

PUBLIC HEARING PACKAGE



Public Hearing: July 19, 2021 at 7 p.m.

Property Address: 2782 Ulverston Avenue

Bylaw(s): Official Community Plan Amendment Bylaw No. 1149, 2021
Zoning Amendment Bylaw No. 1150, 2021

Purpose: To amend the Official Community Plan Bylaw and the Zoning Bylaw to permit multi-family residential development on the subject property and to create a new 'RM-5 Rental Tenure Multi-Family Residential' zone.

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Supplemental information packages may be published before the public hearing. Please check the Village website at cumberland.ca/meetings and at the Village office.

Published Date: July 6, 2021



Village of Cumberland

Item 1

Notice of Public Hearing

2782 Ulverston Avenue

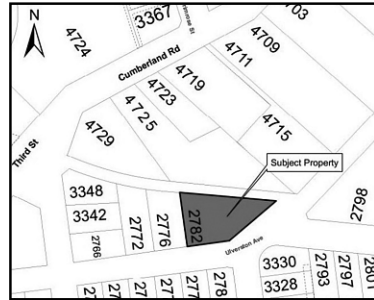
Official Community Plan Bylaw and Zoning Bylaw Amendments

Official Community Plan Amendment Bylaw No. 1149, 2021

The general intent of Official Community Plan Amendment Bylaw No. 1149, 2021 is to amend the land use designation of 2782 Ulverston Avenue from 'Residential Infill' to 'Multi-Family' and include 2782 Ulverston Avenue in the Development Permit Area No.7 - Residential Multi-Family.

Zoning Amendment Bylaw No. 1150, 2021

The general intent of Zoning Amendment Bylaw No. 1150, 2021 is to create a new 'RM-5 Rental Tenure Multi-Family' zone and to amend the zoning of 2782 Ulverston Avenue from the 'R-1A Infill Residential' zone to the new 'RM-5 Rental Tenure Multi-Family Residential' zone.



Find More Information:

The proposed bylaws and related information may be viewed online at "cumberland.ca/meetings". You can obtain a copy of the information at the Village of Cumberland office at 2673 Dunsmuir Avenue, Monday to Friday between 9 a.m. and 4 p.m.

Public Hearing: July 19, 2021 at 7 p.m.

All persons who believe their interest in property is affected by the proposed bylaws will be afforded a reasonable opportunity to be heard or to present written submissions.

How to Participate

- Written Submission:** Written submissions must be received by 2 p.m. on the day of the public hearing by email at info@cumberland.ca or the Village Office at 2673 Dunsmuir Avenue, Box 340, Cumberland BC V0R 1S0.
- By Video Conferencing:** Join using the Zoom app and Meeting ID: 884 1279 8143 or use the Zoom Meeting link at <https://us02web.zoom.us/j/88412798143>.
- By Telephone:** Dial in to 1-778-907-2071 or 1-204-272-7920 toll free. Use Meeting ID: 884 1279 8143.
- Attend in Person:** Register in advance to attend in person at the Council Chambers at 2675 Dunsmuir Avenue by calling 250-336-2291 or by email to info@cumberland.ca. Attendance in person will be limited to meet public health protocols.

For assistance during the public hearing email info@cumberland.ca. The public hearing will not be streamed online or recorded. You must participate through one of the methods above.

For more information, and for tips on participating by video or by phone visit "cumberland.ca/meetings" and select the link to the public hearing or call the Village at 250-336-2291.

THE CORPORATION OF THE VILLAGE OF CUMBERLAND
BYLAW NO. 1149

A bylaw to amend the Official Community Plan Bylaw.

The Council of the Corporation of the Village of Cumberland in open meeting assembled enacts the following:

1. This Bylaw shall be cited as “Official Community Plan Amendment Bylaw No. 1149, 2021”.
2. MAP A FUTURE LAND USE of the Village of Cumberland Official Community Plan, Bylaw No. 990, 2014 is amended as follows:

The land use designation of 2782 Ulverston Avenue, legally described as Lot 1, DL24, Nelson District, Plan 28034, except part in Plan VIP 8213, shown in Schedule A to this bylaw is amended from Residential Infill to Multi-Family.

3. MAP C DEVELOPMENT PERMIT AREAS of the Village of Cumberland Official Community Plan, Bylaw No. 990, 2014 is amended as follows:

The development permit area designation of 2782 Ulverston Avenue, legally described as Lot 1, DL24, Nelson District, Plan 28034, except part in Plan VIP 8213, shown in Schedule A to this bylaw is amended from DPA#6 – Residential Infill to DPA#7 – Residential Multi-Family.

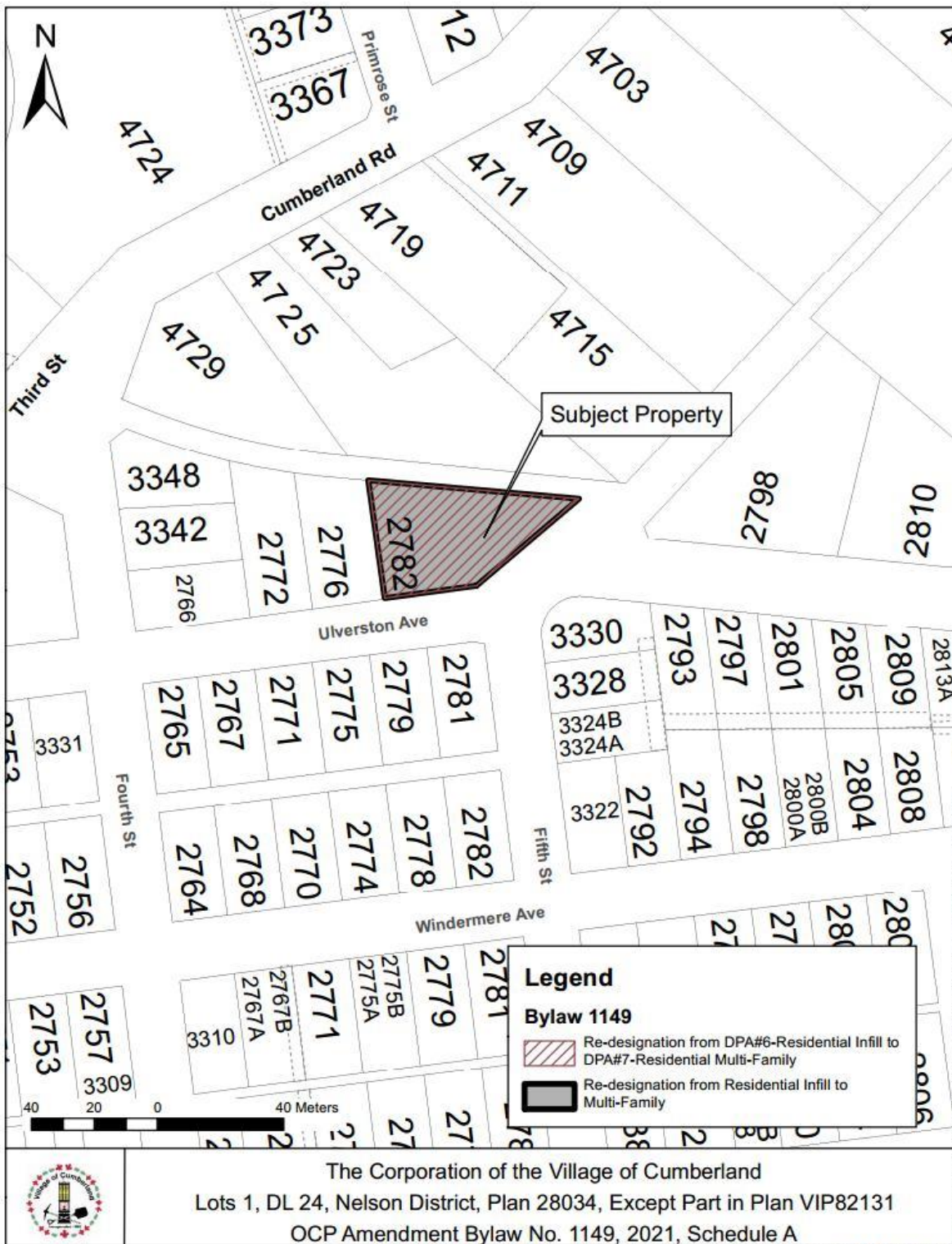
4. At its meeting on June 14, 2021, Council considered and passed a resolution with respect to opportunities for consultation on this Bylaw with persons, organization and authorities it considered to be affected, as per sections 475 and 476 of the *Local Government Act*.

READ A FIRST & SECOND TIME THIS	14TH	DAY OF	JUNE	2021.
PUBLIC HEARING HELD THIS	—	DAY OF	_____	2021.
READ A THIRD TIME THIS	—	DAY OF	_____	2021.
ADOPTED THIS	—	DAY OF	_____	2021.

Mayor

Corporate Officer

Schedule A



THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1150

A Bylaw to amend the Zoning Bylaw.

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

1. This Bylaw shall be cited as “Zoning Amendment Bylaw No. 1150, 2021”.

Zoning Amendments

2. The Zoning Bylaw No. 1027, 2016 is amended in Part 2, Section 2.2 by

a) **adding** the following definitions:

Below Market Rent	means rent set 10 percent below the average rent for a given unit type in the Courtenay Census Area as reported by the Canada Housing and Mortgage Corporation on the date of the rental agreement.
Fourplex	means a residential building consisting of four principal dwelling units placed one above the other or attached side by side, each of which has an independent entrance.
Residential Rental Tenure	means, in relation to a dwelling unit in a non-stratified multi-residential building, a tenancy governed by a landlord tenancy agreement that complies with the Residential Tenancy Act.

3. The Zoning Bylaw No. 1027, 2016 is amended in Part 6, Section 6.3, Table 6.3.1 by **adding**:

Land use	Min. Vehicular	Max Vehicular	Min Visitor Vehicular	Max Visitor Vehicular
RM-5 (Rental Tenure Multi-Family)				
Townhouse	1.2/ <i>Dwelling Unit</i>	1.5/ <i>Dwelling Unit</i>	0.1/ <i>Dwelling Unit</i>	0.15/ <i>Dwelling Unit</i>
Fourplex	1.2/ <i>Dwelling Unit</i>	1.5/ <i>Dwelling Unit</i>	0.1/ <i>Dwelling Unit</i>	0.15/ <i>Dwelling Unit</i>

4. The Zoning Bylaw No. 1027, 2016 is amended in Part 6, Section 6.4, Table 6.4.1 by **adding**:

Land use	Min Bicycle Parking Stalls – Class 1	Min Bicycle Parking Stalls – Class 1
RM-5 (Rental Tenure Multi-Family)		
Townhouse	1.5/ <i>Dwelling Unit</i>	0.5/ <i>Dwelling Unit</i>
Fourplex	2/ <i>Dwelling Unit</i>	0

5. The Zoning Bylaw No. 1027, 2016 is amended in Part 7, Residential Zones by
(a) **inserting** the following zone:

7.12 RM-5—Rental Tenure Multi-Family Zone

1. <i>Principal Uses</i>			<i>Fourplex</i> <i>Townhouse</i>
2. <i>Accessory Uses</i>			<i>Accessory buildings and structures</i>
3. <i>Lots Created by Subdivision</i>	Area, minimum		1,570square metres (16,900square feet)
	<i>Frontage</i> , minimum		10% of the perimeter of the <i>lot</i>
4. <i>Density</i>	<i>Building GFA</i> , maximum		<i>Accessory buildings</i> shall have a combined floor area no greater than 10.0% of the <i>lot area</i> .
	<i>Units Per Hectare (uph)</i> , maximum		51 <i>uph</i>
	Density Bonus		Where a minimum of 1/3 of additional <i>dwelling units</i> (such fractions all rounding up to the next higher whole number) are rented at <i>below market rent</i> , the maximum number of <i>dwelling units</i> may be increased by 38 <i>units per hectare</i> .
5. <i>Lot Coverage</i>	Coverage, maximum		65%, including <i>parking lot coverage</i>
6. <i>Principal Buildings and Structures</i>	<i>Setbacks</i> , Minimum	Front	3.0metres (9.8feet)
		Rear	7.5metres (24.6feet)
		Rear, Exterior	3.0metres (9.8feet)
		Side	4.5metres (14.8feet)
		Side, Exterior	3.0metres (9.8feet)
	Height, maximum		10.0metres (32.8feet)
7. <i>Accessory Buildings and Structures</i>	<i>Setbacks</i> , minimum	Front	3.0metres (9.8feet)
		Rear	1.5metres (4.9feet)
		Rear, Exterior	1.5metres (4.9feet)
		Side	1.5metres (4.9feet)
		Side, Exterior	3.0metres (9.8feet)
	Height, maximum		4.5metres (14.8feet)

7.12 RM-5—Rental Tenure Multi-Family Zone

8. Conditions of Uses	a. All units in this zone are required to be under <i>residential rental tenure</i>. b. To realize the density bonus, the following are required: i. A housing agreement with the Village to reserve a minimum of 1/3 of the density bonus units at below market rent in a form acceptable to the Village. ii. A rental agreement with a non-profit housing society which will manage and rent out the units to low or medium income individuals or families.
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and

(b) **renumbering** the zones that follow in Part 7 in sequential order.

6. Schedule A Zoning Map and Schedule B Zoning Map Village Core of “Zoning Bylaw No. 1027, 2016” are amended as follows:

The zoning of 2782 Ulverston Avenue, legally described as Lot 1, DL24, Nelson District, Plan 28034, except part in Plan VIP 8213 shown in Schedule A to this bylaw is amended from R1-A Infill Residential Zone to RM-5 Rental Tenure Multi-Family Residential.

Severability

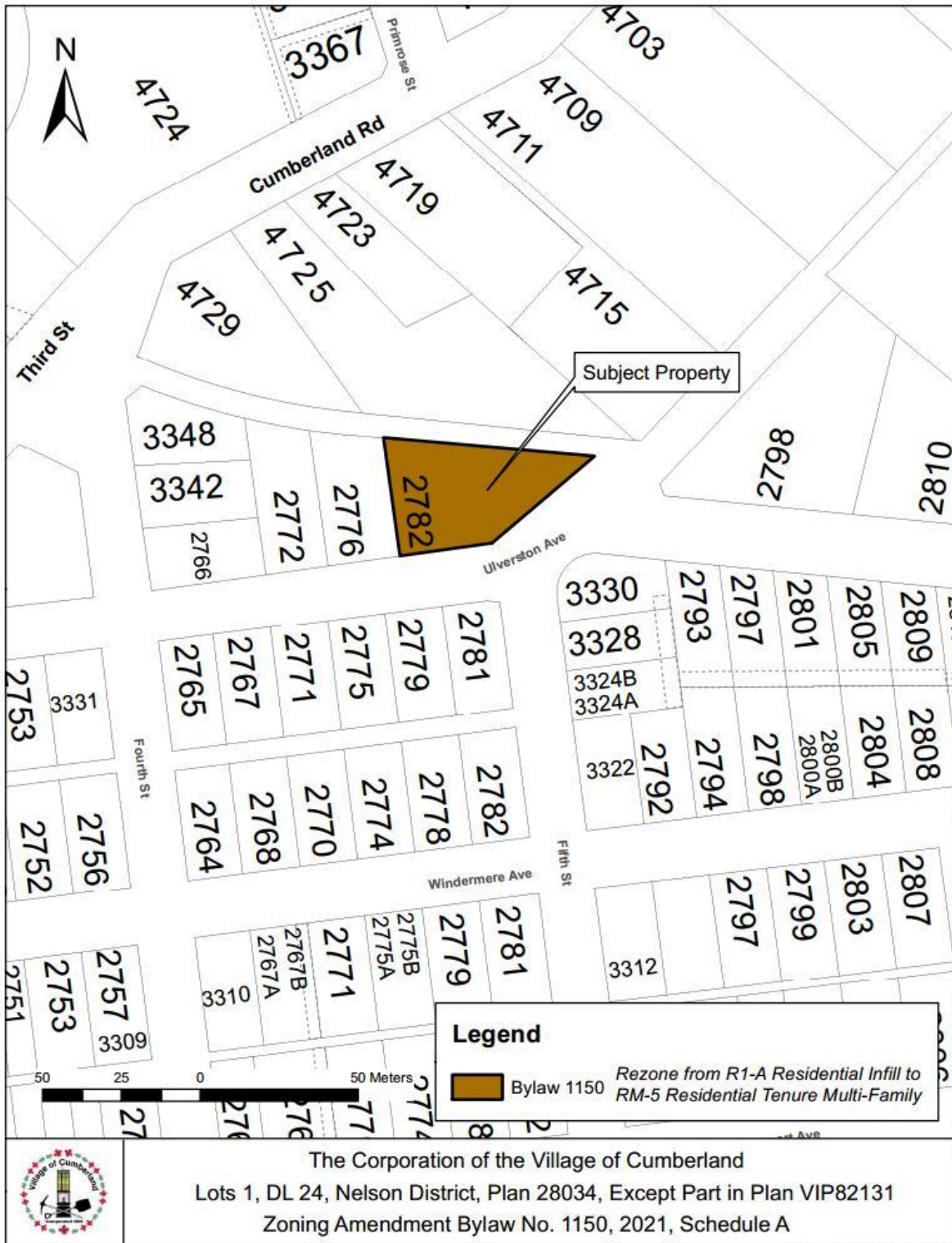
7. If any section or subsection of this Bylaw is found to be invalid by a court of competent jurisdiction, the section or subsection may be severed from the Bylaw without affecting the validity of the remainder of the Bylaw.

