

**CORPORATION OF THE CITY OF COURTENAY  
COUNCIL MEETING AGENDA**

**DATE:** Monday, November 19, 2012  
**PLACE:** City Hall Council Chambers  
**TIME:** 4:00 p.m.

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**1.00 ADOPTION OF MINUTES**

1. Adopt November 13, 2012 Regular Council Meeting Minutes

**2.00 INTRODUCTION OF LATE ITEMS**

**3.00 DELEGATIONS**

1. Helen Boyd, Care-A-Van Program PowerPoint Presentation
2. Fred Bigelow, CEO, C.V. Airport Commission
3. Ian Whitehead, McElhanney re: Cumberland/Arden Road Zoning and OCP Amendment (see pg# 3)
4. Edwin Grieve re: July 1<sup>st</sup> Committee

**4.00 COMMITTEE/STAFF REPORTS**

**(a) Employee and Technology Services**

- 1 1. Webcasting of Council Meetings

**(b) Development Services**

- 3 2. OCP and Zoning Amendment – Arden/Cumberland Roads
- 11 3. City Owned Land – Mission/Lerwick Roads

**5.00 REPORTS AND CORRESPONDENCE FOR INFORMATION**

- 15 1. Police Report for October 2012

**6.00 REPORTS FROM COUNCIL REPRESENTATIVES**

**7.00 RESOLUTIONS OF COUNCIL**

**8.00 UNFINISHED BUSINESS**

**9.00 NOTICE OF MOTION**

**10.00 NEW BUSINESS**

## **11.00 BYLAWS**

### **For First and Second Reading**

- 17 1. “Official Community Plan Amendment Bylaw No. 2732, 2012”  
(to create a new comprehensive development zone)
- 19 2. “Zoning Amendment Bylaw No. 2733, 2012”  
(to create a new comprehensive development zone)

### **For Final Adoption**

- 25 1. “Comox Valley Emergency Program Policy Agreement Repeal Bylaw No. 2729, 2012”  
(to repeal Comox Valley Emergency Program Policy Agreement Bylaw No. 1883)

### **For Third Reading After Public Hearing**

- 29 1. “Official Community Plan Amendment Bylaw No. 2719, 2012”  
(Urban Residential to Multi-Residential Use, 932-5<sup>th</sup> Street)
- 31 2. “Zoning Amendment Bylaw No. 2720, 2012”  
(Rezone from R-2 to R-4B, 932-5<sup>th</sup> Street)
- 33 3. “Zoning Amendment Bylaw No. 2725, 2012”  
(Rezone from R-1B to R-1S – 2449 Inverclyde Way)

## **12.00 COUNCIL MEMBER ROUND TABLE**

## **13.00 ADJOURNMENT**

**Please note that there is a Public Hearing scheduled for 5:00 p.m. in relation to Official Community Plan Amendment Bylaw No. 2719 and Zoning Amendment Bylaw No. 2720 and 2725**

THE CORPORATION OF THE CITY OF COURTENAY

REPORT TO COUNCIL

FILE #: 1400-00

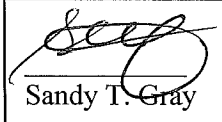
FROM: Director of Employee and Technology Services

DATE: November 15, 2012

SUBJECT: Webcasting of Council Meetings

**C.A.O. COMMENTS/RECOMMENDATIONS:**

That the recommendation of the Director of Information and Technology Services be accepted.



Sandy T. Gray

**RECOMMENDATION:**

That Council approve the installation of an "Anycast" station and up to a maximum of four (4) wireless cameras for webcasting; and

That the estimated capital cost of \$30,000 and annual operating cost of \$10,000 be included in the 2013 financial plan.

**PURPOSE:**

To provide the public with access to Council meetings via live and recorded video streaming and webcasting.

**BACKGROUND:**

In 2005 council chambers was renovated to include video displays and a sound system. The renovations included roughed in placement for video cameras and lights. The current sound system can be utilized to provide a high quality solution at a moderate cost. The recommended technology will be implemented and utilized in compliance with FOIPPA legislation.

At their regular meeting held February 20, 2012, Council passed the following resolution:

*"Whereas the democratic process will be enhanced if more citizens have the opportunity to observe City Council meetings, but a limited number can attend in person;*

*Therefore be it resolved that Council request a staff report on the feasibility of implementing internet streaming of Council meetings."*

**DISCUSSION:**

Public requests for access to Council meetings through electronic means have increased in recent years.

The option described above was determined to be the most appropriate considering current space availability, resource requirements, and financial costs for equipment purchase and on-going maintenance.

**FINANCIAL IMPLICATIONS:**

The capital cost of the recommended equipment is \$30,000. In addition, the annual ongoing operating costs are projected to be in the range of \$10,000. No funding has been provided for this initiative in the 2012 budget.

Funding approval in the 2013 budget would allow for resources required to implement this initiative in 2013.

**STRATEGIC PLAN REFERENCE:**

Value #3 An open, inclusive, and vibrant community  
Goal #1: Promote community engagement  
Objective (b) Webstream Council meetings

**OCP SUSTAINABILITY REFERENCE:**

n/a

**REGIONAL GROWTH STRATEGY REFERENCE:**

n/a

Respectfully submitted,



Lis Pedersen, BSW, CHRP  
Director of Employee and Technology Services

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# THE CORPORATION OF THE CITY OF COURTENAY

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## REPORT TO COUNCIL

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FILE #: 6480-20-1104/3360-20-1109

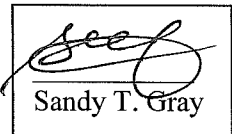
FROM: Director of Development Services

DATE: November 13, 2012

**SUBJECT: Application to Amend *Official Community Plan Bylaw 2387, No. 2005* and *Zoning Bylaw No. 2500, 2007* (1921, 1993 Arden Road and 2459 Cumberland Road)**

### C.A.O. COMMENTS/RECOMMENDATIONS:

That the recommendation of the Director of Development Services be accepted.



Sandy T. Gray

### RECOMMENDATION:

That Council receive the application to amend the *City of Courtenay Official Community Plan No. 2387, 2005* and the *City of Courtenay Zoning Bylaw No. 2500, 2007*, for part of Lot 2, District Lot 138, Comox District, Plan 14210, Lot 1, District Lot 138, Comox District, Plan 40239, and Lot B, District Lot 138, Comox District, Plan 2607, Except that part in Plan 40239 (**1921, 1993 Arden Road and 2459 Cumberland Road**) as shown in bold on Attachment No. 1;

That Bylaw No. 2732, 2012 to amend the OCP designation of the areas as shown on *Attachment No. 1* from Suburban Residential to Urban Residential proceed to first and second reading;

That Bylaw No. 2733, 2012 to create a new Comprehensive Development Twenty Three Zone (CD-23) and to rezone the areas as shown on *Attachment No. 1* from Residential One A Zone (R-1A) to CD-23 and Public Use and Assembly Two Zone (PA-2) proceed to first and second reading;

That Council direct staff to schedule and advertise a statutory public hearing with respect to OCP Amendment Bylaw No. 2732, 2012 and Zoning Amendment Bylaw No. 2733, 2012 on December 3rd at 5:00 p.m. in the City Hall Council Chambers; and

That Council authorize the Mayor and Director of Legislative Services to execute all legal documents necessary to affect the rezoning of the subject lands.

### PURPOSE:

The purpose of the bylaws is to create a new comprehensive development zone to permit a residential development with single family homes, single family homes with secondary suites and duplexes.

### BACKGROUND:

The subject properties are undeveloped lots within the Arden Road Local Area Plan (LAP) corridor. This proposal is one of two that were under consideration prior to the initiation of the LAP (the application was submitted in September, 2011). Accordingly, it is proceeding concurrently with the preparation of that Plan.

The properties are designated Suburban Residential in the Official Community Plan and zoned

Residential One A (R-1A). The R-1A zone is a semi rural, large lot single family zone. The properties are bound by the headwaters of Piercy Creek to the north, Cumberland Road to the east, privately owned undeveloped land to the south and a closed portion of the Comox Logging Road to the west.

The applicant has requested an OCP amendment to the “Urban Residential” designation and rezoning from R-1A to a new comprehensive development zone and PA-2.

