

**Minutes of a Public Hearing,
held in Council Chambers on Wednesday January 18, 2017**

Present: Mayor P. Ives
Councillors R. Arnott, K. Grant, M. Grant,
H. MacKinnon, B. Price , M. Swift

Absent: Nil

Call to Order:

The Public Hearing was called to order at 6:30 p.m.

There were 22 members of the public in attendance.

PUBLIC HEARING STATEMENT

Mayor Ives made the following 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 16-5 / Development Variance Permit Application DVP 16-7 (1879 Comox Avenue):

- a. Comox Zoning Amendment Bylaw No. 1847

2. Rezoning Application RZ 15-2 (Liquor in Grocery Stores):

- a. Comox Zoning Amendment Bylaw No. 1802

Council will also receive at this Public Hearing any representations that members of the public wish to make regarding Development Variance Permit Application DVP 16-7, which pertains to the land that is the subject of Comox Zoning Amendment Bylaw No. 1847.

The proposed bylaws have received first and second readings, but have 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 bylaws and development variance permit application, supporting

b) Development Variance Permit Application DVP 16-7

In general terms, the Development Variance Permit application is to vary Town of Comox Subdivision and Development Servicing Bylaw, 1261:

1. Schedule C.1; Appendix C, Specifications for Highways; Table C-1 (Minimum Requirements, Roadway Widths, Curbs and Sidewalks) as follows:
 - a. For Ellis Street, decrease road dedication width from 20.0 metres to 18.3 metres; and
 - b. For Comox Avenue, decrease road dedication width from 25.0 metres to 24.3 metres;
2. Schedule C.1; Appendix G, Specifications for Underground Wiring and Street Lighting; Section 1.2.1 to not require underground wiring of transmission lines along the Ellis Street and Comox Avenue; proposed development to be serviced via underground drop from an existing pole; if this is not possible without erection of an additional pole, aerial servicing is permitted.

The Application Summary was received for information.

b. Public Hearing Submissions

Mayor Ives made the following statement:

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 and development variance permit application are now open for discussion.

Elsie Dougan – 1883 Comox Avenue

Ms. Dougan read out a letter, a copy of which is attached to these Public Hearing Minutes. She advised that she is surprised to see this as a subdivision application with a full sized home, rather than a coach house. She stated that it is a very busy corner with lots of traffic, and that traffic will increase.

Harry Dougan – 1883 Comox Avenue

Mr. Dougan stated that the lots are big along Comox Avenue. He stated that if the trend is density building then Comox will become more like Vancouver. He said he is opposed to the application.

Debbie Howell – 1876 Comox Avenue

Ms. Howell stated that she is concerned that cars whip down Ellis Street, and that the intersection is very dangerous. She stated that another driveway will be a traffic safety issue. Ms. Howell advised that she does not, as a whole, believe in density and stated that it is not the vibe in the Comox Valley that people want. She stated that she doesn't think the road should be made narrower, and that she would like to see all underground services in Comox.

Bill Toews – 147 Manor Place

Mr. Toews stated that this is a difficult corner, and that it is uncommon to build another driveway into a dangerous area. He stated that the Town is giving things to the developer, and that there will need to be more street width in the future. Mr. Toews believes that the Town should control and keep as much land as possible. He also stated that the new power pole is not in a good spot, and underground services should be put in.

Kai Grenier – 16771 586 Avenue, Surrey

Mr. Grenier stated that he has made an effort to visit neighbours. He stated that the new build will not affect neighbours' views. He agreed that traffic is an issue and advised that he will be removing the top driveway. He also advised that he is giving up a lot of land for road, and that he will be putting in underground services.

Wendy Prothero – 1945 Beaufort Avenue

Ms. Prothero advised that her main concern is safety. She stated that the speed limit is 15 km/h coming off Comox Avenue onto Ellis, and recommends no more driveways on Ellis. She suggests that a traffic table be installed on Ellis.

Leah Gilcrease – 46 – 700 Lancaster Way

Ms. Gilcrease stated that she owned 1879 Comox Ave for 23 years, and that she chose the purchaser on the understanding that they were building a small coach house for relatives.

c. Close of Agenda Item

There being no further speakers on the speaker's list, Mayor Ives made the following statement:

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

Before closing the Agenda Item, I am going to call three times for any further speakers on any of the matters contained in the proposed bylaw and development variance permit application.

