



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council

**File No.:** 3060-20-2207/DPV00041

**From:** City Manager (CAO)

**Date:** February 8, 2023

**Subject:** Development Permit with Variance No. 2207 – 635 and 649 5<sup>th</sup> St

### PURPOSE:

To provide Council with the results of the public notification of Development Permit with Variance No.2207 - 635 and 649 5<sup>th</sup> St, presented to Council at the January 25<sup>th</sup> 2023 Council Meeting.

### CAO RECOMMENDATIONS:

THAT Council issue Development Permit with Variance No. 2207.

Respectfully submitted,

Geoff Garbutt, M.Pl., RPP, MCIP  
City Manager (CAO)

### BACKGROUND:

On January 25<sup>th</sup>, 2023 City Council directed Planning staff to provide public notification to adjacent property owners and occupants and that the application be brought back to Council at the February 8<sup>th</sup>, 2023 Council meeting with the result of the public notification.

Staff distributed the public notification (as seen in **Attachment No. 1**) to adjacent property owners and occupants on January 26<sup>th</sup>, 2023. No public comments have been received at time of writing. Comments received after writing this report are presented to Council prior to the meeting.

### OPTIONS:

#### OPTION 1 (Recommended):

THAT Council issue Development Permit with Variance No. 2207.

**OPTION 2:** THAT Council not issue Development Permit with Variance Permit No. 2207.

Prepared by:



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Dana Beatson, RPP, MCIP  
Planner III – Policy Planner

Reviewed by:



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Nancy Gothard RPP, MCIP  
Acting Manager of Development Planning

Concurrence by:



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Rob Roycroft, RPP, MCIP  
Interim Director of Development Services

Concurrence by:



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Geoff Garbutt, M.Pl., RPP, MCIP  
City Manager (CAO)

Attachments:

Attachment No. 1: Public Notification Distributed on January 26<sup>th</sup>, 2023

Attachment No. 2: Draft Development Permit with Variance No. 2207 and Associated Schedules

**ATTACHMENT NO. 1 PUBLIC NOTIFICATION DISTRIBUTED JANUARY 26<sup>TH</sup>, 2023**

## DEVELOPMENT PERMIT WITH VARIANCES

### 635 & 649 5TH STREET

#### **File No. DPV00041**

Courtenay City Council is considering a resolution to issue a Development Permit with Variances for the above-noted properties to allow the construction of a single family dwelling on each lot with variances to the side yard setbacks.

The subject properties are shown in bold on the adjacent map.

#### **Get more information:**

View relevant documents on our website [www.courtenay.ca/devapptacker](http://www.courtenay.ca/devapptacker) or contact City Hall: call 250-703-4839 or email [planning@courtenay.ca](mailto:planning@courtenay.ca) 8:30 am to 4:30 pm Monday through Friday, excluding holidays, until the Council meeting.

Written submissions must be received by the City no later than **1:00 pm**

**Wednesday, February 8, 2023** to ensure their availability to Council prior to the Council meeting.

### Council Meeting:

Wednesday, February 8, 2023 4:00 pm

### Watch meeting live online:

[www.courtenay.ca/councilmeetings](http://www.courtenay.ca/councilmeetings)





HAVE  
YOUR  
SAY:

✉ 830 Cliffe Ave.  
Courtenay, BC V9N 2J7  
📧 [planning@courtenay.ca](mailto:planning@courtenay.ca)



CITY OF  
**COURTENAY**  
Development Services

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**ATTACHMENT NO. 2: DRAFT DEVELOPMENT PERMIT WITH VARIANCE NO. 2077**

**THE CORPORATION OF THE CITY OF COURTENAY**

**Permit No. 3060-20-2207**

**DEVELOPMENT PERMIT WITH VARIANCES**

**To issue a Development Permit with Variances**

**To:**     Name:           AddStyle Designer Homes Ltd.  
          Address:       2771 Merville Road  
                             Merville BC V0R 2M0

**Properties to which permit refers:**

Legal(s):       Lot 7, Block 4, Section 61, Comox District, Plan 472B  
                      Lots 8, Block 4, Section 61, Comox District, Plan 472B  
Civic (s):       635 and 649 5<sup>th</sup> Street

**Conditions of Permit:**

Permit issued to allow the construction of one single family residence on each of the above referenced properties with variances granted as described below:

