



TOWN OF COMOX

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SPECIAL COUNCIL MEETING (PUBLIC HEARING) **AGENDA FOR WEDNESDAY JULY 15, 2015**

We respectfully acknowledge that we live, work and play on the traditional lands of the K'ómoks First Nation ... Gila'kasla ... Hay ch q' a'

Meeting Location: Council Chambers, 1801B Beaufort Avenue, Comox

Call to Order: 6:30 pm

Adoption of the Agenda

1. PUBLIC HEARING:

- (3) a. [Rezoning Application RZ 15-4 \(2116 Downey Avenue\)](#)
Comox Zoning Amendment Bylaw No. 1812.

2. OTHER ITEMS:

- (5) a. [Rezoning Application RZ 15-4 \(2116 Downey Avenue\)](#)
1. *That Comox Zoning Amendment Bylaw No. 1812 be given Third Reading*
 2. *That Comox Zoning Amendment Bylaw No. 1812 be Adopted.*

Adjournment



Deputy Corporate Administrator

1. PUBLIC HEARING – Opening Statement

This Public Hearing is hereby convened pursuant to Section 890 of the Local Government Act for the purpose of hearing representations from those persons who believe that their interest is affected by the proposed Comox Zoning Amendment Bylaw No. 1812. The proposed bylaw has received first and second readings, but has not passed third reading or been adopted by Council.

Notices of this Public Hearing have been published in accordance with the requirements of the Local Government Act. Also, a copy of the proposed bylaw, supporting documentation and any submissions to Council received from the public have been available for inspection at Comox Town Hall as required by the Local Government Act.

To maintain order and to ensure everyone a reasonable opportunity to be heard, I ask that each person wishing to speak first sign the Speaker's List, located at the desk of the Clerk. Once called by the Chair, please begin your presentation to Council by clearly stating your name and address. Please make your presentation as brief as possible. After all have had an opportunity to be heard, anyone wishing to have further input may once again sign the Speaker's List.

Council will not debate with each other or members of the public. Council will not answer questions; we are here to hear from you. Technical questions may be directed by the Chair to the staff.

Everyone will be given a reasonable opportunity to be heard at this meeting. No one will be, or should feel, discouraged or prevented from making his or her views heard. Please refrain from any conduct that would intimidate others or discourage them from speaking.

a. Rezoning Application RZ 15-4 (2116 Downey Avenue) – Application Summary

Comox Zoning Amendment Bylaw No. 1812

In general terms, the purpose of Comox Zoning Amendment Bylaw No. 1812 is to amend the R1.1 Single-Family zone of Town of Comox, Zoning Bylaw 1377, to allow a Coach House on the property legally described as Amended Lot N (DD80224-N), Section 1, Comox District, Plan 10825 (2116 Downey Avenue).

b. Public Hearing Submissions

1. Written – To ensure that written submissions are included in the minutes of the meeting, please ensure that all are submitted to the desk of the Clerk before the end of the meeting.
2. Verbal – The proposed bylaw is now open for discussion.

c. Close of Public Hearing

I would remind those present that legal considerations prevent the members of Council from considering any representation made after the close of this Public Hearing.

Before closing the Public Hearing, I am going to call three times for any further speakers on any of the matters contained in the proposed bylaw.

For the first time, is there anyone who wishes to make any further representation?

For the second time, is there anyone who wishes to make any further representation?

For the third time, is there anyone who wishes to make any further representation?

There being no further speakers, I declare this Public Hearing closed.

TOWN OF COMOX

BYLAW NO. 1812

A BYLAW TO AMEND TOWN OF COMOX ZONING BYLAW 1377

WHEREAS Council has the authority under the provisions of the *Local Government Act* to amend the Zoning Bylaw;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as the "Comox Zoning Amendment Bylaw No. 1812"

2. Amendments

Town of Comox Zoning Bylaw 1377, Schedule "A" is hereby amended by deleting Section 101, R1.1 Single-Family in its entirety and replacing it with the text in SCHEDULE "1", which is attached to and forms part of this Bylaw.

