

12 May, 2011

# Town Of Comox Official Community Plan



Prepared by  
The Arlington Group  
Planning + Architecture Inc.

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This index is NOT a part of Bylaw 1685 and is  
provided for convenience purposes only

## TABLE OF AMENDMENTS TO OCP BYLAW 1685

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<b>Bylaw</b>	<b>Amend #</b>	<b>Date Adopted</b>	<b>Comments</b>	<b>Consolidation &amp; Map Update</b>
1734	1	5 Dec 2012	221 Glacier View and 2275 Comox Avenue designation of Eagle Nest DPA	✓
1752	2	25 Sept 2013	New DPA # 17 Coach Houses	✓
1754	3	7 May 2014	Designation of Eagle Nest DPA for the following properties: 380 Knight Road, 360 Knight Road, 953 Kye Bay Road, 350 Knight Road, 343 Lazo Road	✓

**TOWN OF COMOX**

**BYLAW NO. 1685**

**A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN**

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WHEREAS Council has the authority under the provisions of the *Local Government Act* to adopt an Official Community Plan Bylaw;

AND WHEREAS Council has considered the Official Community Plan Bylaw in conjunction with its financial plan and any waste management plan that is applicable in the municipality or regional district;

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 "Comox Official Community Plan Bylaw, 2011".

**2. Definitions**

- (1) "Council" means the Council of the Town of Comox;
- (2) "Town" means the Town of Comox.

**3. Official Community Plan**

Schedule "A" attached to and forming part of this bylaw is hereby adopted as an Official Community Plan for the Town of Comox.

**4. Repeal of Previous Bylaws**

Bylaw No. 1471 (Town of Comox Official Community Plan Bylaw 1471) is hereby repealed.

**5. Effective Date of Bylaw**

This Bylaw shall come into force on the date of adoption by Council.

**6. Adoption**

- |                                   |                         |            |
|-----------------------------------|-------------------------|------------|
| (1) READ A FIRST time this        | 18 <sup>th</sup> day of | May, 2011  |
| (2) READ A SECOND time this       | 15 <sup>th</sup> day of | June, 2011 |
| (3) ADVERTISED A FIRST time this  | 17 <sup>th</sup> day of | June, 2011 |
| (4) ADVERTISED A SECOND time this | 21 <sup>st</sup> day of | June, 2011 |
| (5) PUBLIC HEARING HELD this      | 28 <sup>th</sup> day of | June, 2011 |
| (6) READ A THIRD time this        | 20 <sup>th</sup> day of | July, 2011 |
| (7) ADOPTED this                  | 20 <sup>th</sup> day of | July, 2011 |

MAYOR

CORPORATE OFFICER

## Schedule “A”

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# Part 1: Introduction, Vision & Goals

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## 1.1 Vision Statement

The Town of Comox is an active residential community that welcomes all ages. The heart of Comox is the Downtown – a compact, pedestrian friendly area with a lively mix of commercial services, housing and public services. Comox enjoys strong connectivity within and between neighbourhoods, commercial/service areas and the waterfront through a variety of transportation choices. Comox embraces its natural areas and surroundings, recreational opportunities and ambiance as a unique seaside town. Comox will grow in a way that maintains and enhances community liveability.

## 1.2 Background

Comox is an attractive and economically vibrant seaside town located in the Comox Valley on the east coast of Vancouver Island. Comox has been blessed with unique environmental assets, treasured by residents and visitors alike.

The name Comox is derived from a Salish First Nation word meaning "Land of Plenty". The presence of the K'ómoks First Nation predates the written history of the Comox Valley since time immemorial. As a result, the Town of Comox acknowledges and respects that its boundaries are located entirely within the traditional territory of the K'ómoks First Nation.

The Port of Comox was founded in the mid-1800s on the slopes of the Comox Peninsula. Overlooking the protected waters of Comox Harbour, the port was an important destination for the ships of the Royal Navy and transport steamers. The harbour continues to play a central role in community life as a base for commercial and sports fishing, as well as a growing number of recreational craft. The harbour is located adjacent to Downtown Comox, the commercial and social heart of Comox. Downtown Comox is a compact mixed use area with an attractive pedestrian friendly ambiance.

Comox is a highly desirable retirement area but has a strong appeal to young families and other persons in the work force. Housing is diverse and relatively affordable when compared with larger centres in BC, however affordability of housing is becoming an increasing issue for local residents. With a moderate climate, access to a wide range of recreational opportunities and excellent transportation links, Comox has a bright future.



Today, Comox is primarily residential in character, supported by a range of community and commercial services. Approximately two thirds of all residential dwellings are single detached with the balance consisting mainly of low rise apartments, townhouses and duplexes.

Demographic projections indicate an increasing need for more compact lots and other forms of ground oriented residential development in the future. The need for apartment development will also increase provided it is located in close proximity to services and other amenities.

The natural environment is one of the Town's greatest assets. The irregular shape of the Comox Town boundary allows rural and open space to be readily accessible to the Town's more urbanized neighbourhoods. This enables Comox to stay in close contact with the natural environment. There is a strong community feeling that development should not take place at the expense of the natural environment.

The opportunity for continued suburban development on 'greenfield' sites similar to historical patterns is very limited. The existing land supply, if previous development patterns continue, is approximately one decade. The existing undeveloped land base within the Town of Comox is constrained by several factors including environmentally sensitive lands and the Agricultural Land Reserve. There is some potential for boundary expansion but this is precluded in most directions as Comox abuts the Comox Estuary, the Strait of Georgia, the City of Courtenay, the K'ómoks IR 1, other lands in the Agricultural Land Reserve and the Lazo Wildlife Management Area.

As a result, the future development of Comox is anticipated to come increasingly in the form of infill and redevelopment. Due to the early pattern of development on large urban lots, Comox has significant potential to accommodate redevelopment on a scale compatible with existing neighbourhoods. There are also potential opportunities for redevelopment in Downtown Comox through mixed use projects and in adjacent areas through apartment and townhouse development. Development, primarily within walking distance of existing transit corridors with upgraded service levels, is considered to provide the best opportunity to meet future needs. It is anticipated that by 2031, over three quarters of all Comox residents will be within 400 metres of public transit based on existing transit corridors. Improved pedestrian and bicycle connectivity are also anticipated to contribute to a 'greener' and more sustainable community.

19 Wing Comox and St. General Joseph's Hospital are the two largest employers in Comox and will continue to play an important role in the future of the Comox Valley. 19 Wing Comox is the largest employer in the Comox Valley, employing 1,400 military personnel and 700-800 civilian personnel.



Founded in 1942 as a British Commonwealth Air Training base, it was turned over to the Royal Canadian Air Force in 1944. In the late 1950s and 1960s the base expanded considerably. In 1966, with the unification of Canada's military operations, it became CFB Comox and is now referred to officially as 19 Wing Comox. 19 Wing Comox has played a major role in shaping and supporting the community. The primary responsibilities of 19 Wing Comox are Search and Rescue operations, maritime patrols and support of naval and air force defences.

19 Wing Comox is an important stabilizing force as it is less vulnerable to cyclic changes in the economy. There are 252 existing homes at 19 Wing Comox. A major capital plan will result in replacement of 100 existing housing units and an additional 70 units at 19 Wing Comox in the short to medium term future. The new housing will be located next to Ubique Way.

The Comox Valley Airport Commission operates the Comox Valley Airport (YQQ) under a 25 year lease from the Department of National Defence. The airport is one of the best-equipped on Vancouver Island and the west coast of B.C., operating on a 24-hour, year-round basis. Passenger traffic expanded rapidly since 2001 when WestJet started flying into Comox. Annual passenger volume in 2010 was 296,845 passengers. YQQ estimates a passenger volume increase of 3% annually to the year 2015 is sustainable.

St. Joseph's is a 235 bed hospital (110 acute care + 125 complex care) serving an estimated population of 65,000. It is the only acute-care hospital in the Comox Valley. As a referral centre for a regional population of 120,000 in north and west Vancouver Island, it also provides a wide range of specialty services. Vancouver Island Health Authority is proposing to construct a new Comox Valley Hospital in Courtenay on Ryan Road to replace St Joseph's Hospital. The new hospital will have 110 acute care beds plus 40-50 beds for regional hospital programs.

### **1.3 Official Community Plan Legal Context**

The Town's Official Community Plan (OCP) is one of its most important documents. It is the primary document which sets out community objectives and broad statements of policy to guide Council's decisions about land use, zoning, development and servicing. The OCP provides prospective residents, investors and developers with a framework for decision making. It is also the legal vehicle for setting out the use of other planning measures by the municipality – for example, development permits to protect development from hazards, provide environmental protection and shape residential, commercial and industrial development. The following documents the legal requirements for an Official Community Plan as specified in the *Local Government Act*, the applicable provincial legislation.

### 1.3.1 Local Government Act Requirements

#### *OCP Required Content*

An OCP is required by section 877 of the LGA to include statements and map designations including:

☑ Approximate location, amount, type and density of **residential development required to meet anticipated housing needs over a period of at least 5 years**;

☑ Approximate location, amount and type of present and proposed **commercial, industrial, institutional, agricultural, recreational and public utility land uses**;


☑ Approximate location and area of sand and gravel deposits;

☑ Restrictions on the use of **land subject to hazardous conditions** or identified as **environmentally sensitive**;

☑ Approximate **location and phasing of any major road, sewer and water systems**;

☑ Approximate location and type of present and proposed **public facilities, including schools, parks and waste treatment and disposal sites**; and

An OCP must also include:

 Policies with respect to **affordable, rental and special needs housing**;

💧 Targets for the **reduction of greenhouse gas emissions** in the area covered by the plan, and policies and actions proposed with respect to achieving those targets.

#### *Purposes of Official Community Plans*

The purpose of an official community plan is detailed in section 875 of the *Local Government Act* (LGA). This section describes an official community plan as a statement of objectives and policies to guide decisions on planning and land use management within the area covered by the plan. An OCP is also required to either be consistent with the Regional Growth Strategy or identify how the OCP is to be made consistent with the RGS over time (section 866 of the LGA).

#### *Authority to Adopt by Bylaw*

In accordance with section 876 of the *Local Government Act*, a local government may adopt one or more official community plans. The OCP must be included in the adopting bylaw as a schedule and must designate the area covered by the plan.

#### *Policy Statements in Official Community Plans*

An OCP under section 878 of the LGA may also include:

- a) Policies of the local government relating to social needs, social well-being and social development;
- b) A regional context statement, consistent with the rest of the community plan, of how matters dealt with in the community plan, apply in a regional context;
- c) Policies of the local government respecting the maintenance and enhancement of farming on land in a farming area or in an area designated for agricultural use in the community plan; or
- d) Policies of the local government relating to the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

## *Designation of Development Permit Areas*

Section 919.1 of the LGA states an official community plan may designate Development Permit Areas for one or more of the following purposes:

- a) Protection of the natural environment, its ecosystems and biological diversity;
- b) Protection of development from hazardous conditions;
- c) Protection of farming;
- d) Revitalization of an area in which a commercial use is permitted;
- e) Establishment of objectives for the form and character of intensive residential development;
- f) Establishment of objectives for the form and character of commercial, industrial or multi-family residential development;
- h) Establishment of objectives to promote energy conservation;
- i) Establishment of objectives to promote water conservation; or
- j) Establishment of objectives to promote the reduction of greenhouse gas emissions.

For any designated Development Permit Area, the special conditions or objectives that justify the designation and specific guidelines as to how the special conditions or objectives will be addressed must be described. For any designated Development Permit Area, the OCP may also specify conditions under which a development permit under section 920 (1) will not be required.

Once adopted, an OCP does not commit the Town to implement particular objectives or supportive policies. However works undertaken and bylaws enacted by Council must be consistent with the OCP.

It should be noted nothing in this OCP negates the need for compliance with any federal or provincial statutes or regulations.

The Town of Comox Official Community Plan is intended to be a 'living document'. It will be amended and updated over time to respond to changing community needs, conditions and information.

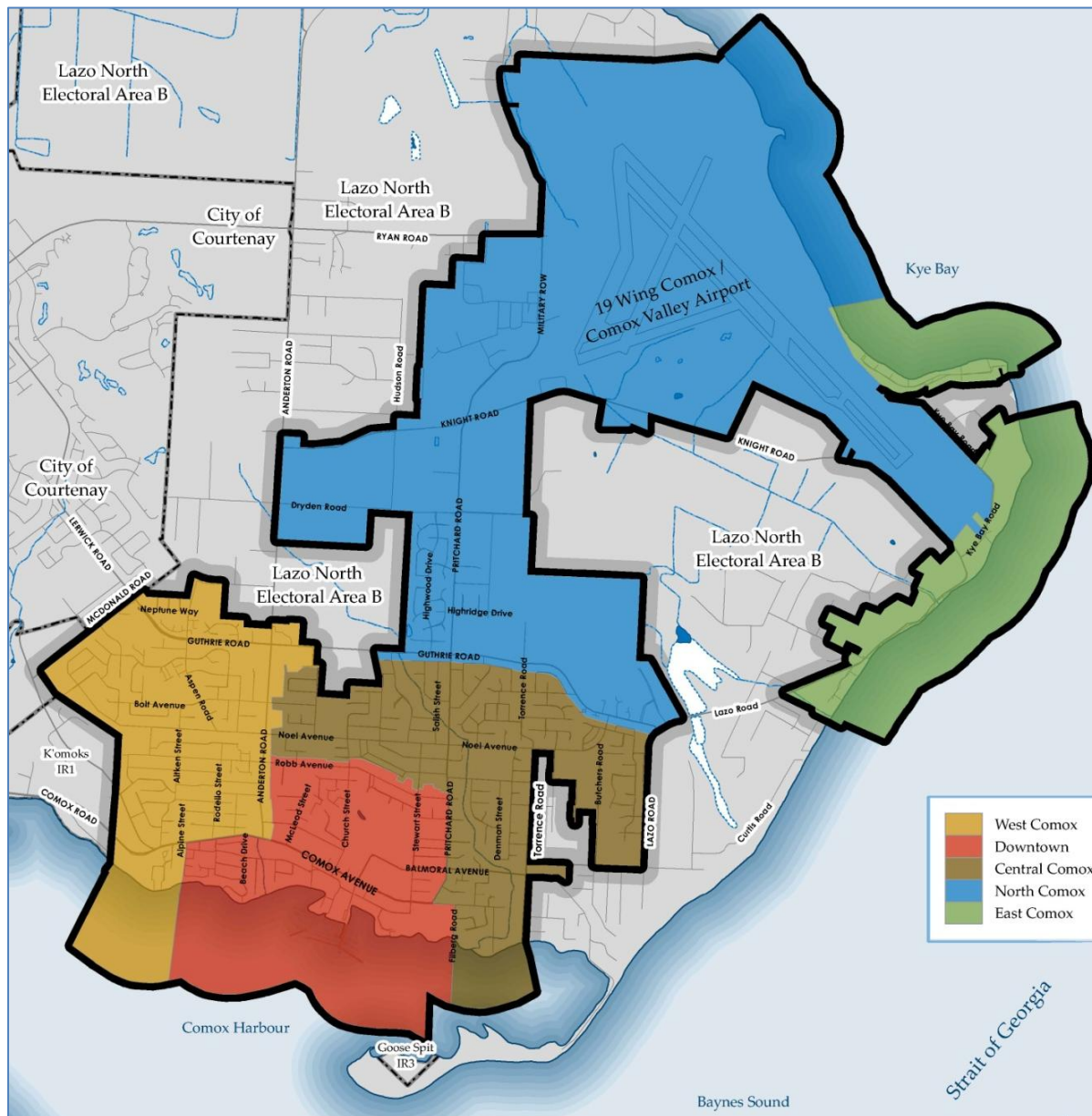
## **1.4 Official Community Plan Update Process**

The current OCP is the product of a comprehensive process which commenced in October 2009.

The three phase process of updating the OCP consisted of the following elements.

Phase 1 included an initial public introductory meeting in November 2009. This was followed by the first round of neighbourhood meetings in January 2010. For the purposes of addressing areas of local neighbourhood interest and concern the Town was structured into five neighbourhoods consisting of Downtown Comox, Central Comox, West Comox, North Comox and East Comox (see Figure 1). The meetings included a review of demographic trends, historic development patterns, new legislative requirements to be addressed in the OCP and growth management opportunities. Opportunities were provided for questions and comments from participants including break-out groups and other workshop formats. Comment sheets were provided at all meetings. Documentation of each meeting was provided.

**Figure 1 - Town of Comox 'Neighbourhood' Boundaries**



A parallel process specific to Age-Friendly community planning needs also commenced in Phase 1. This consisted of meetings at the Comox Seniors Centre (d'Esterre House) in November 2009 and January 2010. The following two reports were prepared to help guide the OCP with respect to Age-Friendly planning initiatives:

- Age-Friendly Community Planning Background Document (January 2010)
- Age-Friendly Community Planning Summary Report (June 2010)



Workshops also took place in March 2010 to obtain the views of students at the Cape Lazo Middle School. Youth worked to map their neighbourhood, took photos of assets and issues, and presented their photos to peers. The workshops culminated in a joint youth-seniors presentation of Comox assets and issues.

Meetings with the Town's Advisory Design Panel and the Advisory Planning Commission took place as well as with the Superintendent of Schools, Comox Valley School District No. 71 and the Economic Development Officer for the Comox Valley Economic Development Society.

A website was set up early in Phase 1 to provide information on the progress of the new OCP, provide information on upcoming public processes, provide documentation for information and review, post background reports commissioned as part of the OCP process and enable readers to post questions or make inquiries on any aspect of the process.

In Phase 2, a second round of five neighbourhood meetings was held in April 2010. The second round of neighbourhood meetings built on the base established in the first round of meetings and ended with a focus on preferred options.

In September 2010 two Open Houses were held with a focus on the potential growth which could be accommodated within the Town of Comox due to redevelopment, residential infill and from vacant lands. Infill opportunities were identified along or within walking distance of BC Transit corridors. The Director of Planning from BC Transit was in attendance.

The final Phase 2 meetings took place in November and December 2010. A presentation of the draft land use maps was made in November to a Committee of the Whole meeting of Council. This was followed up in December with two Open Houses and a joint meeting with the Advisory Planning Commission and the Advisory Design Panel.

A series of background reports were prepared in Phase 2 including the following:

- Town of Comox OCP Update Sustainability Overview – Sustainability Solutions Group (January 2010)
- Town of Comox Environmental Background Report – Diamond Head Consulting Ltd. (March 2010)
- Background and Policy Alternatives Report – The Arlington Group Planning + Architecture Inc. (April 2010)
- Town of Comox Greenways Assessment – Diamond Head Consulting Ltd. (May 2010)

- Greenhouse Gas Emissions Analysis of a Transit Oriented Development Scenario for the Town of Comox OCP – Sustainability Solutions Group (January 2011)
- Age-Friendly Planning Summary Report (June 2010)
- Impact of Proposed OCP on Existing Underground Infrastructure (Water, Sanitary Sewer and Storm Drainage) – Koers & Associates Engineering Ltd. (February 2011)

Phase 3 commenced with the preparation of the new OCP including Objectives and supporting Policies, Land Use and other map designations and Development Permit Areas. Open Houses to present the Draft OCP were held early March 2011. From the feedback and comments received, Council scheduled an additional Open House prior to the May public hearing. This additional Open House was held early April 2011.

A corresponding consultation process with the K'ómoks First Nation took place in each phase. Phase 1 saw the initiation of consultation with the K'ómoks First Nation. A meeting was held in Phase 2 to identify issues of concern. A detailed briefing note was provided documenting these concerns. The consultants prepared a summary itemizing these concerns with proposed responses documenting how and where these concerns could be accommodated in the new OCP. In Phase 2, the Draft OCP including responses to issues raised in Phase 1 was circulated to the K'ómoks First Nation. A second meeting was held in Phase 3 to fine-tune these responses and address outstanding issues.

## **1.5 Official Community Plan Structure**

The OCP is structured in five parts. Part 1 has eight subsections as follows:

- Vision Statement
- Background
- Official Community Plan Legal Context
- Official Community Plan Update Process
- Official Community Plan Structure
- Regional Context Statement
- Statement of Community Values and Planning Goals
- Definitions (used in the Official Community Plan)



Part 2 consists of objectives and supporting policies. It is structured in terms of different land uses, including residential and affordable housing, the environment, transportation (motorized and non-motorized), age friendly planning initiatives to address anticipated demographic changes, and infrastructure services and needs (i.e. water, sanitary sewage collection and treatment, storm water management, solid waste collection and recycling). Part 2 also addresses economic development, historical and cultural resources, future boundary expansion, and inter-jurisdictional co-operation.

