

TOWN OF COMOX
Minutes of a Public Hearing,
held in Council Chambers on Wednesday May 3, 2017

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

Absent: Councillor M. Grant

Call to Order:

The Public Hearing was called to order at 7:03 p.m.

There were 39 members of the public in attendance.

PUBLIC HEARING – Opening 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 16-6 (Zoning Bylaw Consolidation)**
 - a. Comox Zoning Bylaw 1850

- 2. Rezoning Application RZ 16-7 / Development Variance Permit Application DVP 16-11 (1182 Lazo Road):**
 - a. Comox Zoning Amendment Bylaw No. 1852
 - b. Comox Phased Development Agreement Authorization Bylaw No. 1848:
Lazo Road

Council will also receive at this Public Hearing any representations that members of the public wish to make regarding Development Variance Permit Application DVP 16-11, which pertains to the land that is the subject of Comox Zoning Amendment Bylaw No. 1852.

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 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 16-6 (Zoning Bylaw Consolidation)

a. Application Summary

a) Comox Zoning Bylaw 1850

In general terms, the purpose of the "**Comox Zoning Bylaw 1850**" is to consolidate, modernize, update and to substantively amend the current "Town of Comox, Zoning Bylaw 1377", including the use and density of many lands within the Town and to amend other regulations therein.

The Application Summary was received for information.

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 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.

2. Rezoning Application RZ 16-7 (1182 Lazo Road)

a. Application Summary

a) Comox Zoning Amendment Bylaw No. 1852

In general terms, the purpose of “**Comox Zoning Amendment Bylaw No. 1852**” is to amend the Comox Zoning Bylaw 1850, to rezone 1182 Lazo Road, shown shaded on the Map below, from R3.3 Single-Family- Large Lot to R3.2 Single-Family – 450m² Parcel.



b) Comox Phased Development Agreement authorization Bylaw No. 1848: Lazo Road

In general terms, the purpose of “**Comox Phased Development Agreement Authorization Bylaw No. 1848: Lazo Road**” is to establish a Phased Development Agreement between the developer and the Town of Comox for the provision of amenities with respect to the development of 1182 Lazo Road.

c) Development Variance Permit Application DVP 16-11

In general terms, the Development Variance Permit application DVP 16-11 is to:

1. Vary required parcel depth, required rear and interior side setback, and projections into setbacks for proposed lots 1 and 2; and
2. Reduce the minimum local road pavement width, require barrier curb and locate street trees immediately adjacent to sidewalks.

The Application Summary was received for information.

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 bylaws and development variance permit application are now open for discussion.

Judy Moore – 305 Forester Avenue

Ms. Moore advised that there needs to be a more balanced approach to development – one that is more ecologically based, preserves wildlife and has more trees. She would like the access to be for emergency vehicles only or for it to be a cul-de-sac. She stated that drainage will be an issue. She stated that she is concerned for the safety of children, as the 12m strip is not a safe place to play. Ms. Moore asked Council to consider the two developments in tandem.

Steve FaraherAmidon – 265 Glacier View Drive

Mr. FaraherAmidon advised that he is speaking on behalf of the Comox Town Residents' Association (CRTA). He stated that the CTRA echoes the concerns of neighbours, especially regarding the through-street to Forester. He advised that he sees the need for emergency vehicles, and that there should also be traffic calming. Mr. FaraherAmidon would like to see the some space and amenities for a neighbourhood park. He would also like Council to defer its decision, and consider a development plan for both properties.

Arlene Hooper – 301/300 Forester Avenue

Ms. Hooper advised that she sees wildlife go through the corridor daily. She advised that some of the largest trees are on the northern boundary, and she would like to see this as the wildlife corridor. She stated that a 12m strip is not adequate for a wildlife corridor. Ms. Hooper also advised that she is concerned about rats once the 100-year old building comes down. She also advised that she is concerned about flooding and that she would like to see both properties considered together.

Pete Davidson – 1048 Lazo Road

Mr. Davidson advised that the through-road will dissipate traffic. He stated that he has no concerns with the development and that the electric cars hookups are positive. Mr. Davidson advised that he supports the development.

Jim Lucas – 315 Forester Avenue

Mr. Lucas advised that he knows it is difficult to weigh the advantages of going ahead with the project. He asked Council to put themselves in the position of someone who has just bought a retirement home because of a closed street, and who has just learned that the street will be opened up.

Christine Monier – 1187 Coach Place

Ms. Monier advised that she does not think it is appropriate for kids to play in a cul-de-sac, and that one of the lots should be designated as a playground and a place that people can meet. She also suggested that something needs to be done about the drainage.

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 bylaws and development variance permit application.

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

Alice Somes – 307 Forester Avenue

Ms. Somes advised that she echoes the concerns of other residents. She stated that it would be much safer if children had a playground. She also stated that she would love to see a corridor for wildlife.

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?

Derek Jensen – 495 6th Street, Courtenay

Mr. Jensen advised that he has been before Council three times in the past nine years with similar rezonings. He stated that the proposed is consistent with the 2006 Butchers/Lazo Road master plan. Mr. Jensen advised that the 12m strip is not designed as an active playground and that there is a school playground within a reasonable distance. He also advised that there are minor, not well-travelled, paths to the orchard, and that the trees are in a state of decay and need to come down.

Arlene Hooper – 301 Forester Avenue

Ms. Hooper advised that she has a fair bit of experience with the Ambulance service, and that there is emergency access off of Lazo Road. She stated that the report acknowledged that pushing deer to a 12m strip is an issue. Ms. Hooper stated that there has already been an increase in traffic along Lazo with the Point Holmes walkway. She also stated that she would like to see a playground in the neighbourhood if it is to be a livable community.

Don Densmore – 1135 Lazo Road

Mr. Densmore stated that the 12m greenspace is currently unusable. He advised that Council should delay considering the application and look at the two as a package.

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

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.

The Public Hearing closed at 7:37 p.m.

3. Other Items

a) Rezoning Application RZ 16-6 (Zoning Bylaw Consolidation)

1. *That Comox Zoning Bylaw 1850 be given Third Reading.*

(17.116 -- CARRIED)

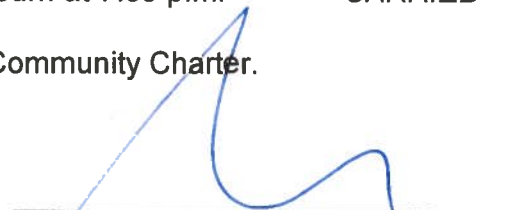
2. *That Comox Zoning Bylaw 1850 be Adopted.*

(17.117 -- CARRIED)


Adjournment:

Regularly moved and seconded that the meeting adjourn at 7:39 p.m. CARRIED

Certified correct pursuant to Section 97(1)(b) of the Community Charter.



MAYOR



CORPORATE OFFICER

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



DEPUTY CORPORATE ADMINISTRATOR