## **DISCUSSION:**

### **Official Community Plan Review**

The subject properties are currently designated “Suburban Residential” in the *City of Courtenay Official Community Plan Bylaw No. 2387, 2005* (OCP). The requested amendment to the OCP to the “Urban Residential” designation will allow for the development of approximately 80 new lots permitting a mix of single family, single family with secondary suite and duplex homes.

The following are residential policies in the OCP:

- balance land uses to create a vibrant and diverse neighbourhood and community;
- create neighbourhoods that will offer a variety of transportation choices;
- preserve and enhance open spaces, greenways and environmentally sensitive areas;
- encourage green buildings and infrastructure; and
- lead in creating inclusive neighbourhoods for housing.

The proposed development is consistent with these policies in the following ways:

Rather than a traditional single family neighbourhood, a mix of housing types and lot sizes is being proposed. Smaller lot single family homes with secondary suites are planned for with lane access, in addition to single family homes and duplexes. Lot sizes vary from 430 square metres to approximately 1,500 square metres. This mix of housing types will assist with the creation of a neighbourhood for a range of life stages, incomes and tenure options, leading to an inclusive and diverse community.

Transportation choices can be difficult to address in smaller developments. Overall we still live in an automobile oriented society and modal shifts to alternative forms of transportation have been slow. Within this development a recreational trail with links to the broader network will be provided. These trail connections will assist in encouraging walking and cycling alternatives for residents of the development and the community in general. Densities in the area are still too low to support regular transit service. However the proposal is within walking distance to a bus stop at 20<sup>th</sup> and Arden. It is anticipated that as the Arden corridor builds out the increased densities will create demand for more frequent transit service along Cumberland and Arden.

### **Natural Environment & Greenway Corridor**

With regard to environmentally sensitive areas, the applicant has undertaken an assessment of Piercy Creek pursuant to the Provincial *Riparian Areas Regulation (RAR)*, in addition to an Environmental Impact Assessment to review the flora and fauna attributes of the site. As a result of these assessments the proposal includes a 10m wide riparian buffer, consistent with the recommendations of the RAR assessment, plus an additional 8 metre buffer for a public trail. These setbacks are the same as those approved for a development further downstream at Cumberland and 20<sup>th</sup> St. The applicant will be required to construct the trail in association with subdivision approval.

Additional protected areas are proposed for a grove of Trembling Aspen, a rare White Pine and habitat for the blue listed Wandering Salamander. These protected areas are consistent with the recommendations contained in the Environmental Impact Assessment. Fencing and interpretive signage will identify and protect these areas.

An assessment prepared for the City by two Registered Professional Biologists found the Piercy Creek culvert under Arden Road is hanging by approximately 0.85 metres on the downstream end. This presents a significant barrier to juvenile fish and the assessment suggests enhancement works could open significant upstream fish habitat. As an additional amenity contribution the applicant has offered \$500.00 per lot towards this habitat improvement work.

#### **ZONING ANALYSIS:**

The proposed Comprehensive Development Zone is designed to provide flexibility in lot design and final building layouts. In general the majority of lots are zoned consistent with the provisions of the Residential One (R-1) zone. For the proposed duplex lots, setbacks, building heights and lot coverage are consistent with the Residential Two (R-2) zone. The greatest flexibility is provided for the smaller lots accessed from the lane. For these lots, the front yard setback is proposed at 4.5 metres instead of 7.5metres. Vehicular access for these lots will be from the lane and the reduced front yard setback will provide greater flexibility in the design and layout of the homes. A conceptual layout of the small lot housing is attached for reference. A development permit will be required for the duplex lots and small lot development.

#### **AFFORDABLE HOUSING POLICY:**

The development proposal is consistent with the Affordable Housing Strategy policies to “expand the application of secondary suites and secondary residences”, and “provision for small lot infill development”. The mix of single residential dwellings, secondary suites and duplexes provides a variety of housing options for young families, singles, retirees and multi-generational households. Secondary suites will also add to the rental housing supply. The applicant will also be contributing to the affordable housing amenity reserve fund.

#### **ARDEN LAP:**

Although this development is not subject to the LAP process staff believe the proposal meets many of the objectives that have been discussed by the community during the community engagement process. In this regard, the community has expressed a desire to protect areas with environmental values, enhance and build a recreational trail system, incorporate “green” infrastructure and development techniques and consider a mix of housing types including small lot, lane access housing.

#### **FINANCIAL IMPLICATIONS:**

N/A

#### **STRATEGIC PLAN REFERENCE:**

The proposed development supports Council’s goals for the 2012-2014 term related to providing active leadership for growth management, supporting distinct neighbourhoods, and promoting healthy lifestyles.

#### **OCP SUSTAINABILITY REFERENCE:**

The proposed development is consistent with the recommendations of both the Riparian Areas

Regulation Assessment and the Environmental Impact Assessment. Additionally the applicant will provide a trail system throughout the development including a bridge crossing of Piercy Creek to encourage active recreation and alternate forms of transportation.

The applicant has indicated they will incorporate drought resistant landscaping, utilize low impact storm water management techniques such as disconnecting roof leaders from the storm drain system to encourage infiltration of rain water, consideration of green infrastructure such as bio-swales where soil conditions are suitable, incorporation of a construction waste management program and housing construction to a "Built Green" standard. These requirements will form part of a development agreement which will be registered prior to final consideration of the bylaws.

**REGIONAL GROWTH STRATEGY REFERENCE:**

This proposal is consistent with the Comox Valley Regional Growth Strategy as it is within the core settlement area and provides a diversity of housing options to meet evolving demographics and needs.

Respectfully submitted,



Ian Buck, MCIP, RPP  
Manager of Planning



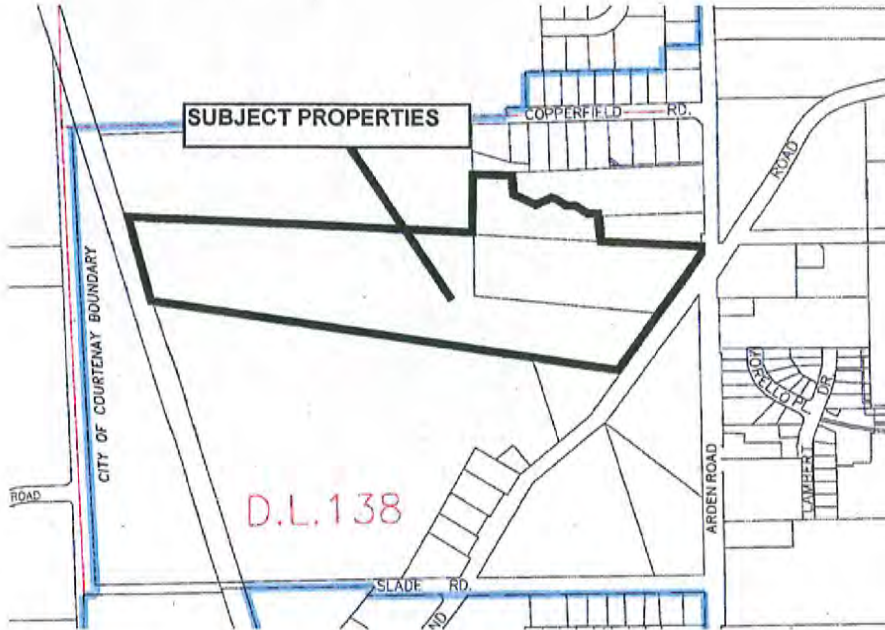
Peter Crawford, MCIP, RPP  
Director of Planning Services