Part 3 consists of Development Permit Areas (DPAs) and requirements. There are a total of 17 Development Permit Areas. Seven address protection of the natural environment, its ecosystems and biological diversity. Eight concern the form and character of commercial, industrial or residential development. One (DPA #13) specifically addresses the protection of development from hazardous conditions. The final Development Permit Area addresses energy conservation, water conservation and the reduction of greenhouse gas (GHG) emissions. Means of reducing GHG emissions have also been included in a number of form and character DPAs. Each Development Permit Area includes objectives to justify the designation and specifies guidelines to address these objectives. **(#1752, September 25/2013)**

Part 4 includes means to implement and monitor progress toward attaining the objectives in the OCP.

Part 5 contains all OCP maps, including the DPA maps. Part 5 consists of land use maps (2), parks, trails and environmentally sensitive areas (2), motorized and non-motorized transportation networks (4), and Development Permit Areas (16). Table 1 following enumerates these maps.

Unless otherwise stated, this OCP applies to all land within the boundaries of the Town of Comox as shown on *Map 1 – Land Use Designations*.

The time frame for the OCP is from 2011 to 2031. It is intended to address land use needs and infrastructure requirements for the next 20 years given anticipated population growth and demographic changes.

**Table 1 - Maps and Figures in this OCP**

Map #	Map Title
1	Land Use Designations
2	Residential Infill Potential
3	Parks, Trails and Open Space
4	Sensitive Ecosystem Inventory and Ecological Features
5	Road Network
6	Bus Routes
7	Bicycle Network
8	Truck Routes
9	Public Lands Inventory
DPA #1	Downtown Comox
DPA #2	Ground Oriented Infill
DPA #3	General Multi-Family
DPA #4	Mixed Use: Commercial-Residential
DPA #5	Commercial: Neighbourhood and Tourist
DPA #6	Light Industrial
DPA #7	Riparian Areas
DPA #8	Waterfront Environment
DPA #9	Upland Environment
DPA #10	Bald Eagle & Great Blue Heron Nesting Sites/Perching Trees
DPA #11	Wildlife Corridor
DPA #12	Garry Oak Habitat
DPA #13	Hazardous Areas
DPA #14	Marine Foreshore
DPA #15	Comox Harbour and Marinas
DPA #16	Energy & Water Conservation and Reduction of GHG Emissions
DPA #17	Coach Houses ( <b>#1752, September 25/2013</b> )

## 1.6 Regional Context Statement

A Regional Growth Strategy for the Comox Valley Regional District was initiated under section 852 of the *Local Government Act*. The purpose of a Regional Growth Strategy is to guide decisions on growth, change and development within the Regional District.

A regional growth strategy is required to cover a period of at least 20 years from the time of its initiation and must include:

- a comprehensive statement on the future of the region, including the social, economic and environmental objectives of the board in relation to the regional district;

- population and employment projections for the period covered by the regional growth strategy;
- actions proposed for the regional district to provide for the needs of the projected population in relation to housing, transportation, regional district services, parks and natural areas, and economic development; and
- targets for the reduction of greenhouse gas emissions in the regional district, and policies and actions proposed for the regional district with respect to achieving those targets.

If a regional growth strategy applies to all or part of the same area of a municipality as an official community plan, the official community plan must include a regional context statement. The regional context statement must specifically identify the relationship between the official community plan and the matters referred to above and if applicable, how the Official Community Plan is to be made consistent with the Regional Growth Strategy over time.

Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010 consists of five parts including an introductory section.

Part 2 contains 11 major trends which shape the Regional Growth Strategy (RGS). The Comox Official Community Plan recognizes the importance of these major trends and all are addressed in the land use designations, objectives and policies. While all are important, population growth due to in-migration from other parts of B.C. and other provinces, demographic changes due to an aging population, environmental protection and the need to increase transportation choices are key drivers of the Comox OCP. The RGS projects a population increase of 19,800 from 2010 to 2030 for the CVRD. An annual growth rate of 1.6% is projected to slowly decline to 1.0% over the 20 year timeframe of the RGS. This is consistent with the OCP which anticipates a lower growth rate for the Town of Comox than the CVRD as a whole due to a limited land base and a strong desire for incremental change from Comox residents.

An aging population will generate the need for a variety of more compact housing forms regardless of population increase from outside Comox. The Comox OCP proposes to address these population and demographic changes primarily through increasing opportunities for densification in Downtown Comox and within easy walking distance of transit corridors, located along arterial and collector roads.

'Greenfield' development will serve as a secondary means of accommodating growth but will not be sufficient due to a limited land supply and environmental constraints. Comox is blessed with numerous environmentally sensitive areas. The OCP proposes to accommodate very limited growth in these areas and only subject to extensive development permit regulation.

Improving transportation choices is of critical significance in order to take advantage of existing underutilized infrastructure, forego extensive capital expenditures, and reduce GHG emissions. The Comox OCP anticipates over three quarters of the population of Comox in 2030 will be within 400 metres of existing transit routes.

The time frame of the RGS is the 20 year period from 2010 to 2030.

### *Goals of the Regional Growth Strategy*

Part 3 of the RGS contains eight over-riding goals. Each goal includes a series of objectives, targets and supporting policies. The OCP supports each goal through the following objectives and policies:

<b>RGS Goal 1: Housing</b>	<b>Comox OCP Supporting Objectives/Policies</b>
<i>Ensure a diversity of housing options to meet evolving demographics and needs.</i>	<i>Section 2.1.1.2 Residential Objectives: 1, 2 &amp; 3</i>
	<i>Section 2.1.1.3 Residential Policies: a, b, c, e, l, j &amp; k.</i>
	<i>Section 2.1.2.3 Affordable, Rental and Special Needs Housing Policies: a, c, d &amp; e.</i>
<b>RGS Goal 2: Ecosystems, Natural Areas &amp; Parks</b>	<b>Comox OCP Supporting Objectives/Policies</b>
<i>Protect, steward and enhance the natural environment and ecological connections and systems.</i>	<i>Section 2.1.8.2 Parks, Trails &amp; Open Space Objectives: 1, 2, 3, 5, 6, 7 &amp; 12.</i>
	<i>Section 2.1.8.3 Parks, Trails and Open Space Policies: a, b, c</i>
	<i>Section 2.1.9.3 Agriculture and Aquaculture Supporting Policies: b &amp; g.</i>
	<i>Section 2.3.12 Environmental Objectives: 1, 2, 3, 4 &amp; 5.</i> <i>Section 2.3.13 Environment Policies: a, l &amp; v.</i>
<b>RGS Goal 3: Local Economic Development:</b>	<b>Comox OCP Supporting Objectives/Policies</b>
<i>Achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit.</i>	<i>Section 2.1.9.3 Agriculture and Aquaculture Supporting Policies: k &amp; l.</i>
	<i>Section 2.1.10.3 19 Wing Comox Supporting Policies: b &amp; c.</i>

<b>RGS Goal 4: Transportation</b>	<b>Comox OCP Supporting Objectives/Policies</b>
<i>Develop an accessible, efficient and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.</i>	<i>Section 2.4.1.3 Roads – Objectives: 1, 3, 4 &amp; 5.</i>
	<i>Section 2.4.1.4 Roads Supporting Policies: b, f, g, h &amp; i.</i>
	<i>Section 2.4.1.12 Bikeways Objectives: 1, 2, 4 &amp; 5.</i>
	<i>Section 2.4.1.13 Supporting Policies for Bikeways: a</i>
<b>RGS Goal 5: Infrastructure</b>	<b>Comox OCP Supporting Objectives/Policies</b>
<i>Provide affordable, effective and efficient services and infrastructure that conserves land, water and energy resources.</i>	<i>Section 2.4.2.1 Utilities and Services Objectives: 5, 6, 7 &amp; 8.</i>

It should be noted that the analysis of the municipal infrastructure by Koers & Associates indicated the anticipated growth in the OCP could be accommodated by existing infrastructure except in new development areas where developers would be responsible.

<b>RGS Goal 6: Food Systems</b>	<b>Comox OCP Supporting Objectives/Policies</b>
<i>Support and enhance the agricultural and aquaculture sectors and increase local food security.</i>	<i>Section 2.1.9.2 Agriculture and Aquaculture Supporting Objectives: 1 &amp; 2</i> <i>Section 2.1.9.3 Agriculture and Aquaculture Supporting Policies: b, c &amp; i.</i>
<b>RGS Goal 7: Public Health and Safety</b>	<b>Comox OCP Supporting Objectives/Policies</b>
<i>Support a high quality of life through the protection and enhancement of community health, safety and well-being.</i>	<i>Section 2.4.2.3 Water Service Supporting Policies: a</i> <i>Section 2.4.2.5 Sanitary Sewerage Service: a</i>
<b>RGS Goal 8: Climate Change</b>	<b>Comox OCP Supporting Objectives/Policies</b>
<i>Minimize regional greenhouse gas emissions and plan for adaptation.</i>	<i>Section 2.3.13 Environment Policies: j &amp; k</i>

The overall approach of the OCP is to encourage redevelopment through infill making full use of existing infrastructure. Implementation of the Plan is anticipated to result in a reduction of per capita GHG emissions of 28% by 2030, compared to the 2007 baseline.

### *RGS Growth Management Principles*

Part 4 of the RGS addresses Growth Management. Included are 16 growth management principles, all of which are supported in the Comox OCP, where applicable. These reinforce the goals identified in Part 3 of the RGS. In addition, the RGS requires areas of existing development on the fringes of municipal areas to be identified that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to address existing public health and environmental issues. There are no known existing public health or environmental issues on the fringe of Town of Comox which meet those criteria and therefore no such areas have been identified within the Comox OCP.

The RGS also requires areas to be identified on the fringes of municipal areas that should eventually be incorporated through boundary extensions and provided with publicly owned water and sewer services in order to allow for new long-term growth opportunities in a phased and orderly manner. The Comox OCP can accommodate all projected development without any expansion in the boundaries of the Town of Comox. However the Town's small land base, varying degrees of interest amongst property owners in proceeding with development at any given time and land assembly issues could lead to restrictions in land supply relative to demand. To address this possibility, the OCP identifies three areas where potential growth could be accommodated in a phased and orderly manner. Area A is located in the Butchers Road surrounded on three sides by the Town of Comox. Area B is located west of Anderton Road in northwest Comox. Area C is located east of Anderton Road and extends north of Knight Road past Ryan Road to the ALR boundary. Other potential expansion areas are not identified due to environmental constraints, ALR status, and limited development potential.

The Town Centre for Comox as identified in the RGS MG Policy 1.3 consists of Downtown Comox as shown on *Map 1 – Land Use Designations*.

Compliance with RGS MG Policy 2B-1 is achieved as no ALR exclusion is proposed and all policies are in accordance with the Agricultural Land Commission Act and regulation under the Act.

Part 5 of the RGS addresses implementation measures, monitoring and amendment procedures. The OCP identifies policies with specific implementation measures requiring additional action outside of the OCP update process; these are contained in Part 4 of the OCP. Measures to monitor the OCP are also included in Part 4. These are identified generally as it is anticipated specific measurement indices may change over time. Annual monitoring of some indices should take place while a broader review of the context statement should occur within five years.

## **1.7 Statement of Community Values and Planning Goals**

Comox residents and businesses support growth which is well-managed and enhances the community's special qualities. The following Table 2 lists community values and qualities identified through the public consultation process and associated planning goals. The objectives and supporting policies in the OCP are designed to reflect these community values and enable the planning goals to be achieved.



**Table 2 - Community Values and Planning Goals**

Community Values	Planning Goals
Friendly, small town character	<ul style="list-style-type: none"> <li>• Maintain and enhance the small town atmosphere and attitude in Comox</li> <li>• Maintain a community where residents feel safe conducting everyday business</li> <li>• Retain a compact pattern of land uses</li> </ul>
Its natural beauty and waterfront setting	<ul style="list-style-type: none"> <li>• Provide natural areas, parks and greenways to meet the broad range of recreation and passive park user needs</li> </ul>
Long term sustainability	<ul style="list-style-type: none"> <li>• Provide for high quality compact housing forms with good access to transit and non-vehicular transportation forms</li> <li>• Encourage reduced energy consumption and greenhouse gas emissions</li> </ul>
Positive environmental characteristics	<ul style="list-style-type: none"> <li>• Retain and protect the unique natural environment</li> <li>• Provide low impact access to protected areas including a system of trails, bicycle routes and viewpoints</li> </ul>
Access to a wide variety of services, amenities, recreational opportunities and facilities	<ul style="list-style-type: none"> <li>• Provide adequate public facilities and services for all age groups</li> <li>• Provide a comprehensive transportation system for the Town of Comox</li> </ul>
Predominantly residential character	<ul style="list-style-type: none"> <li>• Enhance the character of Comox as a high quality residential community</li> <li>• Accommodate changing housing needs resulting from an aging population and modest population growth</li> <li>• Ensure the Town remains attractive to all age groups</li> </ul>
Downtown reinforces the small town character of Comox and provides unique shopping and services	<ul style="list-style-type: none"> <li>• Promote opportunities for revitalization and diversification</li> <li>• Encourage a mix of commercial, tourist-oriented and residential uses</li> <li>• Encourage a pedestrian-friendly, street-oriented downtown</li> <li>• Preserve and create additional public open spaces</li> <li>• Facilitate development of a downtown focal point</li> </ul>
Waterfront and the marina	<ul style="list-style-type: none"> <li>• Preserve the scenic and environmental values of the waterfront for passive and active users</li> <li>• Ensure access to and along the waterfront without detracting from its environmental quality</li> </ul>
Strong local government and Town staff	<ul style="list-style-type: none"> <li>• Strive for responsible, effective, affordable and representative government</li> </ul>

Positive design elements	<ul style="list-style-type: none"> <li>• Ensure growth is planned for and well managed so as to maintain and enhance the quality of life in Comox</li> <li>• Ensure Downtown Comox remains attractive and enhance its economic viability</li> </ul>
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## 1.8 Definitions

**Accessory dwelling unit** means a secondary suite or a coach house located on the same parcel as a principal dwelling.

**Affordable housing** means housing where the cost of accommodation does not exceed 30% of a household's gross income. This typically includes a subsidy that reduces the rent below the market rate.

**Amenity space** means common space and meeting facilities provided in an apartment building for use by all building occupants of the site for cultural, social, and recreational activities.

**Applicant** means the owner or an authorized agent.

**Approving Officer** means a person appointed under the *Land Title Act* with responsibility for the approval of subdivision plans.

**Aquaculture** means the farming of freshwater or saltwater aquatic organisms including fish, crustaceans, molluscs and aquatic plants. This process implies some form of human intervention in the rearing process to enhance production, such as regular stocking and protection from predators; it also implies individual or corporate ownership of the stock being cultivated.

**Bicycle lane** means a delineated portion of a road separated from a motor vehicle travel lane by a painted white stripe and identified by signage as a bicycle lane.

**Bicycle route** means any roadway so designated by signage.

**Biodiversity** means the variety of life on Earth in all its forms including species, and ecosystems and the natural processes that link and maintain them.

**Coach house** means a self-contained detached accessory dwelling located on the same parcel as a principal dwelling.

**Council** means the elected council of the Town of Comox.

**CVRD** means the Comox Valley Regional District.

**Diameter at Breast Height (DBH)** means diameter of the trunk of a tree measured at a point on the trunk 1.5 metres above the base of the tree (**#1752, September 25/2013**)

**Duplex or two-family dwelling** means two attached ground-oriented dwelling units (side by side or up and down) on a parcel.

**Ecosystem** refers to the complete system of living organisms interacting with the soil, land, water and nutrients that make up the environment. Ecosystems are commonly described according to the major type of vegetation – for example old-growth forest or grassland ecosystem.

**Flood Construction Level (FCL)** means a minimum elevation for habitable buildings measured from the underside of a wooden floor system or top of a concrete slab.

**Ground-oriented dwelling units/housing** means each dwelling unit has separate access to the exterior finished grade. This includes all single detached dwellings. Ground-oriented multi-family housing includes patio houses, townhouses including stacked townhouses, duplexes and triplexes.

**Local Government Act (LGA)** means the *Local Government Act* (RSBC 1996) Chapter 323 enacted by the Province of BC.

**Mixed use building or development** means two or more types of land uses on a parcel comprehensively designed as part of an overall development. These are usually in the form of multi-family housing combined with commercial or institutional land uses.

**Multi-family housing** means two or more dwelling units on a parcel.

**Natural boundary** means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.

**Non-ground oriented housing** means dwelling units that open onto a common corridor or stairway. These are usually in the form of apartment buildings or mixed-use buildings.

**Off-street trail** means a path physically separated from a roadway suitable for use by pedestrians and, where appropriate cyclists.

**Panhandle lot** means a parcel of land with a narrow strip of land, or panhandle, connecting the remainder of the lot to a dedicated road.

**Patio home** means one or more ground oriented dwelling units on a parcel where no building is comprised of more than 2 attached dwelling units, typically one storey in height and not more than two stories in height.

**Plan** means the Official Community Plan (OCP).

**Regional Context Statement (RCS)** is the statement contained in Section 1.6 of this Official Community Plan (OCP).

**Regional Growth Strategy (RGS)** means the growth management strategy for the Comox Valley Regional District. The RGS is a regional vision that commits affected municipalities and regional districts to a course of action to meet common social, economic and environmental objectives. It is initiated and adopted by a regional district and referred to all affected local governments for acceptance.

**Residential: Ground Oriented Infill** means single detached dwellings or no more than three attached dwellings (duplex, triplex). This includes patio homes, non-mirror image duplexes, non-mirror image triplexes and a coach house on the same parcel as a detached principal dwelling.

**Riparian** means on, of or relating to the shore or banks of a natural body or course of water.

**Secondary suite** means a self-contained dwelling located *within* a building containing the principal dwelling.

**Sensitive ecosystem** means an area that may contain rare, threatened, fragile and desirable ecosystems as identified as environmentally sensitive on *Map 4 – Sensitive Ecosystem Inventory and Ecological Features*.

**Town** means the Town of Comox.

**Townhouse** means a dwelling unit in a building comprised of three or more attached ground-oriented dwellings units on a parcel.

**Transit-oriented development (TOD)** means development within 400 metres of existing public transit routes where development at higher densities can be supported subject to compliance with Development Permit guidelines, where applicable.

**Triplex** means three attached ground oriented dwelling units on a parcel.

**Truck** means a motor vehicle other than a bus or motor home with a minimum weight of 5,000 kg G.V.W.

**Xeriscaping** means landscaping and gardening using drought tolerant plants that minimize or eliminate the need for irrigation.

**Zero Net Deforestation (ZND)** is goal set out in legislation by the BC government in March 2010 which encourages an equal area of trees to be planted for carbon storage to offset any forest land that is permanently cleared for another use. Measured by area, the amount of afforestation is not less than the amount of deforestation.

## Part 2: Objectives and Policies

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### 2.1 Land Use

## **2.1.1 Residential**

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### **2.1.1.1 Background**

It is anticipated the Town of Comox will experience moderate population growth over the next 20 years, between 1.3% and 1.6% annually, and there will be a significant change in demographics. Most notably, the proportion of seniors (65+) is anticipated to increase from under 23% in the 2006 census to nearly 30% by 2031. The Town's current proportion of seniors is well above the provincial average and is expected to steadily increase over the next generation.

A moderate but steady population increase from other provinces and other parts of B.C. will increase the demand for housing. In addition, demographic changes will generate the need for a broader range of housing types for existing residents. There will also be increased demand for more compact and more affordable housing and more multi-family housing in various forms. Notwithstanding projected demographic changes, the Plan will continue to provide for a diverse population base to meet the needs of families with school age children and a stable work force.

The potential supply of housing based on existing zoning is well below a conservative projection of demand to the year 2031. Most of this potential housing supply consists of land zoned for single detached dwellings. Less than one quarter of vacant or infill sites are zoned for multi-family use. In order to satisfy projected housing demand including a broader range of housing options, the Plan will accommodate a variety of housing forms, including secondary suites, coach houses and multi-family housing in the form of townhouses, patio homes, duplexes, triplexes and low rise apartments. Since the vacant residential land base is very limited, much of the increased housing supply is proposed to come from redevelopment of existing sites.

The key organizing concept of the Plan is to accommodate future housing needs primarily through redevelopment of large sites within walking distance of services, amenities and public transit. The Plan identifies locations along collector and arterial roads suitable for townhouses and other ground oriented infill as well as low rise apartments. In addition, centrally located large sites (over 1,000 square metres in area) suitable for ground oriented infill are identified.

The Plan maps show 'greenfield' sites, as well as areas with potential for redevelopment, at densities greater than for detached residential use. However the Plan does not propose to pre-zone these designated areas prior to development applications. The onus will be on the property owner to demonstrate compliance with the objectives and policies of the Plan on a site specific basis prior to rezoning.

