



TOWN OF COMOX

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PUBLIC HEARING MEETING **AGENDA FOR WEDNESDAY SEPTEMBER 6, 2017**

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: d'Esterre Centre, 1801 Beaufort Avenue, Comox

Call to Order: 6:30 pm

Adoption of the Agenda

PUBLIC HEARING TO CONSIDER THE FOLLOWING AGENDA ITEMS:

1. REZONING APPLICATION: 17-2 (337 CHURCH STREET):

a. [Comox Zoning Amendment Bylaw 1861](#)

Adjournment

Deputy Corporate Administrator

PUBLIC HEARING – Opening Statement

This Public Hearing is hereby convened pursuant to Section 464 of the Local Government Act for the purpose of hearing representations from those persons who believe that their interest is affected by the proposed.

1. Rezoning Application RZ 17-2 (337 Church Street)

a. Comox Zoning Amendment Bylaw 1861

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. Copies are also available for review at the desk of the clerk.

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.

1. Rezoning Application RZ 17-2 (337 Church Street)

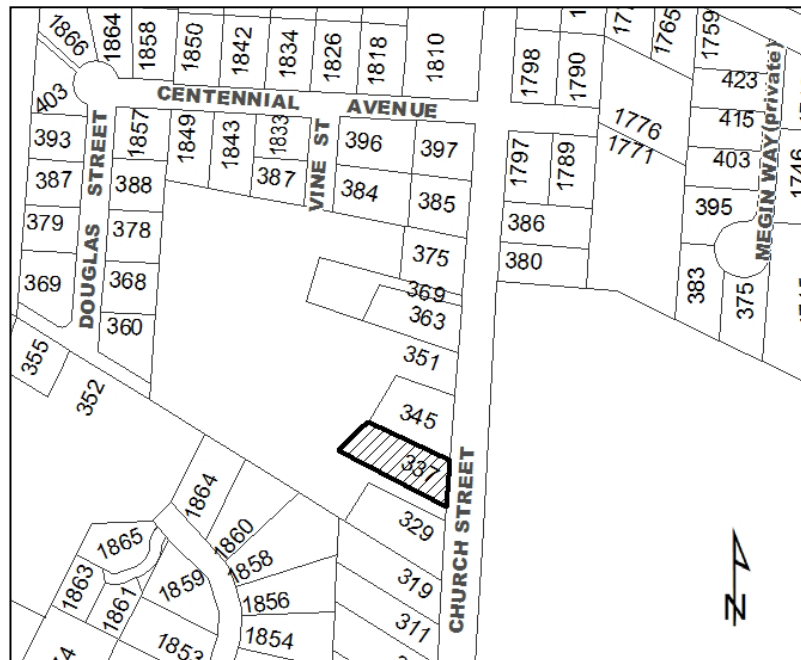
a. Application Summary

a) Comox Zoning Amendment Bylaw 1861

In general terms, the purpose of **Comox Zoning Amendment Bylaw 1861** is to amend Comox Zoning Bylaw 1850 as follows:

- Amend the R1.1 zone to allow a 70 m² Coach House on 337 Church Street shown shaded on the Map;

- Substantively amend Coach House regulations including the inclusion of carport areas in excess of 20 m², roofed patio and deck areas in excess of 10 m² and garages within coach house gross floor area limits; and
- Include garages and carports in accessory building gross floor area limits.



b. Public Hearing Submissions

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.

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 1861

A BYLAW TO AMEND COMOX ZONING BYLAW 1850

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 1861”

2. Amendments

Comox Zoning Bylaw 1850 is hereby amended as follows:

- (a) Schedule “A” is amended by adding as Section 101.2(1)(a)(i) the following text and renumbering accordingly:

Lot 1, Section 56, Comox District, Plan 27135;

- (b) Schedule “A” is amended by replacing each of Sections 101.2(1)(g), 107.2(1)(f), 109.2(2)(g), and 805.2(1)(g) with the following text:

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; and
- iii. 70 m² in gross floor area, where the parcel area is equal to or greater than 1,000 m².

