw No. 3070 has concurrently to these Zoning Bylaw amendments been presented to Council for First and Second Readings. The OCP strongly supports affordable rental housing (including secondary suites) and active transportation connectivity, safety, and infrastructure (including parking) as key and urgent community needs.

REGIONAL GROWTH STRATEGY REFERENCE:

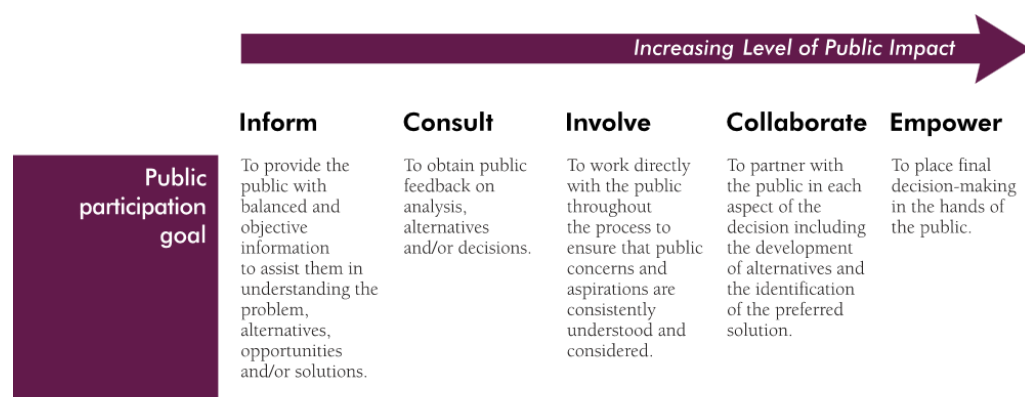
As part of the OCP Bylaw No. 3070 adoption process, the OCP has been referred to the Comox Valley Regional District (CVRD) as part of the consultation process prior to concurrent OCP adoption process, and will be formally referred to them again as a condition of the first and second readings of the OCP Bylaw. This legislatively mandated official referral of the OCP to the CVRD is to ensure that the Regional Context Statement within the OCP is consistent with the Comox Valley Regional Growth Strategy. Referral comments from the CVRD staff to date have indicated support for the Regional Context Statement.

CITIZEN/PUBLIC ENGAGEMENT:

Throughout the OCP update process of two and a half years, multiple and iterative opportunities for community, stakeholder, First Nations, and agency engagement were provided, generally in accordance with the OCP Public Engagement Plan (2019). Most OCP engagement opportunities were of the “Consult” and “Involve” classifications of the IAP2 Spectrum of Public Participation, with a number of resources to support the “Inform” classification and some opportunities to “Collaborate”.

Through OCP consultation, the urgent need for rental housing, including secondary suites, was identified and strong support for active transportation options was voiced. As such, staff consider the consultation conducted on the OCP to be sufficiently robust and relevant to inform the Zoning Bylaw amendment proposals presented here. Staff also note of the opportunity to revisit any of the proposed Zoning Bylaw amendments presented here in the comprehensive Zoning Bylaw update that will occur after adoption of the OCP. This will allow for ‘fine tuning’ of any proposed amendments, should through the course of implementation details be identified for improved interpretation.

Should Zoning Amendment Bylaw No. 3071, 2022 (to permit secondary suites); Zoning Amendment Bylaw No. 3074 (addition of bike parking standards, reduced multi-residential parking); and Zoning Amendment Bylaw No. 3075 (addition of Development Permit Area guidelines and Temporary Use Permits) receive First and Second Readings, a statutory public hearing will be held to obtain public feedback in accordance with the *Local Government Act*.

**OPTIONS:****OPTION 1: Motions to be made and voted on separately:**

THAT Council give first and second reading to “Zoning Amendment Bylaw No. 3071, 2022” and direct staff to schedule a public hearing for Bylaw 3071.

THAT Council give first and second reading to “Zoning Amendment Bylaw No. 3074, 2022” and direct staff to schedule a public hearing for Bylaw 3074.

THAT Council give first and second reading to “Zoning Amendment Bylaw No. 3075, 2022” and direct staff to schedule a public hearing for Bylaw 3075.

OPTION 2: Motions to be made and voted on separately:

THAT Council give first and second reading to “Zoning Amendment Bylaw No. 3071, 2022” with the following amendments: *[amendments to be identified by Council]* and direct staff to schedule a public hearing for Bylaw 3071.

THAT Council give first and second reading to “Zoning Amendment Bylaw No. 3074, 2022” with the following amendments: *[amendments to be identified by Council]* and direct staff to schedule a public hearing for Bylaw 3074.

THAT Council give first and second reading to “Zoning Amendment Bylaw No. 3075, 2022” with the following amendments: *[amendments to be identified by Council]* and direct staff to schedule a public hearing for Bylaw 3075.

OPTION 3: Motions for separate bylaws to be made and voted on separately:

THAT Council direct staff to include the following amendments to *[Bylaw 3071, 3074 or 3075]* and place the bylaw on a future agenda for Council consideration:

a) *Amendments to be identified by Council*

Prepared by:



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Reviewed by:



Chris Marshall, RPP, MCIP
Director of Development Services

Concurrence by:



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

ATTACHMENTS:

Attachment No.1: Zoning Amendment Bylaw 3071, 2022 (suites)

Attachment No.2: Zoning Amendment Bylaw 3074, 2022 (parking)

Attachment No.3: Zoning Amendment Bylaw 3075, 2022 (DPAs and TUPs)