The Plan makes provision for a variety of housing types in order to accommodate a range of household sizes and incomes. While detached housing will continue to be the



predominant form, well-designed and appropriately located multi-family housing will also be welcome in Comox. Neighbourhood variety is anticipated to flourish as follows:

**Downtown Comox** will provide an intensified mix of residential, commercial, cultural and recreational uses where walking is the preferred transportation choice. More and more people will choose to live in the Downtown in a variety of housing types, helping to support a strong commercial base served by efficient and frequent public transit.

**Central Comox** will remain a residential area with enhanced pedestrian and bicycle connections. Infill redevelopment opportunities will be available, primarily on a site by site basis, provided they are compatible with surrounding development.

**West Comox** will remain primarily a low density residential area with some multi-family housing providing a diversity of housing types. While the Downtown is the dominant commercial and residential focus for the Town, West Comox contains commercial activity and higher density multi-family housing, primarily along arterial roads (centred on three areas: at Guthrie and Aspen Roads, at Anderton and Guthrie Roads and on the north side of Comox Ave around Anderton Road). These smaller scale nodes offer a range of commercial services and housing types amenable to automobile drivers, pedestrians and cyclists.

**North Comox** will remain primarily a low density residential area with some multi-family housing to provide a diversity of housing types. Most of the Town's undeveloped land suitable for future residential use is located in North Comox. Particular attention will be needed to ensure nearby environmentally sensitive areas used to provide recreational uses for Town residents and visitors and habitat for wildlife are not negatively impacted.

**Kye Bay** has combined the best attributes of a seasonal seaside resort with a permanent waterfront residential neighbourhood. The addition of sewer and water services has addressed previous deficiencies but could also accommodate some redevelopment. The area is very compact as it is bounded by the sea and steep bluffs. Virtually all development will be in the form of larger dwellings to replace seasonal cottages. New buildings will need to respect the massing and siting of existing buildings in order to maintain the area's unique, small scale character.

**Point Holmes/Cape Lazo** will remain a green and largely natural area. The Plan will accommodate a limited amount of infill development that maintains the predominately single detached dwelling character of the area and does not generate the need for full urban services. The natural surroundings and environmental features are to be protected as much as possible.

#### *2.1.1.2 Residential Objectives*

1. To encourage housing suitable for a range of household types;
  2. To maintain attractive and safe residential areas throughout the Town;
- and

3. To enhance the amount and availability of smaller single detached lots, secondary suites, coach houses, ground oriented multifamily housing and assisted living options to provide more affordable and sustainable housing opportunities.

#### *2.1.1.3 Residential Policies*

- a. Land designated Residential: Detached as shown on *Map 1 - Land Use Designations* is intended to accommodate development consisting of a single detached dwelling and, on the same parcel, a secondary suite or a coach house.
- b. Land designated Residential: Ground Oriented Infill as shown on *Map 1 - Land Use Designations* is intended to accommodate the following land uses: single detached dwellings, secondary suites, coach houses, duplexes, triplexes and patio homes.
- c. Land designated Residential: Townhouses & Ground Oriented Infill as shown on *Map 1 - Land Use Designations* is intended to accommodate the following land uses: townhouses, single detached dwellings, secondary suites, coach houses, duplexes, triplexes and patio homes.
- d. Land designated to accommodate coach houses is included in Development Permit Area #17 – Coach Houses. The objectives and guidelines for DPA #17 are specified in Part 3 and the map showing areas designated in DPA #17 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit, subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*. **(#1752, September 25/2013)**
- e. Excluding 1582 Balmoral Avenue (Lot A, District Lot 87, District of Comox, Plan 22917), land designated Residential: Ground Oriented Infill or Residential: Townhouses & Ground Oriented Infill as shown on *Map 1 - Land Use Designations* is included in *Development Permit Area #2 – Ground Oriented Infill* (DPA #2). The objectives and guidelines for DPA #2 are specified in Part 3 and the map showing areas designated in DPA #2 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit, subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.

- f. Land designated Residential: Low Rise Apartments, Townhouses and Ground Oriented Infill as shown on *Map 1 - Land Use Designations* is intended to accommodate the following land uses: low rise apartments up to a maximum of four stories (except in the case of sites with significant changes in grade and subject to the provision of satisfactory amenities, 1700 Balmoral Avenue – Lot A, Section 56, Comox District, Plan VIP81758), townhouses, single detached dwellings, secondary suites, coach houses, duplexes, triplexes and patio homes.
- g. Lands designated Residential: Low Rise Apartments, Townhouses and Ground Oriented Infill as shown on *Map 1 - Land Use Designations* and 1582 Balmoral Avenue (Lot A, District Lot 87, District of Comox, Plan 22917) are included in *Development Permit Area #3 – General Multi-Family (DPA #3)*. The objectives and guidelines for DPA #3 are specified in Part 3 and the map showing areas designated in DPA #3 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit, subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.
- h. Mirror image duplexes or triplexes are not permitted in any residential designation. The street elevation of duplexes and triplexes must include design variety and the retention of the Residential: Detached character, where applicable.
- i. All residential developments should give consideration to the principles of Crime Prevention through Environmental Design (CPTED).
- j. Where applicable, development applications will include consideration of the Town's OCP Age-Friendly Community Planning policies during application evaluation.
- k. Residential developments are encouraged to have accessible design elements for bathrooms and kitchens as well as even surfaces and passages wide enough for wheelchairs to accommodate the needs of mobility impaired persons and aging in place.
- l. Developments that include a range of appropriate and affordable housing options for older people, including assisted living, are encouraged.
- m. Sound attenuation through building construction measures may be sought for portions of a dwelling unit facing an arterial or major collector road.
- n. With the exception of lands designated Residential: Ground Oriented Infill on *Map 1 – Land Use Designations*, panhandle lots are not permitted.

#### *2.1.1.4 Residential: Detached Policies*

- a. New residential subdivisions must include safe pedestrian sidewalks to parks, schools and public open spaces; also, walkways between streets may be required. Wherever practical, the developer must construct sidewalks and walkways at the time of subdivision.

- b. Coach houses may be considered on a site by site basis subject to the following:
  - i. Owner occupation of either the principal dwelling or coach house;
  - ii. Minimum site area of 500 square metres;
  - iii. Maximum building area of 70 square metres, for larger parcels (over 1000 square metres) an increase to 90 square metres may be considered, where appropriate;
  - iv. No increase in the maximum allowable parcel coverage; and
  - v. Siting of coach house in the rear yard or visually screened from the front yard.
- c. In the review of bare land strata applications where development is not subject to form and character Development Permit Area guidelines, the Approving Officer is encouraged to consider issues of neighbourhood compatibility such as relationship with established development pattern, density, open space, privacy and building mass to ensure such applications do not injuriously affect the established amenities of adjoining or reasonably adjacent properties and are not against the public interest. It is recognized that this may result in restrictions beyond that established by Town bylaw including building siting, mass, height, setback, density and design, landscaping and screening.
- d. The minimum parcel size for the subdivision of land along Knight Road between Pritchard and Anderton Roads should not be less than 3,500 square metres. Where feasible, common access to Knight Road shall be provided to service adjacent parcels;
- e. The minimum parcel size for the subdivision of land in the Point Holmes/Cape Lazo area south of Knight Road should allow for the protection of environmentally sensitive areas and avoid the need for the extension of sanitary sewer to service the area. It is anticipated that the protection of sites with high environmental sensitivity through land trusts, ecogifts, density transfer, restrictive covenants and similar measures may significantly affect minimum parcel size. Permitted residential uses on a parcel less than 1,500 square metres shall not exceed a single detached dwelling and a secondary suite. On parcels 1,500 square metres or greater, permitted residential uses shall not exceed a single detached dwelling and a secondary suite or coach house. Subdivision should require continuous paved road access along any parcel frontage and from each parcel to Lazo Road.
- f. No further subdivision of parcels along Kye Bay Road from Knight Road up to and including 1139 Kye Bay Road (Lot 1, District Lot 93, Comox District, Plan 32578) should occur. Permitted residential uses on a parcel should not exceed a single detached dwelling and a secondary suite.

- g. The minimum parcel size for the subdivision of land in the Point Holmes/Cape Lazo area north of 1139 Kye Bay Road (Lot 1, District Lot 93, Comox District, Plan 32578) should not be less than 5,000 square metres. Permitted residential uses on a parcel should not exceed a single detached dwelling and a secondary suite or a coach house. Subdivision should require continuous paved road access along any parcel frontage and from each parcel to Kye Bay Road.
- h. The Town will retain *A Community Vision – The Report of the Knight Road/Point Holmes Transition Committee* dated June, 2006 as a reference document.

#### *2.1.1.5 Ground Oriented Infill Housing Policies*

- a. Development for ground oriented infill housing shall be directed to sites designated for such use identified on *Map 1 – Land Use Designations*.
- b. Site planning for ground oriented infill housing must give consideration to the character and scale of surrounding residential areas, the retention of mature tree cover, pedestrian friendly street orientation, safe vehicular access, where appropriate ground water recharge, and energy conservation measures.
- c. Infill housing projects should be supported with full urban services.
- d. Small lot subdivisions for detached houses on parcels generally not less than 350 square metres in area are supported provided any proposal has appropriate site and design controls including orientation toward the street, visual prominence of features other than garages, retention of significant tree cover, where applicable, and ground water recharge, and solar orientation (passive solar gain) where appropriate. The intent is to encourage more efficient use of the Town's lands, services and amenities.
- e. A zoning amendment may be considered for small-scale infill projects (less than 15 units) in detached housing areas if additional public amenities are provided, or if a conventional detached housing subdivision would be impractical. To be considered, such projects must demonstrate how the community values identified in this Plan (Table 2 - Community Values and Planning Goals, Section 1.7) are maintained and enhanced.
- f. Panhandle lots are not permitted unless site constraints, topography or the nature of existing development are not conducive to bare land strata subdivision.

#### *2.1.1.6 Supporting Policies for Residential: Low Rise Apartments and Townhouses*

- a. Unless otherwise designated in the Plan, new multi-family development containing low-rise apartments or townhouses should be supported with full urban services including sidewalks and be located within 400 metres of a bus route and with convenient access to bikeways.
- b. A mix of housing types may be required in multi-family areas in order to provide visual interest and to meet the varying housing needs within the Town.

- c. Site planning for new multi-family development containing low-rise apartments or townhouses must give consideration to the character and scale of surrounding residential areas, the retention of mature tree cover, pedestrian friendly street orientation, safe vehicular access, and, where appropriate, ground water recharge, reduced surface vehicle parking and energy conservation.
- d. A minimum site area of 0.4 hectares is required for any townhouse development along Robb Avenue between Church and Stewart Streets. In addition parcel coverage should be restricted to allow retention of mature tree cover.
- e. Indoor amenity space of a minimum of 3.0 square metres for each dwelling unit in an apartment with 20 or more dwelling units is encouraged.



## ***2.1.2 Affordable Rental and Special Needs Housing***

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### ***2.1.2.1 Background***

In order to provide the widest variety of housing choices in Comox for families, singles, seniors, people with special needs, those with low income, lone parent or extended families and people of all circumstances and needs, a wide mix of types, forms and sizes of housing units should be encouraged to provide as many choices as there are needs. These different forms of housing should be located in compatible neighbourhood locations and according to the Plan designations. Priority may be given to the provision of higher density housing within a ten minute walking distance of downtown Comox to provide economic support for the core of the Town and to utilize the facilities and transportation available. Development Permits will be required.

In addition to 'greenfield' development, the Plan provides for compact and infill development in the form of secondary suites, small lots and attached units, coach houses, housing above commercial space and special needs supportive housing for seniors or those who are unable to live fully independently. Innovative housing proposals for new forms of design and ownership may be considered. Rental housing should be given priority wherever feasible and incentives for the development of permanent non-profit housing may be provided.

### ***2.1.2.2 Affordable Rental and Special Needs Housing Objectives***

1. To ensure land use designations can accommodate projected housing needs; and
2. To increase the supply of affordable rental and special needs housing through a range of initiatives including partnerships and incentives.

### ***2.1.2.3 Affordable, Rental and Special Needs Housing Policies***

- a. The Town may consider zoning incentives including increased density for multi-family housing in order to provide market rental and non-market affordable housing units that represent at least 10% of total build-out.
- b. The Town may consider an initiative to include secondary suites as a permitted use in all single family zones subject to the following:
  - i. Compliance with the applicable safety provisions of the B.C. Building Code;
  - ii. Not more than one secondary suite on a parcel;
  - iii. Owner occupation of either the principal dwelling or the secondary suite;
  - iv. The secondary suite must be wholly contained within the principal single detached dwelling;



- v. Maximum building area of 90 square metres or 40% of the building gross floor area, whichever is the lesser; and
- vi. Provision of one off-street parking space.
- c. The Town may consider residential density bonuses in the Zoning Bylaw pursuant to Section 904 of the *Local Government Act* to provide an incentive for the provision of special needs housing, affordable housing, or community amenities or alternatively by provision of land or money as conditions relating to the provision of such housing or amenities. In the case of money, such funds shall be placed in a reserve fund and used only for the provision of the housing or amenity and in the case of land shall be held in a land bank to be used or sold for the provision the housing or amenity.
- d. The Town will facilitate development of affordable housing by ensuring, when and where desirable, sufficient land is designated for a broad range of residential housing types as proposed in the Plan.
- e. The Town may work through market and non-profit housing providers to facilitate the creation and management of affordable housing, rental and special needs housing.
- f. The Town may consider an affordable housing amenity for rezoning applications for four or more principal residential dwellings.
- g. Any conversion of rental housing to strata ownership under Section 242 of the *Strata Property Act*, is subject to the approval of Council, unless previously unoccupied. For any conversion of rental accommodation to a strata plan, among the items Council must consider are the priority of rental accommodation over privately owned housing in the area and any proposal for the relocation of existing renters.
- h. The Town will work with BC Housing and the Province of B.C. to secure land suitable for affordable housing and to facilitate the implementation of affordable housing in the Town.
- i. Notwithstanding section 2.1.1.3 c. of this Plan, Low-Rise Apartments to a maximum of 3 storeys are permitted on 1582 Balmoral Avenue (Lot A, District Lot 87, District of Comox, Plan 22917,) for the purposes of accommodating affordable housing and special needs housing.

## **2.1.3 Downtown Comox**

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### **2.1.3.1 Background**

Downtown Comox provides an attractive urban focus for the Town of Comox. The pedestrian friendly mix of commercial retail stores, medical offices, restaurants and other small scale commercial uses provide a wide range of services for Comox residents and others in the Comox Valley. Municipal offices, a Post Office and library add required institutional services. Street furniture, seasonal floral and winter displays, open space, access to the Comox Harbour and waterfront all add to the appeal of Downtown Comox. Distinctive signage with a maritime theme adds to the unique sense of place.

The Town's aging demographic composition will increase the need for a broader mix of housing forms and tenures including more compact housing, affordable and congregate housing. Downtown Comox and nearby residential areas within a 500 metre distance of Downtown Comox offer numerous redevelopment opportunities to accommodate much of the anticipated future housing demand for Comox and still retain the ambience of existing neighbourhoods. Creating additional housing in Downtown Comox and within walking distance of the Downtown for many residents will also strengthen the demand for commercial services. Downtown Comox has a wide range of medical services but a limited range of commercial retail and non-medical services. It is vital for Downtown Comox to retain a strong health care presence following the planned construction of a new regional hospital for the Comox Valley.<sup>1</sup> The existing servicing infrastructure will accommodate additional development more economically and with less environmental impact compared to suburban redevelopment or 'greenfield' development.

Downtown Comox serves as the social and cultural centre of Comox. The Comox Library and Seniors Centre are located in Downtown Comox as is an art gallery. Restaurants, the Comox Golf Club, the Comox Mall and other downtown buildings also serve as central meeting and gathering places. In addition, Marina Park and other smaller outdoor open spaces provide for social interaction and outdoor recreation within the Downtown. Distinctive signage and public art enhance Downtown Comox as does its proximity to the Comox Harbour, the marinas and Filberg Park.

### **2.1.3.2 Downtown Comox Objectives**

1. To provide a compact vibrant centre for Comox with a broad range of commercial activities at ground level;

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<sup>1</sup> The Vancouver Island Health Authority plans to construct a new regional hospital on a site on Ryan Road to replace the existing St. Josephs General Hospital, although commencement of construction will be subject to securement of appropriate funds and may not start for a few years.

2. To accommodate a broad range of multi-family housing, institutional and open space uses in a pedestrian friendly form; and
3. To diversify the local economic base and serve as the predominant employment centre for Comox and a major regional employment centre in the CVRD.

#### *2.1.3.3 Downtown Comox Policies*

- a. The Town Centre identified in the Regional Growth Strategy consists of land designated Downtown Comox as shown on *Map 1 - Land Use Designations*.
- b. Land designated Downtown Comox as shown on *Map 1 - Land Use Designations* is intended to serve as the commercial and social hub for the Town. To this end, Downtown Comox will accommodate a wide range of commercial retail, office and service uses, restaurants and institutional uses as well as multi-family residential uses.
- c. Land designated Downtown Comox and land designated as Commercial: Tourist along Beaufort Avenue, as shown on *Map 1 - Land Use Designations* is included in *Development Permit Area #1 – Downtown Comox (DPA #1)*. The objectives and guidelines for DPA #1 are specified in Part 3 and the map showing the location of DPA #1 is contained in Part 5. In these areas, the owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure, pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1(4) of the LGA.
- d. Downtown Comox will serve as the predominant employment centre for Comox due to its broad mix of commercial and institutional uses and concentration of multi-family residential uses.
- e. The development form for Downtown Comox will be predominately mixed use, compact and readily accessible by foot, wheelchair, bicycle, transit, and car.
- f. Development should provide continuous frontage commercial or public institutional uses at the primary street level and may contain multi-family residential, commercial or public institutional uses above the ground floor. Off-street parking should be underground or at the rear of the site. Exceptions to this policy apply to Lots 1 and 2, Section 56, Comox District, Plan 22950 (part of 1700 Comox Avenue) and Lot A, Section 56, Comox District, Plan VIP85267 (1829 Beaufort Avenue) where ground floor residential units, including congregate care housing and intermediate care facilities, may be permitted if a continuous commercial frontage is provided along abutting streets.
- g. Development must, where feasible, be pedestrian-oriented with no or minimal set-backs from the primary street frontage except for the purpose of enhancing the pedestrian street level appeal. This may include recessed entrances, planters, shrubs, street furniture, outdoor seating, public art and walkways.

- h. The form of development should be a maximum of four stories in height, except in the case of sites with significant changes in grade. In addition, a higher height may be considered for the following, if satisfactory amenities are provided: redevelopment of the mall site at the north-east corner of Comox Avenue and Port Augusta Street (Lot A, Section 56, Comox District, Plan VIP75741); the north-west corner of Comox Avenue and Port Augusta Street (Lots 22, 23 & 27, section 56, Comox District Plan 104) and the south-west corner of Comox Avenue and Church Street (Lots 6, 7 & 8, Section 56, Comox District, Plan 3923).
- i. The Town of Comox land holdings in Downtown are intended to be redeveloped as a mix of public open space, multi-family housing, small retail units and seasonal kiosks, along with Town Hall, parking and, potentially, other public uses and gathering spots.
- j. Joint ventures with the private sector may be considered for the Town's land holdings including the development of market housing, commercial development and parking structures.
- k. Vertical expansion of Downtown Comox shall be encouraged in order to create a more diverse, compact and sustainable community. Horizontal expansion of Downtown Comox as delineated on *Map 1 – Land Use Designations* will require an amendment of the OCP and will be considered only on an incremental basis to ensure the continuity of commercial or institutional uses at the street level.
- l. Key view corridors from Downtown Comox, along Port Augusta and Church Streets to the waterfront should be preserved supplemented by north south walkways to enhance pedestrian activity.
- m. Sound attenuation through building construction measures may be sought for portions of a dwelling unit facing an arterial or major collector road.
- n. The Town will retain the 1991 Marine Area Plaza Plan as a reference document to assist in the revitalization of Downtown Comox.

## **2.1.4 Mixed Use: Commercial-Residential**

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### **2.1.4.1 Background**

Mixed-use development consists of two or more different types of land uses comprehensively designed as part of an overall development. Although well established in many urban centres, it is a relatively new approach in Comox. Care needs to be taken to ensure mixed use projects are a “good fit” with their neighbours and with overall character of the Town of Comox. The most common form consists of ground level commercial with residential above although other different forms are possible.