**Attachments:**            **Attachment No 1.**  
                                 **Small lot house design**

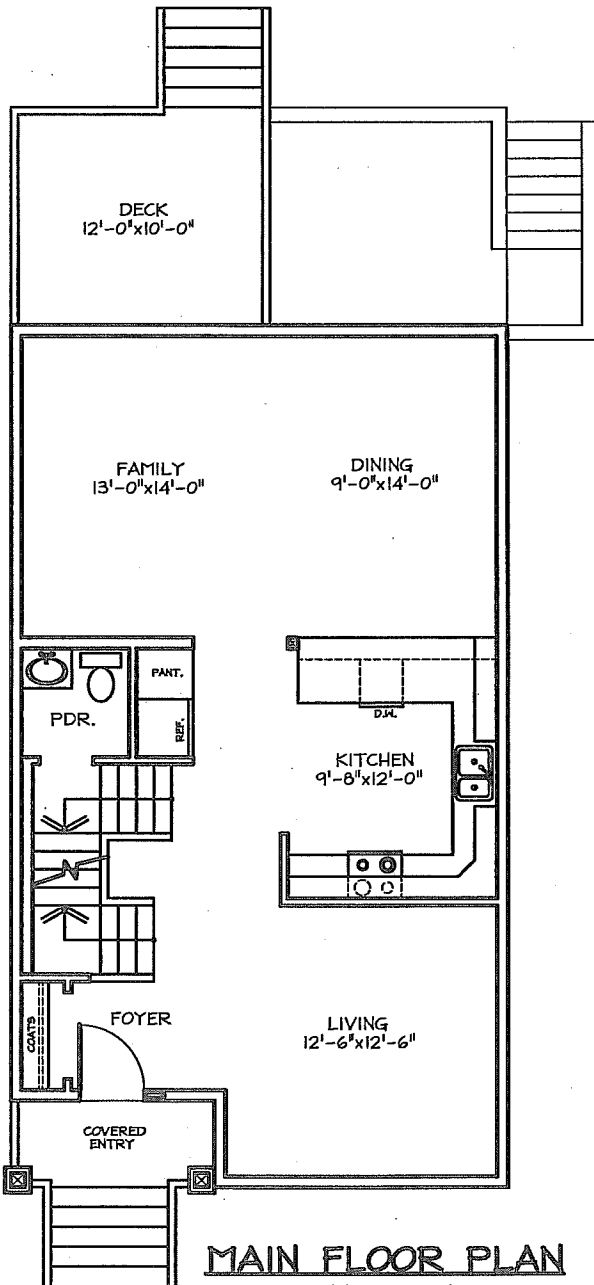
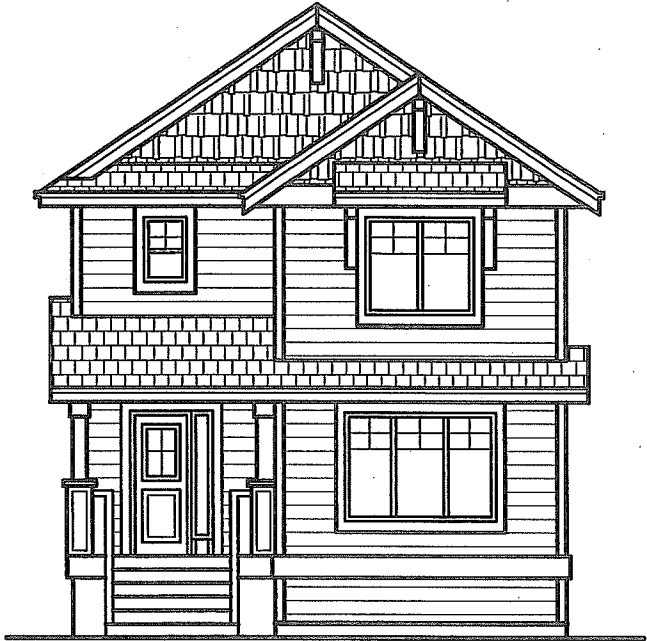


## ATTACHMENT NO. 1

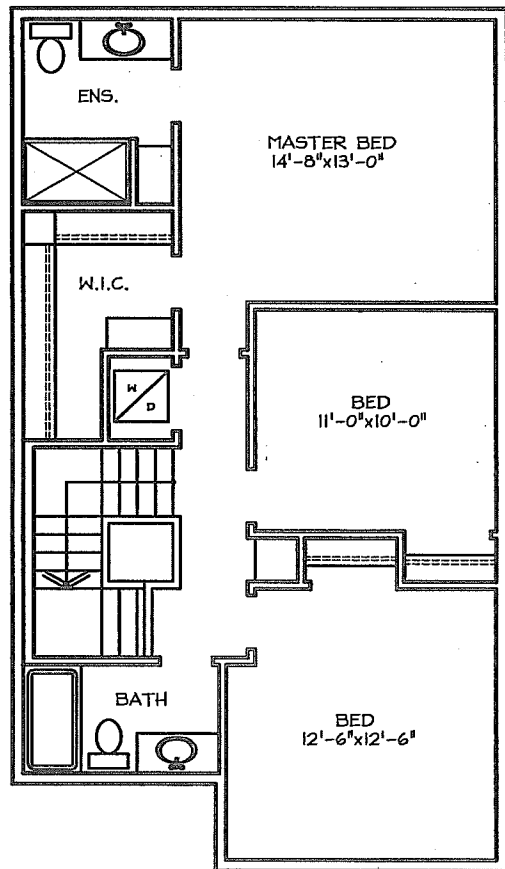
### Reference Information



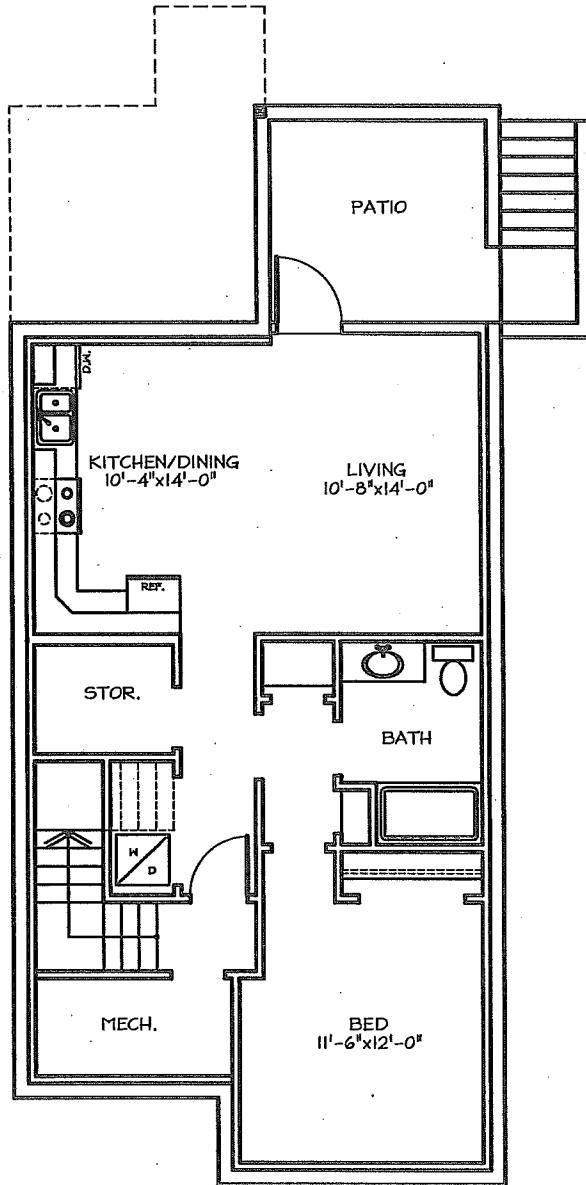
<b>Date of Application:</b>	September 2, 2011	
<b>Applicant:</b>	McElhanney Consulting Services Ltd.	
<b>Location:</b>	1921, 1993 Arden Road and 2459 Cumberland Road	
<b>Legal Description:</b>	part of Lot 2, District Lot 138, Comox District, Plan 14210, Lot 1, District Lot 138, Comox District, Plan 40239, and Lot B, District Lot 138, Comox District, Plan 2607, Except that part in Plan 40239	
<b>Zoning:</b>	<b>Existing</b>	<b>Proposed</b>
	R-1A	CD-23 (mix of single family, duplex and small lot single family with secondary suite) PA-2
<b>OCP:</b>	Suburban Residential	Urban Residential