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

Debbie Howell – 1876 Comox Avenue

Ms. Howell reminded Council of a previous decision regarding a driveway access at 1876 Comox Avenue. She suggested that Council think about their decision when considering making narrow driveways.

Kai Grenier 16771 586 Avenue, Surrey

Mr. Grenier suggested that viewlines from decks will not be impeded as the new home will have a flat roof. He also stated that he does intend to live there at some point.

Bill Toews – 147 Manor Place

Mr. Toews stated that he liked the top driveway as it gives a view corridor. He suggested that this is a safety enhancement and that it should be kept.

There being no speakers on the speaker's list once again, Mayor Ives continued with the statement:

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 Agenda Item closed.

2. Rezoning Application RZ 15-2 (Liquor in Grocery Stores):

a. Application Summary

a) Comox Zoning Amendment Bylaw No. 1802

In general terms, the purpose of **Comox Zoning Amendment Bylaw No. 1802** is:

- to amend the Town of Comox, Zoning Bylaw 1377, to add a definition for a Grocery Store which permits the sale of liquor as an accessory use;
- to allow Grocery Stores as a principal use in the following zones: C2.1 General Commercial, C2.2 General Commercial/ Accommodation, C3.1 Arterial Commercial, C4.1 Core Commercial, C5.1 Residential-Oriented Mixed Use and CD13 Comprehensive Development 13: 2310 Guthrie Road; and
- to amend the C4.1 Core Commercial zone to permit only one liquor store as a principal use on Lot A, Section 56, Comox District, Plan VIP75741.

The Application Summary was received for information.

b. Public Hearing Submissions

Mayor Ives made the following statement:

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 Agenda Item

There being no speakers on the speaker's list, Mayor Ives made the following statement:

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

Before closing the Agenda Item, 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 Agenda Item closed.

CLOSE OF PUBLIC HEARING

Adjournment:

The Public Hearing closed at 6:47 p.m.

Written submissions were received from the following at the meeting, and are attached to these Public Hearing Minutes:

Harry and Elsie Dougan – 1883 Comox Avenue

Certified correct pursuant to Section 97 of the Community Charter.

“Paul Ives”

MAYOR

“Richard Kanigan”

CORPORATE OFFICER

Certified fair and accurate pursuant to Section 465(6) of the Local Government Act.



DEPUTY CORPORATE ADMINISTRATOR

1883 Comox Avenue
Comox, B.C.
V9M 3M4

January 16, 2017

Mayor and Council,

Re: 1879 Comox Avenue
Lot 1, Section 53
Comox District, Plan 7462
Application No. DVP 16-17

Kai Grenier called to see us during the summer and stated that he had bought the above named dwelling. He planned on living there but he said he would like to build a small coach house at the bottom of the property for his mother to live in so he could keep an eye on her. He has never lived on the property and at the moment no one is living there. He said he would keep us informed. We never did hear further from him.

It was, therefore, a surprise to see that the lot may be divided to accommodate a full sized house and that the house would be built on the upper part of the new lot. This has upset us as the sun rises in the east and our garden will have less sunlight for our vegetable and our many fruit trees, peach trees, grape vine, etc. Also when we come to leave our property the fact that the land will be cast with a large shadow is a negative. Our sundeck will have less sun and will no longer be private.

We have been in the Comox Valley since 1968, the last 34 in this house. We have been active members of the community particularly in our earlier years and have done various volunteering work.

With this new zoning there will be increasing noise and less privacy. The increased traffic on Ellis Street will be a problem. Much of the constant traffic from Comox Avenue turning right on to Ellis Street does not slow down. Heavy vehicle pulling boats or campers especially, during the summer months, are common. This means it will be dangerous and difficult for the residents of Ellis Street to exit their driveway. There are four driveways including a lane within the first 60 yards on the right side of Ellis Street. Residents will have to back in or back out of their driveways. Garbage men, grass cutters and other workmen may also have difficulties. Perhaps a road traffic study of this corner could be done and maybe a traffic light or some kind of warning be installed. We worry about the safety of our residents having seen a number of near misses on this corner.

Finally, could the fence between our properties be moved at a future date as it is encroaching on our property.

For the above reasons we object to this proposal.

Thank you for your consideration of this matter.

Harry J. Dougan
Elsie M. Dougan