Given a limited supply of ‘greenfield’ sites, the Plan anticipates more compact forms of redevelopment will occur over the next 20 years. This offers the potential to create more pedestrian friendly and sustainable forms of development. Most of the mixed-use designations are located along arterial roads where an incentive is warranted to encourage redevelopment of older developments with low building parcel coverage and high coverage of surface parking areas. Others consist of ‘greenfield’ sites that face both commercial and multi-family developments or abut two roads best suited to access different land uses.

### **2.1.4.2 Mixed Use: Commercial-Residential Objectives**

1. To encourage the redevelopment of older highway commercial sites along arterial roads with transit service; and
2. To diversify the local economic base and create new employment opportunities.

### **2.1.4.3 Mixed Use: Commercial-Residential Policies**

- a. Unless otherwise noted Land designated Mixed Use: Commercial-Residential as shown on *Map 1 - Land Use Designations* is intended to accommodate development consisting of two or more different land use types on the same site.
- b. Land designated Mixed Use: Commercial-Residential on *Map 1 - Land Use Designations* is included in *Development Permit Area #4 – Mixed Use: Commercial-Residential* (DPA #4). The objectives and guidelines for DPA #4 are specified in Part 3 and the map showing areas designated in DPA #4 is contained in Part 5. In these areas, the owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1(4) of the LGA.
- c. In mixed use developments, parking for residential uses should be separated from parking for commercial or institutional uses.

- d. Commercial uses in mixed use developments must respect the scale and privacy of adjacent residential uses.
- e. Use the principles of massing, setbacks and design character for mixed use developments to encourage building forms that minimize the domination of street frontage, foster diversity and fit within the context of the neighbourhood.
- f. Integrate local-orientated commercial development into the neighbourhood through the encouragement of pedestrian level architectural details and overall human scale.
- g. At 2310 Guthrie Road (Lot A District Lot 170 Comox District Plan VIP84899) the preferred types of commercial uses are neighbourhood-oriented retail and services. Development of this site must not include any commercial motor vehicle access from Tracker Place.
- h. Redevelopment of mixed use sites along Anderton Road shall avoid large building setbacks from Anderton Road or parking areas between Anderton Road and any new development.
- i. The mixed use designation on 685 Lazo Road (Lot 1, District Lot 191, Comox District, Plan VIP83187) is intended to accommodate:
  - i. Small scale tourist accommodation such as bed and breakfast or cabins and restaurants; and/or
  - ii. Residential: Ground Oriented Infill in the form of subdivision with a minimum parcel size and frontage consistent with those of the surrounding area, (excluding Hutton Road to the east) for one single detached dwelling per parcel with or without a secondary suite serviced by a waste disposal system located on the same parcel. On a parcel greater than 1,500 square metres, a single detached dwelling with a coach house or a secondary suite can be accommodated.
- j. Sound attenuation through building construction measures may be sought for portions of a dwelling unit facing an arterial or a major collector road.

## ***2.1.5 Commercial: Neighbourhood and Tourist***

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### ***2.1.5.1 Commercial Background***

This section is intended to accommodate neighbourhood and tourist commercial uses outside Downtown Comox. These uses typically consist of freestanding buildings which function to serve neighbourhood or seasonal tourist needs.

The neighbourhood commercial designation is intended to serve primarily local retail and service needs rather than regional destinations. Most of these uses consist of developments along Guthrie Road near the Anderton Road and Aspen Road intersections.

The tourist commercial designation is intended to provide for small-scale tourist accommodation and related uses. This designation includes the only motel in Comox, located along Comox Avenue west of Anderton Road, and several seasonal tourist facilities in Kye Bay.

Commercial uses in Downtown Comox are addressed in Section 2.1.3 – Downtown Comox. Commercial uses in mixed use developments are addressed in Section 2.1.4 – Mixed Use: Commercial-Residential. Commercial uses in the form of large format stores (often called ‘big box’ stores) are not accommodated as the Town of Comox does not have the land area, population base, or aspiration to accommodate such uses.

### ***2.1.5.2 Commercial Objectives***

1. To accommodate a range of commercial activities outside of Downtown Comox to meet neighbourhood needs of Comox and area residents, as well as visitors; and
2. To diversify the local economic base and create new employment opportunities.

### ***2.1.5.3 Commercial Policies***

- a. Land designated Commercial: Neighbourhood as shown on *Map 1 - Land Use Designations* is intended to accommodate neighbourhood restaurants, service stations, retail, office and service commercial uses that primarily serve the day to day convenience needs of local residents.
- b. Land designated Commercial: Tourist as shown on *Map 1 - Land Use Designations* is intended to accommodate tourist accommodation, restaurants and other complimentary commercial uses to serve the travelling public.



- c. Land designated Commercial: Neighbourhood or Commercial: Tourist, (excluding land along Beaufort Avenue) as shown on *Map 1 - Land Use Designations* is included in *Development Permit Area #5 – Commercial: Neighbourhood and Tourist* (DPA #5). The objectives and guidelines for DPA #5 are specified in Part 3 and the map showing the location of areas in DPA #5 is contained in Part 5. In these areas, the owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alternation of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1(4) of the LGA.
- d. Where feasible, common vehicle accesses shall be provided to service adjacent parcels designed for neighbourhood commercial use.
- e. Neighbourhood commercial uses shall complement the surrounding residential context.
- f. New buildings or major renovation of existing buildings in neighbourhood commercial areas shall be in keeping with the scale of the adjacent residential neighbourhood.
- g. Designation of additional lands for neighbourhood commercial uses may be considered along arterial or collector roads provided they meet neighbourhood commercial needs and provide convenient non-vehicular transportation access. Such a change will require an OCP amendment.
- h. Additional tourist commercial uses may be considered along arterial or collector roads to better serve the tourist industry, 19 Wing Comox, Comox Valley Airport and the health care sector. Such a change will require an OCP amendment.
- i. The impact of commercial development on adjacent land uses will be mitigated through landscape buffering and/or transitional land uses.

## **2.1.6 Light Industrial**

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### **2.1.6.1 Background**

Comox has a small industrial area located near the traffic roundabout at the intersection of Knight Road, Pritchard Road and Military Row. This industrial area has excellent transportation access and is in close proximity to the Comox Valley Airport. Much of this land area is vacant or underdeveloped. Recent servicing improvements will accommodate more intensive development.

### **2.1.6.2 Light Industrial Objectives**

1. To diversify the local economic base and create new employment opportunities;
2. To accommodate light industrial activities in general and business opportunities, in particular from the growing Comox Valley Airport; and
3. To maintain good neighbour relations and avoid negative impacts on other nearby uses, particularly housing.

### **2.1.6.3 Light Industrial Policies**

- a. Land designated Light Industrial as shown on *Map 1 - Land Use Designations* is intended to accommodate the need for clean and sustainable light industry.
- b. Land designated Light Industrial on *Map 1 - Land Use Designations* is included in *Development Permit Area #6 – Light Industrial (DPA #6)*. The objectives and guidelines for DPA #6 are specified in Part 3 and the map showing areas designated in DPA #6 is contained in Part 5. In these areas, the owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alternation of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1(4) of the LGA.
- c. Industrial development capable of supporting aeronautically oriented industries is encouraged, including businesses reliant on ready access to air cargo, given the proximity of land designated light industrial to the Comox Valley Airport.
- d. The potential for future expansion of low impact light industrial uses further west along Knight Road should be retained subject to demand and upgrading of Knight Road but does not include land within the Agricultural Land Reserve. Any further expansion of the light industrial designation will require an amendment to the Plan.

- e. There are sand and gravel deposits within the Town of Comox boundaries but none are considered suitable for future sand and gravel extraction. Previous gravel extraction took place on Lots 1-3, Block A District Lot 194 Comox District, Plan 442 (900 -920 Pritchard Road) by the Ministry of Transportation. Further gravel extraction would compromise environmental values in the area and make it difficult to service these lands with a gravity sanitary sewer. Lot 4, Block A District Lot 194, Plan 442 (890 Pritchard Road), is heavily treed and would support gravel extraction but this would have a negative environmental impact and the aggregate potential would be limited due to its proximity to residential development to the south and servicing constraints for future residential development. Other sand and gravel deposits are located in the NE Woods and near Sand Pines Drive. There are severe limitations to extracting these deposits for off-site use. Due to the high environmental values in each of these areas, the highest and best use of this aggregate resource is considered for it to remain in its natural form.
- f. Industrial uses shall be buffered from adjacent residential use including 19 Wing Comox and Electoral Area B in the CVRD, through solid fencing, landscaping or berming.
- g. Properties as follows are designated Light Industrial but are limited to low impact light industrial uses, including mini-storage:
  - i. 1660 Knight Road – Lot A, District Lot 205, Comox District, Plan VIP62126; and
  - ii. 1664 Knight Road – Lot B, District Lot 205, Comox District, Plan VIP62126.

## ***2.1.7 Institutional***

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### ***2.1.7.1 Background***

Comox has a full range of institutional uses including schools, St. Joseph's General Hospital and religious, civic and community facilities. These institutional uses have contributed greatly to the well being of Comox residents.

St Joseph's General Hospital currently provides 110 acute care beds plus 125 complex care beds. It is the second largest employer in Comox with approximately 1,100 employees. The proximity of the hospital to Downtown Comox has contributed to the wide range of medical services in Downtown Comox. The Vancouver Island Health Authority (VIHA) has selected a site on Ryan Road for a new acute care hospital with 110 acute care beds to serve the Comox Valley as well as 40-50 beds for enhanced regional health services for the North Island. Comox residents will have good vehicular access to the new regional hospital site via Anderton and Ryan Roads or Guthrie, Lerwick, and Ryan Roads. The timing of new construction has yet to be determined but will result in a significant loss of employment within the Town of Comox. The Plan proposes a proactive approach to retain health care related uses within the Town and to support compatible redevelopment on the St. Joseph's Hospital site.

A new 320 student school is currently under construction on Linshart Road for francophone students from the Comox Valley north to Campbell River. The Comox Valley School District No. 71 will be closing Brooklyn Elementary School in June 2011. The Comox Christian School, located on the former Comox Elementary School site owned by the Comox Valley School District No. 71, is planning to move to Courtenay. Notwithstanding these school changes, Comox residents have expressed a strong desire to retain public open space and strive to maintain a diversified community that appeals to all age groups.

### ***2.1.7.2 Institutional Objectives***

1. To identify and accommodate institutional land uses and services to meet the needs of Comox residents;
2. To ensure institutional activities maintain good neighbour relations and mitigate negative impacts on other nearby uses, including residential areas; and
3. To encourage the redevelopment of the St. Joseph's General Hospital site to retain health care and other complimentary uses.

### *2.1.7.3 Institutional Policies*

- a. The primary jurisdiction for the provision of schools lies with the province, School District No. 71 (Comox Valley) and Conseil Scolaire Francophone No 93, this Plan affirms that the Town will strive to support a community with a diversified population base that sustains a network of public schools.
- b. The Town supports the following principles concerning the location and management of schools and public recreation facilities:
  - i. each elementary school should serve a local residential neighbourhood;
  - ii. wherever possible, elementary schools should not be developed adjacent to arterial roads;
  - iii. facilities should be designed and managed to maximize joint public use of recreational activities;
  - iv. joint use agreements between the Town and the public school districts for use and maintenance of facilities are encouraged;
  - v. municipal parks may be acquired and located adjacent to schools where mutually beneficial;
  - vi. the provision of off-site road, sidewalk, boulevard, transit bay and utilities required to service a school use should be secured prior to rezoning or developing lands for school use; and
  - vii. the provision of sufficient school on-site vehicle passenger loading and unloading facilities.
- c. As the need for improvements and or replacement of civic facilities becomes apparent and as resources allow, the Town may upgrade existing facilities and/or provide new facilities. Buildings that may require upgrading or replacement in the future include a Town Hall and Public Works facilities.
- d. The Town will endeavour to locate future civic facilities within Downtown Comox. These facilities include government buildings, the municipal office, meeting halls, library, museum and other public uses.
- e. Civic facilities are permitted on sites designated for Mixed Use: Commercial-Residential, Downtown Comox, Commercial: Neighbourhood and Tourist use with Collector or Arterial Road access.
- f. Continued health care uses including congregate care, complex care, other forms of supportive housing, medical offices and residential: low rise apartments, townhouses and ground oriented infill will be supported on the St Joseph's General Hospital site (Lot 1, Section 1 and 2, Comox District, Plan 17718 Except Part in Plan 18512) following the construction of a new acute care hospital for the Comox Valley on Ryan Road. No amendment to the Plan will be required. The site must continue to be buffered from adjacent properties to the east and west by way of well-maintained landscaping.

- g. Lot 1, Sections 1 and 2, Comox District, Plan 17718, Except That Part in Plan 18512 is included in Development Permit Area #3 – General Multi-Family (DPA #3). The objectives and guidelines for DPA #3 are specified in Part 3 and the map showing areas designated in DPA #3 is in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1(4) of the *Local Government Act*.
- h. Where practical, houses of worship must be located on sites adjacent to a major collector or arterial road.
- i. The schools on Lot 1, Section 76, Comox District Plan 15402 (Brooklyn Elementary); Lots 1 and 2 Section 1 Comox District Plan 40282 and That Part of Section 1, Comox District included within Plan 40909 (Comox Christian School) may be closed and may be used for other institutional purposes or Residential: Townhouse and Ground Oriented Infill development provided open space and public ownership of environmentally sensitive areas are maintained. No Plan amendment will be required.
- j. Lot 1, Section 76, Comox District, Plan 15402; Lots 1 and 2 Section 1 Comox District Plan 40282 and That Part of Section 1, Comox District included within Plan 40909 are in *Development Permit Area #2 – Ground Oriented Infill* (DPA #2). The objectives and guidelines for DPA #2 are specified in Part 3 and the map showing areas designated in DPA #2 is in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1(4) of the *Local Government Act*.
- k. The Town may include sustainable requirements for new civic facilities, including ‘green’ building principles and/or standards.
- l. The Town may explore potential opportunities for new civic facilities to be developed in conjunction with other complementary mixed uses.

## ***2.1.8 Parks, Trails and Open Space***

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### ***2.1.8.1 Background***

Parks are an essential component of the urban landscape and serve a wide variety of functions. Frederick Law Olmsted, who was responsible for many of North America's first urban parks established in the mid to late 19<sup>th</sup> century, advocated "bringing nature into the city" as a means to improve public health. Traditional park functions have included a wide range of active and passive recreation, habitat protection, and the preservation of unique and endangered landscapes. Parks have also been used as a tool to develop urban character, change land use patterns and encourage new development. Currently there is an increasing emphasis on the preservation and acquisition of open space to support ecological objectives (e.g. carbon sequestration, stormwater management, and habitat protection).

Parks can be viewed as providing recreation for both active and passive uses and/or protecting ecological integrity. Generally, active parks support sport and other organized activities which require playing fields and related infrastructure. Parks supporting passive recreation such as hiking, bird-watching and nature appreciation provide infrastructure with a smaller footprint such as trails and picnic grounds. The type of use varies with the size or classification of a park. Smaller park designations, such as pocket or neighbourhood parks, are more limited in their facilities compared to larger community or regional parks.

Parks also play a critical role to protect environmental values associated with natural areas. Loss of these areas is a major threat to ecological integrity and biodiversity and can cost the municipality through the loss of "free" ecological services. For example, trees and forests can improve air quality (absorbing pollutants), reduce energy costs (heating and cooling), sequester carbon (reduction of GHG emissions), improve water quality (rainwater interception and infiltration) and increase property values. Wetlands also act as natural filters and can reduce the need for expensive stormwater management systems.

Comox has a reputation for its character and beautiful natural surroundings. The waterfront and ocean are important aspects of the Town's setting and ambiance, as are the many natural parks and beautifully landscaped open area parks, active playing fields and privately owned properties. There is strong support for a comprehensive park system that provides a variety of recreational opportunities that improve community health and well-being for all citizens as well as environmental purposes.



The Town of Comox currently has approximately 133.5 hectares of designated parks and public open space. This consists of land owned by the Town and school playing fields. Of this total, 102.4 hectares (77%) supports natural ecosystems, open space and passive recreation (e.g. trails). The remaining 23% (31.1 hectares) is used for active recreation, typically playfields.

The following Table 3 shows the breakdown of parkland for the five neighbourhood planning areas used for public consultation purposes in developing the OCP.

**Table 3 - Current Parks & Open Space Inventory by Neighbourhood Planning Area<sup>2</sup>**

<b>Planning Area</b>	<b>Total Area (ha)</b>	<b>Passive (ha)</b>	<b>Active (ha)</b>	<b>Total (ha)</b>	<b>Percent</b>
<b>West Comox</b>	235	7	4.5	11.5	4.9%
<b>East Comox</b>	75	1	1	2	2.6%
<b>North Comox</b>	931	57	8	65	6.9%
<b>Central Comox</b>	265	19	8.6	27.6	10.49%
<b>Downtown</b>	160	18.4 <sup>3</sup>	9	27.4	17.1%
<b>Total</b>	<b>1,666</b>	<b>84</b>	<b>30</b>	<b>114</b>	<b>6.8%</b>

The National Recreation and Park Association (NRPA) recommends 4 hectares of parkland be provided per 1,000 people. Based upon the current population of 13,444 (2009 BC Stats), the existing 133.5 hectares of designated park works out to approximately 9.9 hectares of open space per 1,000 people. The Town of Comox is expected to grow by 4,400 to 5,600 persons over the next 20 years to reach a total of approximately 19,000 by 2031. Based on the projected population growth by 2031, this ratio would be 7 hectares of open space per 1,000 people if no additional parkland is acquired.

The following Table 4 indicates average open space and facility standards across Canada.

<sup>2</sup> This table does not include the application for a Crown Grant of Blocks B and E DL 194 Comox District, Plan 442 also known as the North East Woods for passive recreation and conservation purposes. The inclusion of this 11.8 ha area would increase the public parkland inventory in Table 3 to over 9.0%.

<sup>3</sup> Comox Golf Club site.

**Table 4 - Average Open Space & Facilities across Canada**

<b>Open Space/Facility</b>	<b>Hectares per 1,000 Population</b>	<b>Service Radius</b>	<b>Size – Hectares or Population Threshold</b>
Parkette (tot lot or vest-pocket park)	0.2	0.2 to 0.4 km	0.25 to 0.40 ha (typically 0.2 ha)
Neighbourhood Park	0.4 to 0.8	0.8 to 5.0 km	0.10 to 8.1 ha
Community Park (active and passive facilities + playfields)	0.4 to 0.8	0.8 to 5.0 km	1.6 to 40 ha (preferably 10 ha or larger)
City Park – includes municipal and sub-regional park	2.0	0.8 to 5.0 km (or ½ hour driving time)	10 to 80 ha
Regional Park	1.6 to 4.0	32 km (or one hour driving time)	10 to 400 ha (usually 40 to 100 ha)
Nature Parks	Variable		Variable depending on amenity
Soccer field	With community park or secondary school playfield		1 per 20,000
Baseball field	Neighbourhood facility		1 per 5,000
Softball field	Part of school playground		1 per 5,000
Neighbourhood Centre	With elementary school or neighbourhood park		1 per 5,000
Athletic field, fastball	In community park or with secondary school		1 per 20,000
Indoor ice arena	Not indicated		1 per 20,000

Whether Canadian averages or NRPA recommended standards are used, the Town of Comox currently exceeds both in the provision of parks and open space. Statistics for parks targets and densities provide important documentation but such information by itself is incomplete as it does not address the quality of a park and open space system, the distribution of open space, its connectivity or local priorities.

During the development of the OCP, a strong public desire was expressed to protect sensitive environmental areas and secure additional treed areas for passive recreation and conservation purposes. This was highlighted by a campaign to protect a large treed area in part of District Lot 194 (known as the NE Woods) as parkland. Due to the compact nature of the community, ease of transportation access, and a limited supply of 'greenfield' sites, protecting an environmental sensitive area with high amenities has broad based appeal to Comox residents. Increasing parkland areas, particularly for passive recreation purposes, in order for each individual neighbourhood to approach a municipal average (see Table 3) would be less reflective of environmental needs, community priorities or land acquisition opportunities.

There is not an urgent need to acquire active recreation parks and open space in the Town. Comox currently has 12 baseball fields and 13 soccer fields. This exceeds the Canadian average even with the expected population growth to 2031. These active parks are well distributed geographically with the exception of East Comox, with approximately 130 dwelling units in Kye Bay and Point Holmes combined. Additional parkland is anticipated to be provided in the form of smaller passive neighbourhood or pocket parks resulting from infill development over the next 20 years.