READ A FIRST TIME THIS	14TH	DAY OF	JUNE	2021.
READ A SECOND TIME THIS	14TH	DAY OF	JUNE	2021.
PUBLIC HEARING HELD THIS		DAY OF		2021.
READ A THIRD TIME THIS		DAY OF		2021.
ADOPTED THIS		DAY OF		2021.

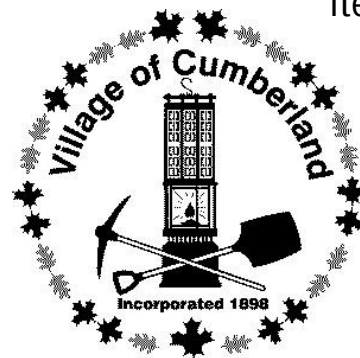
Mayor

Corporate Officer

Schedule A



COUNCIL REPORT



File No. 3220 - Ulverston 2782

REPORT DATE: 6/4/2021
MEETING DATE: 6/14/2021

TO: Mayor and Council
FROM: Karin Albert, Senior Planner
SUBJECT: Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave

FILE:	2021-01-OCP&RZ 2782 Ulverston Avenue		
PID:	002-268-078	Folio No.:	000703 000
LEGAL DESCRIPTION:	Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP 8213		
CIVIC ADDRESSES:	2782 Ulverston Avenue		
	EXISTING BYLAW	REQUESTED AMENDMENT	
OCP DESIGNATION:	Residential Infill	MULTI-FAMILY	
DEVELOPMENT PERMIT AREA:	DPA6 - Residential Infill	DPA7 - Multi-Family	
ZONE:	R1-A Infill Residential Zone	RM-5 Multi-Family (new zone)	

RECOMMENDATIONS

- i. THAT Council receive the report "Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave".
- ii. THAT Council give first reading to Bylaw 1149 cited as "Official Community Plan Amendment Bylaw No. 1149, 2021".
- iii. THAT Council give second reading to Bylaw 1149 cited as "Official Community Plan Amendment Bylaw No. 1149, 2021" having considered the impact on the current financial plan and waste management plan.
- iv. THAT Council give first and second reading to Bylaw 1150 cited as "Zoning Amendment Bylaw No. 1150, 2021".



2782 Ulverston Avenue

- v. THAT Council direct staff to schedule a public hearing for Bylaw 1149 and Bylaw 1150 on July 19, 2021 at 7 p.m.
- vi. THAT Council refer Bylaw 1149 and Bylaw 1150 to School District 71 and BC Assessment for comment.

PURPOSE

This report introduces bylaws to amend the Village's Official Community Plan (OCP) and Zoning Bylaw to legalize an existing fourplex at 2782 Ulverston Avenue. The amendment bylaws protect the rental tenure of the fourplex and also allow for future redevelopment of the property with an additional rental fourplex or with rental townhouses.

The proposed new zone includes a density bonus to permit a further 6 units if 1/3 of the additional units are rented at below-market rent. Council is asked to consider consultation with outside agencies and provide direction on agency referrals of the proposed amendment bylaws.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
April 12, 2021	THAT Council refer the application (2021-01-OCP&RZ) for an OCP Amendment and Rezoning of 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP8213, to the Advisory Planning Commission and the Homelessness and Affordable Housing Committee for a recommendation.

BACKGROUND

The property proposed to be rezoned is 0.157 ha (0.39 acres) and currently includes a fourplex with rental units and a mini-storage building/shop. The Village issued a building permit for the mini-storage / shop building in 1991 and there is a building permit to construct a 223 m² two storey extension to the mini-storage building dating back to 1996. The extension was not constructed and the permit has lapsed. Instead, a fourplex was built next to the storage building.

The storage building is legal non-conforming since it was constructed with the required building permits at a time when the property was zoned for industrial uses. The fourplex, on the other hand, was not permitted in the zoning bylaw at the time of construction and did not have a building permit. A fourplex is also not a permitted use in the property's current zone, R1A – Infill Residential. A rezoning is required for the owners to be able to apply for a building permit to renovate the building.

The new property owners wish to rezone to permit the current fourplex, have the ability to add a second fourplex at a later point in time or redevelop the property with townhouses. For the time being, the owners plan to retain the mini-storage building.

The proposed new multi-family zone would be a rental tenure zone to legitimize the existing multi-family use and ensure that the tenure remains rental. This would be the first rental tenure zone for the Village. Staff is also proposing to add a density bonus to the zone if a percentage of any future units are rented at below market rent.

Official Community Plan

The OCP future land use designation for the property is Residential Infill. Residential Infill permits densities ranging from 25 to 37 units per hectare. Housing forms identified for that land use designation are narrow lot single family, single family with accessory dwelling units, duplex, townhouse and rowhouse dwelling units.

The existing fourplex results in a density of 25 units per hectare on the lot, which is within the density range of the Residential Infill OCP designation. Legalizing the existing fourplex only would not require an OCP amendment.

The additional 4 units requested in this application would result in a density of 51 units per hectare, requiring an OCP amendment to change the designation to Multi-Family. The multi-family land use designation permits densities greater than 37 units per hectare. Housing forms are townhouse, rowhouse, cohousing and low-rise apartments.

The OCP amendment is supported by the following housing policies in section 5.2.3 of the OCP:

- 1) Give priority to development proposals for small and compact forms of housing such as small-lot single detached homes, town homes, coach houses, and apartments.
- 4) Support the creation of new, and the retention of existing, rental housing and discourage the conversion of rental housing to strata ownership.
- 10) Support housing infill density through the sensitive, appropriately scaled design of multi-family properties and coach houses.

The 2014 OCP did not identify a need to expand the multi-family land use designation over the term of the plan until the need for additional housing supply merits increased densities (table 3, p. 29). The Village of Cumberland Housing Needs Report, adopted by Council in June 2020, identifies such a need specifically for rental housing. Vacancy rates in the Comox Valley fluctuate from year to year but have generally been well below what is considered a healthy and balanced rental vacancy rate of 3 to 5 percent. The 2020 rental vacancy rates for the region published by the Canada Mortgage and Housing Corporation is 1.6 percent for 1-bedroom units, 0.9 percent for 2-bedroom units and 0.8 percent for 3-bedroom units, for an overall vacancy rate in 2020 of 1.1 percent, down from 1.4 percent in 2019. Based on these most recent figures and the findings of the Housing Needs Report, there is a strong need for additional rental housing in the Village. Since a rental tenure use can only be specified in a multi-family zone, an expansion of the multi-family land use designation is required to retain the units on the subject property as rental units. This does not increase the available density on the property due to its subdivision potential, further explained below.

The property is within walking distance of the downtown commercial core, key services, Village Park and playground, thereby meeting the OCP policies in sections 5.6.4 General Transportation Policies and 5.6.4 Pedestrian and Bicycle Oriented Policies.

Together with the amendment to the land use designation, an OCP amendment is required to change the Development Permit Area from DPA6 – Residential Infill to DPA7 – Multi-Family. DP#1, the environmental DP, does not apply to this property since it is a disturbed site.

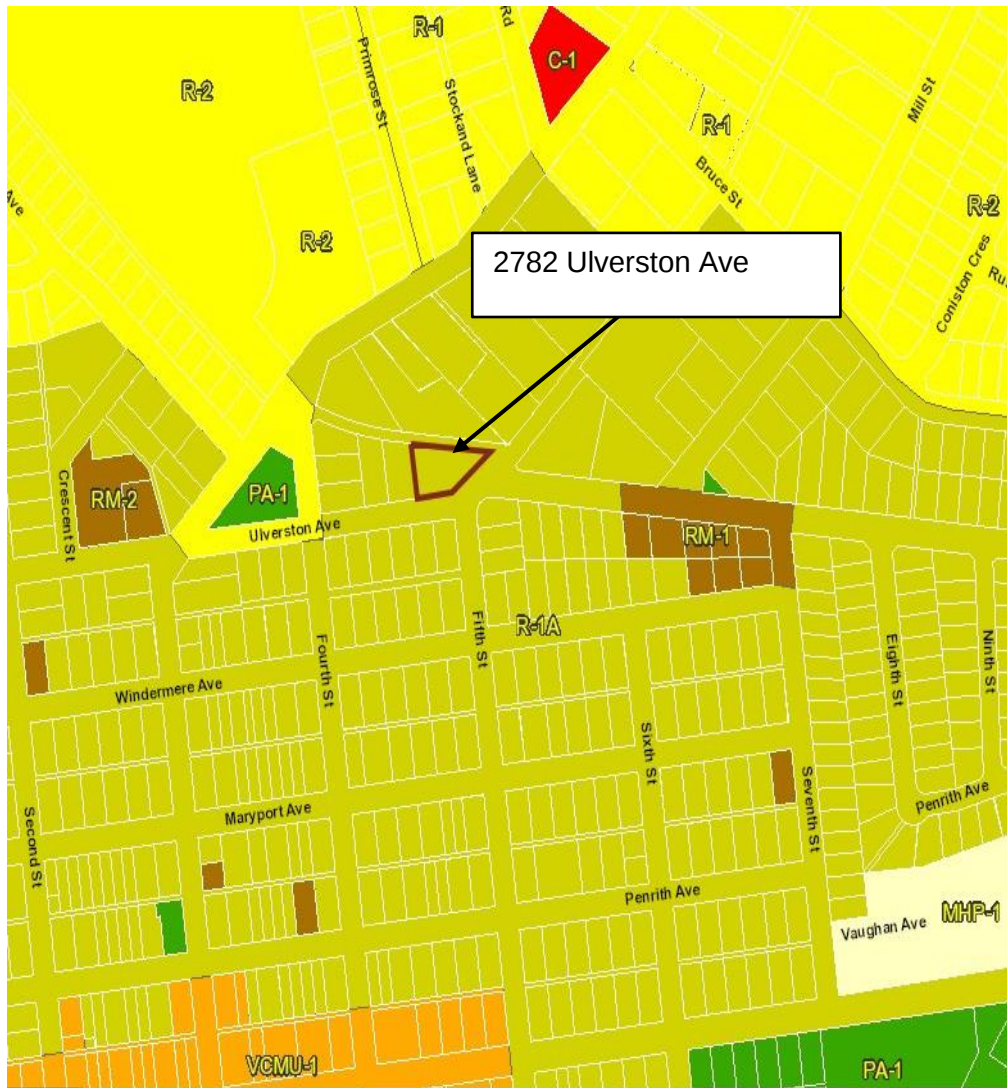
Zoning

As per the map below, the property is within the R1-A – Residential Infill Zone. The Residential Infill zone permits one single family dwelling, a secondary suite and an accessory dwelling unit. The subject property is 1,571 m² in size. Since the minimum lot size in the R1A zone is 325 m², the property could be subdivided into up to four properties, each with the potential of a single family dwelling, secondary suite and accessory dwelling unit for a total of 12 units (4 lots x 3 units) on a redeveloped site.

The current owners wish to retain the existing fourplex rental building and have the potential to add a second fourplex rental building in the future or redevelop the site with a small eight-unit rental apartment building. The base density of the proposed new zone is eight rental units.

In addition to the base density of eight units, the proposed new zone includes the potential of up to six additional units if one third are rented at below market rental rates. The bonus density would require a housing agreement with the Village and an agreement with a housing society which would rent and then sublet the below market rental units. Below market rent is defined as 10 percent below the average rent identified annually by the Canada Housing and Mortgage Corporation for local jurisdictions.

The map below shows the current zoning and location of the property in the context of the neighbourhood. The property is at an intersection with one direct single family neighbour on the west property line and three single family properties across the street.



Since none of the existing multi-family zones in the Village's Zoning Bylaw fits the proposed use and density, staff recommend creating a new multi-family zone called RM-5 as per the attached Zoning Amendment Bylaw No. 1150.

The current lot coverage of existing buildings is 35 percent as per the site plan in Appendix 1. The higher permitted lot coverage of 65 percent is to account for surface parking.

The maximum height is 10 metres, permitting up to three storeys. This is the same height as permitted on the property in the current R1-A zone.

The setbacks are similar to the other multi-residential zones in the Village and are intended to reduce the impact on immediate neighbours. The reduced exterior rear setback accounts for the adjacency of the property to the lane, rather than a direct neighbour.

Parking requirements

Under the proposed Zoning Amendment Bylaw, the applicant is required to provide 1.2 parking spaces per residential unit and 0.1 per visitor, for a total of five spaces. If the property is redeveloped with a further four units in the future, an additional five spaces would be required plus one space for visitors.

Since the mini-storage/workshop will remain legal non-conforming, there are no additional parking requirements for that use. However, there currently are two parking spaces dedicated to the use of the mini-storage building. See attachment 1 for a plan of the parking provided on the property.

Urban Forest Management / Tree Protection

The Village's Urban Forest Management Plan has a canopy cover target of 30 percent. Based on an air photo analysis, the property currently has a canopy cover of about 25 percent.

As part of the rezoning, staff will discuss landscaping with the applicant and request a planting plan showing any trees or other vegetation to be planted to provide privacy to the neighbours and the tenants and increase the canopy cover of the property over time.

The planting plan would be implemented as part of the multi-family development permit for the property.

Amenity Contributions

The application meets some of the community benefits identified in section 5.1.5 b of the Village's Official Community Plan:

Zoning and OCP amendment applications shall demonstrate that the project proposed will provide benefit to the community as a whole. Council and staff will evaluate the proposal on this basis. Demonstrable community benefit includes:

- a. Providing a use that is responding to community need*
- b. Providing an amenity that will benefit the residents of Cumberland (including, but not limited to):*
 - i. Affordable housing, with a signed housing agreement with the Village*
 - ii. Park dedication (in addition to the minimum requirements for subdivisions that trigger a five percent dedication)*
 - iii. Fire and emergency services department contributions*
 - iv. Provision of off-site infrastructure, or upgrades*
 - v. Inclusion of universal designed and adaptable housing*
- c. Appropriateness of the development proposal*
- d. Integration with the immediate community*

As discussed above, the Cumberland Housing Needs Assessment completed in 2019 identifies a regional rental vacancy rate of 1.3 percent. The 2020 rental vacancy rate was 1.1 percent. The assurance of continued rental units at the property meets criteria *a. Providing a use that is responding to community need*. Since the property has mature landscaping, provides adequate parking and the existing use fits with the surrounding residential use, the proposal also meets *d. Integration with the immediate community*.

Off-site Works and Services

Upgrades to existing services (sewer, water and storm water) are not required as a result of the development. As part of the multi-family development permit application prior to construction, the applicant will be asked to provide a stormwater management plan.

Public Notification and Engagement

As required by the *Village of Cumberland Procedures and Fees Bylaw No. 1073, 2018*, the applicant has placed the required sign on-site, and has hosted an outdoor public information meeting which was advertised in the local paper.

Village staff mailed a notice of Council consideration of the OCP amendment and rezoning to owners of properties located within a 75.0 metre radius of the property under application.

Public Comments

The Village received two emails in response to the mail-out. Both neighbours expressed concerns about parking congestion along Ulverston Road as a result of the proposed development potential of the property and wish to see adequate parking required on the property for residents and their visitors.

One submission also expressed concern about impact on neighbourhood character and that the proposed rezoning is not consistent with the intent of the current in-fill land use designation and zoning. See attachment 3 for the complete comments received as well as a summary of input received by the applicant.

REFERRALS

Committee Referrals

At their April 12, 2021 meeting, Council referred the proposed amendment bylaws to the APC and the Homelessness and Affordable Housing Committee for comments.

The Advisory Planning Commission passed a resolution to recommend to Council to give first and second reading to Bylaw 1149 to amend the Official Community Plan to change the land use designation for 2782 Ulverston Avenue. With respect to Bylaw 1150, the APC was divided and passed the following resolution with three members in support and two against:

THAT the Advisory Planning Commission recommend that Council give first and second reading to Bylaw 1150 to amend Zoning Bylaw No. 1027, 2016 to change the zone for 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP8213, from R1-A – Residential Infill to RM-5 Rental Tenure Multi-Family, with the following amendment: that the draft zone be amended to remove “apartment building” as a permitted use on this property.

Some of the APC members were concerned about the potential for a future second fourplex or apartment building to be up to 10 metre in height, allowing for three storeys. Members were also concerned about whether an apartment building would fit with the existing form and character of the surrounding R1-A zone.

In response to the APC's concern as well as comments from one of the neighbours, the bylaws presented for first and second reading no longer include 'apartment' as a permitted use. Instead, they include 'townhouse' which is more similar in form and character to single family dwellings.

The maximum height of 10 metres was retained. The current R1-A zone permits single family dwellings of up to 10 metres. Hence a height of 10 metres would be in keeping with the existing zone. Further, the design of any new building on the site would be reviewed as part of the multi-family development permit to ensure it fits into the neighbourhood.

The Homelessness and Affordable Housing Committee passed the following resolution:

THAT the Committee support the rezoning in principle but THAT staff discuss the existing rental structure and protection of existing tenants with the applicant and explore rent protection of any of the units through a housing agreement.

