

November 24, 2023

Town of Comox
Development Services Department
1809 Beaufort Avenue
Comox, BC
V9M 1R9

Attention: Regina Bozerocka, Planner II

Re: Rezoning Application for 4.90 Ha (12.1 Ac) Parcel at 2123 Hector Road

Dear Ms. Bozerocka

Please accept this submission package for the rezoning of the above noted property. This application will be to rezone the property from the current Residential Zone (R3.3) to a multi-family zone or Comprehensive Development District that will accommodate the proposed development that is described in this rezoning submission package.

Background

The 4.91 ha (12.11 ac) property is located at the at the intersection of Aspen Road and Hector Road **(attachment #1)** and was acquired by Broadstreet Properties Ltd. (Broadstreet) in June of 2022. The intention is to develop the site into a combination of “for-sale” townhomes and “for-rent” apartment style, purpose built rental buildings. Broadstreet intends on developing the property from servicing to construction/sale of the townhome and construction/ownership/management of the apartment rental buildings. Broadstreet has been in the development, home building and purpose-built rental industries for more than 35 years. As a family owned and operated company from Campbell River, Broadstreet maintains an industry leading team of over 1,000 employees to create the best housing product and rental communities from dirt to door. Broadstreet owns and manages over 15,000 multi-family properties that house 30,000 tenants in more than 30 cities across Canada. Broadstreet is committed to being the Canadian leader in service-focussed rental management by providing comfortable and quality rental apartments for the tenants across the country, supported by a team of professionals driven by Broadsteet’s values.

We will bring this experience and professional approach to the project in the Town of Comox to provide critical housing supply to a market that is currently facing a housing shortage.

Property Description/Context and Planning Policy

The 4.91 ha (12.11 ac) property is currently vacant but previously contained a residential development in the NE corner of the site with a gravel connector road that ran diagonally through the site from SW to NE. The land is generally flat with the lowest area of the site located in the NE corner of the site.

The property is bounded on the west by Aspen Road and on the north by the undeveloped 20-meter road allowance of Hector Road (that is currently constructed to the east of the NE property boundary). The 4.05 ha (10 ac) property to the east and the 5.42 ha (13.4 ac) property to the north exist as large undeveloped properties that have no Land Use Designation in the Official Community Plan (OCP) but have a current application for an OCP amendment and rezoning to accommodate high density residential and commercial uses. Along the southern boundary is a townhome development as well mobile homes that back on to the south property line. To the west is a new neighbourhood that is under construction for single family and townhomes.

Planning Policy – Official Community Plan (OCP) – Land Use Designation

For more than 12 years, the OCP has designated the 4.91 ha (12.11 ac) development property as **Residential: Low Rise Apartments, Townhouse & Ground Oriented Infill** which is the highest density residential land use that exists in the OCP. This property is one of only two undeveloped properties in the Town of Comox that is assigned this designation. The other is a 5.79 ha (14.3 ac) property on Prichard Road and Cambridge Road approximately 2.0 km to the northeast.

British Columbia's Local Government Act requires all municipalities to adopt and maintain an Official Community Plan (OCP). The Town of Comox adopted their current OCP in May 2011 that includes the current and future Land Use Designations for lands within Comox as illustrated in **attachment #2**.

Other direction in the OCP is contained in section **2.1.1.6 Supporting Policies for Residential: Low Rise Apartments and Townhouses**. The policies noted in this section are met with the 400-metre distance to existing transit, the development of full urban services, street-oriented development concept and connections to existing and future bikeways.

Planning Policy – OCP Development Permit Areas (DPA)

The subject property is identified for 3 Development Permit Areas in the OCP that include DPA #3 (General Multi-Family), DPA #17 (Coach Houses) and DPA #18 (Secondary Suites). Of these three, only DPA #3 is relevant to the proposed development as DPA #17 and DPA #18 relate to single detached residential units that are not being proposed in this development. The provisions of DPA #3 has been incorporated in the concepts to date will be further considered in the design and review of the Development Permit applications for the proposed development on the site.

Concept Plan

The concept plans (**attachment #3**) for the site consists of “for-sale” townhome development on the south half of the site and the purpose-built rental development on the north in the form of 4-storey, apartment development. There are two versions of the plan, one with a public road that bisects the site and connects Aspen Road to the undeveloped property to the east and a second version that does not provide a full road connection but incorporates a walking and bike path through the property instead. The two plans are similar

but vary slightly in the form and unit count given the area that is taken to accommodate the road. The unit count for the two concepts is as follows:

- **Concept #1 (bike & walking path connection): 252 units**
 - For-Sale Townhomes: 69
 - Apartment Rental: 183

- **Concept #2 (through road): 236 units**
 - For-Sale Townhomes: 65
 - Apartment Rental: 171

The overall density for the site (based on a gross site area of 4.90 ha) is 51 units per ha in concept #1 and 48 units per ha in concept #2. In either concept, this density is below the density prescribed in the RM3.2 land use district that would correspond to the Land Use Designation in the OCP.