Indicated priorities are for the Town to focus its efforts to enhance the parks system through the acquisition of large natural forested parcels, environmentally sensitive areas as well as protect strategic greenway corridors. Securing larger natural parks will also satisfy a strong desire by the citizens to retain tree cover in the Town and to protect the remaining natural areas for wildlife habitat and movement corridors. The protection of environmentally sensitive areas should also be a focus for inclusion in the parks system and through development permit areas. These environmentally sensitive areas include ecosystems and features that provide unique habitat and support biodiversity in the Town such as wetlands, mature forest, Garry Oak habitat coastal bluff communities, riparian areas and estuaries.

There is a fragmented greenway network in the Town. Generally, greenways are linear open spaces that connect parks, cultural features, schools, commercial areas, neighbourhoods, the waterfront and other destinations. Their vegetative quality helps reduce noise, heat and air pollution, and improve water quality and serve as natural corridors for wildlife. Greenways can provide public recreation opportunities and alternative transportation routes. This includes bikeways, pedestrian paths, trails, wildlife corridors, waterfront stream buffers and street boulevards. Acquisition of natural parcels is needed to protect environmentally sensitive areas and improve greenway connectivity within Comox and connect to adjacent CVRD and Courtenay greenway plans.

### *2.1.8.2 Parks, Trails and Open Space Objectives*

1. To provide a variety of parks to meet passive and active recreational needs, with adequate park infrastructure;
2. To ensure parks are easily accessible to the community and within walking distance of residential neighbourhoods;
3. To encourage public transit to service major parks and recreational facilities;
4. To provide high maintenance standards and safety considerations for parks;
5. To encourage a more pedestrian and environmentally friendly community through a greenways network;
6. To protect environmentally sensitive areas and to complete greenway connectivity through property acquisition and other means; to secure public access and complete major recreation corridors such as along Brooklyn Creek and the Downtown waterfront provided environmental values are not compromised;
7. To support the provision of adequate and up-to-date recreational facilities including multi-use playing fields to meet needs;
8. To encourage the participation of community and sports groups in the planning and operation of recreational facilities;
9. To provide a diversity of recreational opportunities for people of different ages and abilities;
10. To improve open space connectivity between the marinas and Downtown Comox;
11. To encourage the use of marina areas in a manner that addresses marine navigation, pleasure craft, commercial fishing fleet, recreation and environmental needs; and
12. To encourage planting and retention of native species where appropriate, including protection and enhancement of natural forest ecosystems.

### *2.1.8.3 Parks, Trails and Open Space Policies*

- a. *Map 3 - Parks, Trails and Open Space* identifies the location of existing and proposed parks and public open space.
- b. Trails designated on *Map 3 - Parks, Trails and Open Space* identify the location of off-street trails designed to provide connectivity along the waterfront, to major parks and non-motorized corridors for pedestrians and, where applicable, cyclists.

- c. Maps 1 and 3 reflect proposed parkland acquisition of Crown land consisting of Blocks B and E, Plan 442, of District Lot 194 known as the NE Woods. These heavily treed areas are located adjacent to the Lazo Wildlife Management Area. The extensive trail network is heavily used by Comox residents and others in the Comox Valley.
- d. Multiple use parks are encouraged.
- e. Where new parks are acquired or existing parks are upgraded, they must remain sensitive in design and in aesthetics to the character of adjacent neighbourhoods.
- f. When new parks are acquired or existing parks are upgraded, the Town must take into account the potential impact of such improvements on natural areas.
- g. Restaurant use and the processing and packaging of food or beverage products are permitted on lands designated Public Open Space on *Map 1 – Land Use Designations*. In addition, provided there is no net loss of green space, small scale retail, marina related office and boat maintenance and servicing uses are permitted in Marina Park to facilitate downtown waterfront public use and activity and provide a connection to the downtown retail and hospitality sector.
- h. The use of off-street trails, greenways and oceanfront accesses will be encouraged through signage at road connections and other wayfinding measures.
- i. The Town will consider the development of interpretive signage along key greenways including trails along Brooklyn Creek, the estuary and waterfront walkway, in the NE Woods and Lazo Wildlife Management areas. The purpose of the interpretive signage will be to increase public awareness of these environmental assets, their history, and importance. Interpretive signage will be undertaken in consultation with the K'ómoks First Nation, the Nature Trust and local environment stewardship organizations.
- j. Under section 941 of the *Local Government Act*:
  - i. the amount of land required to be provided as park land or used for establishing the amount that may be paid shall be equal to 5% of the land being proposed for subdivision;
  - ii. Land as opposed to payment shall be provided where land being proposed for subdivision contains designated public open space as shown on *Map 3 – Parks, Trails and Open Space*; and
  - iii. The amount of park land or payment shall be in addition to all road dedication obtained at time of subdivision including greenways, walkways and off-street trails and lands provided as park shall not include lands protected under Development Permit Areas for the protection of the natural environment, its ecosystems and biological diversity or for the protection of development from hazardous conditions.

- k. It is preferred that the greenway along Pritchard Road from Guthrie Road to 19 Wing Comox be in the form of a 12.0 metre natural vegetation strip secured by restrictive covenant, dedication or statutory right-of-way. However, the greenway width, design and location may be varied in response to the method used to secure its provision or site or servicing constraints, including topography, traffic safety, existing development patterns and parcel dimensions.
- l. Where portions of a parcel are undevelopable but suitable for riparian protection, protection of the natural environment or for greenway purposes, the Town will encourage applicants to dedicate these areas in addition to any required 5% for parkland dedication.
- m. The Town may consider density bonusing at the time of rezoning in exchange for dedication of a significant portion of land for park, or for the provision of a community-wide recreational facility.
- n. The Town encourages the donation and bequest of privately owned lands for park, open space, greenway and trail purposes consistent with municipal needs in this Plan.
- o. The Town will work with residents, neighbourhood associations, community organizations and sports leagues in acquiring, developing and managing lands for parks.
- p. As financial resources allow, the Town will continue to provide a high level of maintenance and safety for all parks and open space.
- q. Priorities for greenways and trails include :
  - i. Waterfront walkway as shown on *Map 3 – Parks, Trails and Open Space*;
  - ii. Brooklyn Creek corridor as shown on *Map 3 – Parks, Trails and Open Space* including riparian areas and greenway within 382 Pritchard Road (Lot 7, Section 76, Comox District, Plan 6138), 1533 Cedar Avenue (Lot 4, Section 76, Comox District Plan 6138, except part in Plan 16270) and 1413 Balmoral Avenue (Lot 1, District Lot 87, Comox District Plan 3387 except part in Plan 16091);
  - iii. Cottonwood Lane as shown on *Map 3 – Parks, Trails and Open Space*;
  - iv. Carthew Creek (Indian Creek) corridor between Comox Avenue and Beaufort Avenue as shown on *Map 3 – Parks, Trails and Open Space*.
  - v. McDonald Wood Park to the waterfront in Point Holmes. The preferred greenway is on the north and west sides of Lazo Road from Torrence Road to Colby Road consisting of a 12.0 metre wide dedication to accommodate a pedestrian/bike pathway width of 2.5 metre to complement existing lands dedicated for this purpose. In the Point Holmes area, a route on the east side of Lazo Road adjacent to the waterfront is preferred. The greenway width, design and location may be varied in consultation with the CVRD and in response to site or servicing constraints, including topography, traffic safety, existing development patterns and parcel dimensions; and



- vi. The south-east side of McDonald Road south of Guthrie Road connecting with the existing bicycle route north of Lerwick road in the City of Courtenay. A parkland dedication width of 12.0 metres and pedestrian pathway width of 2.5 metres is preferred although the greenway width, design and location may be varied in response to site or servicing constraints including topography, traffic safety, existing development patterns and parcel dimensions.
- r. The Town may seek dedication and/or construction of other greenways at the time of development.
- s. Full achievement of the trail network will take place over time subject to the availability of funds and opportunities. Public funds may be allocated annually for acquisition and maintenance of trails and greenways. Service organizations and individuals are encouraged to assist the Town in a variety of ways.
- t. The Town may explore and use a variety of mechanisms to secure lands bordering the waterfront for the development of the public walkway along the full length of the waterfront. These mechanisms include securing land through subdivision, at the time of rezoning, right of way acquisition and, as opportunities arise, purchases by the Town or suitable land trust organization such as the Nature Trust. The development of a waterfront walkway poses a particular challenge in certain areas due to presence of high environmental values and the proximity of residential dwellings to the natural boundary. Environmental protection will be given priority over public access in the event of a conflict. Alternate trail routes will be considered further from the waterfront in order to achieve greenway connectivity.
- u. The Town encourages the use of environmental best management practices for the development and maintenance of parks, greenways and public open space.
- v. The Town will continue to collaborate with the Comox Valley School District No. 71 on the joint use and management of school lands and facilities for the mutual benefit of both public bodies.
- w. The Town will pursue opportunities to plant new trees on public lands including parks and boulevards, where appropriate.
- x. The Approving Officer is encouraged not to grant relief from compliance with section 75(c) of the Land Title Act (provision of road dedication at time of subdivision to access a body of water) recognizing that where constrained by topography or existing development and use by motorized vehicles is not anticipated a width less than 20 metres may be sufficient.



## **2.1.9 Agriculture and Aquaculture**

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### **2.1.9.2 Background**

The Town of Comox has a significant land area within the Agricultural Land Reserve (ALR) and a marine foreshore suitable for aquaculture.

The agricultural land base is largely undeveloped and consists primarily of a series of 12 contiguous properties in private ownership located east of Anderton Road and south of Knight Road. These lands with an area of 61.5 ha have been within the ALR since its inception in 1973 but have only been included within the Town of Comox since 2006. In their present unimproved state, the agricultural rating of these lands is limited<sup>4</sup>. Most of these lands are in Class 4<sup>5</sup> and Class 5<sup>6</sup>. Constraints consist of soil moisture deficiency caused by low water holding capacity, stoniness and excess water such as poor drainage or a high water table. With improvements, the agricultural capability of these lands could increase to a mixture of Classes 2<sup>7</sup>, 3<sup>8</sup> and 4.

Two other parcels are in the ALR. One is located south of Knight Road and is part of 19 Wing Comox. The other is a heavily tree site that is an integral part of the Lazo Wildlife Management Area. The following Figure 2 shows the location of all lands in the ALR within the Town boundaries.

The marine foreshore consists of three separate areas. One marine area is within the Comox estuary west of Goose Spit. A second marine area is along Point Holmes while a third is adjacent to Kye Bay and 19 Wing Comox/Comox Valley Airport. The estuary is considered both environmentally sensitive and highly productive. With the notable exception of the Comox Harbour and marinas, these marine foreshore areas are in their natural state or have been restored. The estuary includes important archaeological sites that document hundreds of years of fishery use by the K'ómoks First Nation. Minimal development has taken place in the other two marine foreshore areas.

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<sup>4</sup> The Ministry of Agriculture has developed a land capability classification system for agriculture. The 7 classes range from the land with the highest agricultural capability (Class 1) to the land with no agricultural capability (Class 7). Land in Class 1 has no or very slight limitations that restrict its use for the production of agricultural crops. Most agricultural land has two ratings. One is under unimproved conditions while the second is for improved conditions.

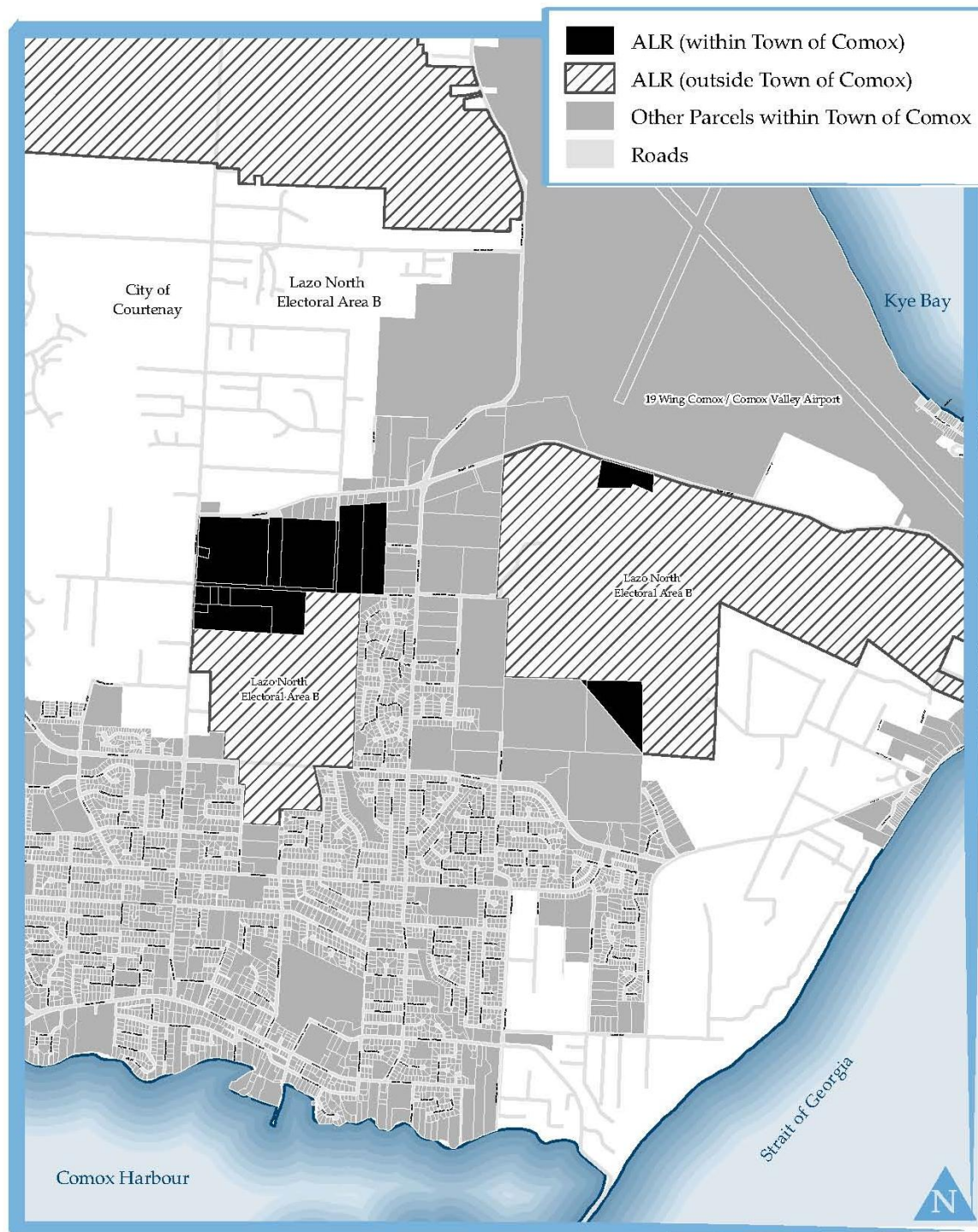
<sup>5</sup> Class 4 land has limitations that require special management practices or severely limit the range of crops or both.

<sup>6</sup> Class 5 has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

<sup>7</sup> Class 2 land has minor limitations that require good ongoing management practices or slightly restrict the range of crops.

<sup>8</sup> Class 3 land has limitations that require moderately intensive management practices or moderately restrict the range of crops.

**Figure 2 - Agricultural Reserve Lands (ALR) within Comox**



Town of Comox  
Official Community Plan Update  
April 2011

## Agricultural Land Reserve (ALR)

The Ministry of Agriculture and Lands estimated 48% of fresh food consumed in B.C. in 2006 was grown or caught in the Province. The proportion on Vancouver Island and the Comox Valley is much lower. The 2002 Comox Valley Agricultural Plan provides valuable information although much of the key data is over 20 years old. When imported feed grains are included, it is estimated approximately 10% of the value of agricultural consumption on Vancouver Island is locally produced. There are three agricultural products where farm gate production on Vancouver Island exceeds one third of total consumption; poultry, eggs and dairy products. The Comox Valley Agricultural Plan also notes there is significant import replacement opportunity on Vancouver Island, especially for fruit and vegetables.

Protecting farmland and shoreline areas for food production offers a series of benefits including a more diversified economy by creating opportunities for local food producers, healthy and fresh food, a reduced carbon footprint due to reduced transportation costs, greater self-sufficiency in an uncertain world, and retention of open space. Agricultural land also provides other complementary uses of benefit to the community including, flood mitigation, wetland protection, groundwater recharge and wildlife habitat.

#### *2.1.9.2 Agriculture and Aquaculture Objectives*

1. To protect the agricultural land base and marine foreshore for food production and encourage future growth that is environmentally sustainable; and
2. To protect environmentally sensitive foreshore and estuary areas.

#### *2.1.9.3 Agriculture and Aquaculture Supporting Policies*

- a. Land designated Agricultural on *Map 1 - Land Use Designations* is intended for agricultural use.
- b. All land designated Agricultural is within the ALR but may include other land with suitable agricultural capability.
- c. Land within the ALR will be retained for agricultural purposes pursuant to the Agricultural Land Commission Act and its regulations.
- d. The Town will work with agricultural landowners to enhance the agricultural capability of lands within the ALR including the use of non-potable irrigation water.
- e. Any development occurring adjacent to land designated Agricultural on *Map 1 - Land Use Designations* shall be required to incorporate an appropriate landscape buffer to mitigate conflict between agricultural and non-agricultural uses:
  - i. The landscape buffer will either be in accordance with the recommendations of a Professional Agrologist based on an assessment of a specific development proposal or be compatible with the Landscape Buffer Specifications of the ALC;

- ii. The buffer design will address interface issues based on existing and anticipated land use with the objectives of providing visual separation and minimizing trespass and where appropriate litter, dust, pesticide and herbicide drift but accommodating wildlife movements; and
  - iii. Agricultural best management practices to minimize dust, pesticide and herbicide drift will be encouraged due to the limited ability of a physical separation to alleviate these issues and the negative impact of a buffer over 10 metres in width on the viability of adjacent residential and industrial areas.
- f. The Town will encourage urban agriculture including the development of backyard gardens as an accessory use on land zoned for residential use, community gardens and orchards as an accessory use on land zoned for multi-family housing including social housing and on municipal open space, where appropriate.
- g. Land designated Marine Foreshore on *Map 1 - Land Use Designations* is intended for environmental protection, passive recreation and where applicable, archaeological protection and compatible aquaculture use.
- h. Land designated Marine Foreshore on *Map 1 – Land Use Designations* is included in *Development Permit Area #14 – Marine Foreshore* (DPA #14). The objectives and guidelines for DPA #14 are specified in Part 3 and the map showing areas designated in DPA #14 is contained in Part 5. In these areas, the owner or authorized agent must first obtain a development permit prior to issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempt in this OCP under Section 919.1(4) of the LGA.
- i. The Town will support additional aquaculture tenures that are environmentally sustainable on land designated Marine Foreshore and zoned for such use.
- j. The potential for future expansion of the Comox Harbour and marinas should be retained subject to identification and mitigation of impacts to the environment and aquaculture. Any further expansion of the Comox Harbour and Marina designation will require an amendment to the Plan.
- k. The Town will encourage local land and water based food production, processing and marketing including farmers' markets, festivals, local procurement, labelling and other marketing initiatives.
- l. The Town will encourage economic diversification through added value processing and storage of local food production and organic farming in the Comox Valley.
- m. The Town will strive to manage its stormwater system so lands designated agricultural on *Map 1 – Land Use Designations* downstream of urban development are not negatively impacted.
- n. The Comox Valley Regional District is encouraged to provide storm water management so lands within the Agricultural Land Reserve are not negatively impacted by development or the removal of tree cover.



## **2.1.10 19 Wing Comox**

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### *2.1.10.1 Background*

The Town of Comox incorporates lands owned by the Canadian Department of National Defence. 19 Wing Comox was founded in 1942 as a Royal Air Force base. The mission of 19 Wing Comox is to be operationally ready to conduct surface, subsurface, and aerospace surveillance; search and rescue, transport, combat support, contingency operations, and to provide core training in support of Canadian Forces missions. 19 Wing Comox is the largest employer in Comox with approximately 1,400 military personnel and 700-800 civilian personnel.

In addition to the Canadian Forces air base, the civilian air terminal - Comox Valley Airport - and the Comox Air Force Museum are also located on the east side of Military Row. The civilian air terminal site was added to the airbase in 1956 and run by Transport Canada until 1996 when the Comox Valley Airport Commission assumed management of the civilian terminal. The current terminal building, built in 2004, civilian apron and vehicle parking accessed from Knight Road, are currently leased to the Comox Valley Airport Commission.

Residential housing for 19 Wing Comox is located on the west side of Military Row. This consists of 50 single detached units, 102 semi-detached units and 100 row housing units for a total of 252 rental housing units accommodating Canadian Forces personnel and their families. In addition, School District No. 71 (Comox Valley) leases a centrally located site on the west side of Military Row for the Airport Elementary School and associated playfields. Airport Elementary School has a capacity of 380 students which accommodates 19 Wing Comox as well as other parts of North Comox and Lazo North Electoral Area B.