The applicant provided additional information in response to the resolution to explain why they are not able to rent any of the existing units at below market rent (see attachment 4 to this report) and that they are seeking to keep the current tenants.

External Referrals

As per section 475 of the *Local Government Act*, as part of the process to amend an Official Community Plan, local governments must “provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected” and “consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing,”

The following agency referral list is presented for Council’s consideration. As the development is not adding new residential development in the immediate future and there are no appreciable impacts on external agencies, staff recommends referral to BC Assessment and the School District only. Council may request additional referrals it considers appropriate.

External Agency Referral List

- | | | |
|--|--|--|
| ☒ BC Assessment Authority | ☐ Ministry of Municipal Affairs | ☐ K’omoks First Nations |
| ☐ Agricultural Land Commission | ☐ Ministry of Indigenous Relations & Reconciliation | ☐ City of Courtenay |
| ☐ Ministry of Agriculture, Food and Fisheries (Courtenay) | ☐ Ministry of Environment and Climate Change Strategy | ☐ Town of Comox |
| ☐ Ministry of Energy, Mines & Low Carbon Innovation | ☐ Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Forestry – CR) | ☐ Comox Valley Regional District |
| ☐ Ministry of Tourism, Arts, Culture and Sport | ☐ Ministry of Social Development and Poverty Reduction | ☒ School District No. 71 |
| ☐ Environment Canada | ☐ Ministry of Transportation and Infrastructure (Courtenay) | |
| ☐ Fisheries & Oceans Canada (Comox) | ☐ VIHA (VI Health Authority) | |

ALTERNATIVES

1. THAT Council deny the OCP Amendment and Rezoning of 2782 Ulverston Avenue (*provide reasons*).
2. THAT Council direct staff to discuss amending Bylaw 1150 by (*deleting, adding, substituting....*) with the applicant and bring the amended bylaws back to Council for first and second reading and scheduling of a public hearing.
3. THAT Council request the following additional information on the OCP Amendment and Rezoning of 2782 Ulverston Avenue prior to considering Bylaw 1149 and 1150 for first and second reading: _____ (*provide additional information requested*).

STRATEGIC OBJECTIVE

- ☐ Healthy Community
- ☐ Quality Infrastructure Planning and Development
- ☒ Comprehensive Community Planning
- ☐ Economic Development

FINANCIAL IMPLICATIONS

As per section 477(a) of the *Local Government Act*, the Village is required to consider the OCP amendment in conjunction with its financial plan and its waste management plan. The OCP amendment does not have an impact on its financial plan since it does not result in increased requirements for infrastructure or services. Garbage collection at the property is privately managed and the OCP amendment has no appreciable impact on the Village's waste management plan.

OPERATIONAL IMPLICATIONS

Planning staff is guiding the application through the development process and is working with the applicant's consultant team to ensure rezoning and development permit guidelines are met.

If the density bonus is realized in the future, Development Services will prepare a housing agreement to be registered on title. The agreement would identify the rent structure. A local non-profit housing society would rent the units, that are subject to the agreement, from the owner and sublet them to their clients. This would reduce the administrative responsibility of the Village for monitoring the agreement.

Finance reviews and tracks DCCs and securities payable.

Operations will be involved in reviewing the stormwater management plan required as part of the multi-family development permit submission.

ATTACHMENTS

1. Survey and Parking Plan
2. Photos
3. Public Comments
4. Applicant Response to HAH Committee Resolution
5. Official Community Plan Bylaw 1149
6. Zoning Amendment Bylaw 1150

CONCURRENCE

Courtney Simpson, Manager of Development Services **CS**

Rachel Parker, Corporate Officer

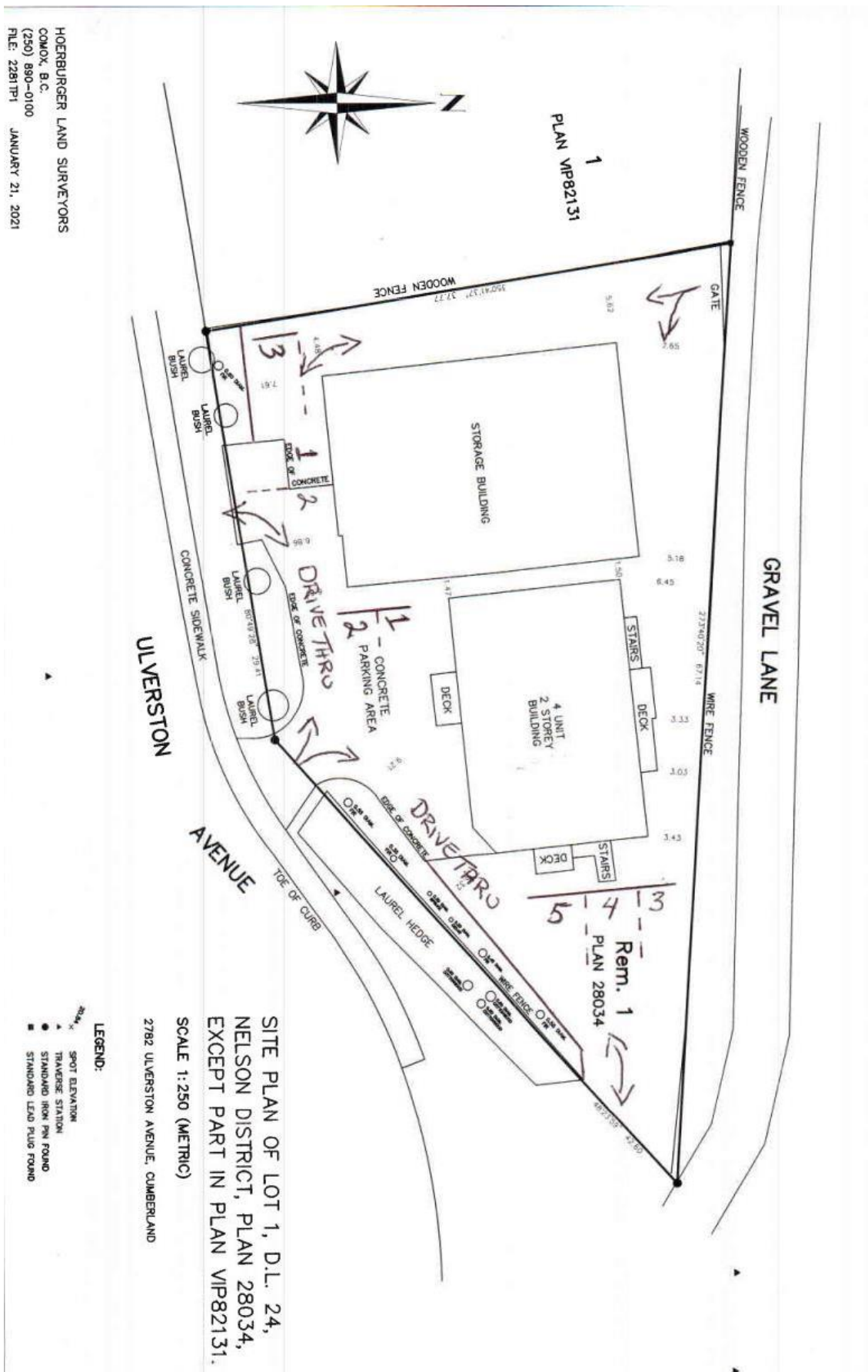
Respectfully submitted,

Karin Albert
Senior Planner

Clayton Postings
Chief Administrative Officer

Attachment 1: Survey and Parking Plan

HOERBUEGER LAND SURVEYORS
COMOX, B.C.
(250) 890-0100
FILE: 2281TP1 JANUARY 21, 2021



Attachment 2: Photos



View of existing fourplex from top of mini-storage building



Existing fourplex from Ulverston Avenue



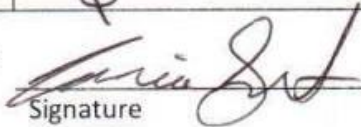
North side of Mini-Storage Building, recently repainted

Attachment 3: Public Comments

Application for a Permit

Page 2

Summary of Comments Received at Neighbourhood Meeting

1.	Neighbourhood meeting held in regards to:		
2.	Meeting Date and Time:		APRIL 26 / 2021
3.	Meeting Location:		2782 ULVERSTON AVE
4.	Advertising:	Newspaper (attach tear sheet)	Paper: RECORD Date: APRIL 20 / 2021
		Notices Mailed	Date:
		Notices Hand delivered	Date:
5.	Numbers of attendees	Attach sign in sheet	1 NEIGHBOUR
6.	Summarize the comments received		DURING OUR LAST MONTH OF LANDSCAPING WE HAVE SPOKEN TO MOST PEOPLE PASSING BY PROPERTY? SOME QUESTIONS - AIR BNB ? - HOTEL ? - STRATA ? - LONG TERM TENANTS ? COMMENTS - LOOKS SO MUCH BETTER. - THE ALLEY LOOKS GREAT - TENANTS VERY PLEASE WITH OUR PROGRESS
7.	Attach copies of written comments received		 Signature

Signature of Applicant or Agent certified that
the information is accurate and complete.

Signature

Emails received by the Village, personal information redacted:

From: _____
Sent: Monday, April 19, 2021 3:17 PM
To: Karin Albert <kalbert@cumberland.ca>
Subject: Zoning Amendment 2782 Ulverston Avenue

Good afternoon Karin,

We just recieved the information on the proposed amendements for 2782 Ulverston Avenue, as we are a neighbour within 75m of the property.

While we definitely support the densification of homes in the Village, we are curious what the parking plans are for the proposed development? It looks like there could be as many as 14 units if the Village approves the density bonus in addition to the 8 unit rental apartment building. Many families in this community have 1, if not 2 cars. We have seen the issues that Kendal has with not enough parking to accomodate main homes and rental suites within homes. If the Village considers approval of these units, it would be really important to ensure there is adequate parking for residents as well as their guests.

If you have any information regarding the proposed parking plan, it would be of interest. I hope these comments are passed on to the Village for their upcoming meeting regarding this development.

Many thanks,

From: _____
Sent: Wednesday, May 05, 2021 7:54 PM
To: Karin Albert <kalbert@cumberland.ca>
Subject: File 3360/2782 Ulverston/2021-01-OCP&RZ

Hi Karin

Thank you for the opportunity to comment on the Official Community Plan and Zoning Bylaw Amendment for 2782 Ulverston Ave.

I received the mail correspondence dated April 14th, 2021. The letter clearly explained the current use and proposed future use of the property. Unfortunately the current zoning designation and approved uses as well as the proposed rezoning designation and approved uses was not included in the correspondence.

With that being said, a brief search of the Village of Cumberland website shows the current zoning of this property as R1 - A. I believe that this application goes well beyond the spirit

of this zoning as per the village document [tool kit infill](#) which references accessory dwelling units, secondary suites and subdividing lots for single family dwelling and "maintaining neighbourhood character".

I would also question how the property would be able to "sustain" parking for 8 possibly 14 units within its boundary.

In summary, I am opposed to the application as presented.

Should you have any questions or further information, please get in touch.

Thank you.

Attachment 4: Applicant Response to HAH Committee Resolution

Rental Rates

From the 2020 Canada Housing and Mortgage Corporation data that would be used to determine 'below market' rental rates, I extracted the following benchmark rates for the Comox Valley:

- 1 BR - \$1,025/mo.
- 2 BR - \$1,117/mo.
- 3 BR - \$1,251/mo.

The 'affordable' below-market rates are 90% of the benchmarks. The building has 4 units – two are smaller 2BR, one is a larger 2BR and the last is a larger 3BR. Only three are occupied at the moment, as one had to be vacated to gain access to inside-the-wall/ceiling spaces for assessment of upgrades. All current rental rates are below the CMHC benchmark rates and are below or very close to the 'affordable' rates.

As you can appreciate, the owners/applicants will have to invest a significant amount of capital into the various renovations to bring the building into Code-compliance and achieve official legal occupancy. The applicants have outlined their plans to all current tenants. Two units understand that their rents will increase due to the improvements and plan to stay, at increased rates, happy to be in updated accommodation where they will now be able to get tenant/property insurance coverage, which is not possible today. One unit, mother/daughter, both on income assistance, will be the last renovated and the owners have indicated they will try to keep the increased rent at a level that will accommodate their fixed income allowance for rent.

So, in short, the owners are actively trying to protect the accommodations to continue to be used by the current tenants, albeit with adjusted rates to reflect the considerable cost for capital improvements so the current tenants can live there safely. With escalating material costs, it is very hard to quantify, with certainty, the rise in rental rates, post-renovation. Thus the owners do not feel they can commit to any specific rental rates for the units going forward. Having said that, they will try to keep any increase for the unit with the fixed income tenants at a rate they can continue to afford. Committing to a specific figure is not something my Clients can do at this time.

I trust this information is adequate for your needs at this point.

Regards,

Consulting Engineer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1149

A bylaw to amend the Official Community Plan Bylaw.

The Council of the Corporation of the Village of Cumberland in open meeting assembled enacts the following:

1. This Bylaw shall be cited as “Official Community Plan Amendment Bylaw No. 1149, 2021”.
2. MAP A FUTURE LAND USE of the Village of Cumberland Official Community Plan, Bylaw No. 990, 2014 is amended as follows:

The land use designation of 2782 Ulverston Avenue, legally described as Lot 1, DL24, Nelson District, Plan 28034, except part in Plan VIP 8213, shown in Schedule A to this bylaw is amended from Residential Infill to Multi-Family.

3. MAP C DEVELOPMENT PERMIT AREAS of the Village of Cumberland Official Community Plan, Bylaw No. 990, 2014 is amended as follows:

The development permit area designation of 2782 Ulverston Avenue, legally described as Lot 1, DL24, Nelson District, Plan 28034, except part in Plan VIP 8213, shown in Schedule A to this bylaw is amended from DPA#6 – Residential Infill to DPA#7 – Residential Multi-Family.

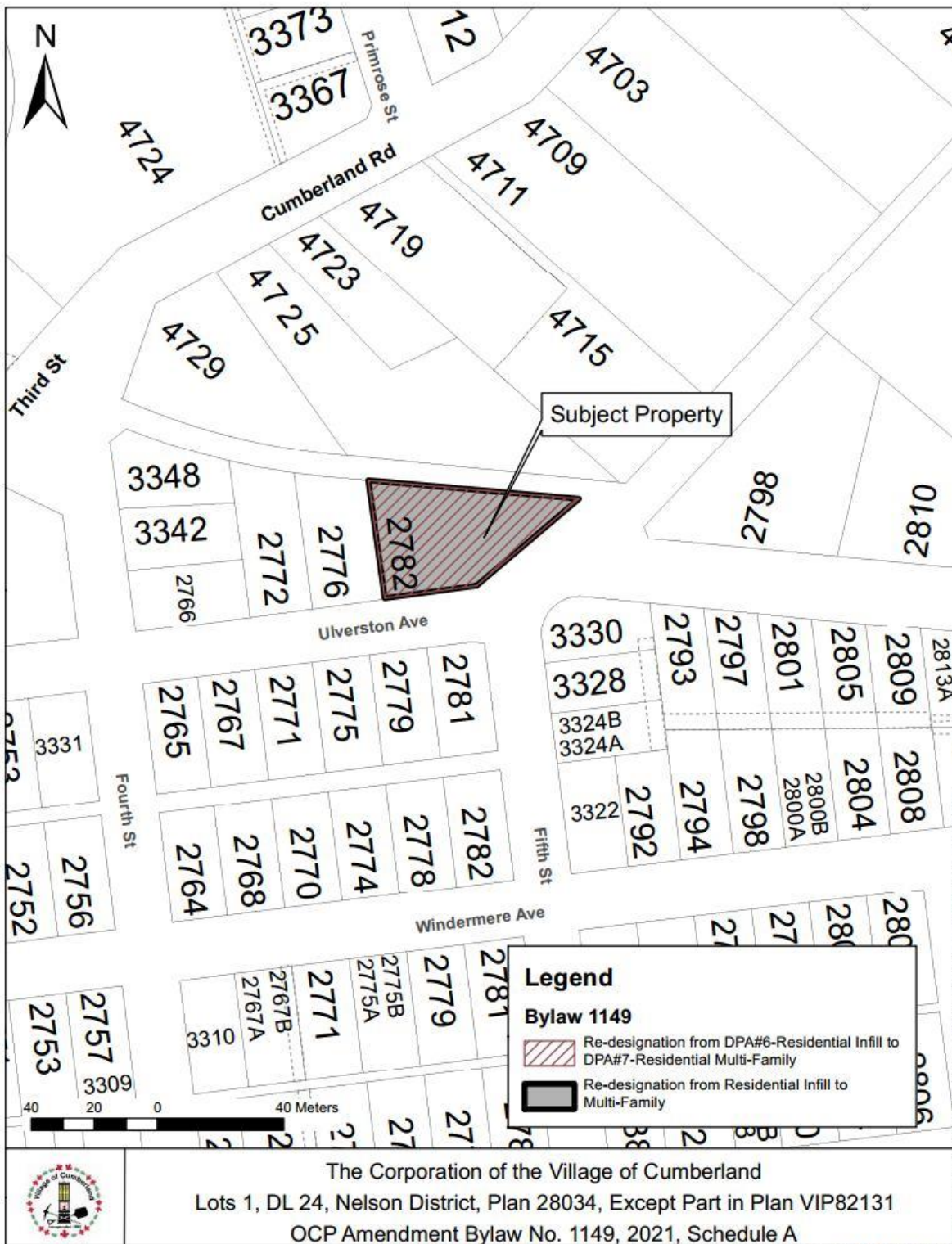
4. At its meeting on June 14, 2021, Council considered and passed a resolution with respect to opportunities for consultation on this Bylaw with persons, organization and authorities it considered to be affected, as per sections 475 and 476 of the *Local Government Act*.