**MAIN FLOOR PLAN**  
 874 SQ. FT.  
 2554 SQ. FT. TOTAL



**UPPER FLOOR PLAN**  
 806 SQ. FT.

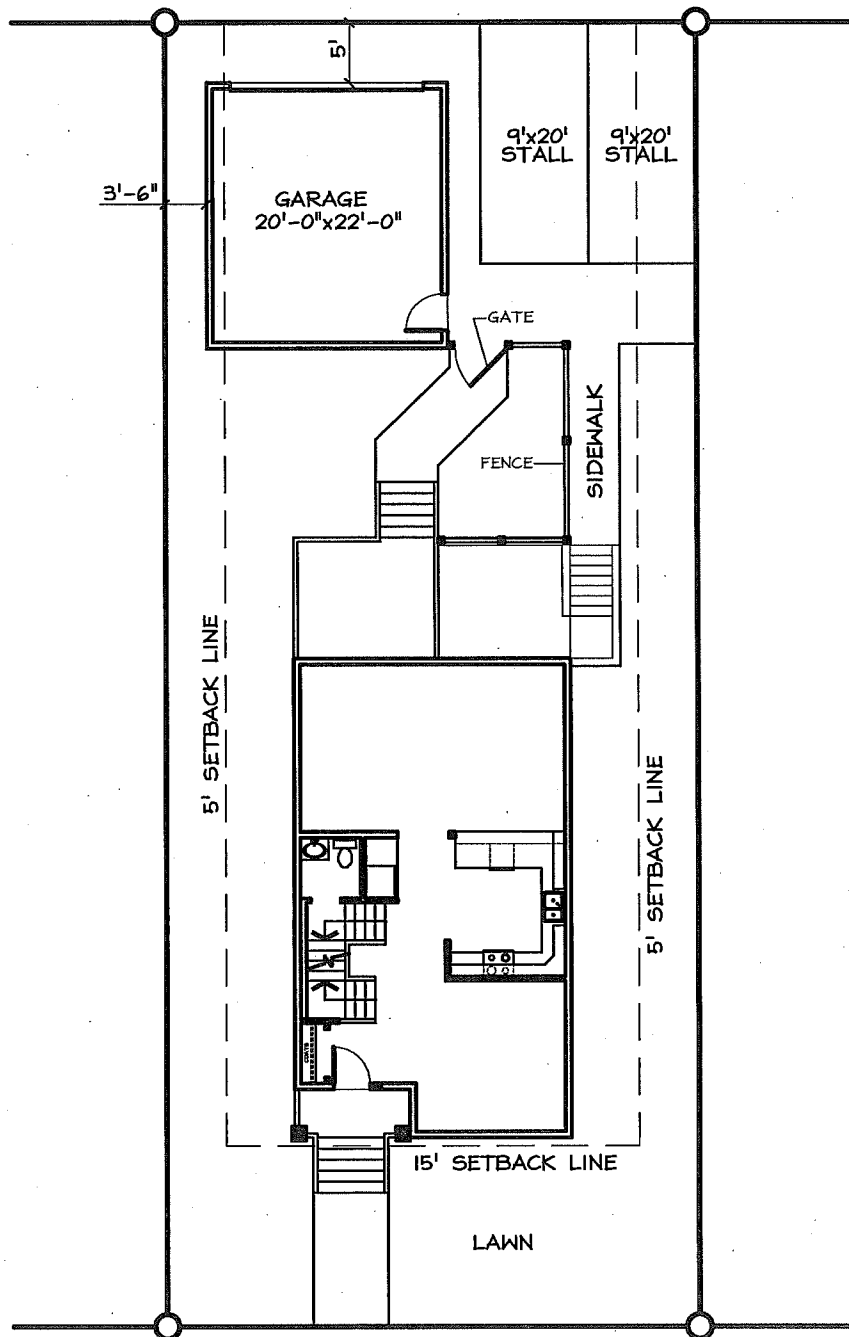


**BASEMENT FLOOR PLAN**

874 SQ. FT. TOTAL

747 SQ. FT. OPTIONAL SUITE

LANE



ROAD

33

**THE CORPORATION OF THE CITY OF COURTENAY**

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**REPORT TO COUNCIL**

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**FROM:** Development Services Department

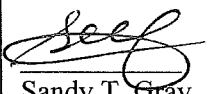
**FILE #:** 2260-20

**DATE:** November 15, 2012

**SUBJECT:** City Owned Land  
Lot 3, Comox District, Plan VIP52110  
Mission/Lerwick Roads

**C.A.O. COMMENTS/RECOMMENDATIONS:**

That the report from the Director of Development Services be accepted.



Sandy T. Gray

**RECOMMENDATION:**

That the report from the Director of Development Services regarding the proposed City property disposition to VIHA be received for information.

**PURPOSE:**

To provide Council with background information on the acquisition, use and pending disposal of Lot 3, Comox District, Plan VIP52110 to the Vancouver Island Health Authority (VIHA) for the purpose of a new hospital and related facilities.

**BACKGROUND:**

Council is currently considering the rezoning of two properties on Lerwick Road to a PA-4 Zone to permit a hospital and related facilities. The properties include a 4.5 hectare (11 acres) parcel currently owned by North Island College and a 0.957 hectare (2.26 acres) parcel owned by the City which would be sold to the Vancouver Island Health Authority (VIHA) pending the rezoning of the subject lands.

The parcel owned by the City was acquired in 2000 from the School District. This acquisition reflected the amenity contribution from the School District to the City as part of the rezoning of School District lands at the corner of Lerwick and Mission Roads from PA-1 to W-1 (Light Industrial). The School District received an increased value to their properties, which they subsequently sold, and in return an amenity contribution to the City of Lot 3, Comox District, Plan VIP52110 was received. This is common practice for the City to obtain amenities at the time of rezoning as was the case with the School District rezoning.

The agreement with the School District required the City to develop the property for community playfield purposes within five years which the City fulfilled.

Council has agreed to sell Lot 3, Comox District, Plan VIP52110 to VIHA subject to rezoning with the commitment to use the funds from the sale of this parcel for regional playfield purposes which would benefit the entire Comox Valley.

**FINANCIAL IMPLICATIONS:**

N/A

**STRATEGIC PLAN REFERENCE:**

Vision

- An Active community with cultural and recreational opportunities

Goals

- Develop accessible, convenient, useable parks and green space
- Promote healthy lifestyles
- Encourage regional partnerships

**OCP SUSTAINABILITY REFERENCE:**

N/A

**REGIONAL GROWTH STRATEGY REFERENCE:**

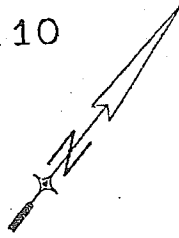
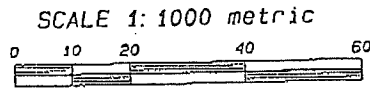
N/A