The Strategic Site Plan for 19 Wing Comox prepared in March 2008 calls for the phased disposal of 100 row housing units and their replacement with 3 and 4 bedrooms units as well as major retrofits for 102 additional housing units. A total of 70 new apartment units are also planned to replace aging singles quarters. These housing improvements are part of a \$107 million program including runway rehabilitation announced by the Department of National Defence in 2007.

Passenger traffic at the Comox Valley Airport (YQQ) has grown dramatically since WestJet started flying to Comox in 2001. Passenger volume increased from under 75,000 in 2000 to close to 300,000 in 2010. Currently 6 airlines serve the Comox Valley Airport. A study by InterVISTAS Consulting in 2007 indicated direct employment of 193 jobs at YQQ in 2006 and an annual economic output of \$38,000,000. In January 2011, the Comox Valley Airport Commission estimated a 3% annual increase in passenger volume for the next five years.

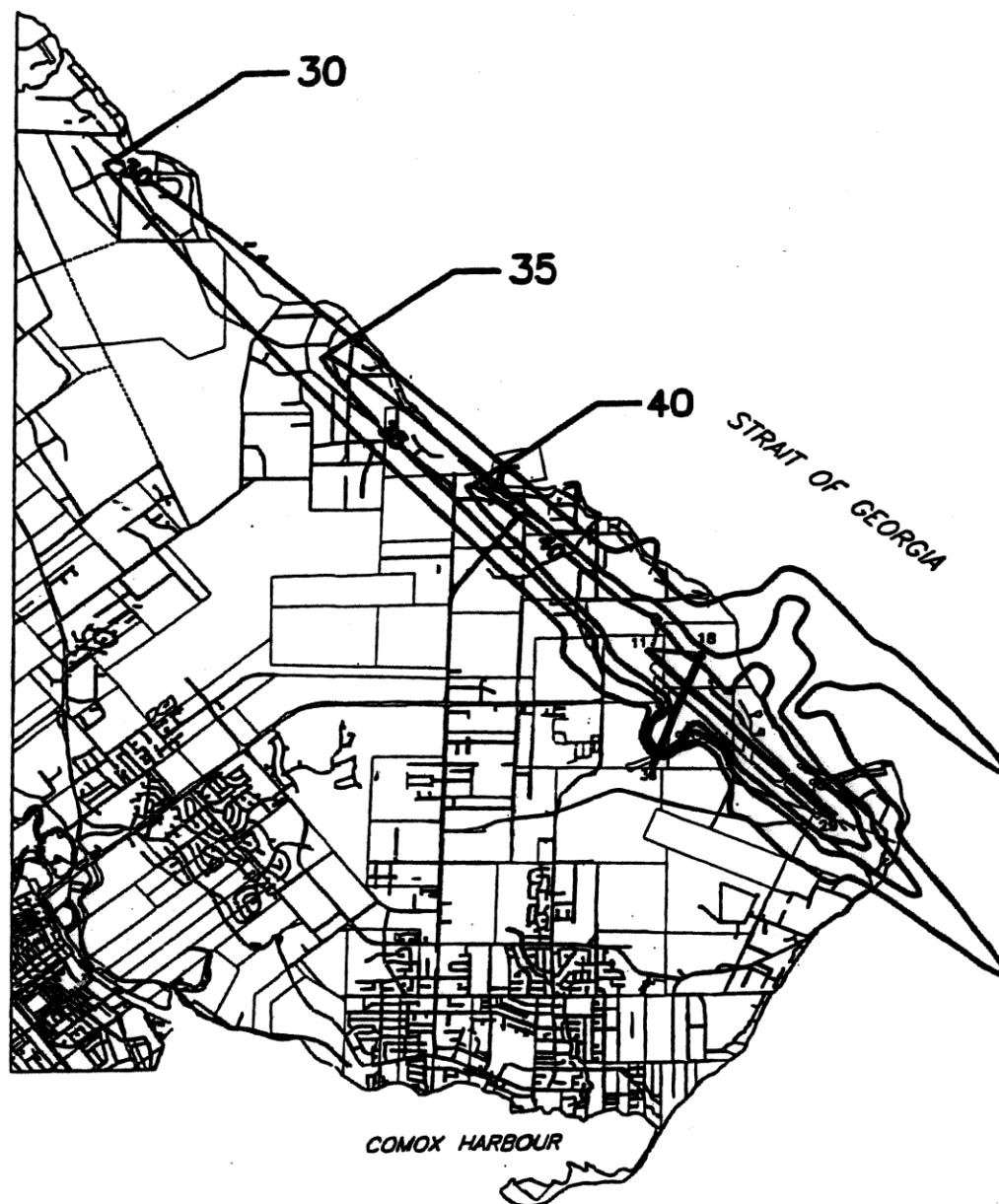
#### *2.1.10.2 19 Wing Comox Objective*

1. To support the continued use of Department of National Defence lands for a combination of the Canadian Forces air base and associated housing, the Comox Valley Airport, and the Comox Air Force Museum.

#### *2.1.10.3 19 Wing Comox Supporting Policies*

- a. Land designated 19 Wing Comox as shown on *Map 1 - Land Use Designations* indicates those lands under the ownership and jurisdiction of the Department of National Defence.
- b. The Town supports the Comox Valley Airport as the primary civilian airport for central and northern Vancouver Island.
- c. The Town supports 19 Wing Comox as the primary airbase for Canadian Forces and search and rescue operations in British Columbia.
- d. In recognition of aviation needs, the maximum height of structures in the runway approach surface boundary 18-36, as shown on *Map 1 – Land Use Designations* may be restricted to 63.3 geodetic elevation or 9.0 metres, whichever is greater.
- e. Noise Exposure Contours surrounding 19 Wing Comox have been defined as shown on following *Figure 3 - 19 Wing Noise Exposure Forecast Contours*. Any residential development proposed within an area with a Noise Exposure Forecast Contour of 30 or more as shown on Figure 3 (following) must provide a noise impact assessment by a qualified Professional Engineer including appropriate acoustic insulation measures for indoor use in the building design in accordance with the CMHC publication titled “New Housing and Airport Noise”.

Figure 3 - 19 Wing Noise Exposure Forecast Contours





## 2.2 Age-Friendly Planning Initiatives

### 2.2.1 Background

In Canada the baby boom generation of 1946 to 1966 is in the 44 to 64 age group. Even though Canada's median age is currently at an all-time high, the "official" retirement of baby boomers is just starting. In British Columbia, the proportion of the population aged 65 and over was 14.6% in 2009 and is expected to reach 24% by 2031. While this aging phenomenon is taking place across the world the trend is more pronounced in many communities across Canada and British Columbia and in particular, the Town of Comox.

The Town of Comox has a significantly high proportion of people aged 65 and over - about 23.3% compared to the provincial proportion of 14.6%. Comox is a desirable place for retirees due to its natural features and relatively affordable housing. Although Comox is perceived as an ideal place to retire, the Town is facing increasing pressure to satisfy seniors' needs, such as housing, transportation and safety. These needs will become more pronounced as the Town's population continues to age.

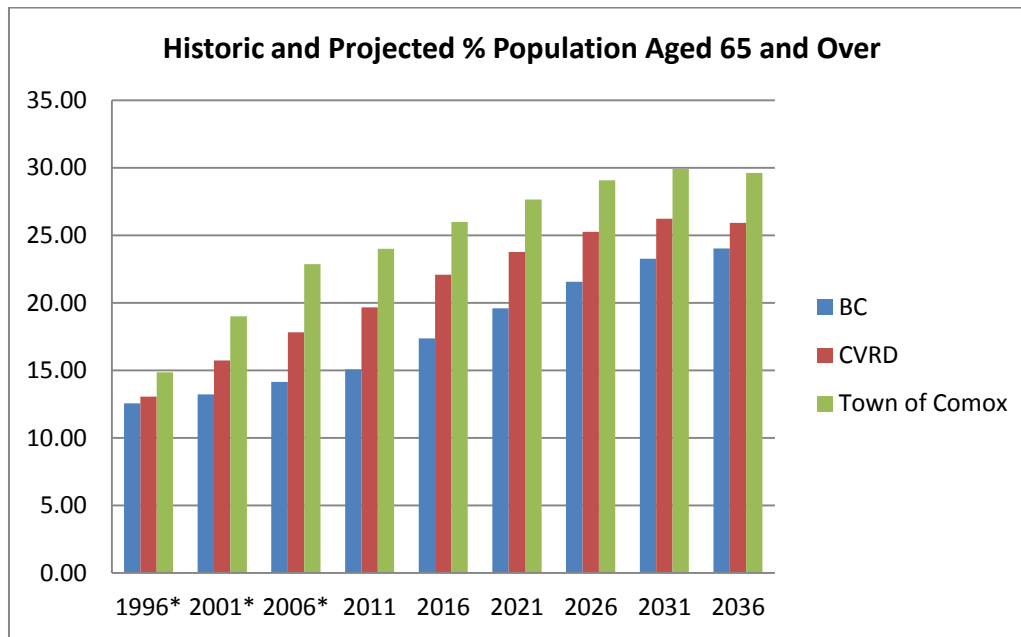
Table 5 below illustrates the Town's current age distribution compared to British Columbia.

**Table 5 - Comox Age Distribution (2006)**

Age Group	Comox	% Distribution Comox	% Distribution BC
All ages	12,140	100.0%	100.0%
0-14	1,965	16.2%	16.5%
15-24	1,250	10.3%	13.1%
25-44	2,620	21.6%	27.4%
45-64	3,460	28.6%	28.4%
65+	2,835	23.3%	14.6%

Figure 4 (following) shows the projected proportion of the population aged 65 and over for BC, Comox Valley and the Town of Comox. Based on these projections it is estimated the Town of Comox will have approximately 32% of its population aged 65 and over by 2031.

**Figure 4 - Projected Ageing Population Proportions<sup>9</sup>**



\*Indicates actual data from Census years

Not only will the Town of Comox have more people aged 65 and over but a greater proportion of these seniors will be over the age of 80. Seniors are not a homogeneous group. Health problems, mobility and housing needs tend to increase with age. For example disability rates jump from 31% among seniors aged 65 to 74 years to 53% for those aged 75 and over.

Housing Implications for the Town's aging population as well as those related to outdoor spaces, buildings and transportation need to be incorporated into the OCP. Additional objectives and policies are proposed regarding seniors' civic participation to ensure continuous input from seniors on making the Town more age-friendly.

<sup>9</sup> BC projections are from Statistics Canada, Population Projections for Canada, Provinces and Territories, 2005. Available online at: <http://www.statcan.gc.ca/pub/89-519-x/2006001/t/4122016-eng.htm>. Comox Valley projections are from the draft Regional Growth Strategy.

#### 1.1.5.7 2.2.1.1 Outdoor Spaces and Buildings

Outdoor spaces and buildings are ideal issues for age-friendly community planning. Elements in this category are largely controllable by policies that could be part of an OCP. Some examples include ensuring future development is safe, has accessible washrooms and rest areas and readable signage. These features can be entrenched in the OCP as general policies, which provide a basis for more specific planning tools such as zoning and guidelines, including density bonus zoning for private development. The OCP can also encourage these features through public initiatives, such as commitments to public investment in facilities and infrastructure.

#### 1.1.5.8 2.2.1.2 Transportation

Transportation is a key issue for age-friendly planning because the ability to travel is essential for other age-friendly planning themes such as social participation and accessing health services. Good roads, light traffic flow, prompt snow removal and adequate parking options are factors that support driving in communities. Driving is important to seniors because of the associated independence it creates; however, walking and public transportation are also important modes of transportation for seniors. The travel patterns of seniors often do not coincide with public transit peak hours.

#### 1.1.5.9 2.2.1.3 Housing

Appropriate housing forms allow seniors to age in place and move to different types of housing as their needs change. Some seniors recognize their older homes are not practical for an aging person; however, many cannot afford the upgrades and adaptation required to meet their changing needs. Financial barriers facing seniors who want to remain in their homes include those relating to heating and home maintenance costs.

Smaller homes, ground oriented multi-family development and apartments provide housing options for seniors who desire to move but want to remain in Comox. Also important is the availability of a full continuum of assisted living options to allow seniors to ease out of totally independent living and into semi-assisted and fully assisted living.

#### 1.1.5.10 2.1.1.4 Civic Participation

Continuous participation in decisions that affect their lives is a cornerstone of democracy and will help ensure the aging population of Comox has a monitoring role and a say in what constitutes “age-friendly” as the meaning of this term evolves through time. Seniors will be represented on the appropriate advisory committees as a source of advice on both local and regional development issues.

### *2.2.2 Age-Friendly Planning Objectives*

2. To create a desirable location for people of all ages to live, work and retire.
3. To ensure Comox provides a safe, accessible community with a variety of services available.
4. To ensure the needs of seniors are considered in the context of new developments proposed for Comox.

### *2.2.3 Age-Friendly Planning Supporting Policies*

#### 4.1.5.7

#### 4.1.5.8 2.2.3.1 Outdoor Spaces and Buildings

##### **2.2.3.1.1 OUTDOOR SEATING**

Through development applications and public investment, the Town will seek adequate outdoor seating, particularly in parks, at transit stops and public spaces.

##### **2.2.3.1.2 SIDEWALKS**

Sidewalks should be well-maintained, clear of obstructions, smooth, level, non-slip and wide enough to accommodate wheelchairs and scooters with curbs that taper off at intersections.

##### **2.2.3.1.3 ROADS**

Roads should have well-designed and appropriately placed physical structures, such as traffic islands, where applicable, to assist pedestrians to cross busy roads.

##### **2.2.3.1.4 SERVICES**

Services should be clustered, located in close proximity to where older people live and can be easily accessed (e.g. are located on the ground floor of buildings).

##### **2.2.3.1.5 BUILDINGS**

Buildings for public use should be accessible to seniors and have the following features, where appropriate:

- Elevators.
- Ramps for wheelchairs and scooters.
- Clearly readable signage.
- Railings on stairs.
- Stairs that are not too high or steep.
- Non-slip flooring.
- Rest areas with comfortable chairs.
- Parking that is near the building for easy access.
- Sufficient numbers of public toilets.

## *2.2.4 Policy Statements for Transportation*

### **2.2.4.1 TRANSPORTATION RELIABILITY AND FREQUENCY**

Council will encourage Transit Oriented Development that makes public transportation more reliable and frequent.

### **2.2.4.2 TRAVEL DESTINATIONS**

Council will encourage public transportation that reaches key destinations such as hospitals, health centres, public parks, shopping centres, banks and seniors' centres.

### **2.2.4.3 AGE-FRIENDLY PUBLIC TRANSIT VEHICLES**

The Town will work with BC Transit to identify and implement public transit vehicles that are accessible, with low floors, low steps, and wide and high seats.

### **2.2.4.4 SPECIALIZED SERVICES**

Council will work with BC Transit to ensure sufficient specialized transportation services are available for people with disabilities.

### **2.2.4.5 TRANSIT STOPS AND STATIONS**

Transit stops and stations are easy to access and are located conveniently.

### **2.2.4.6 PARKING**

The Town encourages developments that include drop-off and pick-up bays close to buildings and transport stops for handicapped and older people.

## *2.2.5 Policy Statements for Housing*

### **2.2.5.1 HOUSING DESIGN**

The Town encourages homes to have accessible design elements for bathrooms and kitchens as well as even surfaces and passages wide enough for wheelchairs to accommodate the needs of mobility impaired persons and aging in place.

### **2.2.5.2 HOUSING MODIFICATIONS**

The Town may require development applications for new housing to consider future housing modifications that are easy and affordable to accommodate seniors' changing needs.

#### 2.2.5.3 AGING IN PLACE

- a. The Town will encourage housing for seniors to be located close to services and facilities.
- b. The Town will encourage new housing developments to include “Alert systems” to be available for seniors living alone (i.e., systems that alert someone when a senior needs help).

#### 2.2.5.4 HOUSING OPTIONS

The Town will encourage:

- a. Developments that include a range of appropriate and affordable housing options for older people, including assisted living.
- b. A range of appropriate services and appropriate amenities and activities in older people’s housing facilities.
- c. Housing for seniors to be integrated into the surrounding community.

#### 2.2.5 *Policy Statements for Civic Participation*

- a. Council will recognize the expertise of seniors with respect to Age-Friendly Community Planning policies and may include representation from seniors on the Advisory Planning Commission.
- b. All development applications should include a consideration of the Town’s OCP Age-Friendly Community Planning policies during application evaluation.

## 2.3 Environment

The environment section of this OCP has many components and affects all other elements of the Plan. As such, it is not included with the Parks, Trails and Open Space section or as a separate element in Section 2.1 – Land Use. This section of the Plan has been structured around the following topics: protection of natural areas, wildlife, greenways and wildlife corridors, water quality and fish habitat, environmentally sensitive areas, shoreline and foreshore ecosystems, Lazo Marsh, hazardous areas and risk mitigation, planning for sustainability, climate change and reduction of greenhouse emissions. These topics provide the background for the Environmental Objectives and Policies and form the basis for a green infrastructure strategy for Comox. Green infrastructure can be broadly described as a network of interconnected natural areas, open spaces and corridors that protect and maintain ecological values and functions while providing benefits to people and wildlife. It should be noted protection of the natural environment was one of the most significant issues raised during the public consultation process.

### *2.3.1 Protection of Natural Areas*

European settlement in the Comox Valley during the past 150 years has resulted in significant changes on the landscape. The majority of mature standing timber was initially logged at the turn of the century and many areas have since been cleared for a second and even third time. Today, a majority of the remaining forested ecosystems generally consist of closed stands of immature, pioneer tree species less than 100 years old. In addition, wetlands, riparian areas, creeks, rivers and shorelines have been modified significantly through on-going development and intensive land use.

Loss of these natural areas is a major threat to ecological integrity and biodiversity. It can also result in additional costs for municipalities through the loss of “free” ecological services intact ecosystems provide. For example, trees and forests can improve air quality (absorbing pollutants), reduce energy costs (heating and cooling), sequester carbon, improve water quality (rainwater interception and infiltration) and increase property values. Wetlands and intact forests also act as natural filters and can reduce the need for expensive stormwater management systems.

Habitat fragmentation, resulting in smaller patches of disconnected forest separated by roads, infrastructure or other development is detrimental to many wildlife species. Movement and migration patterns can be severely restricted, which can affect the ability of many species to meet their requisite life needs. Smaller patches cannot provide the variety of habitat types and ecological processes required by many species, particularly animals with large home ranges.



The Urban Forest is a term that includes the forested ecosystems and individual trees found within the urban landscape. This includes natural forested ecosystems, street and park trees as well as individual trees growing on private property. The health of these trees is closely related to the resources they depend on to grow as well as other components of natural ecosystems including wildlife, microbial communities, vegetation and water systems. Within the urban setting, the dynamics of this growing environment is significantly influenced by human activity. All of these factors must be considered in an urban setting to ensure the long-term sustainability of the Urban Forest.

Cumulative effects resulting from intensive land use and development can have potentially lasting and detrimental consequences on sensitive forest habitats and ecosystems. Finding the right balance between adequate and effective protection for our Urban Forest and appropriate human use of land and resources is challenging.

The Urban Forest can be measured in terms of canopy cover, including all trees found on streets, parks, natural areas and private land. The Town of Comox urban forest canopy cover is 23% overall, which is approximately one half of the American Forests recommendation of 40% for communities in the Pacific Northwest. Lower canopy targets of 15% and 25% apply to Central Business Districts and urban residential areas respectively.

A majority of the tree cover in Comox is privately owned including developed residential neighbourhoods and undeveloped areas zoned for future residential use. The Town has approximately 133.5 hectares of designated park area, 77% of which supports natural ecosystems. An additional 9% of park area is open space with scattered tree cover. A major feature of the Plan is the protection of a large forested area in the Northeast Woods through a proposed Crown grant for parkland and environmental conservation purposes. Within urban areas, the vast majority of tree losses result from land clearing for the construction of homes, buildings and infrastructure.

Measures to increase tree cover by ensuring new trees are planted following redevelopment are included in multi-family development permit areas. Expanding the scope of the Tree Management and Protection Bylaw would address tree removal prior to development applications. Equally important is the role of public education in identifying the value of the Urban Forest.