READ A FIRST & SECOND TIME THIS	—	DAY OF	_____	2021.
PUBLIC HEARING HELD THIS	—	DAY OF	_____	2021.
READ A THIRD TIME THIS	—	DAY OF	_____	2021.
ADOPTED THIS	—	DAY OF	_____	2021.

Mayor

Corporate Officer

Schedule A



THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1150

A Bylaw to amend the Zoning Bylaw.

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

1. This Bylaw shall be cited as “Zoning Amendment Bylaw No. 1150, 2021”.

Zoning Amendments

2. The Zoning Bylaw No. 1027, 2016 is amended in Part 2, Section 2.2 by

a) **adding** the following definitions:

Below Market Rent	means rent set 10 percent below the average rent for a given unit type in the Courtenay Census Area as reported by the Canada Housing and Mortgage Corporation on the date of the rental agreement.
Fourplex	means a residential building consisting of four principal dwelling units placed one above the other or attached side by side, each of which has an independent entrance.
Residential Rental Tenure	means, in relation to a dwelling unit in an non-stratified multi-residential building, a tenancy governed by a landlord tenancy agreement that complies with the Residential Tenancy Act.

3. The Zoning Bylaw No. 1027, 2016 is amended in Part 6, Section 6.3, Table 6.3.1 by **adding**:

Land use	Min. Vehicular	Max Vehicular	Min Visitor Vehicular	Max Visitor Vehicular
RM-5 (Rental Tenure Multi-Family)				
Apartment	1.2/ <i>Dwelling Unit</i>	1.5/ <i>Dwelling Unit</i>	0.1/ <i>Dwelling Unit</i>	0.15/ <i>Dwelling Unit</i>
Fourplex	1.2/ <i>Dwelling Unit</i>	1.5/ <i>Dwelling Unit</i>	0.1/ <i>Dwelling Unit</i>	0.15/ <i>Dwelling Unit</i>

4. The Zoning Bylaw No. 1027, 2016 is amended in Part 6, Section 6.4, Table 6.4.1 by **adding**:

Land use	Min Bicycle Parking Stalls – Class 1	Min Bicycle Parking Stalls – Class 1
RM-5 (Rental Tenure Multi-Family)		
Apartment	1.5/ <i>Dwelling Unit</i>	0.5/ <i>Dwelling Unit</i>

Fourplex	2/Dwelling Unit	0
----------	-----------------	---

5. The Zoning Bylaw No. 1027, 2016 is amended in Part 7, Residential Zones by
(a) **inserting** the following zone:

7.12 RM-5—Rental Tenure Multi-Family Zone

1. Principal Uses			<i>Fourplex</i> <i>Townhouse</i>
2. Accessory Uses			<i>Accessory buildings and structures</i>
3. Lots Created by Subdivision	Area, minimum		1,570square metres (16,900square feet)
	Frontage, minimum		10% of the perimeter of the <i>lot</i>
4. Density	<i>Building GFA</i> , maximum		<i>Accessory buildings</i> shall have a combined floor area no greater than 10.0% of the <i>lot area</i> .
	<i>Units Per Hectare (uph)</i> , maximum		51 <i>uph</i>
	Density Bonus		Where a minimum of 1/3 of additional <i>dwelling units</i> (such fractions all rounding up to the next higher whole number) are rented at <i>below market rent</i> , the maximum number of <i>dwelling units</i> may be increased by 38 <i>units per hectare</i> .
5. Lot Coverage	Coverage, maximum		65%, including <i>parking lot coverage</i>
6. Principal Buildings and Structures	Setbacks, Minimum	Front	3.0metres (9.8feet)
		Rear	7.5metres (24.6feet)
		Rear, Exterior	3.0metres (9.8feet)
		Side	4.5metres (14.8feet)
		Side, Exterior	3.0metres (9.8feet)
	Height, maximum		10.0metres (32.8feet)
7. Accessory Buildings and Structures	Setbacks, minimum	Front	3.0metres (9.8feet)
		Rear	1.5metres (4.9feet)
		Rear, Exterior	1.5metres (4.9feet)
		Side	1.5metres (4.9feet)
		Side, Exterior	3.0metres (9.8feet)

7.12 RM-5—Rental Tenure Multi-Family Zone

	Height, maximum	4.5metres (14.8feet)
8. Conditions of Uses	a. All units in this zone are required to be under <i>residential rental tenure</i>. b. To realize the density bonus, the following are required: i. A housing agreement with the Village to reserve a minimum of 1/3 of the density bonus units at below market rent in a form acceptable to the Village. ii. A rental agreement with a non-profit housing society which will manage and rent out the units to low or medium income individuals or families.	

and

(b) **renumbering** the zones that follow in Part 7 in sequential order.

6. Schedule A Zoning Map and Schedule B Zoning Map Village Core of “Zoning Bylaw No. 1027, 2016” are amended as follows:

The zoning of 2782 Ulverston Avenue, legally described as Lot 1, DL24, Nelson District, Plan 28034, except part in Plan VIP 8213 shown in Schedule A to this bylaw is amended from R1-A Infill Residential Zone to RM-5 Rental Tenure Multi-Family Residential.

Severability

7. If any section or subsection of this Bylaw is found to be invalid by a court of competent jurisdiction, the section or subsection may be severed from the Bylaw without affecting the validity of the remainder of the Bylaw.

READ A FIRST TIME THIS	DAY OF	2021.
READ A SECOND TIME THIS	DAY OF	2021.
PUBLIC HEARING HELD THIS	DAY OF	2021.
READ A THIRD TIME THIS	DAY OF	2021.
ADOPTED THIS	DAY OF	2021.

Mayor

Corporate Officer

Legend

- Bylaw 1150: Rezone from R1-A Residential Infill to RM-5 Residential Tenure Multi-Family

The Corporation of the Village of Cumberland
 Lots 1, DL 24, Nelson District, Plan 28034, Except Part in Plan VIP82131
 Zoning Amendment Bylaw No. 1150, 2021, Schedule A

7.1 Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave

Motion 21-211

Ketler/Brown

THAT Council receive the report "Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave".

Carried Unanimously

Motion 21-212

Brown/Sproule

THAT Council give first reading to Bylaw 1149 cited as "Official Community Plan Amendment Bylaw No. 1149, 2021";

THAT Council give second reading to Bylaw 1149 cited as "Official Community Plan Amendment Bylaw No. 1149, 2021" having considered the impact on the current financial plan and waste management plan;

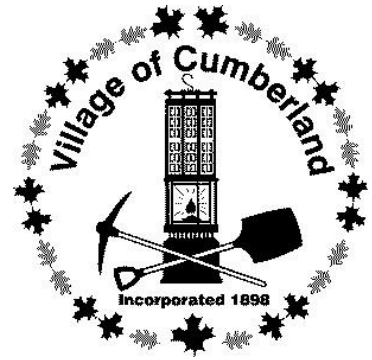
THAT Council alter "Zoning Amendment Bylaw No. 1150, 2021" to replace "apartment" with "townhouse" in sections 3 and 4, and give first and second reading to Bylaw 1150 cited as "Zoning Amendment Bylaw No. 1150, 2021";

THAT Council direct staff to schedule a public hearing for Bylaw 1149 and Bylaw 1150 on July 19, 2021, at 7:00 p.m.; and

THAT Council refer Bylaw 1149 and Bylaw 1150 to School District 71 and BC Assessment for comment.

Carried Unanimously

HOMELESSNESS AND AFFORDABLE HOUSING COMMITTEE REPORT



REPORT DATE: 5/14/2021

MEETING DATE: 5/19/2021

File No. 3220 - Ulverston 2782

TO: Advisory Planning Commission members

FROM: Karin Albert, Senior Planner

SUBJECT: Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave

FILE:	2021-01-OCP&RZ 2782 Ulverston		
PID:	002-268-078	Folio No.:	000703 000
LEGAL DESCRIPTION:	Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP 8213		
CIVIC ADDRESSES:	2782 Ulverston Avenue		
	EXISTING BYLAW	REQUESTED AMENDMENT	
OCP DESIGNATION:	Residential Infill	MULTI-FAMILY	
DEVELOPMENT PERMIT AREA:	DPA6 - Residential Infill	DPA7 - Multi-Family	
ZONE:	R1-A Infill Residential Zone	RM-5 Multi-Family (new zone)	

RECOMMENDATIONS

- i. THAT the Homelessness and Affordable Housing Committee receive the report "Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave".
- ii. THAT the Homelessness and Affordable Housing Committee recommend that Council give first and second reading to Bylaw 1149 to amend Official Community Plan Bylaw No. 990, 2014 to change the land use designation for 2782 Ulverston Avenue, legally described as Lot 1, DL24, Nelson District, Plan 28034, except part in Plan VIP 8213, from



Subject Property

Residential Infill to Multi-Family, and to change the Development Permit Area for those same properties from DPA#6 – Residential Infill to DPA#7 – Multi-Family.

- iii. THAT the Homelessness and Affordable Housing Committee recommend that Council give first and second reading to Bylaw 1150 to amend Zoning Bylaw No. 1027, 2016 to change the zone for 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP8213, from R1-A – Residential Infill to RM-5 Rental Tenure Multi-Family.

PURPOSE

The purpose of this report is to seek a recommendation from the Homelessness and Affordable Housing Committee on an application to amend the Village's Official Community Plan (OCP) and Zoning Bylaw to allow for the renovation of an existing 4-plex at 2782 Ulverston Avenue and for the potential for future redevelopment of the property with an additional 4-plex or replacement of the existing buildings with an 8-unit apartment building.

PREVIOUS COUNCIL DIRECTION

None.

BACKGROUND

The property proposed to be rezoned is 0.157 ha (0.39 acres) and currently includes a 4-plex with rental units and a mini-storage building/shop. The Village issued a permit for the mini-storage / shop building in 1991 and there is a permit to construct a 223 m² two storey extension to the mini-storage building dating back to 1996. The extension was not constructed and the permit has lapsed. Instead, a 4-plex was built next to the storage building.

The storage building is legal non-conforming since it was constructed with the required building permits at a time when the property was zoned for industrial uses. The 4-plex, on the other hand, was constructed without a building permit and the use is not permitted in the property's current zone, R1A – Infill Residential. A rezoning is required for the owners to be able to apply for a building permit to renovate the building.

The new property owners wish to rezone to permit the current 4-plex, have the ability to add a second 4-plex at a later point in time or redevelop the property with an 8-unit apartment building. For the time being, the owners wish to retain the mini-storage building as legal non-conforming.

The proposed new multi-family zone would be a rental zone to legitimize the existing multi-family use and ensure that the tenure remains rental. This would be the first rental tenure zone for the Village. Staff is also proposing to add a density bonus to the zone if a percentage of the units are rented at below market rent.

Official Community Plan

The OCP future land use designation for the property is Residential Infill. Residential Infill permits densities ranging from 25 to 37 units per hectare. Housing forms identified for that land use designation are narrow lot single family, single family with accessory dwelling units, duplex, townhouse and rowhouse dwelling units.

The existing 4-plex results in a density of 25 units per hectare on the lot, which is within the density range of the Residential Infill OCP designation. Legalizing the existing 4-plex only would not require an OCP amendment. Although the densification scenarios in the OCP for the Residential Infill designation focus on ground-oriented building forms, the existing 4-plex that has two upper units with a main entrance on the second floor can still be considered within the scenarios identified in the OCP for this designation.

The additional 4 units requested in this application would result in a density of 51 units per hectare, requiring an OCP amendment to change the designation to Multi-Family. The multi-family land use designation permits densities greater than 37 units per hectare. Housing forms are townhouse, rowhouse, cohousing and low-rise apartments up to four storeys.

The proposed multi-family residential building requires an OCP amendment to change the land use designation of the property from Residential Infill to Multi-Family.

The OCP amendment is supported by the following housing policies in section 5.2.3 of the OCP:

- 1) Give priority to development proposals for small and compact forms of housing such as small-lot single detached homes, town homes, coach houses, and apartments.
- 4) Support the creation of new, and the retention of existing, rental housing and discourage the conversion of rental housing to strata ownership.
- 10) Support housing infill density through the sensitive, appropriately scaled design of multi-family properties and coach houses.

The 2014 OCP did not identify a need to expand the multi-family land use designation over the term of the plan until the need for additional housing supply merits increased densities (table 3, p. 29). The Village of Cumberland Housing Needs Report, adopted by Council in June 2020, identifies such a need. Vacancy rates in the Comox Valley fluctuate from year to year but have generally been well below what is considered a healthy and balanced rental vacancy rate of 3 to 5 percent. Since the Housing Needs Report was completed, the Canada Mortgage and Housing Corporation has published the 2020 rental vacancy rates for the region: 1.6 percent for 1-bedroom units, 0.9 percent for 2-bedroom units and 0.8 percent for 3-bedroom units. The overall vacancy rate in 2020 was 1.1 percent, down from 1.4 percent in 2019. Based on these most recent figures and the findings of the Housing Needs Report, there is a strong need for additional housing rental units in the Village.

Further, the location is within walking distance of the downtown commercial core, key services, Village Park and playground, thereby meeting the OCP policies in sections 5.6.4 General Transportation Policies and 5.6.4 Pedestrian and Bicycle Oriented Policies.

Together with the amendment to the land use designation, an OCP amendment is required to change the Development Permit Area from DPA6 – Residential Infill to DPA7 – Multi-Family. DP#1, the environmental DP, does not apply to this property since it is a disturbed site.

Zoning

As per the map below, the property is within the R1-A – Residential Infill Zone. The Residential Infill zone permits one single family dwelling, a secondary suite and an accessory dwelling unit. The subject property is 1,571 m² in size. Since the minimum lot size in the R1A zone is 325 m², the property could be subdivided into up to four properties, each with the potential of a single family dwelling, secondary suite and accessory dwelling unit for a total of 12 units (4 lots x 3 units) on a

redeveloped site. It is important to note that subdivision is more costly than rezoning as it would require demolishing the existing 4-plex and providing additional services and hook-ups to the site.

The current owners wish to retain the existing 4-plex rental building and have the potential to add a second 4-plex rental building in the future or redevelop the site with a small eight-unit rental apartment building. Staff is proposing a new zone with the requested base density of eight rental units.

In addition to the requested eight units, staff recommends the zone include the potential of up to six additional units if two of those units are rented at below market rental rates. The bonus density would require a housing agreement with the Village and an agreement with a housing society which would rent and then sublet the two affordable rental units. Below market rent is defined as 10 percent below the average rent identified annually by the Canada Housing and Mortgage Corporation for jurisdictions across the country.

The map below shows the current zoning and location of the property in the context of the neighbourhood. The property is at an intersection with one direct single family neighbour on the west property line and three single family properties across the street.



Since none of the existing multi-family zones in the Village's Zoning Bylaw fits the proposed use and density, staff recommend creating a new multi-family zone called RM-5 as per the attached Zoning Amendment Bylaw No. 1150.

The current lot coverage of existing buildings is 35 percent as per the site plan in Appendix 1. The higher permitted lot coverage is to account for surface parking.

The maximum height is 10 metres, permitting up to three storeys. This is the same height as permitted on the property in the current R1-A zone.

The setbacks are similar to the other multi-residential zones in the Village and are intended to reduce the impact on immediate neighbours. The reduced exterior rear setback accounts for the adjacency of the property to the lane, rather than a direct neighbour.

Parking requirements

Under the proposed Zoning Amendment Bylaw, the applicant is required to provide 1.2 parking spaces per residential unit, for a total of five spaces. If the property is redeveloped with a further four units in the future, an additional five spaces would be required plus one space for visitors. Redevelopment with an apartment building would have the same parking requirement.

Since the mini-storage/workshop will remain legal non-conforming, there are no additional parking requirements for that use. However, there currently are two parking spaces dedicated to the use of the mini-storage building. See attachment 1 for a plan of the parking provided on the property.

Urban Forest Management / Tree Protection

The Village's Urban Forest Management Plan has a canopy cover target of 30 percent. Based on an air photo analysis, the property currently has a canopy cover of about 25 percent.

As part of the rezoning, staff will discuss landscaping with the applicant and request a planting plan showing any trees or other vegetation to be planted to provide privacy to the neighbours and the tenants and increase the canopy cover of the property over time.

The planting plan would be implemented as part of the multi-family development permit for the property.