In both concepts, the stormwater is conveyed to a common storm pond in the NE corner of the site that is adjacent to an open/amenity space with walking paths around the pond to connect to the greenway on the north of the site. A 10-meter strip of land along the north boundary of the site will be provided to allow for the development of the Hector Road Greenway that will connect to the existing greenway on the west side of Aspen Road which ultimately links to a pathway network in the City of Courtenay. The intention is for the pathway to continue to extend east along Hector Road as development is undertaken on the lands to the east of the subject site.

Access to the townhome development on the south side of the site is the same in both concepts with an intersection on Aspen Road that aligns with the existing Neptune Way. For the rental development on the north, Concept #1 would access via an intersection on Aspen Road that aligns with the existing Grumman Place connection while Concept #2 would access from the new internal connector road.

The servicing of the site is detailed in a later section but there are existing sanitary and water services in Aspen Road that have sufficient capacity to service the number of units proposed and the stormwater is managed through the attenuation pond with a controlled discharge to the north that ultimately conveys to the east into the regional system.

The townhomes are designed to front onto the Aspen Road with access to the garages from the internal roads. The townhomes on the north are also designed to front onto either the internal connector road (Concept #2) or the bike/walking path that connects from west to east (Concept #1).

Zoning Requested

The proposed development on both properties generally conforms to the **RM3.2 Apartment/Townhouse – High Density** district except for the 10-metre building height. If a height variance to allow for the 4-storey rental buildings could be accommodated, the RM3.2 land use district would accommodate the proposed development. Otherwise, we would utilize a Comprehensive Development District (CD District) or would look to fit into one of the new land use districts that are currently be contemplated by the Town of Comox through an amendment of the Comox Zoning Bylaw 1850.

Community Consultation

There have been two rounds of community consultation completed to collect responses and input on the proposed development on the site.

In November 2021, the first stage of the community consultation was completed that was based on an initial design concept that proposed 300 residential housing units in three forms: 4-storey apartment, stacked apartment and townhomes. From this notice we received 26 public submissions on the initial proposal that were mainly concerned with the height and density. The initial proposal for 300 units was within the allowable density for RM3.2 Apartment/Townhouse – High Density (65 units per Ha) in the Comox Zoning Bylaw. From this initial feedback a second concept was developed to be reviewed in an open house format. The comments and submissions from this public notice are provided in **(attachment #4)**

On March 28, 2023 from 4:00 PM to 7:00 PM, an in-person open house was held at the Comox Community Centre that included information boards and representatives from the developer, engineering consultants and environmental consultant to present an amended concept for a mix of for-sale townhomes and three-storey rental buildings. The concept included 52 townhomes and 140 rental units. The feedback was similar to that gathered in the November 2021 consultation that was centered around congestion, loss of natural area and traffic. These comments and submissions are provided in **(attachment #5)**.

From the feedback obtained in the two consultation exercises above, there were changes to the concept plans to make the development more compact, to move the most dense area of development further from the adjacent residents to the south and west and to leave a large area in the SE corner of the site undeveloped as it had been identified as an area for protection. The overall plans for the site have not changed dramatically since the first consultation in 2021 where the development proposed 300 units, then a second design with a proposal for 200 units and now a more detailed plan based on all the technical input and regulations around building heights that is proposing at a number between the two previous concepts at approximately 250 units.

Servicing

Welder Engineering completed a comprehensive servicing report that is provided in **attachment #6 and #6a** and outlines the plan to service the entire site. There are existing water and sanitary lines located in Aspen Road that have capacity to service the proposed development. The townhome and apartment rental developments have an internal servicing design that connect directly to the existing water and sanitary lines in Aspen Road.

The stormwater system has been designed to accommodate the new flow restrictions and the storm pond in the NE corner of the site has been designed to attenuate the stormwater discharge from both development areas on the site.

Shallow utilities (electrical, gas and telecommunications) also exist in Aspen Road and will be extended into each of the two development areas to provide service to each site.

Traffic Impact Assessment and Access Plans

The Transportation Impact Assessment report prepared by McElhanney is provided in **attachment #7** and provides the access plan and capacity analysis for the existing and future transportation modes to the site.

There will be new access links for all transportation modes provided with the development. Multi-use paths (pedestrian and bicycle) will provide access through the site to connect with the property to the east as well as the greenway path to the north. The Hector Road greenway path will be extended across the top of the site and will connect to the current path to the west and future connections to the east. New sidewalks will be developed as the eastern half of Aspen Road is completed as part of this development. On-street bike lanes will also be developed as part of the Aspen Road completion.