### *2.3.2 Wildlife*

The Town of Comox is located in the Coastal Western Hemlock biogeoclimatic zone. It has a variety of ecosystems and critical habitat features that support a diversity of wildlife within its boundaries and the urban-wildland interface. The health of wildlife populations is dependent upon the quality, quantity and connectivity of this habitat and the ability of a particular species to meet its life requisites. Wildlife populations are important indicators of the ecological integrity and health of the urban forest. Many wildlife species not only rely upon the urban forest for habitat, but share complex interrelationships which can influence the quality of important ecosystem components such as water, soil and vegetation. Wildlife presence in urban areas also provides people with an important connection to the natural world. Wildlife viewing, for example, is one of the primary attractions for user groups of natural areas.

Larger habitat patches are able to support a greater diversity of species, including those that are considered more vulnerable to human disturbance. Close proximity to human influences can alter behavioural patterns for wildlife (sometimes resulting in nest abandonment, for example) and increase the potential for human-wildlife conflicts. Several development permit areas in the Plan address these concerns. Garry Oak Habitat, Wildlife Corridors, Marine Foreshore and Bald Eagle and Great Blue Heron Nesting Sites and Perching Trees are specific examples.

Due to the fragmentation of natural areas, wildlife typically found in or near Comox includes those species that are best able to adapt to human influences. These include larger mammals such as Columbian black-tailed deer and black bear. Other large mammals that are found in this region that are less likely to occur include Roosevelt elk, grey wolf and cougar.

Medium sized mammals likely to inhabit forested areas within the Comox Valley include members of the weasel family (marten, short-tailed weasel) and racoons. River otter, muskrat, beaver and mink potentially inhabit watersheds such as Brooklyn Creek and Lazo Marsh. Common small mammals include the red squirrel and those from the mouse and shrew families.

Several bat species may also be present; however, they typically require more mature forest and/or cave systems for roosting and hibernation, although human structures are sometimes used. A high diversity of bird species inhabit Comox throughout the year as the area provides a wide range of habitat features: from closed forest stands to open shrub communities, agricultural fields, wetlands and foreshore and intertidal areas. The lack of mature forest in the area does restrict presence of cavity nesting birds or old growth specialists such as spotted owl or marbled murrelet. The shoreline in particular is an important area of the Pacific Flyway migratory route. Creeks, wetlands and riparian areas also provide critical habitat to support a range of fish and amphibian species.

### *2.3.3 Greenways and Wildlife Corridors*

Maintaining existing habitat and establishing natural connections on the landscape is important for both wildlife and people. Establishing and maintaining greenways can help achieve long-term planning goals for both ecological protection and recreation. Natural habitat/wildlife corridors are designed to enhance biodiversity by facilitating movement through fragmented areas. From a habitat perspective, corridors connect smaller habitat patches within a larger 'green' network, thus enlarging the overall habitat area. Corridors can also perform a variety of other ecological and social functions.

The Town of Comox has begun to establish a system of greenways; however, many of these greenways incorporate existing roads and sidewalk infrastructure which lacks the natural features required for wildlife movement. Ensuring sufficient natural areas (e.g. forest and riparian corridors) are maintained as part of future development applications will provide opportunities to develop a more contiguous system of trails and greenways, while also increasing the amount of open space and protected natural areas within the Town.

### *2.3.4 Water Quality and Fish Habitat*

The Town of Comox has a variety of marine and freshwater ecosystems including estuaries, intertidal zones, rivers, streams, lakes, and wetlands. These water systems capture and divert overland and subsurface flow, supply clean water, support fish populations, and provide habitat for wildlife. Riparian areas associated with these water features are intricately connected and contribute to improved water quality, stormwater retention, water infiltration, flood attenuation, filtration of contaminants, water cycling and groundwater recharge. In addition, riparian plant communities provide shade and regulate water temperatures, supply essential energy and nutrients, provide large woody debris input, stabilize stream banks and provide security cover for wildlife.

Riparian habitats are amongst the most fertile and productive in the province and support some of BC's most diverse fish, wildlife and plant communities. Protecting, maintaining, and restoring aquatic and riparian systems is essential to the maintenance of functioning and healthy ecosystems. Urban development can place significant stress on water resources. Human use and development activities resulting in vegetation removal, creation of hard, impervious surfaces, and the introduction of contaminants affects water quality and creates enormous challenges for water management. The Plan includes development permit areas to address these areas; specifically Riparian Areas, Marine Foreshore and Energy and Water conservation and the Reduction of GHG Emissions.

### *2.3.5 Environmentally Sensitive Areas*

Environmentally Sensitive Areas (ESAs) are considered to be sensitive to natural and/or human caused disturbances. ESAs may be rare or fragile, at risk due to fragmentation or development or provide specialized wildlife habitat. Some examples include:

- Endangered plant communities;
- Wetlands, riparian areas and estuaries which support an abundance of wildlife and perform a variety of ecological functions;
- Nests, dens, rookeries, breeding grounds, wildlife trees etc.;
- Coastal bluff ecosystems; and
- Intertidal areas.

ESAs are identified on *Map 4 – Sensitive Ecosystems Inventory and Ecological Features*.

Currently, some protection is provided to ESAs and features, although the regulatory authority can vary and the minimum requirements for protection may not necessarily be sufficient. For example, many eagle and heron nests within Comox have been inventoried. These birds and their nests are protected by the Federal Migratory Birds Convention Act and the BC Wildlife Act; however, the Plan also includes a development permit area to provide additional protection for nesting sites for eagles and Great Blue Herons.

Development within riparian areas in Comox is regulated by the Provincial Riparian Areas Regulation (RAR) which provides guidelines for establishing buffers along watercourses. The RAR requires specific measures be implemented to ensure the integrity of creeks and their riparian areas. These include measures to protect mature trees and to prevent erosion and slope instability.

The Federal Fisheries Act prohibits development that would cause a Harmful Alteration, Disruption or Destruction to fish habitat without Department of Fisheries and Oceans consultation. These provide minimum requirements for the protection of riparian areas; however, the Riparian Area Development Permit Area will enhance and enforce these existing regulations. In addition, several sites where additional property acquisition is recommended are included in this OCP.

Other ESAs include the sparsely vegetated ecosystem in Kye Bay (comprised of coastal gravel and sand spits with little vegetation which is adapted to harsh coastal environments), the Coastal Bluff ecosystem southeast of Kye Bay (comprised of open, rocky cliffs and bluffs exposed to the wind and ocean), the Old Forest ecosystem northeast of Lazo Road at Simba Road and in Mack Laing and MacDonald Wood Parks (dominated by conifer trees with an average age over 100 years), the Wetland ecosystem along the shore of West, Downtown and Central Comox (comprised of saltwater marshes), and the Wetland ecosystem at Guthrie and McDonald Roads (comprised of a wooded, freshwater wetland/bog). The Plan provides specific protection in development permit areas for these sensitive ecosystems. Several additional park acquisitions to protect these ESAs are included in *Map 3 - Parks, Trails and Open Space*.

### *2.3.6 Shoreline and Foreshore (Intertidal) Ecosystems*

The Town of Comox has approximately 9,000 meters of shoreline within its boundaries. Shorelines and foreshore areas provide a critical connection between terrestrial (upland) and estuarine and marine environments. Estuaries and tidal flats are key areas for birds migrating along the Pacific flyway. Due to the high diversity of marine and wildlife species that these areas support, their protection is critical for preserving biodiversity in the region. The Comox River Estuary is one of the most important estuarine ecosystems along the B.C. coast. Environmental protection should be given priority over shoreline development including trails below the natural boundary.

Shorelines are popular locations for recreation and face on-going pressure from residential development. The south shoreline of the Town of Comox is heavily developed and includes the Comox Bay Marina, while the eastern shoreline adjacent to the Comox airport and including Kye Bay are moderately developed. Comox Harbour and Kye Bay have unique values (marina, biodiversity, hazardous areas) which require careful management. Other issues include: maintaining public access to shorelines, land use and development, coastal erosion, discharge of contaminants and sediment, protection of shoreline habitat and features, and maintaining view corridors.

The Plan includes four development permit areas to address the marine environment and land interface. With the exception of the Comox Harbour and marinas, the primary marine focus of the Plan is to protect this environmentally sensitive and productive shoreline.

### *2.3.7 Lazo Marsh*

Lazo Marsh is a protected area northeast of Comox. The total area is approximately 130 hectares, with 127 hectares designated as the Lazo Marsh – Northeast Woods Wildlife Management Area. It is owned and managed by several stakeholders including the CVRD, the Nature Trust of B.C., Ducks Unlimited, the Canadian Wildlife Service, the Ministry of Environment and the BC Habitat Conservation Trust Fund. Lazo Marsh provides unique habitat features which support a diversity of birds (140 species recorded) and other terrestrial wildlife. Fish (salmonids) are also present. Hilton Springs drains into Lazo Marsh and has a significant role regulating its water levels. Although mainly outside the Town, forested lands within the Town play an important role in the hydrology of the Lazo Marsh and environmental integrity of the area. The Plan recognizes these important environmental features and includes additional parkland acquisition and development area protection for those areas within the Town boundaries.

### *2.3.8 Hazardous Areas and Risk Mitigation*

There is generally some level of risk associated with urban development. These risks are often related to environmental conditions (climate, topography, vegetation, soils, etc.). Coastal communities often have specific issues related to shoreline erosion and potential for flooding. Additional risks that should be considered include: slope stability, forest fire, windthrow, hazard trees, pests (invasive species) and human/wildlife conflicts. Areas are often defined as hazardous if there is a risk to present or future values such as development or infrastructure. Floodplains, actively eroding shorelines, coastal bluffs, riparian areas and unstable slopes are good examples. The development permit areas for Hazardous Areas and Riparian Areas are intended to restrict development in hazardous areas including riparian areas and coastal bluffs.

This section of the plan sets out objectives and policies pertaining to the protection and enhancement of the natural environment. A key component of the plan's strategy is to balance the impact of a growing population on the natural environment and to maintain biodiversity.

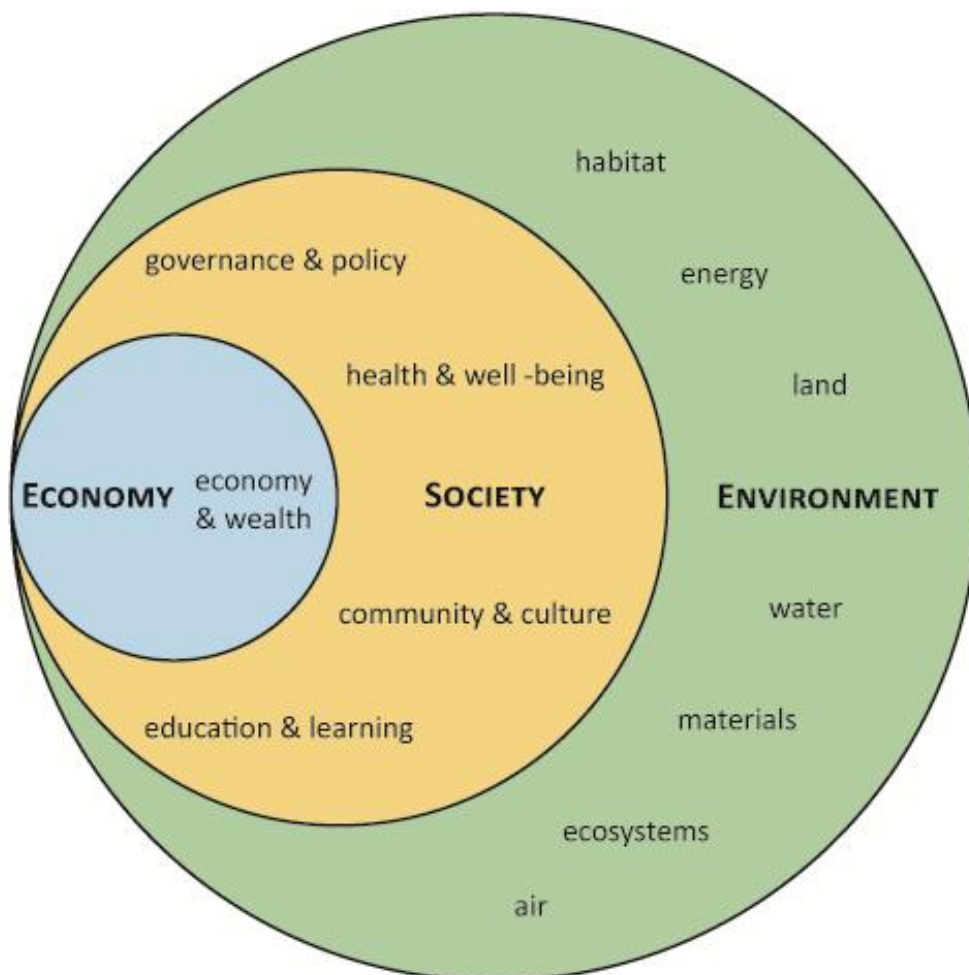


### 2.3.9 Planning for Sustainability

Each day communities make choices about social policy, health delivery, educational strategies, economic initiatives, environmental management, resource allocation, land use, transportation, public works, housing and so on. Each decision is critical to sustaining and improving local quality of life. Community sustainability planning aims to recognize how these and other elements are connected to form a vibrant, resilient community.

Sustainability is a process, rather than a static outcome. Sustainability represents the relationships and interdependencies between the economy, society and the ecosystem and illustrates that one of these three aspects cannot be successfully addressed without consideration of the others. All are inextricably intertwined (see Figure 5, following).

Figure 5 - 3 Spheres of Sustainability





### *2.3.10 Climate Change*

In 2007, the Intergovernmental Panel on Climate Change (IPCC) published its fourth assessment on climate change findings, entitled Climate Change 2007. The IPCC concluded that:

- Average global temperatures are increasing as compared to historical records
- These changes are largely caused by the “heat-trapping” effect resulting from the increasing concentrations of greenhouse gas (GHG) emissions
- Human activities are the primary sources of these increases in emissions.

There are a variety of ways in which the Town of Comox may be affected by climate change. Some are physical changes such as warmer temperatures on land with resulting changes to vegetation. The bioclimatic zone may change if some tree species and vegetation are stressed due to warmer temperatures resulting in other species migrating north.

A second aspect of climate change is warmer ocean temperatures and a rise in sea levels. Driving mechanisms that contribute to a rise in sea level include increased ocean volumes due to the melting of mountain glaciers, ice caps and continental ice sheets. Increased ocean volumes will result from thermal and salinity effects on water density. The Intergovernmental Panel on Climate Change has estimated a sea level rise of between 0.18 metres and 0.59 metres by 2100 although more recent research indicates a much greater rise is likely.

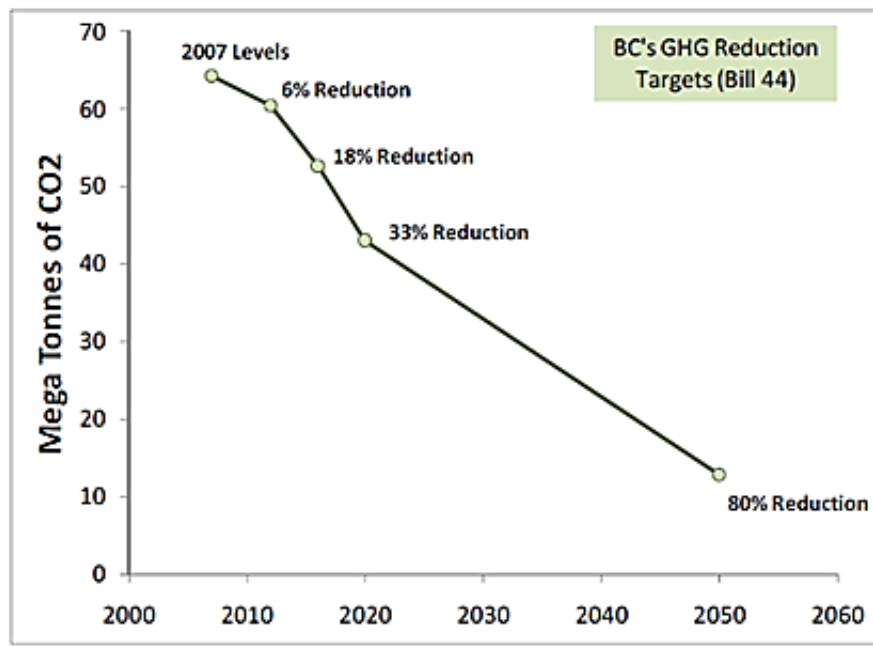
The Government of Canada and the Province of B.C. have identified other potential effects of climate change. They include more extreme heat events, an increased frequency and intensity of storms (including more intense tidal surges), changes in precipitation (i.e. more intense rainfalls with higher peak flows), increased acidity levels, reduced atmospheric protection, all of which could have far reaching effects on the food supply and human health. Proactive approaches to address these changes include increased on-site storage of water, reducing impervious surfaces and increasing flood construction levels and foundation protection measures for new development along low lying coastal areas.

The potential impacts of future climate change on human health are both direct (e.g. changes in temperature-related morbidity and mortality) and indirect (e.g., shifts in vector-borne diseases). Climate change poses significant challenges to an aging population. Some aspects of climate change may lead to adaptive behaviour and positive outcomes. This could include a longer growing season, higher agricultural productivity, a Mediterranean climate and lower heating costs.

### 2.3.11 Reduction of Green House Gas (GHG) Emissions

GHG emissions are a major concern as they are widely considered to be a major driver in climate change. The Province of B.C. has committed to reducing greenhouse gas emissions by 80% below 2007 levels by 2050<sup>10</sup>. These two targets are stated in Bill 44 (see Figure 6, following).

Figure 6 - BC's GHG Reduction Targets (Bill 44)<sup>11</sup>



The Province has required local governments to establish GHG emissions reduction targets, and include policies and actions indicating how they will achieve them under section 877(3) of the *Local Government Act*.

The Town of Comox is one of more than 175 municipal signatories to the BC Climate Action Charter. Under this charter, the Town of Comox agreed to develop strategies and take actions to achieve the following goals:

- Being carbon neutral in respect of their operations by 2012 (solid waste facilities regulated under the Environmental Management Act not included);
- Measuring and reporting on their community's GHG emissions profile; and
- Creating complete, compact, more energy efficient urban communities.

<sup>10</sup> Bill 44 enacts the *Greenhouse Gas Reductions Targets Act*, which establishes greenhouse gas reductions for 2020 and 2050 in relation to greenhouse gas emissions for British Columbia generally.

<sup>11</sup> From "Ministry of Community and Rural Development: Inventories, Targets and Actions" report, 2009.

The Federation of Canadian Municipalities has estimated that close to 50% of the Canada's GHG emissions can be influenced by decisions made by municipal governments. There are multiple actions that can be taken to reduce municipal corporate and community emissions. Some have more impact than others. In particular, considerable emissions reductions can be achieved through making appropriate land-use planning choices.

There is also an economic aspect to the reduction of carbon emissions. BC already has a carbon tax although the amount is a modest \$20.00/tonne. Communities that pursue low carbon growth will avoid the carbon penalties governments will increasingly seek to impose in a more carbon constrained future. The challenge in addressing GHG emissions is the fact they do not respect geographical or national boundaries. Success will require a comprehensive approach at the local, national and international levels.

In preparing the Plan, the greenhouse gas implications of the existing land use pattern of the Town of Comox were compared against future land use policies as proposed. The model translated the existing and future land use patterns into greenhouse gas emissions across four sectors:

#### 2.3.11.1 BUILDINGS

- CO<sub>2</sub> emissions from heat and electricity demands of detached dwellings, attached dwellings, low-rise apartments and high-rise apartments.
- CO<sub>2</sub> emissions from heat and electricity demands of commercial buildings.
- CO<sub>2</sub> reductions resulting from more energy efficient building practices.
- CO<sub>2</sub> emission reductions in future land use scenarios where higher densities enhance the viability of renewable energy systems.

#### 2.3.11.2 TRANSPORTATION

- CO<sub>2</sub> emitted from private vehicles based on the total vehicle trips and average trip distance.
- CO<sub>2</sub> reductions from the introduction of fuel efficiency standards.
- CO<sub>2</sub> reductions from modal shifts from automobiles to walking and public transit. This is based on the population within walking distance of common destinations and transit bus stops.
- CO<sub>2</sub> emitted from the transportation of imported food.

#### 2.3.11.3 WASTE

- CO<sub>2</sub> emitted from waste disposal sites.
- CO<sub>2</sub> emitted from the treatment of liquid waste at centralized treatment facilities.

#### 2.3.11.4 BIOMASS

- CO<sub>2</sub> absorption from forest cover
- CO<sub>2</sub> emissions from farming practices, including machinery and livestock. In this exercise, however, emissions from Biomass were not considered in order to be consistent with the Ministry of Environment's Community and Emissions Inventory.