Variances to Zoning Bylaw No. 2500, 2007:

*Section 8.2.27(3) – Side Yard Setbacks be reduced from a total of 4.5m with a minimum setback of 1.5m on one side to a total of 1.93m with a minimum setback of 0.9m on one side.*

Development Permit with Variances No. 2207 is also subject to the following conditions:

1. The development shall be substantially consistent with the site plan and building elevations as shown in ***Schedule No. 1***, as designed by Addstyle Designer Homes Ltd., dated January 2022 and January 2023;
2. That landscaping shall substantially conform to the plans and specifications contained in ***Schedule No. 2***, as designed by Addstyle Designer Homes Ltd., dated January 2023;
3. Landscaping must be completed within one year of the date of issuance of the occupancy permit by the City;
4. 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;
5. All new 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;
6. The existing residence must be moved off of the properties prior to occupancy of either single

residential dwelling;

7. Any removal of trees on either property requires a Tree Cutting Permit;
8. All new fencing must conform to zoning requirements listed in Section 6.8.1 in *Zoning Bylaw No.2500*;
9. The development shall meet all other applicable requirements, standards and guidelines;
10. No alterations or amendments shall be made without the City's permission; and
11. 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.

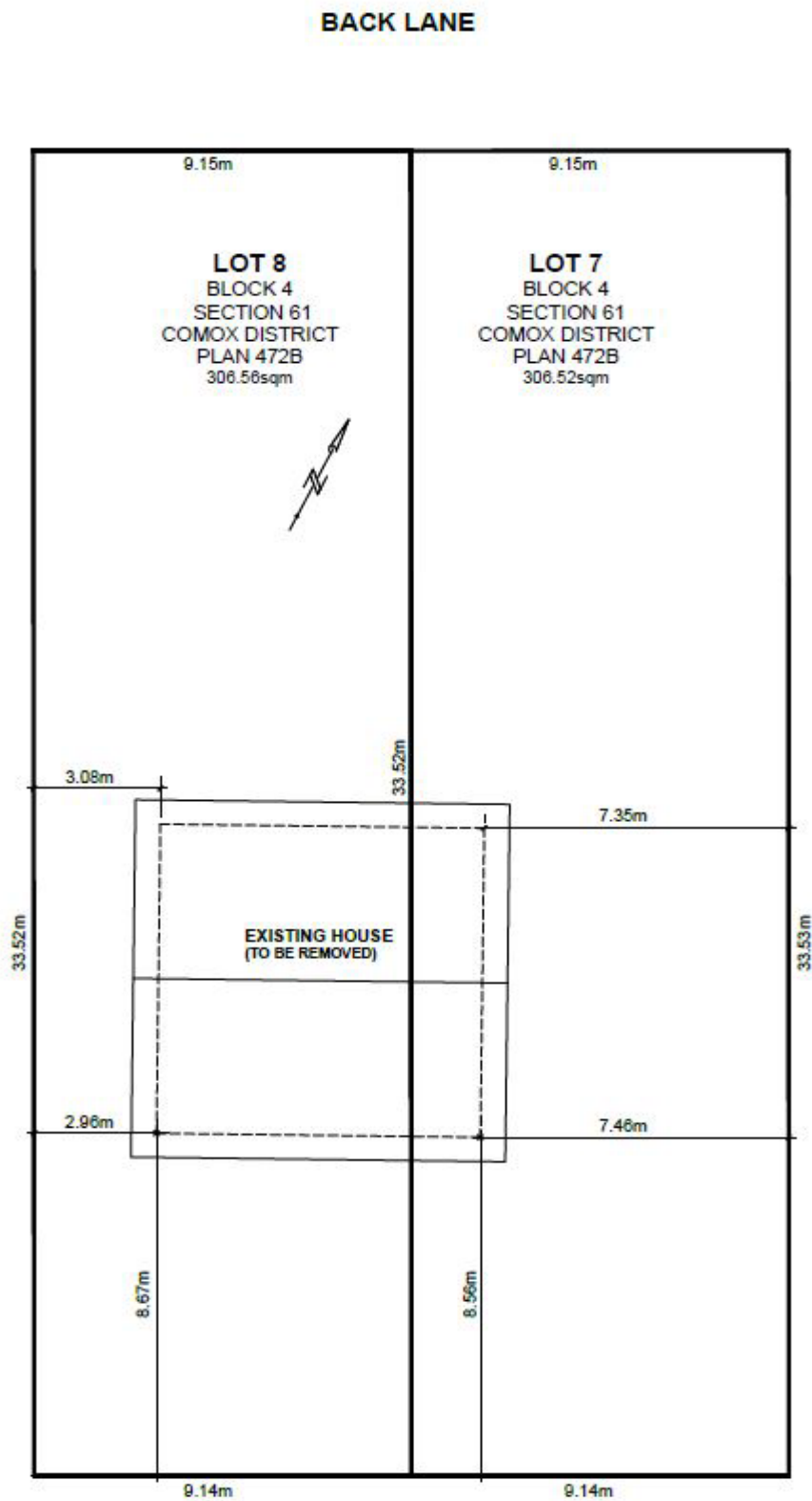
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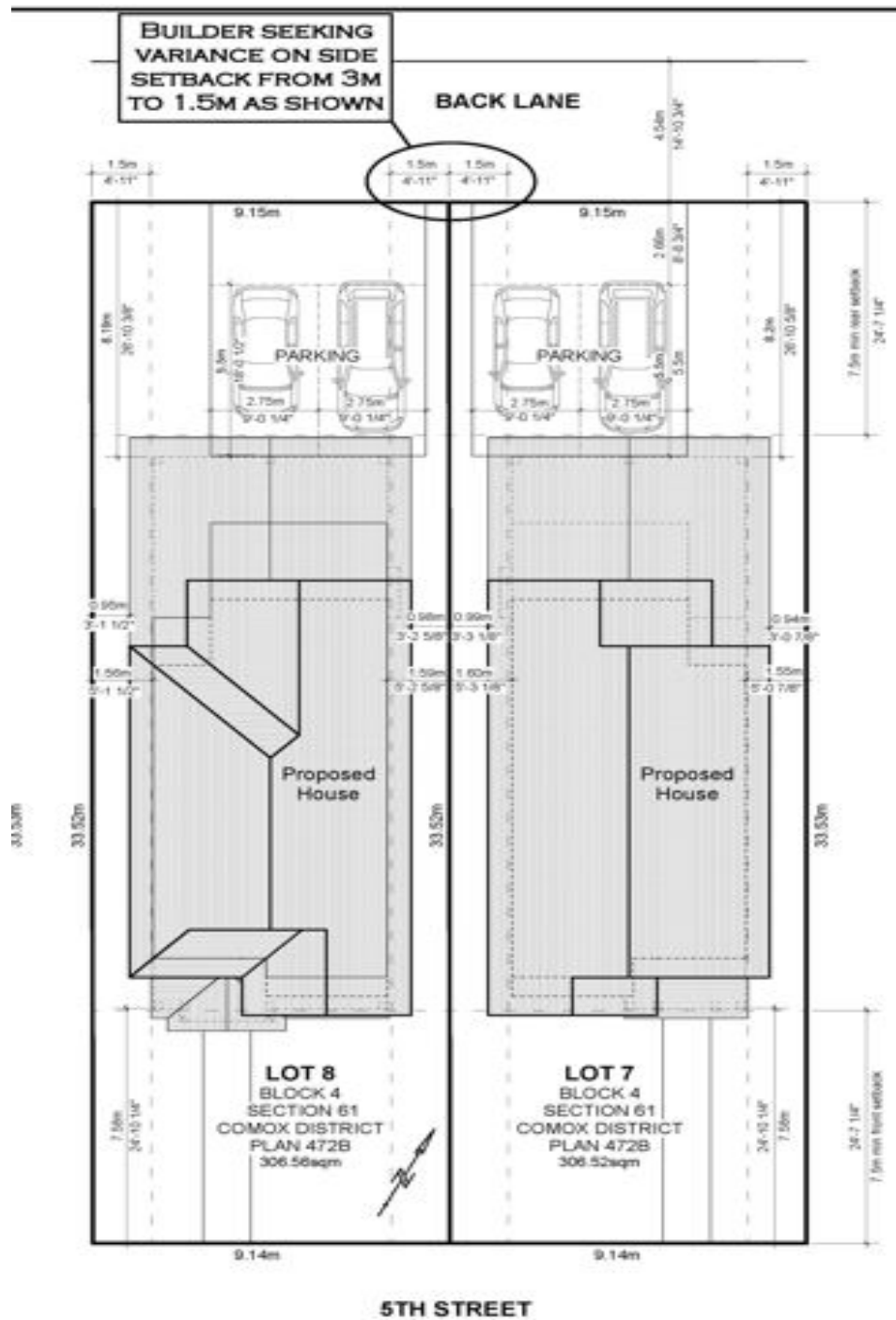
Date