For the purpose of this sub-section only, gross floor area shall include garages and carports excluding carports attached to a coach house to a maximum of 20 m² and garages and carports forming part of a single-family dwelling. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

- (c) Schedule “A” is amended by replacing Section 815.2(3)(a) with the following text:

in combination with the gross floor area of accessory buildings, not exceed 70 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include garages and carports excluding carports attached to a coach house to a maximum of 20 m² and garages and carports forming part of a single-family dwelling. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

- (d) Schedule “A” is amended by replacing Section 815.2(3)(c) with the following text:

Not exceed in height:

- i. 4.5 metres, where the coach house gross floor area is less than 50 m²; and
- ii. 5.5 metres, where the coach house gross floor area is equal to or greater than 50 m²;

- (e) Schedule “A” is amended by adding to Section 815.2(3) with the following text and renumbering accordingly:

(b) not be permitted on a parcel where the rear yard is less than 15.0 metres in width;

(c) be located in a rear yard;

(d) not be located closer than 4.0 metres to a principal building;

(e) be excluded from required rear setback, provided that no coach house is located closer than 2.0 metres to a rear lot line;

(f) conform to Section 5.20 Special Needs Housing Standards – Adaptable Housing;

- (f) Schedule "A" is amended by replacing each of Sections 101.10(4), 103.10(4), 106.10(4), 107.10(4), 108.10(4), 109.10(4), 110.10(4), 111.10(5) and 815.10(2)(d) with the following text:

not exceed 60 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

- (g) Schedule "A" is amended by replacing Section 805.10(4) with the following text:

not exceed 100 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

- (h) Schedule "A" is amended by replacing Section 112.10(4) with the following text:

not exceed 40 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

- (i) Schedule "A" is amended by adding as Sections 101.2(1)(h), 107.2(1)(g), 109.2(2)(h), 805.2(1)(h) and 815.2(3)(b) the following text and renumbering accordingly:

not exceed 10.0 m² roofed patio and deck floor area, where the roofed floor area is measured from the exterior of supporting walls or columns to the eave or gutter whichever is greater;

- (j) Schedule "A" is amended by replacing Section 807.10(2) with the following text:

have a gross floor area not exceeding 135 m². For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

(k) Schedule "A" is amended by replacing Section 809.10(3) with the following text:

not exceed:

- (a) 150 m² in gross floor area on parcels greater than 5000 m²; or**
- (b) 60 m² in gross floor area in all other cases.**

For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

(l) Schedule "A" is amended by replacing Section 812.10(2) with the following text:

shall not exceed 10 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

(m) Schedule "A" is amended by replacing Section 814.10(3) with the following text:

not exceed 5 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

(n) Schedule "A" is amended by replacing Section 816.10(3) with the following text:

not exceed 200 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

(o) Schedule "A" is amended by replacing Section 817.10(1)(b) with the following text:

not exceed 20 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

- (p) Schedule “A” is amended by replacing Section 817.10(2)(b) with the following text:

not exceed 45 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

- (q) Schedule “A” is amended by replacing Section 818.10(3) with the following text:

not exceed 100 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

- (r) Schedule “A” is amended by replacing Section 822.10(4) with the following text:

not exceed 60 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

- (s) Schedule “A” is amended by replacing Section 823.10(d) with the following text:

not exceed 20 m² in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area;

3. Adoption

- | | | | |
|-----------------------------------|------------------|--------|--------------|
| (1) READ A FIRST time this | 5 th | day of | July, 2017 |
| (2) READ A SECOND time this | 5 th | day of | July, 2017 |
| (3) ADVERTISED A FIRST time this | 24 th | day of | August, 2017 |
| (4) ADVERTISED A SECOND time this | 29 th | day of | August, 2017 |
| (5) PUBLIC HEARING HELD this | th | day of | |
| (6) READ A THIRD time this | th | day of | |
| (7) ADOPTED this | th | day of | |

Paul Ives,
Mayor

Richard Kanigan,
Corporate Officer

I HEREBY CERTIFY that this is a true copy of "Comox Zoning Amendment Bylaw 1861"

Shelly Russwurm,
Deputy Corporate Administrator