Respectfully submitted,



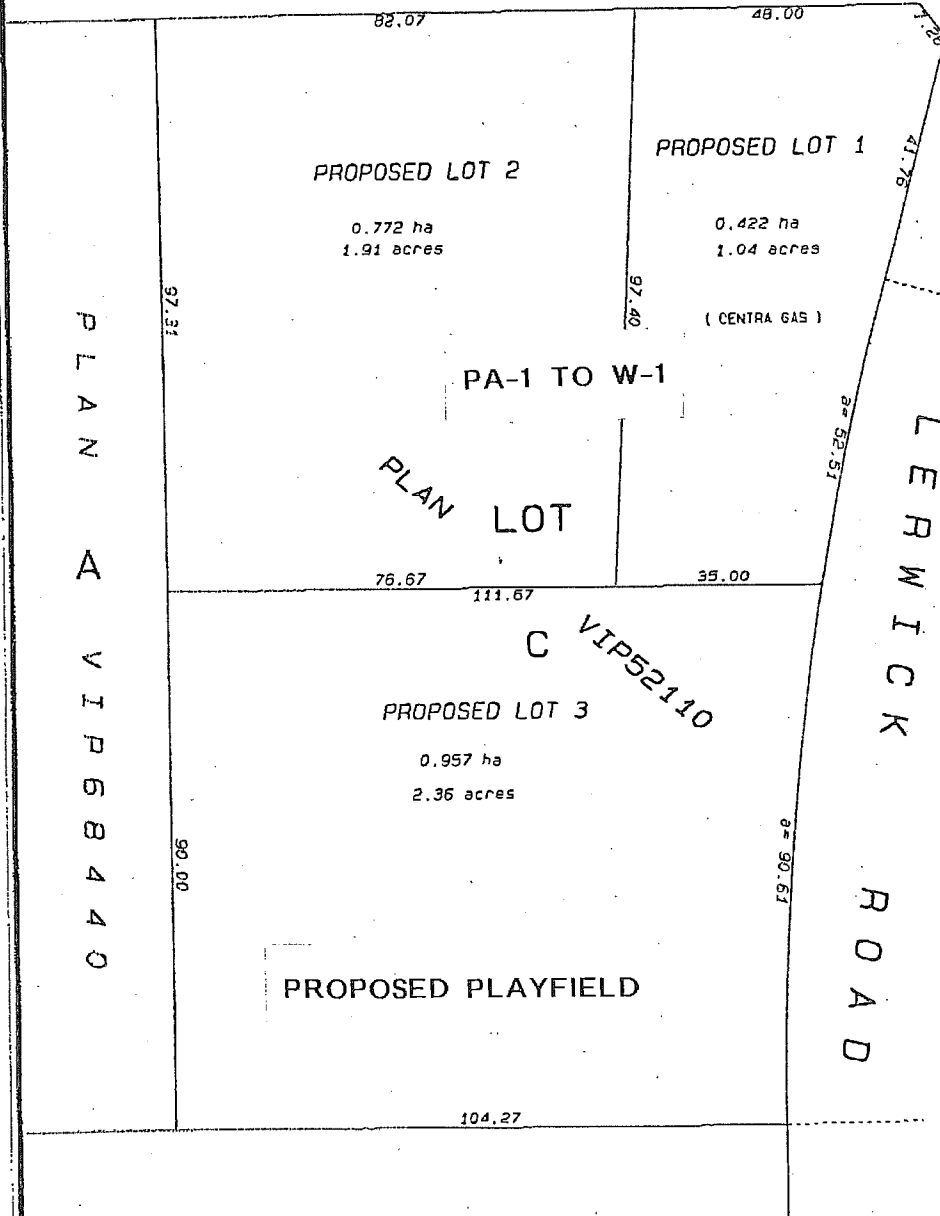
Peter Crawford, MCIP  
Director of Development Services

PLAN OF PROPOSED SUBDIVISION  
OF LOT C, D.L. 236,  
COMOX DISTRICT, PLAN VIP52110



MISSION ROAD

PLAN A VIP68440

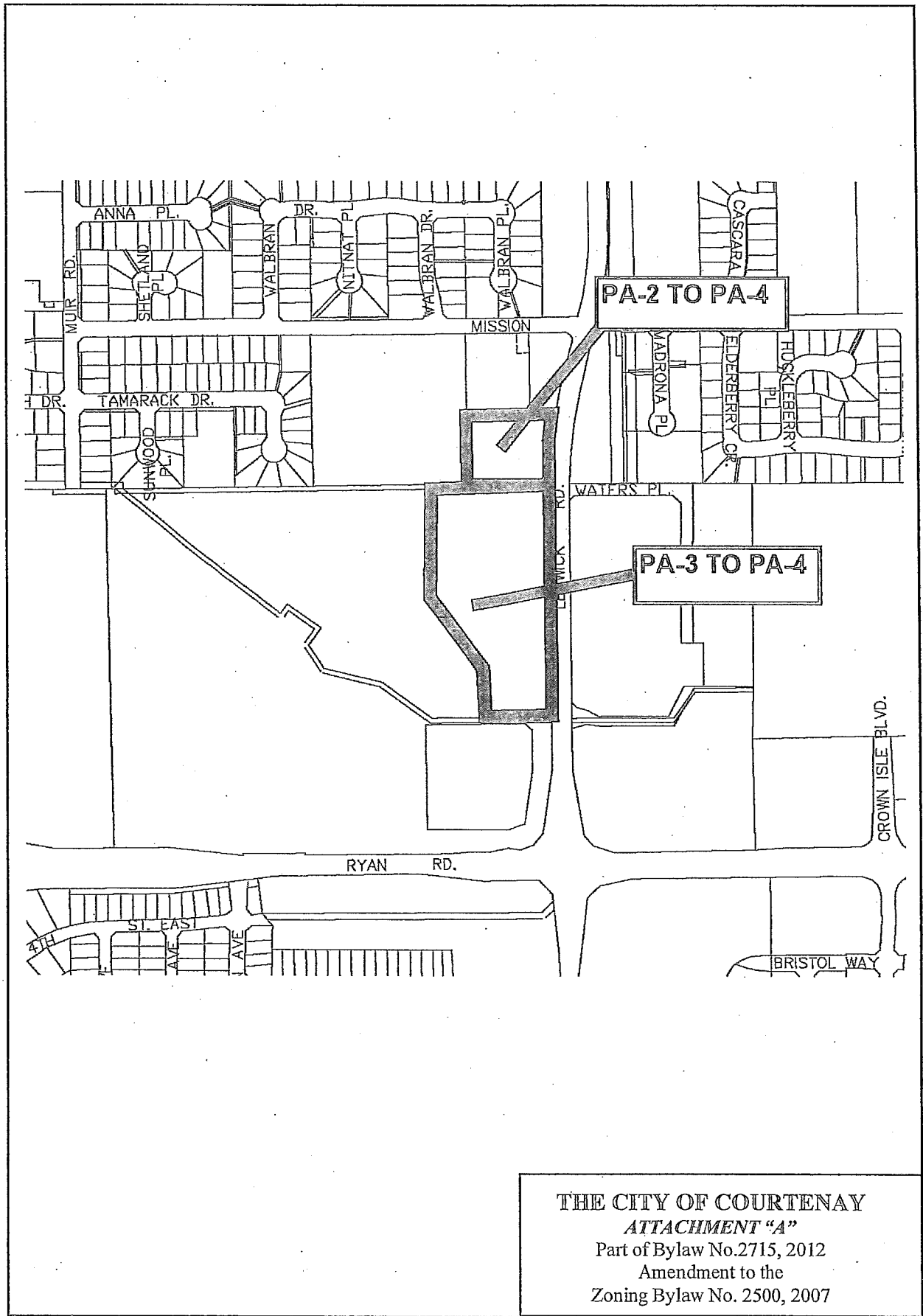


Lot C, Plan VIP52110 : P.I.D. 017-179-505

Registered Owner : The Board of School Trustees of School District No. 71

Date : September 15, 1999

Colin Burrige  
B.C. Land Surveyor  
1188 Beckensell Avenue  
Courtenay, B.C. V9N 2H4  
ph. 338-9243 fax 338-4981  
File : 0360 Drwg. : 0360PLA1.dat



THE CITY OF COURTENAY  
 ATTACHMENT "A"  
 Part of Bylaw No. 2715, 2012  
 Amendment to the  
 Zoning Bylaw No. 2500, 2007





Royal Canadian  
Mounted Police

Gendarmerie royale  
du Canada

Security Classification/Designation  
Classification/désignation sécuritaire

Unclassified

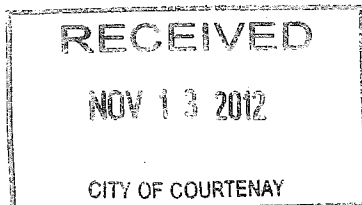
*Handwritten initials/signature*

Officer in Charge  
Comox Valley Detachment  
800 Ryan Road  
Courtenay, BC V9N 7T1

Your File - Votre référence

Our File - Notre référence

Mayor and Council  
City of Courtenay  
830 Cliffe Avenue  
Courtenay, BC V9N 2J7



302-2

Date

November 7<sup>th</sup>, 2012

Dear Mayor and Council:

**Re: Comox Valley RCMP Monthly Policing Report - October, 2012**

The following is a brief overview of some of the more significant events and activities of the Comox Valley Detachment for the month of October, 2012.