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Corporate Officer

## **Schedule No. 1: Plans and Elevations**





**2** **Proposed Site Plans**  
**A-1** **Scale: 1:100**





2 LOT 8 Front Elevation  
A-1b Scale: 1/4"=1'-0"



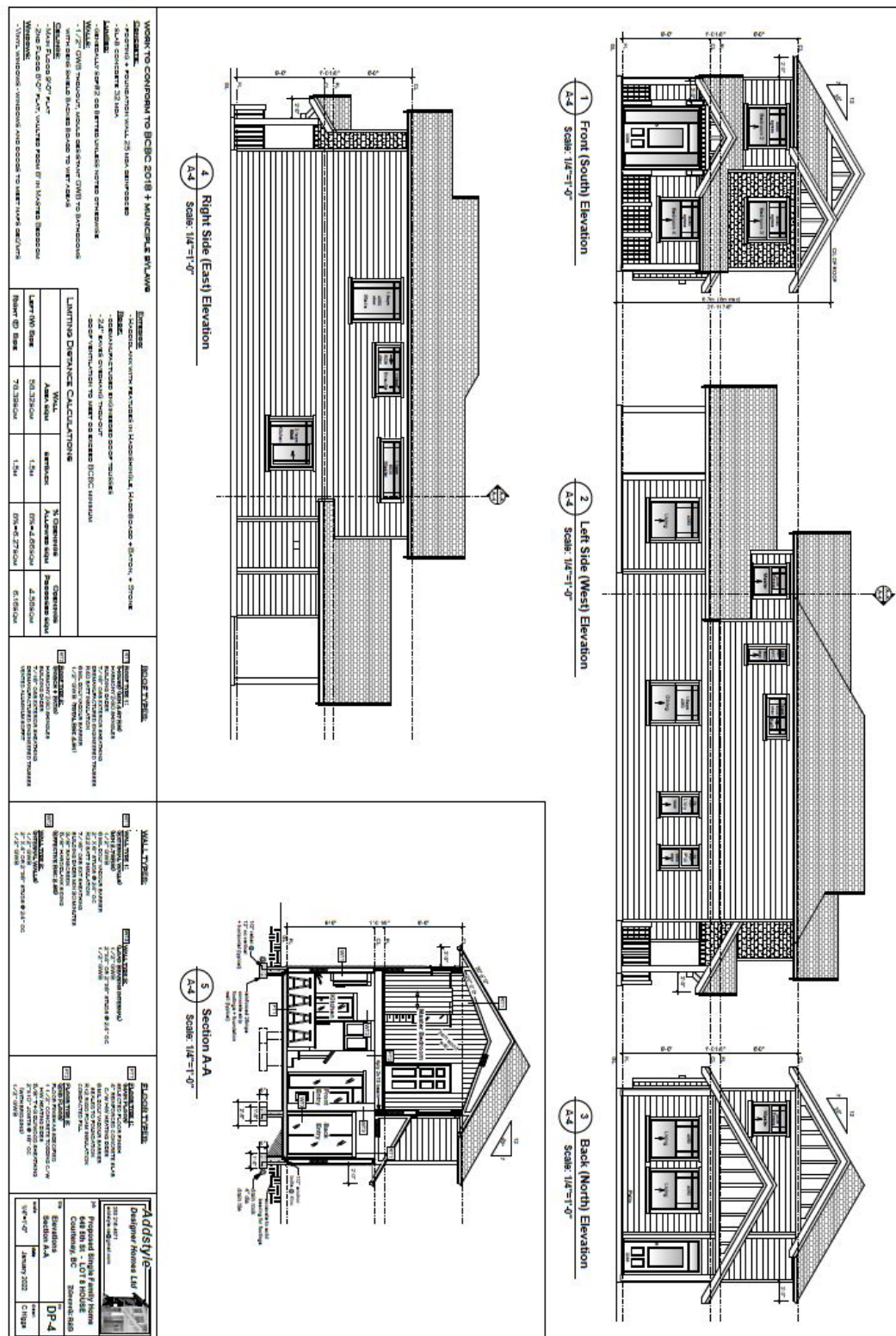
3 LOT 7 Front Elevation  
A-1b Scale: 1/4"=1'-0"