Amenity Contributions

The application meets some of the community benefits identified in section 5.1.5 b of the Village's Official Community Plan:

Zoning and OCP amendment applications shall demonstrate that the project proposed will provide benefit to the community as a whole. Council and staff will evaluate the proposal on this basis. Demonstrable community benefit includes:

- a. Providing a use that is responding to community need*
- b. Providing an amenity that will benefit the residents of Cumberland (including, but not limited to):*
 - i. Affordable housing, with a signed housing agreement with the Village*
 - ii. Park dedication (in addition to the minimum requirements for subdivisions that trigger a five percent dedication)*
 - iii. Fire and emergency services department contributions*

- v. *Provision of off-site infrastructure, or upgrades*
- vi. *Inclusion of universal designed and adaptable housing*
- c. *Appropriateness of the development proposal*
- d. *Integration with the immediate community*

As discussed above, the Cumberland Housing Needs Assessment completed in 2019 identifies a regional rental vacancy rate of 1.3 percent. The 2020 rental vacancy rate was 1.1 percent. The assurance of continued rental units at the property meets criteria *a. Providing a use that is responding to community need*. Since the property has mature landscaping, provides adequate parking and the existing use fits with the surrounding residential use, the proposal also meets *d. Integration with the immediate community*.

Off-site Works and Services

As required off-site works, the applicant will be asked to extend the sidewalk to their driveway and add a paved apron to connect to the lane. Upgrades to existing services (sewer, water and storm water) are not required as a result of the development. As part of a development permit application prior to construction, the applicant will be asked to provide a stormwater management plan.

Public Notification and Engagement

As required by the *Village of Cumberland Procedures and Fees Bylaw No. 1073, 2018* the applicant has placed the required sign on-site, and has hosted an outdoor public information meeting which was advertised in the local paper.

Village staff mailed a notice of Council consideration of the OCP amendment and rezoning to owners of properties located within a 75.0 metre radius of the property under application.

Public Comments

The Village received two emails in response to the mail-out. Both neighbours expressed concerns about parking congestion along Ulverston Road as a result of the new proposed development potential of the property and wish to see adequate parking required on the property for residents and their guest.

One submission also expressed concern about impact on neighbourhood character and that the proposed rezoning is not consistent with the intent of the current in-fill land use designation and zoning. See attachment 3 for the complete comments received as well as a summary of input received by the applicant.

REFERRALS

At their April 12, 2021 meeting, Council referred the proposed amendment bylaws to the Advisory Planning Commission and the Homelessness and Affordable Housing Committee for comments.

When the bylaws are introduced for first and second reading, staff will also identify an agency referral list.

ALTERNATIVES

1. THAT the Homelessness and Affordable Housing Committee recommend that Council deny the OCP Amendment and Rezoning of 2782 Ulverston Avenue (*provide reasons*).
2. THAT the Homelessness and Affordable Housing Committee recommend that Council approve the OCP Amendment and Rezoning of 2782 Ulverston Avenue;
and
THAT the Homelessness and Affordable Housing Committee recommend that Council amend Bylaw 1150 by (*deleting, adding, substituting....*) and give first and second reading to the thus amended Bylaw 1150 to amend Zoning Bylaw No. 1027, 2016 to change the zone for 2782 Ulverston Avenue from R1-A – Residential Infill to RM-5 Rental Tenure Multi-Family.
3. THAT the Homelessness and Affordable Housing Committee recommend that Council request more information on the OCP Amendment and Rezoning of 2782 Ulverston Avenue prior to giving Bylaws 1149 and 1150 first and second reading (provide additional information desired).

STRATEGIC OBJECTIVE

- ☐ Healthy Community
- ☐ Quality Infrastructure Planning and Development
- ☒ Comprehensive Community Planning
- ☐ Economic Development

FINANCIAL IMPLICATIONS

If road paving to the land centre line and extension of the sidewalk are undertaken by the applicant as part of the requirements of the rezoning, there is no direct financial impact on the Village of this development.

OPERATIONAL IMPLICATIONS

Planning staff is guiding the application through the development process and is working with the applicant's consultant team to ensure rezoning and development permit guidelines are met.

Finance reviews and tracks DCCs and securities payable.

Operations will be involved in reviewing the stormwater management plan and any drawings and ensure they meet MMCD standards.

ATTACHMENTS

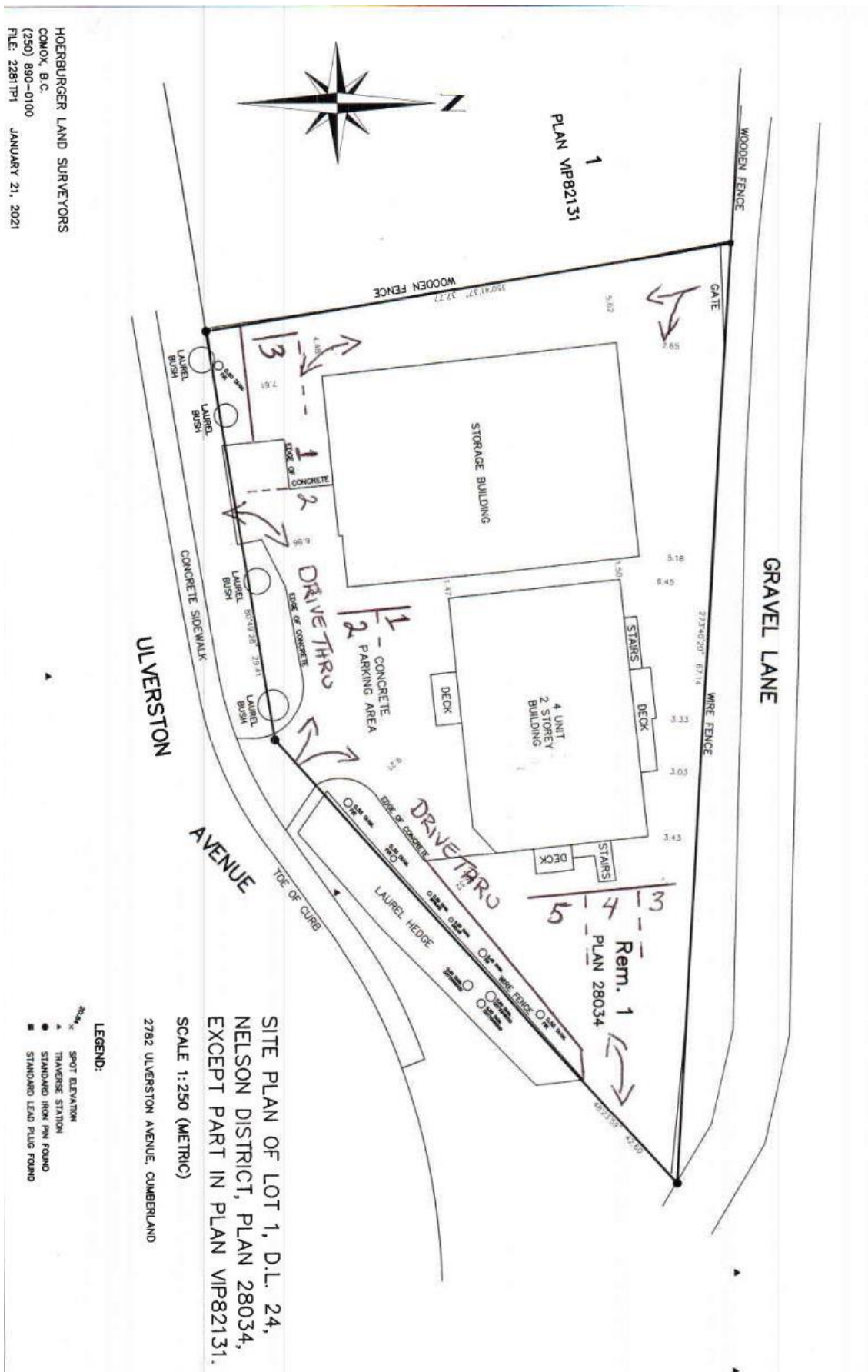
1. Survey and Parking Plan
2. Photos
3. Public Comments
4. Official Community Plan Bylaw 1149
5. Zoning Amendment Bylaw 1150

Respectfully submitted,

Karin Albert
Senior Planner

Attachment 1: Survey and Parking Plan

HOERBUEGER LAND SURVEYORS
COMOX, B.C.
(250) 890-0100
FILE: 2281TP1 JANUARY 21, 2021



Attachment 2: Photos



View of existing 4-plex from top of mini-storage building



Existing 4-plex from Ulverston Avenue



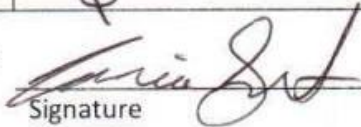
North side of Mini-Storage Building, recently repainted

Attachment 3: Public Comments

Application for a Permit

Page 2

Summary of Comments Received at Neighbourhood Meeting

1.	Neighbourhood meeting held in regards to:		
2.	Meeting Date and Time:		APRIL 26 / 2021
3.	Meeting Location:		2782 ULVERSTON AVE
4.	Advertising:	Newspaper (attach tear sheet)	Paper: RECORD Date: APRIL 20 / 2021
		Notices Mailed	Date:
		Notices Hand delivered	Date:
5.	Numbers of attendees	Attach sign in sheet	1 NEIGHBOUR
6.	Summarize the comments received		DURING OUR LAST MONTH OF LANDSCAPING WE HAVE SPOKEN TO MOST PEOPLE PASSING BY PROPERTY? SOME QUESTIONS - AIR BNB ? - HOTEL ? - STRATA ? - LONG TERM TENANTS ? COMMENTS - LOOKS SO MUCH BETTER. - THE ALLEY LOOKS GREAT - TENANTS VERY PLEASE WITH OUR PROGRESS
7.	Attach copies of written comments received		 Signature

Signature of Applicant or Agent certified that
the information is accurate and complete.

Signature

Emails received by the Village, personal information redacted:

From: _____
Sent: Monday, April 19, 2021 3:17 PM
To: Karin Albert <kalbert@cumberland.ca>
Subject: Zoning Amendment 2782 Ulverston Avenue

Good afternoon Karin,

We just recieved the information on the proposed amendements for 2782 Ulverston Avenue, as we are a neighbour within 75m of the property.

While we definitely support the densification of homes in the Village, we are curious what the parking plans are for the proposed development? It looks like there could be as many as 14 units if the Village approves the density bonus in addition to the 8 unit rental apartment building. Many families in this community have 1, if not 2 cars. We have seen the issues that Kendal has with not enough parking to accomodate main homes and rental suites within homes. If the Village considers approval of these units, it would be really important to ensure there is adequate parking for residents as well as their guests.

If you have any information regarding the proposed parking plan, it would be of interest. I hope these comments are passed on to the Village for their upcoming meeting regarding this development.

Many thanks,

From: _____
Sent: Wednesday, May 05, 2021 7:54 PM
To: Karin Albert <kalbert@cumberland.ca>
Subject: File 3360/2782 Ulverston/2021-01-OCP&RZ

Hi Karin

Thank you for the opportunity to comment on the Official Community Plan and Zoning Bylaw Amendment for 2782 Ulverston Ave.

I received the mail correspondence dated April 14th, 2021. The letter clearly explained the current use and proposed future use of the property. Unfortunately the current zoning designation and approved uses as well as the proposed rezoning designation and approved uses was not included in the correspondence.

With that being said, a brief search of the Village of Cumberland website shows the current zoning of this property as R1 - A. I believe that this application goes well beyond the spirit

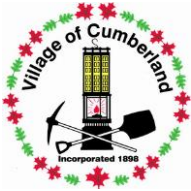
of this zoning as per the village document [tool kit infill](#) which references accessory dwelling units, secondary suites and subdividing lots for single family dwelling and "maintaining neighbourhood character".

I would also question how the property would be able to "sustain" parking for 8 possibly 14 units within its boundary.

In summary, I am opposed to the application as presented.

Should you have any questions or further information, please get in touch.

Thank you.



Minutes

Wednesday, May 19, 2021, 9:30 a.m.

Via videoconference*

PRESENT:	Kathy Duperron, Chair	Jesse Ketler, Councillor
	Bobby Herron	Debbie Bowman
	Lindsay Monk	
REGRETS:	Mark Fortin	
STAFF:	Karin Albert, VoC Senior Planner	
APPLICANT:	Hal Martyn, Agent, 2782 Ulverston application	

1. Call to Order

Meeting called to order at 9:31 a.m.

2. Approval of Agenda

Bowman/Herron: Approve the agenda with the following change: move item 5.2 up before item 5.1.

CARRIED

3. Approval of the Minutes: Wednesday, February 17, 2021

Bowman/Ketler: That the minutes of February 17, 2021 be approved.

CARRIED

4. Business Arising from the Minutes

None.

5. New Business

5.1 Referral from Council

OCP Amendment and Rezoning Application – 2782 Ulverston Avenue

Staff provided a brief overview of the application. The applicant reviewed current use of the building and the intent of the property owners to continue the current use for the foreseeable future. The rezoning is to bring the 4-plex into compliance.

Parking is accommodated on site. None of the tenants park on the street and there is also parking for the warehouse component on the property.

Discussion:

- What is the size of the units?
 - Not large. Three 2-bedroom units and one 3-bedroom unit. Applicant is reconfiguring the units, adding better plumbing, changing some of the partition walls. Units are 2-bedrooms.
- Did new owners know the previous owner and that the buildings were non-conforming to the Zoning Bylaw?
 - Yes, owner did their due diligence and obtained information on what was required to bring buildings into conformance prior to purchasing the property.
- Are tenants going to be displaced during the renovations?
 - Planning to renovate one unit at a time. One unit is now vacant. Had to pull off drywall to assess the structure. The intent is that tenant can come back. As much as possible, will work around tenants. Building needs to be upgraded to meet the BC Building Code.
- Applicants' intent is to retain some fairly affordable rental housing.
- What is 'affordability' –common definition: when shelter costs are no more than 30% of a household's income. That is also the definition used in Cumberland's OCP. Since this is a rental tenure zone and owner does not profit from selling units, zone uses 'below market' rent for the density bonus which is defined in zoning bylaw amendment as rent below 10% of market rent as determined annually by CMHC for different municipal areas.
- Density bonus in Zoning Bylaw for below market rental units may or may not get built.
- Community amenity contribution in this case is the rental tenure.
- Could applicant provide information on current rental structure and comment on affordability of rent?
- Agree with rezoning, want more information on tenant protection.
- Explore with owners whether two of the units could have below market rent.

Bowman/Herron: THAT the Committee support the rezoning in principle but THAT staff discuss the existing rental structure and protection of existing tenants with the applicant and explore rent protection of any of the units through a housing agreement.

CARRIED

5.2 Training Opportunities

Free BC Housing webinar: Building Knowledge and Capacity for Affordable Housing in BC Small Communities: <https://www.bchousing.org/building-knowledge-and-capacity-in-BC-small-communities>

Committee has a budget for training. Two members interested in staff-led Planning 101 workshop.

6. **Next Meeting:** Wednesday, June 16, 2021 at 9:30 a.m.

7. **Adjournment:** 10:55 a.m.

Certified Correct: _____	Confirmed: _____
Chair	Deputy Corporate Officer

*This meeting was held through electronic facilities as authorized under Order M192 of the Ministry of Public Safety and Solicitor General during the declaration of a state of emergency made March 18, 2020 in order to conduct business in accordance with public health advisories related to the COVID-19 pandemic. Members of the public who wished to view the meeting were able to email planning@cumberland.ca to receive a link to the on-line meeting.

ADVISORY PLANNING COMMISSION REPORT



REPORT DATE: 5/7/2021
MEETING DATE: 5/13/2021

File No. 3220 - Ulverston 2782

TO: Advisory Planning Commission members
FROM: Karin Albert, Senior Planner
SUBJECT: Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave

FILE:	2021-01-OCP&RZ 2782 Ulverston		
PID:	002-268-078	Folio No.:	000703 000
LEGAL DESCRIPTION:	Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP 8213		
CIVIC ADDRESSES:	2782 Ulverston Avenue		
	EXISTING BYLAW	REQUESTED AMENDMENT	
OCP DESIGNATION:	Residential Infill	MULTI-FAMILY	
DEVELOPMENT PERMIT AREA:	DPA6 - Residential Infill	DPA7 - Multi-Family	
ZONE:	R1-A Infill Residential Zone	RM-5 Multi-Family (new zone)	

RECOMMENDATIONS

- i. THAT the Advisory Planning Commission receive the report "Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave".
- ii. THAT the Advisory Planning Commission recommend that Council give first and second reading to Bylaw 1149 to amend Official Community Plan Bylaw No. 990, 2014 to change the land use designation for 2782 Ulverston Avenue, legally described as Lot 1, DL24, Nelson District, Plan 28034, except part in Plan VIP 8213, from Residential Infill to Multi-Family, and to change the Development Permit Area for those same properties from DPA#6



Subject Property

– Residential Infill to DPA#7 – Multi-Family.

- iii. THAT the Advisory Planning Commission recommend that Council give first and second reading to Bylaw 1150 to amend Zoning Bylaw No. 1027, 2016 to change the zone for 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP8213, from R1-A – Residential Infill to RM-5 Rental Tenure Multi-Family.

PURPOSE

The purpose of this report is to seek a recommendation from the Advisory Planning Commission on an application to amend the Village's Official Community Plan (OCP) and Zoning Bylaw to allow for the renovation of an existing 4-plex at 2782 Ulverston Avenue and for future redevelopment of the property with an additional 4-plex or replacement of the existing buildings with an 8-unit apartment building. Staff is also seeking a recommendation with respect to a proposed density bonus for the new zone.