- On October 1<sup>st</sup>, the Comox Valley RCMP's drug section along with the assistance of the Emergency Response Team attended a home in the 3900 block of Harrison Place in Royston and executed a search warrant. During the search, marihuana was located in various stages of production throughout the home. Also located in the home was a semi-automatic rifle and a loaded .45 caliber handgun.
- On October 4<sup>th</sup>, several members of the Comox Valley RCMP Detachment were awarded with the Queen's Diamond Jubilee Medal. Those members included: Inspector Blair McDonald, Civilian member Stephanie Bremer from the Telecoms Section and Auxiliary Constable's Bill Borland and Dave Mellin. Auxiliary Constable Mellin also received a certificate for his 40 years of service as an Auxiliary Constable. Corporal Andrew Irvine received the Police Exemplary Service Medal. S/Sgt. Bill Gibbings received the gold clasp for his 35 years of service in the RCMP.
- The Comox Valley Detachment responded to one major violent incident during the month of October with the a shooting that occurred on the evening of October 16 in the 600 block of McPhee Avenue. Members of the detachment

responded to a report of a shot being fired upon arrival located a 20 year old male with a gunshot wound in the stomach area.

Should you wish to discuss this report or any other matter, please feel free to contact me.

Kindest Regards,

A handwritten signature in black ink, appearing to read "B. McDonald". The signature is written in a cursive style with a large initial "B" and a period at the end.

(B. McDONALD), Inspector  
Officer in Charge  
Comox Valley RCMP Detachment

**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 2732**

**A bylaw to amend Official Community Plan Bylaw No. 2387, 2005**

WHEREAS the Council has adopted an Official Community Plan and a Zoning Bylaw;

AND WHEREAS, pursuant to Section 895 of the Local Government Act, the Council shall, by bylaw, establish procedures to amend a plan or bylaw or issue a permit;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Official Community Plan Amendment Bylaw No. 2732, 2012**”.
2. That Official Community Plan Bylaw No. 2387, 2005 be amended as follows:
  - (a) By changing the designation of part of Lot 2, District Lot 138, Comox District, Plan 14210; Lot 1, District Lot 138, Comox District, Plan 40239 and Lot B, District Lot 138, Comox District, Plan 2607, Except that part in Plan 40239 from “Suburban Residential” to “Urban Residential” as outlined on the plan attached as Attachment “A”.
  - (b) That Map #2, Land Use Plan be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 19<sup>th</sup> day of November, 2012

Read a second time this 19<sup>th</sup> day of November, 2012

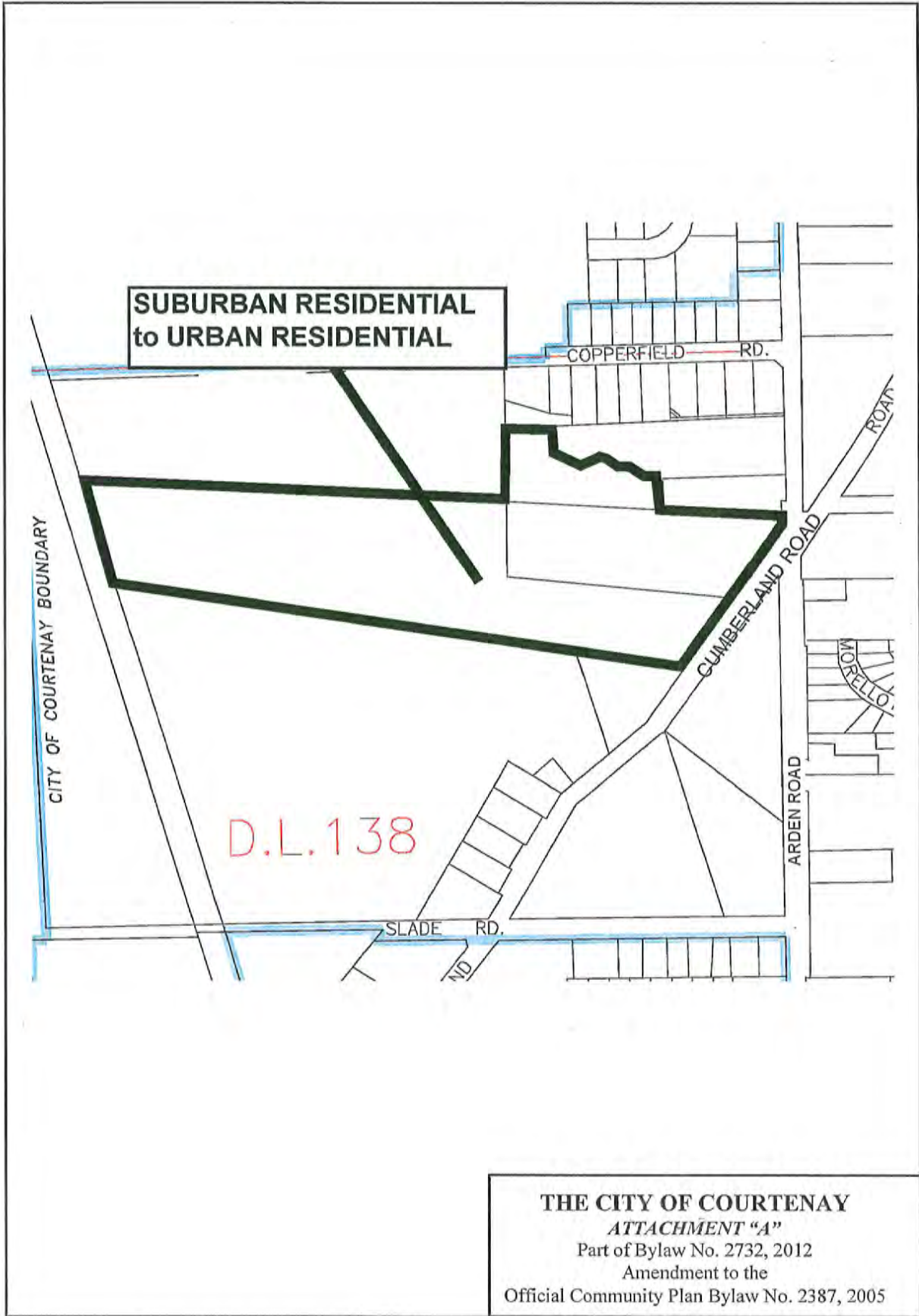
Considered at a Public Hearing this                      day of                      , 2012

Read a third time this                                      day of                      , 2012

Finally passed and adopted this                      day of                      , 2012

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Legislative Services



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2733

A bylaw to amend Zoning Bylaw No. 2500, 2007

WHEREAS the Council has given due regard to the consideration given in Section 903 of the *Local Government Act*;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “Zoning Amendment Bylaw No. 2733, 2012”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
  - (a) That “Zoning Bylaw No. 2500, 2007, Division 8, Classification of Zones” be amended by adding Part 49 as follows:

**Part 49 - Comprehensive Development Twenty-One Zone (CD-23) (1921, 1993 Arden Road & 2459 Cumberland Road)**

**8.49.1 Intent**

The CD-23 Zone is intended to accommodate a mixed use residential development on the properties legally described as part of Lot 2, District Lot 138, Comox District, Plan 14210, Lot 1, District Lot 138, Comox District, Plan 40239, and Lot B, District Lot 138, Comox District, Plan 2607, Except that part in Plan 40239 and in general accordance with the plan attached as Schedule A.

**8.49.2 CD-23A**

(1) Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

1. *Single residential dwelling*
2. *Duplex residential dwelling*
3. *Accessory buildings and structures*
4. *Home occupation*

(2) Minimum Lot Size

- a) *Single Family Residential:* 500m<sup>2</sup>
- b) *Duplex:* 900m<sup>2</sup>

(3) Minimum Lot Frontage

A lot shall have a frontage of not less than 18.0m, except for a corner lot where the

frontage shall be not less than 20.0m.

(4) Minimum Lot Depth

A lot shall have a depth of not less than 30.0 m

(5) Lot Coverage

A lot shall not be covered by buildings to a greater extent than 40% of the total lot area.

(6) Setbacks

- a) Front Yard 7.5 metres
- b) Rear Yard 9.0 metres
- c) Side Yard The side yard setbacks shall total 4.5 m with a minimum side yard setback on one side of 1.5 m except where a side yard flanks a street in which case the minimum distance shall be 4.5 m.

(7) Height

The maximum height of a principle building shall not exceed 9 metres

**8.49.3 CD-23B**

(1) Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

- 1. *Single residential dwelling with or without a secondary suite*
- 2. *Accessory buildings and structures*
- 3. *Home occupation*

(2) Minimum Lot Size

The minimum lot size for all lots in this area is 400m<sup>2</sup>

(3) Minimum Lot Frontage

A lot shall have a frontage of not less than 13.0m, except for a corner lot where the frontage shall be not less than 15.0m.