3. Adoption

- | | |
|----------------------------------|------------------------------------|
| (1) READ A FIRST time this | 17 th day of June, 2015 |
| (2) READ A SECOND time this | 17 th day of June, 2015 |
| (3) ADVERTISED A FIRST time this | day of , 2015 |

- (4) ADVERTISED A SECOND time this day of , 2015
- (5) PUBLIC HEARING HELD this day of , 2015
- (6) READ A THIRD time this day of , 2015
- (7) ADOPTED this day of , 2015

Paul Ives,
Mayor

Richard Kanigan,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Comox Zoning Amendment Bylaw No. 1812"

Shelly Russwurm,
Deputy Corporate Administrator

BYLAW NO. 1812 SCHEDULE "1"

101. R1.1 SINGLE-FAMILY

101.1 Permitted Uses:

In the R1.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Bed and Breakfast accommodations
- (3) Coach houses
- (4) Home occupations
- (5) Secondary suites
- (6) Single-family dwellings

101.2 Conditions of Use:

- (1) Coach houses shall:
 - (a) only be permitted on:
 - i. Amended Lot N (DD80224-N) Section 1 Comox District Plan 10825;
 - (b) not be permitted on a parcel on which a secondary suite exists;
 - (c) not be permitted on a parcel where the parcel area is less than 500 m²;
 - (d) not be permitted on a parcel where the rear yard is less than 15.0 metres in width;
 - (e) have a parcel coverage not exceeding 10%;
 - (f) not be located within a front yard;
 - (g) in combination with the gross floor area of accessory buildings, not exceed:
 - i. 50 m² in gross floor area, where the parcel area is less than 650 m².
 - ii. 60 m² in gross floor area, where the parcel area is equal to or greater than 650 m² and less than 1,000 m².
 - iii. 70 m² in gross floor area, where the parcel area is equal to or greater than 1,000 m².
 - (h) not exceed in height:
 - i. 4.5 metres, where the coach house gross floor area is less than 50 m².
 - ii. 5.5 metres, where the coach house gross floor area is equal to or greater than 50 m².
 - (i) not be located closer than 4.0 metres to a principal building;
 - (j) be excluded from required rear setback, provided that no coach house is located closer than 2.0 metres to a rear lot line, as shown in Figure 13A;
 - (k) Conform to Section 5.19 Special Needs Housing Standards – Adaptable Housing.

101.3 Density:
n/a

101.4 Parcel Area:
Parcel area shall not be less than 650 square metres.

101.5 Parcel Frontage
Parcel frontage shall not be less than 20.0 metres.

101.6 Parcel Depth
Parcel depth shall not be less than 26.0 metres.

101.7 Parcel Coverage:
Parcel coverage shall not exceed 35%.

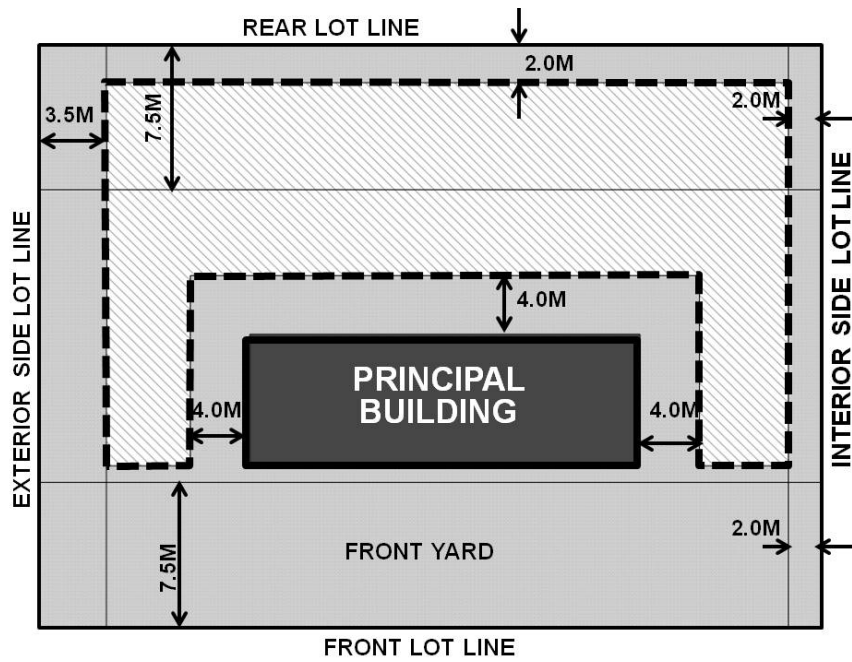
101.8 Height and Storeys:
Height shall not exceed 9.0 metres.