PREVIOUS COUNCIL DIRECTION

None.

BACKGROUND

The property proposed to be rezoned is 0.157 ha (0.39 acres) and currently includes a 4-plex with rental units and a mini-storage building/shop. The Village issued a permit for the mini-storage / shop building in 1991 and there is an unfinished permit to construct a 223 m² two storey extension to the mini-storage building dating back to 1996. There is no previous application or permit for the 4-plex.

The storage building is legally non-conforming since it was constructed with the required building permits at a time when the property was zoned for industrial uses. The 4-plex, on the other hand, was constructed without a building permit and the use is not permitted in the property's current zone, R1A – Infill Residential. A rezoning is required for the owners to be able to apply for a building permit to renovate the building.

The new property owners wish to rezone to permit the current 4-plex, have the ability to add a second 4-plex at a later point in time or redevelop the property with an 8-unit apartment building. For the time being, the owners wish to retain the mini-storage building as legally non-conforming.

The proposed new multi-family zone would be a rental zone to legitimize the existing multi-family use and ensure that the tenure remains rental. This would be the first rental tenure zone for the Village. Staff is also proposing to add a density bonus to the zone if a percentage of the units are rented at below market rent.

Official Community Plan

The OCP future land use designation for the property is Residential Infill. Residential Infill permits densities ranging from 25 to 37 units per hectare. Housing forms identified for that land use designation are narrow lot single family, single family with accessory dwelling units, duplex, townhouse and rowhouse dwelling units.

The existing 4-plex results in a density of 25 units per hectare on the lot, which is within the density range of the Residential Infill OCP designation. Legalizing the existing 4-plex only, would

not require an OCP amendment. Although the densification scenarios in the OCP for the Residential Infill designation focus on ground-oriented building forms, the existing 4-plex that has two upper units with a main entrance on the second floor can still be considered within the scenarios identified in the OCP for this designation.

The additional 4 units requested in this application would result in a density of 51 units per hectare, requiring an OCP amendment to change the designation to Multi-Family. The multi-family land use designation permits densities greater than 37 units per hectare. Housing forms are townhouse, rowhouse, cohousing and low-rise apartments up to four storeys.

The proposed multi-family residential building requires an OCP amendment to change the land use designation of the property from Residential Infill to Multi-Family.

The OCP amendment is supported by the following housing policies in section 5.2.3 of the OCP:

- 1) Give priority to development proposals for small and compact forms of housing such as small-lot single detached homes, town homes, coach houses, and apartments.
- 4) Support the creation of new, and the retention of existing, rental housing and discourage the conversion of rental housing to strata ownership.
- 10) Support housing infill density through the sensitive, appropriately scaled design of multi-family properties and coach houses.

The 2014 OCP did not identify a need to expand the multi-family land use designation over the term of the plan until the need for additional housing supply merits increased densities (table 3, p. 29). The Village of Cumberland Housing Needs Report, adopted by Council in June 2020, identifies such a need. Vacancy rates in the Comox Valley fluctuate from year to year but have generally been well below what is considered a healthy and balanced rental vacancy rate of 3 to 5 percent. Since the Housing Needs Report was completed, the Canada Mortgage and Housing Corporation has published the 2020 rental vacancy rates for the region: 1.6 percent for 1-bedroom units, 0.9 percent for 2-bedroom units and 0.8 percent for 3-bedroom units. The overall vacancy rate in 2020 was 1.1 percent, down from 1.4 percent in 2019. Based on these most recent figures and the findings of the Housing Needs Report, there is a strong need for additional housing rental units in the Village.

Further, the location is within walking distance of the downtown commercial core, key services, Village Park and playground, thereby meeting the OCP policies in sections 5.6.4 General Transportation Policies and 5.6.4 Pedestrian and Bicycle Oriented Policies.

Together with the amendment to the land use designation, an OCP amendment is required to change the Development Permit Area from DPA6 – Residential Infill to DPA7 – Multi-Family. DP#1, the environmental DP, does not apply to this property since it is a disturbed site.

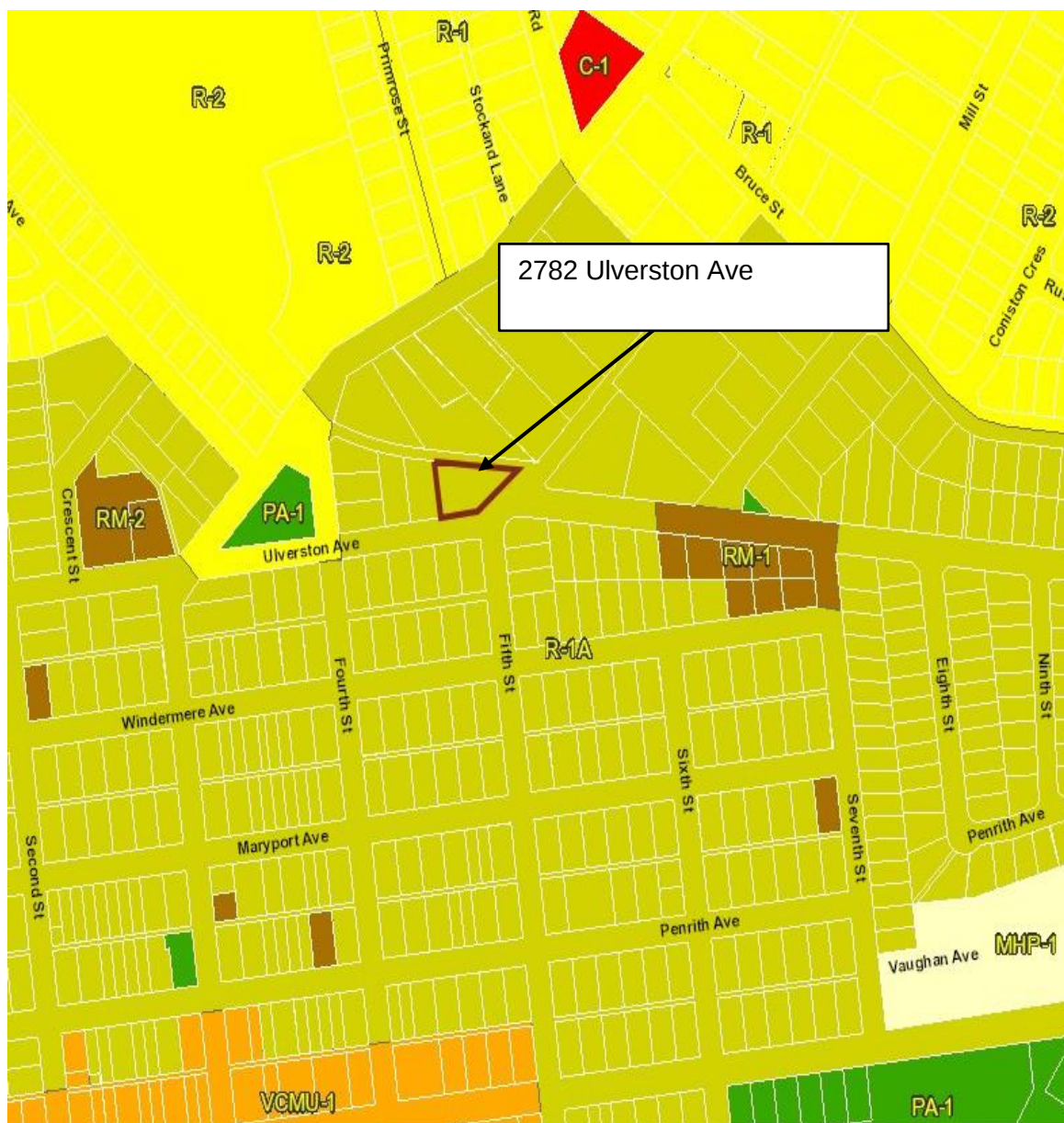
Zoning

As per the map below, the property is within the R1-A – Residential Infill Zone. The Residential Infill zone permits one single family dwelling, a secondary suite and an accessory dwelling unit. The subject property is 1,571 m² in size. Since the minimum lot size in the R1A zone is 325 m², the property could be subdivided into up to four properties, each with the potential of a single family dwelling, secondary suite and accessory dwelling unit for a total of 12 units (4 lots x 3 units) on a redeveloped site. It is important to note that subdivision is more costly than rezoning as it would require demolishing the existing 4-plex and providing additional services and hook-ups to the site.

The current owners wish to retain the existing 4-plex rental building and have the potential to add a second 4-plex rental building in the future or redevelop the site with a small eight-unit rental apartment building. Staff is proposing a new zone with the requested base density of eight rental units.

In addition to the requested eight units, staff recommends the zone include the potential of up to six additional units if two of those units are rented at below market rental rates. The bonus density would require a housing agreement with the Village and an agreement with a housing society which would rent and then sublet the two affordable rental units. Below market rent is defined as 10 percent below the average rent identified annually by the Canada Housing and Mortgage Corporation for jurisdictions across the country.

The map below shows the current zoning and location of the property in the context of the neighbourhood. The property is at an intersection with one direct single family neighbour on the west property line and three single family properties across the street.



Since none of the existing multi-family zones in the Village's Zoning Bylaw fits the proposed use and density, staff recommend creating a new multi-family zone called RM-5 as per the attached Zoning Amendment Bylaw No. 1150.

The current lot coverage of existing buildings is 35 percent as per the site plan in Appendix 1. The higher permitted lot coverage is to account for surface parking.

The maximum height is 10 metres, permitting up to three storeys.

The setbacks are similar to the other multi-residential zones in the Village and are intended to reduce the impact on immediate neighbours. The reduced exterior rear setback accounts for the adjacency of the property to the lane, rather than a direct neighbour.

Parking requirements

Under the proposed Zoning Amendment Bylaw, the applicant is required to provide 1.2 parking spaces per residential unit, for a total of five spaces. If the property is redeveloped with a further four units in the future, an additional five spaces would be required plus one space for visitors. Redevelopment with an apartment building would have the same parking requirement.

Since the mini-storage/workshop will remain legal non-conforming, there are no additional parking requirements for that use. However, there currently are two parking spaces dedicated to the use of the mini-storage building. See attachment 1 for a plan of the parking provided on the property.

Urban Forest Management / Tree Protection

The Village's Urban Forest Management Plan has a canopy cover target of 30 percent. Based on an air photo analysis, the property currently has a canopy cover of about 25 percent.

As part of the rezoning, staff will discuss landscaping with the applicant and request a planting plan showing any trees or other vegetation to be planted to provide privacy to the neighbours and the tenants and increase the canopy cover of the property over time.

The planting plan would be implemented as part of the multi-family development permit for the property.

Amenity Contributions

The application meets some of the community benefits identified in section 5.1.5 b of the Village's Official Community Plan:

Zoning and OCP amendment applications shall demonstrate that the project proposed will provide benefit to the community as a whole. Council and staff will evaluate the proposal on this basis. Demonstrable community benefit includes:

- a. Providing a use that is responding to community need*
- b. Providing an amenity that will benefit the residents of Cumberland (including, but not limited to):*
 - i. Affordable housing, with a signed housing agreement with the Village*
 - ii. Park dedication (in addition to the minimum requirements for subdivisions that trigger a five percent dedication)*
 - iii. Fire and emergency services department contributions*
 - iv. Provision of off-site infrastructure, or upgrades*

- vi. *Inclusion of universal designed and adaptable housing*
- c. *Appropriateness of the development proposal*
- d. *Integration with the immediate community*

As discussed above, the Cumberland Housing Needs Assessment completed in 2019 identifies a regional rental vacancy rate of 1.3 percent. The 2020 rental vacancy rate was 1.1 percent. The assurance of continued rental units at the property meets criteria *a. Providing a use that is responding to community need*. Since the property has mature landscaping, provides adequate parking and the existing use fits with the surrounding residential use, the proposal also meets *d. Integration with the immediate community*.

Off-site Works and Services

As required off-site works, the applicant will be asked to extend the sidewalk to their driveway and add a paved apron to connect to the lane. Upgrades to existing services (sewer, water and storm water) are not required as a result of the development. As part of a development permit application prior to construction, the applicant will be asked to provide a stormwater management plan.

Public Notification and Engagement

As required by the *Village of Cumberland Procedures and Fees Bylaw No. 1073, 2018* the applicant has placed the required sign on-site, and has hosted an outdoor public information meeting which was advertised in the local paper.

Village staff mailed a notice of Council consideration of the OCP amendment and rezoning to owners of properties located within a 75.0 metre radius of the property under application.

Public Comments

The Village received two emails in response to the mail-out. Both neighbours expressed concerns about parking congestion along Ulverston Road as a result of the new proposed development potential of the property and wish to see adequate parking required on the property for residents and their guest.

One submission also expressed concern about impact on neighbourhood character and that the proposed rezoning is not consistent with the intent of the current in-fill land use designation and zoning. See attachment 3 for the complete comments received as well as a summary of input received by the applicant.

REFERRALS

At their April 12, 2021 meeting, Council referred the proposed amendment bylaws to the Advisory Planning Commission and the Homelessness and Affordable Housing Committee for comments.

When the bylaws are introduced for first and second reading, staff will also identify an agency referral list.

ALTERNATIVES

1. THAT the Advisory Planning Commission recommend that Council deny the OCP Amendment and Rezoning of 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP 8213 (provide reasons).
2. THAT the Advisory Planning Commission recommend that Council request changes to proposed Bylaws 1149 and 1150 prior to first and second reading (provide changes requested).
3. THAT the Advisory Planning Commission recommend that Council request more information on the OCP Amendment and Rezoning of 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP 8213, prior to giving Bylaws 1149 and 1150 first and second reading (provide additional information desired).

STRATEGIC OBJECTIVE

- ☐ Healthy Community
- ☐ Quality Infrastructure Planning and Development
- ☒ Comprehensive Community Planning
- ☐ Economic Development

FINANCIAL IMPLICATIONS

If road paving to the land centre line and extension of the sidewalk are undertaken by the applicant as part of the requirements of the rezoning, there is no direct financial impact on the Village of this development.

OPERATIONAL IMPLICATIONS

Planning staff is guiding the application through the development process and is working with the applicant's consultant team to ensure rezoning and development permit guidelines are met.

Finance reviews and tracks DCCs and securities payable.

Operations will be involved in reviewing the stormwater management plan and any drawings and ensure they meet MMCD standards.

ATTACHMENTS

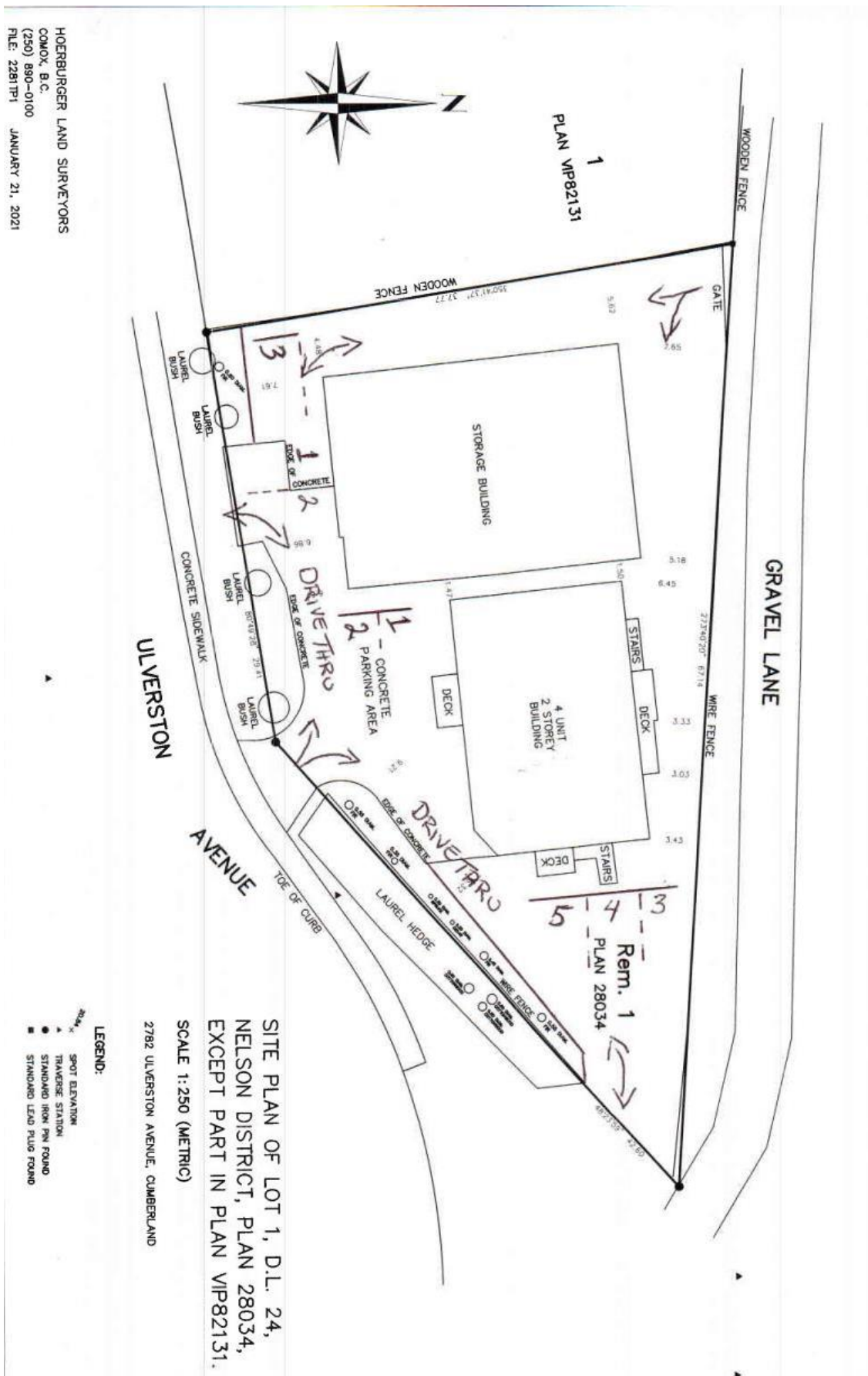
1. Survey and Parking Plan
2. Photos
3. Public Comments
4. Official Community Plan Bylaw 1149
5. Zoning Amendment Bylaw 1150

Respectfully submitted,

Karin Albert
Senior Planner

Attachment 1: Survey and Parking Plan

HOERBUEGER LAND SURVEYORS
COMOX, B.C.
(250) 890-0100
FILE: 2281TP1 JANUARY 21, 2021



Attachment 2: Photos



View of existing 4-plex from top of mini-storage building



Existing 4-plex from Ulverston Avenue



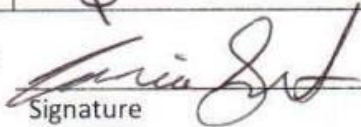
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Application for a Permit

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7.	Attach copies of written comments received		 Signature

Signature of Applicant or Agent certified that
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Signature

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I received the mail correspondence dated April 14th, 2021. The letter clearly explained the current use and proposed future use of the property. Unfortunately the current zoning designation and approved uses as well as the proposed rezoning designation and approved uses was not included in the correspondence.