(4) Minimum Lot Depth

A lot shall have a depth of not less than 30.0 m

(5) Lot Coverage

A lot shall not be covered by buildings to a greater extent than 40% of the total lot area.

(6) Setbacks

- (a) Front Yard 4.5 metres
- (b) Rear Yard 7.5 metres
- (c) Side Yard 1.5 metres except where a side yard flanks a street in which case the minimum shall be 3.5 metres.

(7) *Height*

The maximum height of a principle building shall not exceed 9 metres

**8.49.4 Accessory Buildings and Accessory Structures**

- (1) Shall not exceed 4.5 m in *height*.
- (2) Shall have a total *building area* not exceeding 50 m<sup>2</sup> or 10% of the *rear yard*, whichever is greater.
- (3) Shall be permitted in the *side* and *rear yard* provided they shall conform to all relevant siting regulations of this bylaw.
- (4) Shall be permitted at the front of a principal *residence* provided they shall conform to all relevant siting regulations of this bylaw.
- (5) Shall not be located within 1.5 m from the side or rear *lot line* except where the side or *rear yard* flanks a *street*, excluding a lane, in which case the minimum *yard* distance shall be 4.5m. Within the CD-23B area the minimum interior side yard setback shall be 1.0 metres.

**8.49.5 Off-Street Parking**

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw. No more than 50% of any *yard* area or frontage on a *street* or lane shall be used for off-*street* parking.

**Schedule A**



- (b) That part of Lot 2, District Lot 138, Comox District, Plan 14210; Lot 1, District Lot 138, Comox District, Plan 40239 and Lot B, District Lot 138, Comox District, Plan 2607, Except that part in Plan 40239 be rezoned from Residential One A Zone (R-1A) to Comprehensive Development Twenty Three Zone (CD-23) and Public Use and Assembly Two Zone (PA-2) as outlined on the plan attached as Attachment A.
  - (c) That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 19<sup>th</sup> day of November, 2012

Read a second time this 19<sup>th</sup> day of November, 2012

Considered at a Public Hearing this            day of            , 2012

Read a third time this            day of            , 2012

Finally passed and adopted this            day of            , 2012

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Mayor

\_\_\_\_\_  
Director of Legislative Services



LEGEND

- PA-2
- CD-23A
- CD-23B
- ANTICIPATED ROAD DEDICATION AREA
- EXISTING PROPERTY LINES
- EXISTING CREEK
- PROPOSED PERVIOUS PEDESTRIAN TRAIL



**THE CITY OF COURTENAY**  
**ATTACHMENT "A"**  
 Part of Bylaw No. 2733, 2012  
 Amendment to the  
 Zoning Bylaw No. 2500, 2007



**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 2729**

**A bylaw to repeal Bylaw No. 1883**

The Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

CITATION

1. This bylaw may be cited for all purposes as “Comox Valley Emergency Program Policy Agreement Repeal Bylaw No. 2729, 2012”.

REPEAL

2. “Comox Valley Emergency Program Policy Agreement Bylaw No. 1883, 1996” is hereby repealed in its entirety.

Read a first time this 13<sup>th</sup> day of November, 2012

Read a second time this 13<sup>th</sup> day of November, 2012

Read a third time this 13<sup>th</sup> day of November, 2012

Finally passed and adopted this      day of                      , 2012

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Mayor

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Director of Legislative Services

# THE CORPORATION OF THE CITY OF COURTENAY

## BYLAW NO. 1883

**A bylaw to authorize the City of Courtenay to enter into an agreement with the Town of Comox, Village of Cumberland and the Regional District of Comox-Strathcona to jointly exercise powers conferred pursuant to the Emergency Program Act, R.S.B.C. 1993, Chapter 41**

The Council of the Corporation of the City of Courtenay in open meeting assembled, enacts as follows:

**1. Authorization to Enter into Agreement**

The Council authorizes the City of Courtenay to enter into an Agreement with the Town of Comox, Village of Cumberland and the Regional District of Comox-Strathcona in order to establish the "Comox Valley Emergency Program" for the joint exercise of powers conferred on the municipalities and the Regional District by the Emergency Program Act, R.S.B.C. 1993, Chapter 41 (the "Act") as set out in the Agreement entitled "Comox Valley Emergency Program Policy Agreement" (the "Agreement") identified as Schedule "A" which is attached to and forms part of this bylaw.

**2. Joint Powers**

The powers conferred on the City of Courtenay by the "Act", are hereby authorized to be jointly exercised with the Town of Comox, Village of Cumberland and the Regional District of Comox-Strathcona in substantially the form of the "Agreement".

**3. Execution of Documents**

The Mayor and Municipal Clerk are authorized to execute any documents required to give effect to the intent of this bylaw.

**4. Repeal**

"Comox Valley Emergency Disaster Program Agreement Bylaw No. 1695, 1993" is hereby repealed.

5. Title

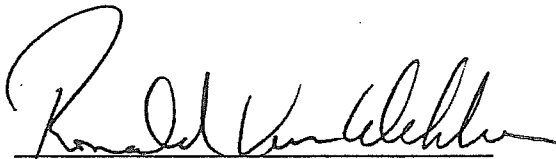
This bylaw may be cited as "Comox Valley Emergency Program Policy Agreement Bylaw No. 1883, 1996"

Read a first time this 8th day of January, 1996

Read a second time this 8th day of January, 1996

Read third time this 8th day of January, 1996

Finally passed and adopted this 22nd day of January, 1996

  
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Mayor

  
\_\_\_\_\_  
Clerk



**THE CORPORATION OF THE CITY OF COURTENAY**  
**BYLAW NO. 2719**

**A bylaw to amend Official Community Plan Bylaw No. 2387, 2005**

WHEREAS the Council has adopted an Official Community Plan and a Zoning Bylaw;

AND WHEREAS, pursuant to Section 895 of the *Local Government Act*, the Council shall, by bylaw, establish procedures to amend a plan or bylaw or issue a permit;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Official Community Plan Amendment Bylaw No. 2719, 2012**”.
  
2. That Official Community Plan Bylaw No. 2387, 2005 be amended as follows:
  - (a) by changing the designation of Amended Lot 5 (DD 40086N), Block 1, District Lot 127, Comox District, Plan 1951 as shown in bold outline on Attachment “A” which is attached hereto and forms part of this bylaw, from Urban Residential to Multi-Residential Use;
  
  - (b) That Map #2, Land Use Plan be amended accordingly as shown in bold outline on Attachment “A” which is attached hereto and forms part of this bylaw.
  
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 5<sup>th</sup> day of November, 2012