The existing transit service on Guthrie Road is within the 400 meters of the subject site and meets the setback standard for this Land Use Designation that is prescribed in the OCP. Additionally, and as noted in the TIA, currently there are nine bus stops within an 800-metre radius, or approximately a 10-minute walk, from the subject site. Based on the road classification, it is anticipated that additional transit service will be developed along Aspen Road once the connection is completed to the north.

For development concept #1, vehicle access to the site will be via two intersections that will align with the existing road connections to Aspen Road at Neptune Way and Grumman Place. In this concept, there is no vehicle connection proposed to the development to the east given the large volume of traffic that this would introduce through the new development and the capacity constraint on the Neptune Way and Aspen Road Intersection.

For development concept #2, access to the southerly townhome development will be via the same intersection at Neptune Way as noted above but the access to the apartment rental development would be via the new internal roadway.

As part of the development approval of the property on the west side of Aspen Road (2309 McDonald Road) a Traffic Impact Study was completed to evaluate the traffic generated by the 2309 traffic as well as traffic from the proposed development site (at an assumed density of 38 units per ha) out to the year 2042. Both Aspen Road and the Aspen Road/Guthrie Road intersection performed adequately in the modelling that was completed. The proposed development is consistent with the previously assumed density in the 2309 study. The current TIA completed for the site has confirmed these findings.

Environmental Impact Assessment

Pacificus Biological Services completed an Environmental Impact Assessment on the subject site that provided a full review including:

- a general environmental assessment of all features on the site,
- a survey and drone survey to identify canopy nests and tree inventory (including size and density),
- a screening for Riparian Area Protection Regulation (RAPR) features and
- a review of areas on the site relative to the Provincial Water Sustainability Act (WSA).

The summary of the findings are detailed in the final report provided in **attachment #8**, but in general there are no features that require Provincial or Federal protection on the property as side from two areas that had been identified as WSA applicable wetlands. The concept plan has been amended to leave the SE corner of the site undeveloped and afford protection for this WSA wetland area.

Tree Retention

As part of the design process for the site plan, the Town of Comox Bylaw 1125 (Consolidated Tree Management and Protection Bylaw) and Policy CCL-067 (Tree Retention Policy) was referenced and areas for retention and replanting have been included in the plan. Pacificus Biological Services completed a Tree Retention Assessment (**attachment #9**) that included a count survey that was consistent with the guidelines referenced in the above noted Bylaw and Policy. This count established that there are 953 trees that are within the size guidelines. Given the 30% retention or replacement guideline, this would require 286 trees be retained or replaced. From the designs provided in Concept Plans #1 and #2 it is estimated that a total of 212 trees that exceed the size criteria will be retained that will require the replanting of approximately 74 trees to meet the policy. Concept #1, that includes a bike and walking path and no new internal public roadway, provides a better opportunity for tree retention and replanting which makes it the preferred plan from an environmental impact perspective. The final retention and replanting plan will be completed at the Development Permit stage when the preferred concept is confirmed and the landscape plan for the site is completed.

Summary

The housing supply, particularly higher density townhome and purpose-built apartment rental, is in a critical shortage in the Comox Valley and the Town of Comox. This phenomenon is consistent with the condition in communities throughout British Columbia that has prompted the provincial government to take direct action to address this housing shortage. The proposed development aligns with the goals of the town's OCP as well as the province's mandate to increase the supply of housing (particularly rental housing).

In summary, this development and rezoning proposal should be approved for the following reasons:

- The proposed development is consistent with the Land Use Designation that has been in place in the OCP for more than 12 years and the form and density of development that is being proposed should not be a surprise to anyone in the area.
- There is existing servicing capacity for all services (utilities, roads, transit and supporting commercial development) to facilitate this development.
- There is an acute housing shortage for higher density housing (especially purpose-built rental housing) that can be addressed by accommodating this additional supply.

In order to move forward in a more expedient manner, we respectfully request that this zoning application proceed in a manner that is consistent with the new legislation that has been introduced by the Province of British Columbia such that rezoning applications that are consistent with current OCP plans and land use designations, proceed to council approval without the requirement for a public hearing.

Sincerely,



Trevor Dickie
Vice President of Real Estate Development

Attachments:

- Attachment #1 – Site Location
- Attachment #2 – Official Community Plan (OCP) – Land Use Designations

- Attachment #3 – Concept Plan #1 and Concept Plan #2
- Attachment #4 – Stage 1 – Preapplication Public Consultation Responses
- Attachment #5 – Stage 2 - Preapplication Public Consultation Responses
- Attachment #6 – Site Servicing Report – Wedler Engineering
- Attachment #6a – Site Servicing Concept Plan - Wedler Engineering
- Attachment #7 – Transportation Impact Assessment – McElhanney
- Attachment #7a - Transportation Impact Assessment (Schedule B)
- Attachment #8 – Environmental Impact Assessment – Pacificus Biological
- Attachment #9 - Tree Retention Count and Analysis