4 LOT 8 Front Elevation  
A-1 Scale: 1/4"=1'-0"



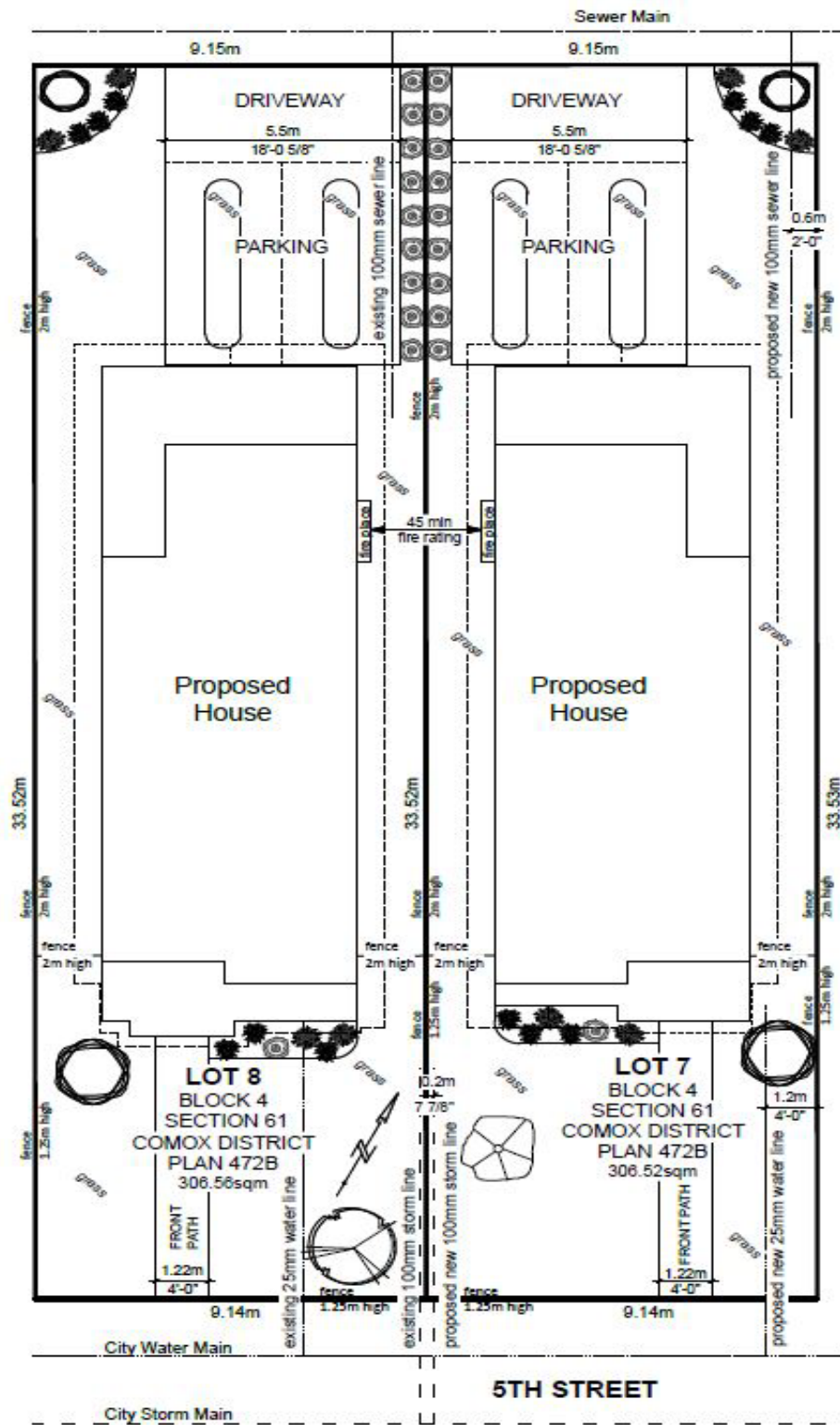
5 LOT 7 Front Elevation  
A-1 Scale: 1/4"=1'-0"





## **Schedule No. 2: Landscape Plan**





### Fence Detail