Read a second time this 5<sup>th</sup> day of November, 2012

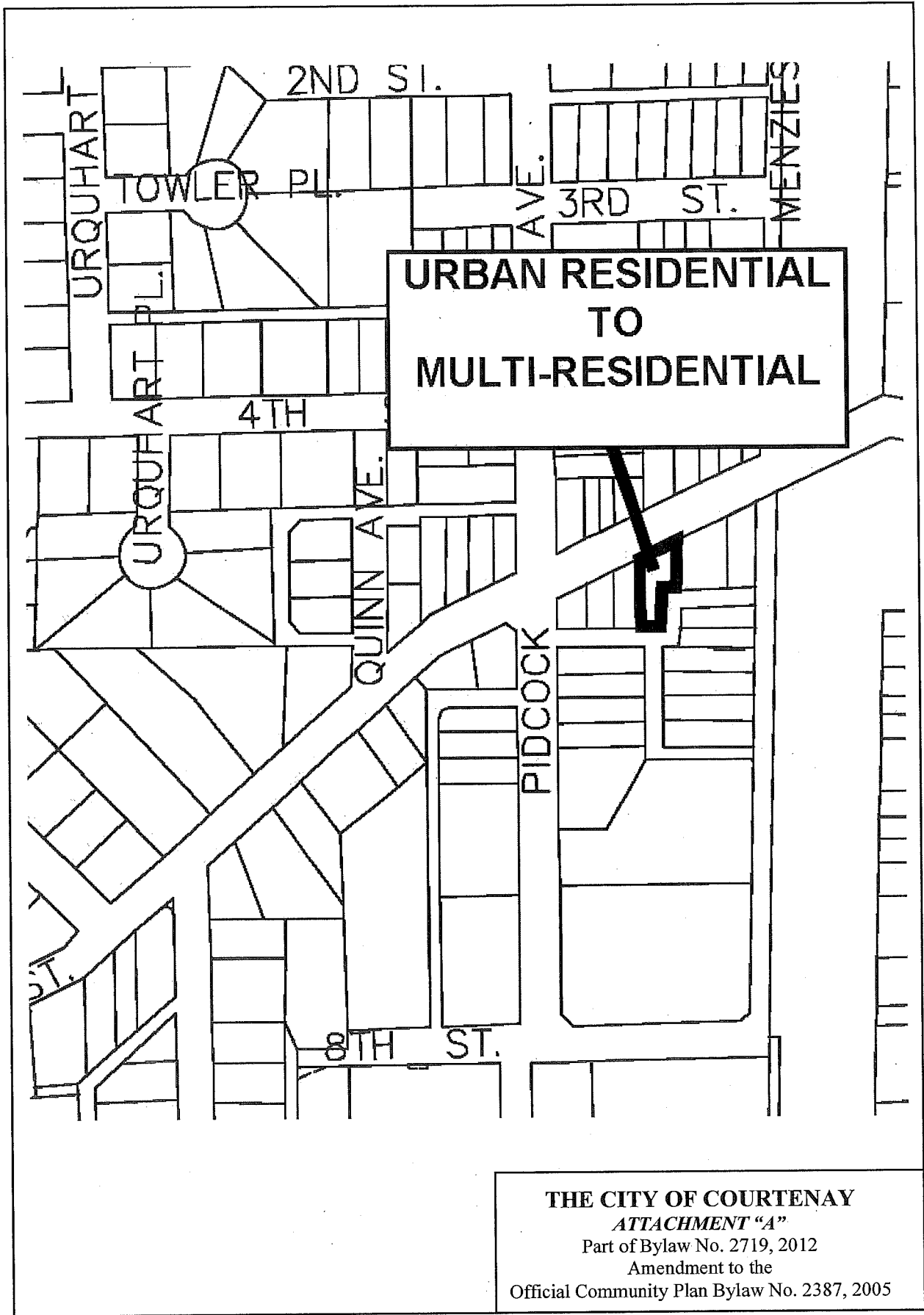
Considered at a Public Hearing this            day of            , 2012

Read a third time this            day of            , 2012

Finally passed and adopted this            day of            , 2012

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Mayor

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Director of Legislative Services





**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 2720**

**A bylaw to amend Zoning Bylaw No. 2500, 2007**

WHEREAS the Council has given due regard to the consideration given in Section 903 of the *Local Government Act*;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as **“Zoning Amendment Bylaw No. 2720, 2012”**.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
  - (a) by rezoning Amended Lot 5 (DD 40086N), Block 1, District Lot 127, Comox District, Plan 1951, as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Residential Two Zone (R-2) to Residential Four B Zone (R-4B);
  - (b) That subsection 8.4.30(1) be removed from the Residential Four B zone (R-4B); and
  - (c) That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly;
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 5<sup>th</sup> day of November, 2012

Read a second time this 5<sup>th</sup> day of November, 2012

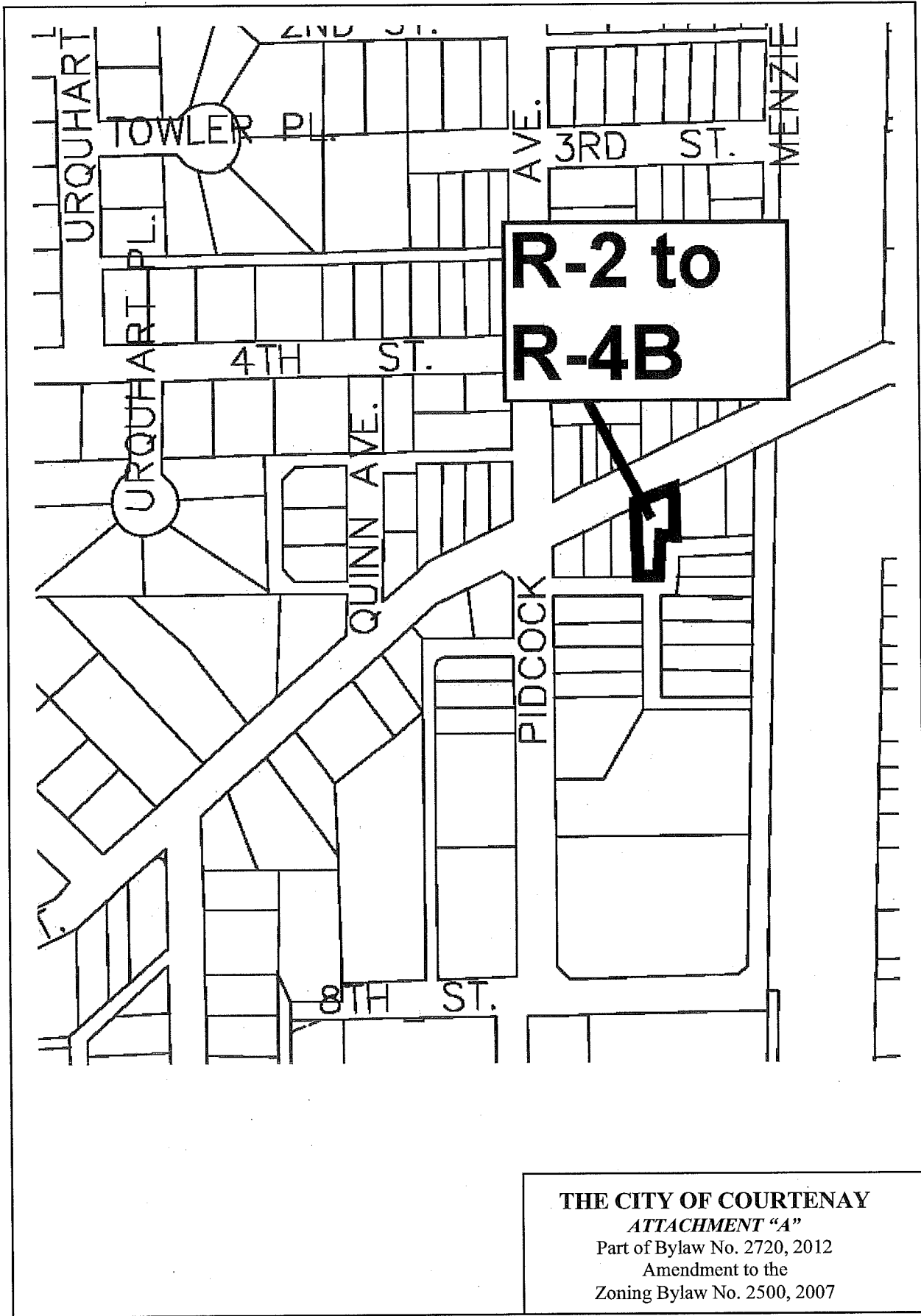
Considered at a Public Hearing this            day of            , 2012

Read a third time this            day of            , 2012

Finally passed and adopted this            day of            , 2012

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Mayor

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Director of Legislative Services



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2725

A bylaw to amend Zoning Bylaw No. 2500, 2007

WHEREAS the Council has given due regard to the consideration given in Section 903 of the *Local Government Act*;

NOW THEREFORE the Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Zoning Amendment Bylaw No. 2725, 2012**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
  - (a) by rezoning Lot 21, District Lot 158, Comox District, Plan VIP77946, as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Residential One B Zone (R-1B) to Residential One S Zone (R-1S);
  - (b) That Zoning Bylaw No. 2500, 2007, Schedule No. 8 be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 5<sup>th</sup> day of November, 2012

Read a second time this 5<sup>th</sup> day of November, 2012

Considered at a Public Hearing this            day of            , 2012

Read a third time this            day of            , 2012

Finally passed and adopted this            day of            , 2012

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Mayor

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Director of Legislative Services