With that being said, a brief search of the Village of Cumberland website shows the current zoning of this property as R1 - A. I believe that this application goes well beyond the spirit

of this zoning as per the village document [tool kit infill](#) which references accessory dwelling units, secondary suites and subdividing lots for single family dwelling and "maintaining neighbourhood character".

I would also question how the property would be able to "sustain" parking for 8 possibly 14 units within its boundary.

In summary, I am opposed to the application as presented.

Should you have any questions or further information, please get in touch.

Thank you.



Village of Cumberland

Advisory Planning Commission

Minutes

The meeting of the APC was held on Thursday May 13, 2021 by video conference (due to Covid-19), commencing at 4:05pm.¹

PRESENT:

Nick Ward, Chair

Janet Bonaguro, Secretary

Jaye Mathieu

Shannon Levett

Dan Griffin

Neil Borecky

Roger Kishi

ABSENT:

GUESTS \ STAFF:

Karin Albert – Senior Planner

Hal Martyn, Professional Engineer and Consultant – agent for Item 4a
- 2782 Ulverston Avenue

OBSERVERS:

1. CALL TO ORDER

2. APPROVAL OF AGENDA

Mathieu / Borecky: THAT the agenda be approved as presented.

CARRIED UNANIMOUSLY

3. APPROVAL OF MINUTES

Mathieu / Borecky: THAT the minutes of the meeting held April 8, 2020 be approved as presented.

CARRIED UNANIMOUSLY

¹ This meeting was held through electronic facilities as authorized under Order M192 of the Ministry of Public Safety and Solicitor General during the declaration of a state of emergency made March 18, 2020 in order to conduct business in accordance with public health advisories related to the COVID-19 pandemic.

4. REFERRALS FROM COUNCIL

(a) OCP Amendment and Rezoning Application – 2782 Ulverston Avenue

Bonaguro / Borekcy: THAT the Advisory Planning Commission receive the report “Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave”.

CARRIED UNANIMOUSLY

DISCUSSION

- Staff provided an overview of the application
 - Old zoning was industrial and light industrial, when zoning changed the mini-storage building became legally non-conforming. The 4-plex was never permitted in a previous or in the current zone.
 - Goal of the rezoning is to permit the existing 4 plex and have the mini storage remain legal non-confirming.
 - The OCP now 7 years old. A Housing Needs Assessment has since been conducted identifying a need for rental housing.
 - The existing layout meets the parking requirements.
 - Amenity contributions are generally considered during rezoning but as the application meets a specific need around rental housing there are none recommended other than a sidewalk extension to the driveway..
 - Scheduling a public hearing and external agency referrals will be the next step in the process if Council gives first and second reading to the OCP and Zoning Amendment Bylaws.
 - Staff notes that the owners do not intend to subdivide the property.
- Owners agent provided an overview
 - Owners are former Cumberland residents.
 - The owners purchased the property with the intent of improving it and bring it into compliance with regulations and bylaws.
 - Plan to continue to operate the property as it has been with improvements.
 - The 4 units are rented to single and couple residents.
 - Mini storage is a mix of mini storage and a portion was previously operated as a paper file shredding business.
 - Would like potential to add a further 4 units of rental housing.
 - Neighbors pleased with the improvements to the look of the site and buildings.
 - Owners have no intent to consider redevelopment in the near future.
- APC Discussion
 - If another 4 plex is added, then the mini storage would likely need to be removed in order to meet the lot coverage requirements.

- Some concerns over the allowable height under the multi-family zoning (3 stories).
- A variance would be required to reduce the resident parking requirement if additional units are built in the future and parking cannot be accommodated on the property. But there should be adequate room to meet all parking requirements
- Cash in lieu could only be considered for the visitor parking requirements and will only be considered at the time a development permit is applied for.
- Under the revised zoning this would make the property attractive to a developer for an apartment complex in the surrounding R1-A area.
- The Cumberland Housing Needs Assessment shows more rental housing demand in Cumberland, this application is preparing for a future use that addresses this need.
- The OCP states that the housing forms under the Multi-family land use designation are: townhouse, rowhouse, cohousing and low-rise apartments up to four stories. Increasing the height of the building to the allowable 4 stories under the OCP would be out of character for the existing R1-A and neighbourhood; however, the zoning restricts that further to 3 stories or 10 meters.
- The APC discussed the options to restrict the height of future units to 2 stories; however the height restrictions on single family residential (R1-A zone) is also 10 meters while Accessory Dwelling Unit (ADU) max height is 2 stories and 7.5 meters. The proposed new zone contains the equivalent maximum height requirements as R1-A zone.
- The definition of an apartment building as different from a 4-plex or 8-plex. And includes common entrances and hallways. There was discussion around whether a building with common entrances and hallways would align with the existing form and character of the surrounding R1-A zoned neighbourhood.
- Any future redevelopment would need to meet the requirements of the OCP and zoning and could be assessed at the time any permit application is received.

Bonaguro / Borecky: THAT the Advisory Planning Commission recommend that Council give first and second reading to Bylaw 1149 to amend Official Community Plan Bylaw No. 990, 2014 to change the land use designation for 2782 Ulverston Avenue, legally described as Lot 1, DL24, Nelson District, Plan 28034, except part in Plan VIP 8213, from Residential Infill to Multi-Family, and to change the Development Permit Area for those same properties from DPA#6 – Residential Infill to DPA#7 – Multi-Family.

CARRIED UNANIMOUSLY

Borecky / Mathieu: THAT the Advisory Planning Commission recommend that Council give first and second reading to Bylaw 1150 to amend Zoning Bylaw No. 1027, 2016 to change the zone for 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan

28034, except part in plan VIP8213, from R1-A – Residential Infill to RM-5 Rental Tenure Multi-Family, with the following amendment: that the draft zone be amended to remove “apartment building” as a permitted use on this property.

CARRIED

5. NEXT REGULAR MEETING

Thursday June 10, 2021 at 4:00pm (pending any referrals from Council).

6. TERMINATION:

Borecky: THAT the meeting terminate.

Time: 5:17pm

Certified Correct: _____	Confirmed: _____
Chair	Deputy Corporate Officer

COUNCIL REPORT



REPORT DATE: 3/31/2021

MEETING DATE: 4/12/2021

File No. 3220 - Ulverston 2782

TO: Mayor and Councillors

FROM: Karin Albert, Senior Planner

SUBJECT: Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave

FILE:	2021-01-OCP&RZ 2782 Ulverston		
PID:	002-268-078	Folio No.:	000703 000
LEGAL DESCRIPTION:	Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP 8213		
CIVIC ADDRESSES:	2782 Ulverston Avenue		
	EXISTING BYLAW	REQUESTED AMENDMENT	
OCP DESIGNATION:	Residential Infill	MULTI-FAMILY	
DEVELOPMENT PERMIT AREA:	DPA6 - Residential Infill	DPA7 - Multi-Family	
ZONE:	R1-A Infill Residential Zone	RM-5 Multi-Family (new zone)	

RECOMMENDATIONS

- i. THAT Council receive the report "Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave".
- ii. THAT Council refer the application (2021-01-OCP&RZ) for an OCP Amendment and Rezoning of 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP8213, to the Advisory Planning Commission for a recommendation.

PURPOSE

The purpose of this report is to request a referral to the Advisory Planning Commission to comment on an application to amend the Village's Official Community Plan Bylaw (OCP)



Subject Property

and rezone a property located at 2782 Ulverston Avenue to permit the existing 4-plex and additional future rental units.

PREVIOUS COUNCIL DIRECTION

None.

BACKGROUND

The property proposed to be rezoned is 0.157 ha (0.39 acres) and currently includes a 4-plex with rental units and a mini-storage building/shop. The Village issued a permit for the mini-storage / shop building in 1991 and there is an unfinished permit to construct a 223 m² two storey extension to the mini-storage building dating back to 1996. There is no previous application or permit for the 4-plex.

The storage building is legally non-conforming since it was constructed with the required building permits at a time when the property was zoned for industrial uses. The 4-plex, on the other hand, was constructed without a building permit and the use is not permitted in the property's current zone, R1A – Infill Residential. A rezoning is required for the owners to be able to apply for a building permit to renovate the building.

The new property owners wish to rezone to permit the current 4-plex, have the ability to add a second 4-plex at a later point in time or redevelop the property with an 8-unit apartment building. For the time being, the owners wish to retain the mini-storage building as legally non-conforming.

The proposed new multi-family zone would be a rental zone to legitimize the existing multi-family use and ensure that the tenure remains rental. This would be the first rental tenure zone for the Village. Staff is also proposing to add a density bonus to the zone if a percentage of the units are rented at below market rent.

Official Community Plan

The OCP future land use designation for the property is Residential Infill. Residential Infill permits densities ranging from 25 to 37 units per hectare. Housing forms identified for that land use designation are narrow lot single family, single family with accessory dwelling units, duplex, townhouse and rowhouse dwelling units.

The existing 4-plex results in a density of 25 units per hectare on the lot, which is within the density range of the Residential Infill OCP designation. Legalizing the existing 4-plex only, would not require an OCP amendment. Although the densification scenarios in the OCP for the Residential Infill designation focus on ground-oriented building forms, the existing 4-plex that has two upper units with a main entrance on the second floor can still be considered within the scenarios identified in the OCP for this designation.

The additional 4 units requested in this application would result in a density of 51 units per hectare, requiring an OCP amendment to change the designation to Multi-Family. The multi-family land use designation permits densities greater than 37 units per hectare. Housing forms are townhouse, rowhouse, cohousing and low rise apartments up to four storeys.

The proposed multi-family residential building requires an OCP amendment to change the land use designation of the property from Residential Infill to Multi-Family.

The OCP amendment is supported by the following housing policies in section 5.2.3 of the OCP:

- 1) Give priority to development proposals for small and compact forms of housing such as small-lot single detached homes, town homes, coach houses, and apartments.
- 4) Support the creation of new, and the retention of existing, rental housing and discourage the conversion of rental housing to strata ownership.
- 10) Support housing infill density through the sensitive, appropriately scaled design of multi-family properties and coach houses.

The 2014 OCP did not identify a need to expand the multi-family land use designation over the term of the plan until the need for additional housing supply merits increased densities (table 3, p. 29). The Village of Cumberland Housing Needs Report, adopted by Council in June 2020, identifies such a need. Vacancy rates in the Comox Valley fluctuate from year to year but have generally been well below what is considered a healthy and balanced rental vacancy rate of 3 to 5 percent. Since the Housing Needs Report was completed, the Canada Mortgage and Housing Corporation has published the 2020 rental vacancy rates for the region: 1.6 percent for 1-bedroom units, 0.9 percent for 2-bedroom units and 0.8 percent for 3-bedroom units. The overall vacancy rate in 2020 was 1.1 percent, down from 1.4 percent in 2019. Based on these most recent figures and the findings of the Housing Needs Report, there is a strong need for additional housing rental units in the Village.

Further, the location is within walking distance of the downtown commercial core, key services, Village Park and playground, thereby meeting the OCP policies in sections 5.6.4 General Transportation Policies and 5.6.4 Pedestrian and Bicycle Oriented Policies.

Together with the amendment to the land use designation, an OCP amendment is required to change the Development Permit Area from DPA6 – Residential Infill to DPA7 – Multi-Family. DP#1, the environmental DP does not apply to this property since it is a disturbed site.

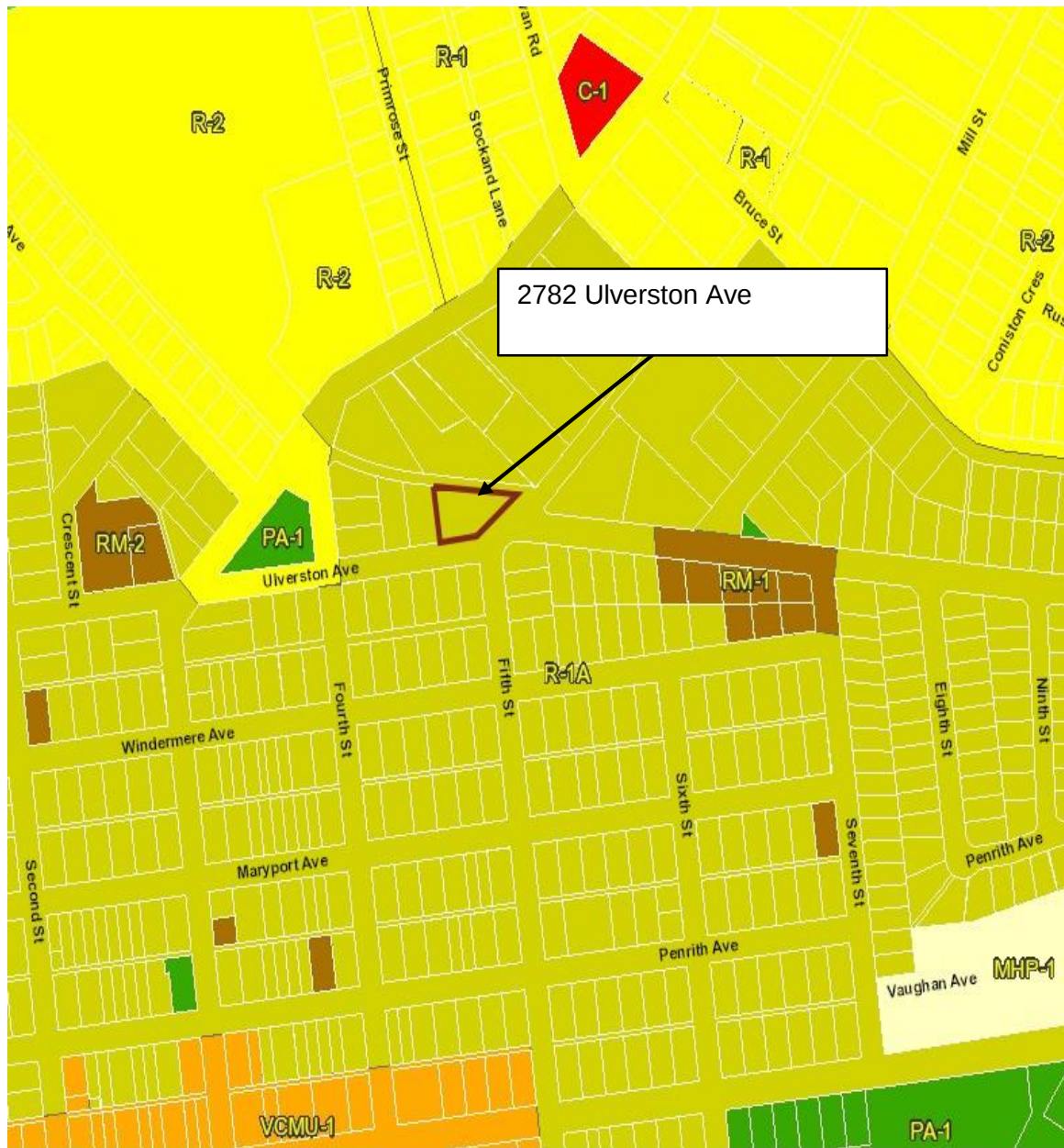
Zoning

As per the map below, the property is within the R1A – Residential Infill Zone. The Residential Infill zone permits one single family dwelling, a secondary suite and an accessory dwelling unit. The subject property is 1571 m² in size. Since the minimum lot size in the R1A zone is 325 m², the property could be subdivided into up to four properties, each with the potential of a single family dwelling, secondary suite and accessory dwelling unit for a total of 12 units (4 lots x 3 units) on a redeveloped site. It is important to note that subdivision is more costly than rezoning as it would require demolishing the existing 4-plex and providing additional services and hook-ups to the site.