101.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 7.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side - interior
Interior side setback shall not be less than 2.0 metres.
- (4) Side - exterior
Exterior side setback shall not be less than 3.5 metres.

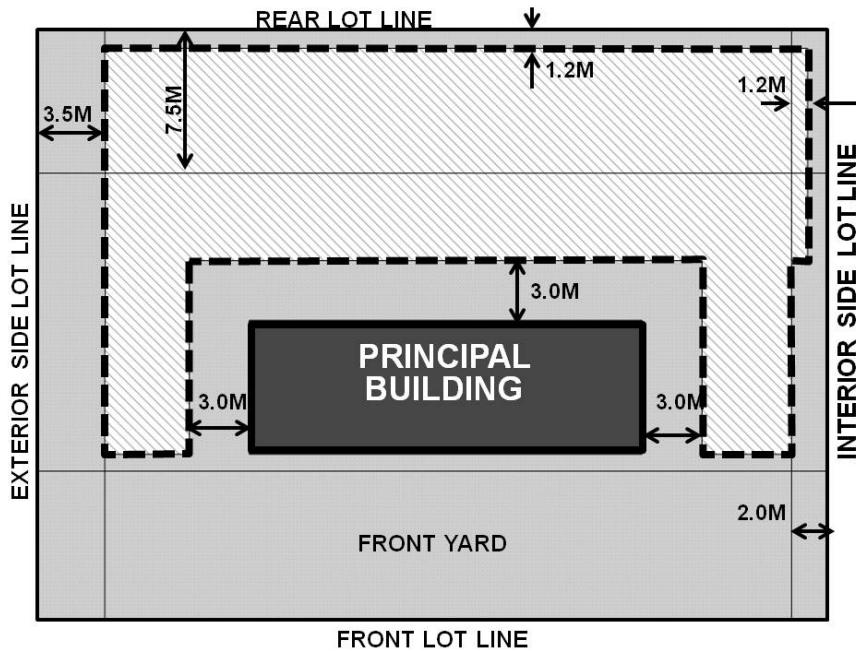
101.10 Accessory Buildings
Accessory buildings shall

- (1) not exceed 4.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not exceed 60 m² in gross floor area;
- (5) not be located within a front yard;
- (6) not be located closer than 3.0 metres to a principal building; and
- (7) be excluded from required rear and interior side setbacks provided that
 - (a) no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
 - (b) a 2.0 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard, as shown in Figure 13B.



Area where coach houses are permitted

Figure 13A. R1.1: coach house buildable area



Area where accessory buildings are permitted

Figure 13B. R1.1: accessory buildings buildable area

101.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Utility kiosks
- (2) Coach houses

101.12 Off-Street Parking and Loading

Off-street parking and loading shall be provided in accordance with Section 6

101.13 Other Requirements

- (1) No more than one principal building shall be permitted on a parcel
- (2) All buildings shall conform to Section 5.18, Watercourse Regulations