The current owners wish to retain the existing 4-plex rental building and have the potential to add a second 4-plex rental building in the future or redevelop the site with a small eight-unit rental apartment building. Staff is proposing a new zone with the requested base density of eight rental units.

In addition to the requested eight units, staff recommends the zone include the potential of up to six additional units if two of those units are rented at below market rent. The bonus density would require a housing agreement with the Village and an agreement with a housing society which would rent and then sublet the two units to be at rented below market rent. Below market rent is defined as 10 percent below the average rent identified annually by the Canada Housing and Mortgage Corporation for jurisdictions across the country.

The map below shows the zoning and location of the property.



The property is at an intersection with only one direct single family neighbour on the west property line.

Since none of the existing multi-family zones in the Village's Zoning Bylaw fits the proposed use and density, staff recommend creating a new multi-family zone called RM-5 as per the table below.

RM-5—Rental Tenure Multi-Family Zone

1. Principal Uses			<i>Rental Apartment</i> <i>Rental 4-plex</i>
2. Accessory Uses			<i>Accessory buildings and structures</i>
3. Lots Created by Subdivision	Area, minimum		1,570square metres (16,900square feet)
	Frontage, minimum		10% of the perimeter of the <i>lot</i>
4. Density	Building GFA, maximum		<i>Accessory buildings</i> shall have a combined floor area no greater than 10.0% of the <i>lot area</i> .
	Units Per Hectare (<i>uph</i>), maximum		51 <i>uph</i>
	Density Bonus		Where one out of every three additional <i>dwelling units</i> are rented at <i>below market rent</i> , the maximum number of <i>dwelling units</i> may be increased by 38 <i>units per hectare</i> .
5. Lot Coverage	Coverage, maximum		65%, including <i>parking lot coverage</i>
6. Principal Buildings and Structures	Setbacks, Minimum	Front	3.0metres (9.8feet)
		Rear	7.5metres (24.6feet)
		Rear, Exterior	3.0metres (9.8feet)
		Side	4.5metres (14.8feet)
		Side, Exterior	3.0metres (9.8feet)
	Height, maximum		10.0metres (32.8feet)
7. Accessory Buildings and Structures	Setbacks, minimum	Front	3.0metres (9.8feet)
		Rear	1.5metres (4.9feet)
		Rear, Exterior	1.5metres (4.9feet)
		Side	1.5metres (4.9feet)
		Side, Exterior	3.0metres (9.8feet)
	Height, maximum		4.5metres (14.8feet)
8. Conditions of Uses	a. To realize the density bonus, the following are required: i. A housing agreement with the Village to reserve 1/3 of the density bonus units at below market rent. ii. A rental agreement with a non-profit housing society which will manage and rent out the units to low or medium income individuals or families.		

The above RM-5 zone would permit a base density of up to eight residential units and up to an additional six units if, for every three additional units, one unit is rented at below market rent. The lower rent would be secured through a housing agreement with the Village and be rented to a local non-profit housing society to sublet to medium or low income renters on the Society's and/or BC Housing's waiting list. Below market rent is defined as the average rent determined by the Canadian Housing and Mortgage Corporation at the time of rental less 10 percent.

The current lot coverage of existing buildings is 35 percent as per the site plan in Appendix 1. The higher permitted lot coverage is to account for surface parking.

The maximum height is 10 metres, permitting up to three storeys.

The setbacks are similar to the other multi-residential zones in the Village and are intended to reduce the impact on immediate neighbours. The reduced exterior rear setback accounts for the adjacency of the property to the lane, rather than a direct neighbour.

Parking requirements

Under the Zoning Bylaw, the applicant is required to provide one parking stall per residential unit on the property. All the residential parking requirements are met on site.

Since the mini-storage/workshop will remain legal non-conforming, there are no additional parking requirements for that use. However, there currently are two parking spaces dedicated to the use of the mini-storage building.

Urban Forest Management / Tree Protection

The Village's Urban Forest Management Plan has a canopy cover target of 30 percent. Based on an air photo analysis, the property currently has a canopy cover of about 25 percent.

As part of the rezoning, staff will discuss landscaping with the applicant and request a planting plan showing any trees or other vegetation to be planted to provide privacy to the neighbours and the tenants and increase the canopy cover of the property over time.

The planting plan would be implemented as part of the multi-family development permit for the property.

Amenity Contributions

The application meets some of the community benefits identified in section 5.1.5 b of the Village's Official Community Plan:

Zoning and OCP amendment applications shall demonstrate that the project proposed will provide benefit to the community as a whole. Council and staff will evaluate the proposal on this basis. Demonstrable community benefit includes:

- a. Providing a use that is responding to community need*
- b. Providing an amenity that will benefit the residents of Cumberland (including, but not limited to):*
 - i. Affordable housing, with a signed housing agreement with the Village*
 - ii. Park dedication (in addition to the minimum requirements for subdivisions that trigger a five percent dedication)*
 - iii. Fire and emergency services department contributions*

- v. *Provision of off-site infrastructure, or upgrades*
- vi. *Inclusion of universal designed and adaptable housing*
- c. *Appropriateness of the development proposal*
- d. *Integration with the immediate community*

As discussed above, the Cumberland Housing Needs Assessment completed in 2019 identifies a regional rental vacancy rate of 1.3 percent. The 2020 rental vacancy rate was 1.1 percent. The assurance of continued rental units at the property meets criteria *a. Providing a use that is responding to community need*. Since the property has mature landscaping, provides adequate parking and the existing use fits with the surrounding residential use, the proposal also meets *d. Integration with the immediate community*.

Off-site Works and Services

As required off-site works, the applicant will be asked to pave the access to their driveway and to the centerline of the lane. Upgrades to existing services (sewer, water and storm water) are not required as a result of the development. As part of a development permit application prior to construction, the applicant will be asked to provide a stormwater management plan.

Public Notification and Engagement

As required by the *Village of Cumberland Procedures and Fees Bylaw No. 1073, 2018* the applicant will place the required sign on-site, and, prior to First Reading of bylaw amendments, will host an on-line or outdoor public information meeting and advertise the meeting in the local paper.

Village staff will mail a notice of Council consideration of the OCP amendment and rezoning to owners of properties located within a 75.0 metre radius of the property under application.

REFERRALS

Staff is recommending that this report be referred to the APC for their comments.

ALTERNATIVES

1. THAT Council deny the OCP Amendment and Rezoning of 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP 8213, (provide reasons).
3. THAT Council request more information (provide information requested) on the OCP Amendment and Rezoning as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP 8213, prior to referral.

STRATEGIC OBJECTIVE

- ☐ Healthy Community
- ☐ Quality Infrastructure Planning and Development
- ☒ Comprehensive Community Planning
- ☐ Economic Development

FINANCIAL IMPLICATIONS

If road paving to the land centre line and extension of the sidewalk are undertaken by the applicant as part of the requirements of the rezoning, there is no direct financial impact on the Village of this development.

OPERATIONAL IMPLICATIONS

Planning staff is guiding the application through the development process and is working with the applicant's consultant team to ensure rezoning and development permit guidelines are met.

Finance reviews and tracks DCCs and securities payable.

Operations will be involved in reviewing the stormwater management plan and any drawings and ensure they meet MMCD standards.

ATTACHMENTS

1. Survey Plan

CONCURRENCE

Courtney Simpson, Manager of Development Services **CS**

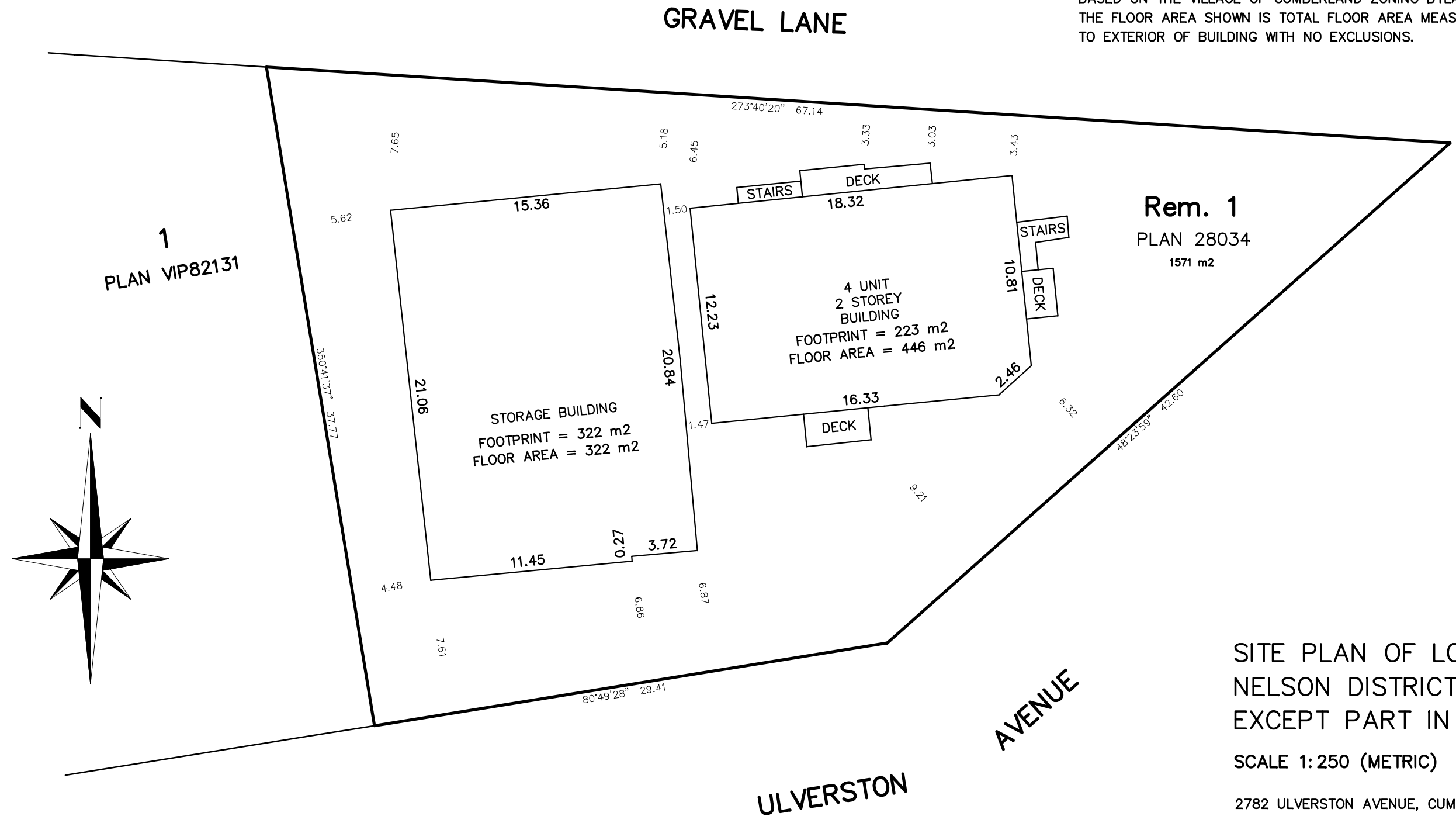
Respectfully submitted,

Karin Albert
Senior Planner

Clayton Postings
Chief Administrative Officer

LOT AREA = 1571 m²
TOTAL BUILDING FOOTPRINT AREA = 545 m²
LOT COVERAGE = 34.7%

THE FLOOR AREA ON THE BUILDINGS IS NOT CALCULATED
BASED ON THE VILLAGE OF CUMBERLAND ZONING BYLAW.
THE FLOOR AREA SHOWN IS TOTAL FLOOR AREA MEASURED
TO EXTERIOR OF BUILDING WITH NO EXCLUSIONS.



SITE PLAN OF LOT 1, D.L. 24,
NELSON DISTRICT, PLAN 28034,
EXCEPT PART IN PLAN VIP82131.

SCALE 1: 250 (METRIC)

2782 ULVERSTON AVENUE, CUMBERLAND

- 7.3 Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave
Motion 21-136

Brown/Sullivan

THAT Council receive the report “Application for an OCP Amendment and Rezoning of 2782 Ulverston Ave”.

Carried Unanimously

Motion 21-137

Brown/Sproule

THAT Council refer the application (2021-01-OCP&RZ) for an OCP Amendment and Rezoning of 2782 Ulverston Avenue, legally described as Lot 1, DL 24, Nelson District, Plan 28034, except part in plan VIP8213, to the Advisory Planning Commission for a recommendation.

Carried Unanimously

Wednesday, June 30, 2021

Hello Councillor members

I'm reaching out to everyone regarding our zoning change to property and building application 2782 Ulverston Ave Cumberland.

Our family purchased this property knowing the full condition and all the changes that were needed. Our 1st home was down the road from this property for 10 years. Our sons played with their best friend in this complex. We still know lots of the local neighbors and feel like we are still apart of Cumberland even though we have lived in Courtenay for the past 11 years. We purchased this property with intent fix it to be a legal property that we can operate for many years with our 4 sons. Our family will be doing all the repairs, this keeps the cost down and we can be more flexible with tenants. We will be leaving the warehouse and mini storage as is and maintaining it for many years.

The 4 plex goals are to make this a safe proper rental for years to come. We have been honest with all the tenants regarding the condition and repairs needed to be done to the 4 plex. All our tenants are willing to work with us during these renos. Until we get the zoning changed and the building fire code safe and all the plumbing upgraded, we cannot get commercial insurance on the property.

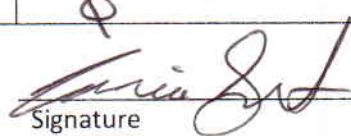
We have also asked that the density bonus provision be removed from our zoning application. This was suggested by village staff but is not in our long-term goal with this property and we think it doesn't fit the area. We would like to keep that we could remove warehouse and have a duplex or another 4 plex.

We would be willing to answer any questions regarding the property. We could meet with anyone at the property or you can email questions or concerns.

[REDACTED]

Thank you for your time and consideration regarding our new property.

Summary of Comments Received at Neighbourhood Meeting

1.	Neighbourhood meeting held in regards to:		
2.	Meeting Date and Time:		APRIL 26 / 2021
3.	Meeting Location:		2782 ULVERSTON AVE
4.	Advertising:	Newspaper (attach tear sheet)	Paper: RECORD Date: APRIL 20 / 2021
		Notices Mailed	Date:
		Notices Hand delivered	Date:
5.	Numbers of attendees	Attach sign in sheet	1 NEIGHBOUR
6.	Summarize the comments received		DURING OUR LAST MONTH OF LANDSCAPING WE HAVE SPOKEN TO MOST PEOPLE PASSING BY PROPERTY? SOME QUESTIONS - AIR BNB ? - HOTEL ? - STRATA..? - LONG TERM TENANTS? COMMENTS - LOOKS SO MUCH BETTER. - THE ALLEY LOOKS GREAT - TENANTS VERY PLEASE WITH OUR PROGRESS
7.	Attach copies of written comments received		φ 

Signature of Applicant or Agent certified that
the information is accurate and complete.

Signature

Emails received by the Village, personal information redacted:

From: _____
Sent: Monday, April 19, 2021 3:17 PM
To: Karin Albert <kalbert@cumberland.ca>
Subject: Zoning Amendment 2782 Ulverston Avenue

Good afternoon Karin,

We just recieved the information on the proposed amendements for 2782 Ulverston Avenue, as we are a neighbour within 75m of the property.

While we definitely support the densification of homes in the Village, we are curious what the parking plans are for the proposed development? It looks like there could be as many as 14 units if the Village approves the density bonus in addition to the 8 unit rental apartment building. Many families in this community have 1, if not 2 cars. We have seen the issues that Kendal has with not enough parking to accomodate main homes and rental suites within homes. If the Village considers approval of these units, it would be really important to ensure there is adequate parking for residents as well as their guests.

If you have any information regarding the proposed parking plan, it would be of interest. I hope these comments are passed on to the Village for their upcoming meeting regarding this development.

Many thanks,

From: _____
Sent: Wednesday, May 05, 2021 7:54 PM
To: Karin Albert <kalbert@cumberland.ca>
Subject: File 3360/2782 Ulverston/2021-01-OCP&RZ

Hi Karin

Thank you for the opportunity to comment on the Official Community Plan and Zoning Bylaw Amendment for 2782 Ulverston Ave.

I received the mail correspondence dated April 14th, 2021. The letter clearly explained the current use and proposed future use of the property. Unfortunately the current zoning designation and approved uses as well as the proposed rezoning designation and approved uses was not included in the correspondence.

With that being said, a brief search of the Village of Cumberland website shows the current zoning of this property as R1 - A. I believe that this application goes well beyond the spirit

of this zoning as per the village document [tool kit infill](#) which references accessory dwelling units, secondary suites and subdividing lots for single family dwelling and "maintaining neighbourhood character".

I would also question how the property would be able to "sustain" parking for 8 possibly 14 units within its boundary.

In summary, I am opposed to the application as presented.

Should you have any questions or further information, please get in touch.

Thank you.