Three scenarios were considered with the baseline representing current conditions. The Business as Usual and Transit-Oriented Development scenarios were compared to the baseline. The population growth was distributed in the Town in the Business as Usual according to the previous OCP. In the Transit-Oriented Development scenario, dwellings were distributed according to the Plan (i.e. this OCP). A time frame of 20 years leading to a population of 19,780 was used in each case.

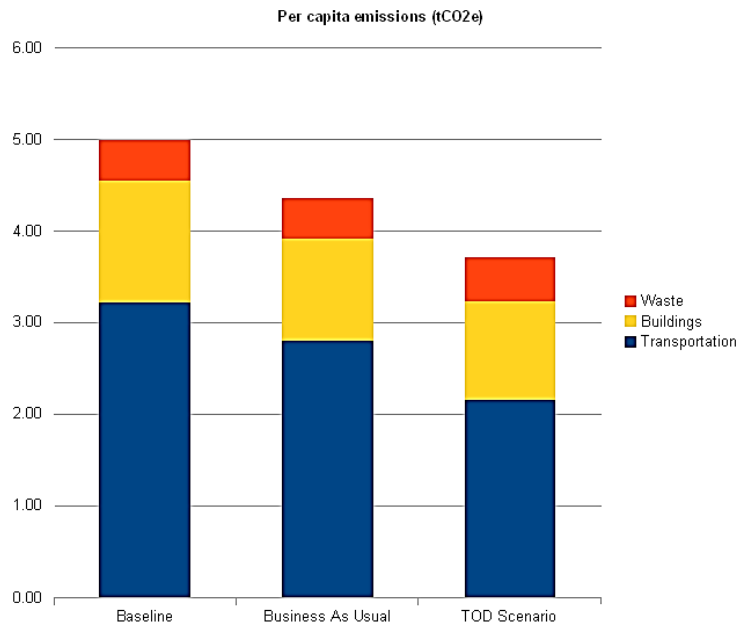
Although an increase in absolute emissions will occur in either scenario due to a projected population increase, the increase is much lower in the Transit-Oriented Development scenario. Per capita emissions decrease from the baseline to the Transit-Oriented Development scenario by 28%, from 4.99 tCO<sub>2</sub>e per person to 3.60 tCO<sub>2</sub>e. The most significant reduction occurs in transportation, as accessibility to public transit and use increase significantly. This assumes that with a more compact land use pattern and customer base, B.C. Transit will respond with an increased frequency of transit service. Other GHG reductions will occur due to improved pedestrian access, cycling routes and lanes and their proximity to commercial and other services.

Emissions from buildings are also reduced in the Transit-Oriented Development scenario due to an increase in the proportion of dwellings with shared walls and smaller footprints such as townhouses and apartments. Emissions from waste increase proportionately with the population; a further reduction would occur if methane capture is installed in the waste disposal site. This is an issue outside of the scope of the Plan but could be pursued by the CVRD.

The following Figure 7 illustrates the anticipated reduction in GHG emissions in the Plan.

In addition to a significant reduction in GHG emissions, the Transit-Oriented Development scenario offers other equally significant benefits. More efficient use of existing infrastructure will enable scarce tax dollars to go further. In addition, the changing needs of Comox can be addressed while respecting and avoiding development in environmentally sensitive areas.

**Figure 7 - Comox per capita Emissions**



Natural areas provide numerous social, environmental and economic benefits. Notwithstanding the intrinsic worth of natural ecosystems, numerous studies have attempted to measure the economic value and benefits attributed to trees, ecosystems and the services they provide. Many of these are “free” services, in the sense that they often provide a measurable economic benefit to people as a result of maintaining natural processes on the landscape. Some examples of these benefits include:

#### 2.3.11.5 ENVIRONMENTAL BENEFITS

- Carbon dioxide sequestration and emission reductions associated with decreased energy demands for heating and cooling;
- Improved air quality (absorption of pollutants, interception of particulates, oxygen release, ground level ozone reduction);
- Preservation of water quality (rainwater interception and storage, reduced runoff volumes; soil infiltration, filtration of overland and subsurface contaminants, wastewater treatment and recycling);
- Flood and drought mitigation;
- Erosion protection, soil conservation, slope stability;
- Weather and climate moderation (shading, windbreaks, reduction of urban heat island effect);
- Wildlife (provision of habitat, maintenance of biodiversity, protection of species at risk, pest control);
- Natural ‘green’ infrastructure (corridors, patches and linkages).

#### 2.3.11.6 ECONOMIC BENEFITS

- Energy savings and reduced heating and cooling costs;
- Increased property values;
- Stormwater management (reduced treatment loads and infrastructure requirements);
- Wastewater management (natural filtration of overland and subsurface contaminants);
- Increased commercial activity (shoppers spend more time, take more trips and will spend more money in commercial districts with trees);
- Increased recreation/tourism opportunities.

Public education will play a vital role in determining the extent of reducing GHG emissions and conservation measures in general. Public education can include local, regional, provincial, national and global elements.

#### 2.3.12 *Environment Objectives*

1. To balance the demand for development with the need to protect and maintain a healthy environment;
2. To identify, protect and enhance environmentally sensitive aquatic areas and terrestrial areas;
3. To encourage public stewardship of natural areas on private lands;
4. To preserve and enhance the scenic and environmental values of the waterfront;
5. To ensure that the natural environment is protected during the subdivision and development review processes.

#### 2.3.13 *Environment Policies*

- a. The areas to which these policies pertain are noted on *Map 4 - Sensitive Ecosystem Inventory and Ecological Features* as documented by the CVRD and other sources.
- b. Riparian areas are included in *Development Permit Area #7 – Riparian Areas* (DPA #7). The objectives and guidelines for DPA #7 are specified in Part 3 and the map showing areas designated in DPA #7 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.

- c. Georgia Strait waterfront environmentally sensitive areas are included in *Development Permit Area #8 – Waterfront Environment* (DPA #8). The objectives and guidelines for DPA #8 are specified in Part 3 and the map showing areas designated in DPA #8 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.
- d. Georgia Strait Aquatic environmentally sensitive areas with a significant upland component are included in *Development Permit Area #9 – Upland Environment* (DPA #9). The objectives and guidelines for DPA #9 are specified in Part 3 and the map showing areas designated in DPA #9 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.
- e. The protection of Bald Eagle and Great Blue Heron nesting sites and perching trees is provided in *Development Permit Area #10 – Eagle & Great Blue Heron Nesting Sites/Perching Trees* (DPA #10). The objectives and guidelines for DPA #10 are specified in Part 3 and the map showing areas designated in DPA #10 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.
- f. Areas providing for wildlife movement within the Town of Comox are identified in *Development Permit Area #11 – Wildlife Corridor* (DPA #11). The objectives and guidelines for DPA #11 are specified in Part 3 and the map showing areas designated in DPA #11 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.



- g. *Development Permit Area #12 – Garry Oak Habitat* (DPA #12) identifies areas of Garry Oak habitat. The objectives and guidelines for DPA #12 are specified in Part 3 and the map showing areas designated in DPA #12 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.
- h. *Development Permit Area #13 – Hazardous Areas* (DPA #13) identifies areas subject to potential hazards. The objectives and guidelines for DPA #13 are specified in Part 3 and the map showing areas designated in DPA #13 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.
- i. Marine Foreshore Areas are identified in *Development Permit Area #14 – Marine Foreshore* (DPA #14). The objectives and guidelines for DPA #14 are specified in Part 3 and the map showing areas designated in DPA #14 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to the issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.
- j. *Development Permit Area #16 – Energy and Water Conservation and Reduction of Greenhouse Gas Emissions* (DPA #16) is for the purposes of energy and water conservation and the reduction of greenhouse gases. The objectives and guidelines for DPA #16 are specified in Part 3 and the map showing areas designated in DPA #16 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant to Section 920 of the *Local Government Act* unless exempted in this OCP under Section 919.1 (4) of the *Local Government Act*.
- k. External third party 'green building' certification will be sought for mixed use, commercial, and residential development at the time of rezoning in order to encourage energy and water conservation, solid waste reduction, attenuation of water run-off, and the reduction of GHG emissions. Third party 'green building' certification programs include BuiltGreen™ and Leadership in Energy and Environmental Design (LEED) Green Building Rating System™.

- l. The Town supports the Regional Growth Strategy objective of addressing environmental protection and policies around the principles of precaution, connectivity and restoration.
- m. The Town encourages the use of best management practices that reduce negative impacts of sedimentation on streams, vegetated areas and municipal works resulting from development and construction activity;
- n. New development within environmentally sensitive areas may be limited or prohibited. If new areas are incorporated into the Town, additional environmentally sensitive areas may be identified;
- o. The retention of pockets of natural areas is encouraged in new development areas.
- p. New developments may be required to demonstrate that post-development storm water flows will not have a negative impact on ground water that flows into Lazo Conservation Area or on fish habitat;
- q. The Town will consider expanding the scope of Tree Management and Protection Bylaw to include protection of mature trees in areas zoned for residential or mixed use development.
- r. The Town will work with the CVRD to develop consistent terminology for conservation planning.
- s. The Town will work with the CVRD to support shared regional environmental mapping and address ecosystem inventory gaps concerning species at risk, terrestrial ecosystems, detailed stream/wetland mapping, stand condition/tree cover assessment and wildlife movement corridors.
- t. The Town will consider changes to the Flood Plain Bylaw to address the impact of climate change.
- u. The Town will give consideration to reduced development cost charges for developments that provide a significant reduction in off- site infrastructure impacts when updating its Development Cost Charge Bylaw.
- v. Trails and walkways should be located above the natural boundary without encroaching on the natural foreshore or beach areas.
- w. Any required erosion protection measures should take place above the natural boundary.
- x. Parking areas in multi-family, commercial and institutional/public assembly developments where appropriate must incorporate oil separators to remove oil wastes from the water.
- y. To consider the development of an Urban Forest Management Strategy with a long term objective of increasing forest canopy cover including parkland, boulevard trees along roadways and on private land. Such a strategy would encourage the protection, planting and replacement of trees, primarily through public education and an expanded tree protection bylaw. Such a strategy would also be able to demonstrate how the Town will achieve Zero Net Deforestation, assess and track tree cover and enhance connectivity between forested areas.

## **2.4 Infrastructure**

## **2.4.1 Transportation**

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This Plan takes a comprehensive approach to transportation. While recognizing the importance of private vehicle traffic, the Plan's objectives and policies encourage alternative forms of transportation. This section sets out objectives and policies in relation to: roads, transit, truck routes, parking, bikeways and pedestrians. These objectives and policies support the land use designations in *Map 1 – Land Use Designations*.

The Plan will require limited new road infrastructure except as required for 'greenfield' development by developers. The volume to capacity of the road system is generally low and the pace of redevelopment will generally be slow and incremental. This will enable a shift in favour of bikeway, pedestrian and transit infrastructure improvements.

### **2.4.1.1 General Transportation Objectives**

1. To facilitate a more compact land use pattern in Comox through the provision of appropriate multi-modal infrastructure; and
2. To reduce dependence on private motor vehicles and increase transportation choice through public transit, walking and bicycling.

### **2.4.1.2 General Transportation Policies**

- a. In general, priority will be given to pedestrians, cyclists and public transit when planning public realm improvements.
- b. The Town will work together with the K'ómoks First Nation to address transportation issues (vehicular, bicycle and pedestrian safety and connectivity) that directly affect both jurisdictions including Comox Road and Glacier View Road/Back Road.

### **2.4.1.3 Roads – Objectives**

1. To improve mobility and access for local travel by Comox residents;
2. To protect and enhance the functions of the road network;
3. To minimize intrusion of major traffic flows into neighbourhoods;
4. To develop a bicycle network to accommodate the safe use of roads by bicyclists; and
5. To enhance transit usage and service levels by accommodating additional development within walking distance of public transit and through the provision of age-friendly planning initiatives.

#### *2.4.1.4 Supporting Policies for Roads*

- a. The road network consists of a classification of arterial, major collector, minor collector and local roads shown on *Map 5 – Road Network*. Downtown Comox refers to the portion of Comox Avenue with an arterial function but with constrained capacity. Ministry of Transportation responsibility refers to roads adjacent to or outside the Town of Comox whose responsibility for construction and maintenance rests with the Province of B.C.
- b. The road network as shown on *Map 5 – Road Network* is designed to service future anticipated growth and infill requirements to the year 2031 and beyond, providing a continuous and efficient road system. This network provides mobility and access through a hierarchy of arterial, major and minor collector, and local roads.
- c. The arterial and collector road network is based upon a rectangular grid system and this principle must be used in evaluating future amendments to the road network.
- d. The following principles must be used in determining the acceptability of new road dedications at time of subdivision:
  - i. within areas designated Downtown Comox, Commercial or Mixed Use: Commercial-Residential on Map 1 – Land Use Designations, the local road network must be based on a rectangular grid system; and
  - ii. within areas designated Residential on Map 1 – Land Use Designations, the local road network need not be based on a rectangular grid network but must provide for a high degree of connectivity with a limited reliance on cul-de-sacs and crescents.
- e. The use of the road network by multiple users is encouraged. This includes private and transit vehicles, cyclists, and pedestrians.
- f. The Transit Network on *Map 6 – Bus Routes* shows a 400 metre distance from transit routes. In this area residential redevelopment and infill and Mixed Use: Commercial-Residential and Commercial redevelopment in accordance with *Map 1 – Land Use Designations* will be considered.
- g. The Town will work with B.C. Transit to enhance the transit system through increased frequency of service and age-friendly planning. The Plan encourages pedestrian oriented mixed use redevelopment and residential redevelopment and infill within walking distance of transit routes to enhance transit ridership.
- h. The Town will work with B.C. Transit to provide direct connectivity between Downtown Comox, 19 Wing Comox and the Comox Valley Regional Airport over time as additional development takes place along Pritchard Road.
- i. The Town will work with B.C. Transit, the K'ómoks First Nation, and the City of Courtenay toward better transit service between Downtown Comox and Downtown Courtenay, including a transit stop on the K'ómoks IR 1.
- j. The Town will work with B.C. Transit toward securing a transit exchange in Downtown Comox.

- k. On collector roads, parking may be on one side only in order to accommodate bicycle traffic.
- l. Neighbourhood roads must provide safe and at the pedestrian level visually interesting and attractive street environments and where practical, convenient route connections and integration with greenways and the bikeway network.
- m. Sidewalks are required for all new developments in accordance with the Town's standards.
- n. The Town may require street trees in all new subdivisions upon completion of construction of 80% of the houses within each subdivision.
- o. The Town may vary road pavement width standards for local roads to improve boulevard design, increase on-site water retention and create more sustainable neighbourhoods.
- p. Access to arterial roads shall be limited in order to protect their traffic capacity. New detached housing, duplex and triplex lots shall not have direct access to arterial roads unless alternative access is impractical.
- q. Existing sidewalks and walkways may be enhanced as greenways through tree plantings and boulevard widening, where appropriate.
- r. The unconstructed Cottonwood Lane will be used as a greenway by pedestrians and cyclists and will not be used for vehicular access beyond that which already exists.
- s. Stewart Street will serve as an important pedestrian and cycling route between Central and Downtown Comox. In order to maintain the existing ambiance, Stewart Street between Cedar and Balsam Avenues will not be opened up to vehicular traffic.

#### *2.4.1.5 Truck Routes*

The movement of goods by truck is a feature of modern life. Within Comox, truck traffic originates locally (e.g. local industries, 19 Wing Comox). From outside Comox, truck traffic originates from major transportation corridors such as the Island Highway and Powell River ferry crossing and from nearby destinations in the City of Courtenay. It is important to provide truck routes within the Town of Comox to ensure safe, efficient and direct truck movements and to minimize their impact on residents.

#### *2.4.1.6 Truck Routes – Objectives*

1. To direct truck traffic along major routes most suited to provide access for trucks within the Town of Comox and from points outside the Town.
2. Where possible, to minimize the intrusion of trucks into residential areas.

#### *1.17.5.5 2.4.1.7 Supporting Policies for Truck Routes*

- a. Designated Truck Routes consist of those arterial and major collector roads highlighted on *Map 8 – Truck Routes*.



- b. All trucks are required to remain on designated truck routes until reaching a point that minimizes the travel distance on other roads to reach the truck's local delivery or collection location.

#### *2.4.1.8 Parking*

The Plan anticipates by 2031, over three quarters of all development will be within 400 metres of existing transit routes. With transit friendly redevelopment and increased service levels, some reduction of parking requirements may be warranted. This will need to be monitored over time.

Previous studies have determined parking demand is currently satisfied in Downtown Comox, with only the mall nearing capacity during peak demand periods. Additional parking facilities will be required to accommodate future development. Future demand can be satisfied through private on-site parking and, possibly, by community parking facilities. Retaining on-street parking in Downtown Comox is important, both for shoppers and businesses. However some reduction in on-site parking will occur due to exclusive uses such as drop-off zones, loading zones, and taxi zones as well as competing uses such as crosswalks, driveways and driveway approaches (with associated setbacks).

Recognizing the negative effects excessive parking areas can have on the aesthetics of Downtown and the cost of development, the Town's requirements for on-site parking will remain low compared to provincial standards. This is intended to promote alternative transportation and to encourage a more attractive and sustainable Downtown.

#### *2.4.1.9 Parking Objectives*

1. To ensure the continued availability of sufficient parking for residents and businesses; and
2. To avoid or mitigate the negative impacts of parking on aesthetics and livability.

#### *2.4.1.10 Supporting Policies for Parking*

- a. The Town may monitor the availability and convenience of parking for shoppers and people doing business in Downtown Comox in order to update parking regulations and facilities in response to changing needs.
- b. Surface parking areas should be landscaped.
- c. Underground parking is preferred for new Multi-family Residential, Downtown Comox and major Mixed Use: Commercial-Residential developments.
- d. The Town will consider a reduction in parking requirements within new developments, if dedicated spaces are provided for car-sharing.

- e. In Mixed Use: Commercial-Residential and other major developments within 400 metres of a transit route, the Town will consider a reduction of parking requirements subject to the provision of a parking study by an engineer or planner with expertise in transportation planning.
- f. The Town may consider joint ventures with developers for providing additional underground parking.
- g. The boundaries and configuration of the existing adjacent parking for marina and Marina Park users may change over time to accommodate improvements in road access, public open space, the waterfront walkway and marina-based activities, provided there is no net loss of 'green' space in Marina Park.

#### *2.4.1.11 Bikeways*

The use of bicycles is an important component of the Town of Comox transportation plan. Better facilities for cyclists encourage a greater use of bicycle travel, which potentially leads to reduced dependence on motor vehicles, better air quality and less need for parking.

Bikeways refer to bicycle lanes, routes and where appropriate, off-street trails. Bicycle routes are integrated with motor vehicle traffic and identified by signs posted along the road. Bicycle lanes are physically delineated from motor vehicle traffic with a painted line and identified by bicycle signs within the bike lane. Off-street trails are physically separated from roads and are intended to accommodate pedestrians and, where appropriate, cyclists.

The Town of Comox Bicycle Plan (1995) provided the initial emphasis for bicycle routes and lanes. These were chosen on the basis of their proximity to significant bicycle destination points, and their ability to meet the needs of each user group. The proposed network received strong support from the public. The Comox Valley Cycling Plan prepared for the Comox Valley Cycling Task Force in 2007 examined local, regional and provincial plans. The goal of the Cycling Plan was to make cycling a safer and more enjoyable experience throughout the CVRD by helping standardize terminology and design. The bikeway objectives and policies are intended to support the Town of Comox Bicycle Plan and the Comox Valley Cycling Plan. The importance of bikeways was confirmed in the Town of Comox 2011 Comprehensive Traffic Plan by the Boulevard Transportation Group.

#### *2.4.1.12 Bikeways – Objectives*

- 1. To promote a safe bicycling environment through a network of bicycle lanes, routes and off-street trails;
- 2. To ensure the varying needs of different types of cyclists – recreational/tourist; commuter, and competitor - are considered;
- 3. To encourage more people to use bicycles;

4. To provide good connectivity within the Town to all neighbourhoods and to Downtown Comox for recreational users and commuters;
5. To provide good connectivity between the Town of Comox and the City of Courtenay along Comox Avenue and Guthrie Road; and
6. To encourage developments to provide facilities to accommodate and facilitate the use of bicycles.

#### *2.4.1.13 Supporting Policies for Bikeways*

- a. The bikeway network is shown on *Map 7 – Bicycle Network*. The bicycle network consists of existing and proposed bicycle lanes and routes. Map 7 should be viewed in conjunction with *Map 3 – Parks, Trails and Open Space* which shows off-street trails suitable for use by pedestrians and where appropriate cyclists. Bicycle lanes, trails and off-street trails are defined in Section 1.8 of the Plan. The bicycle network is designed to accommodate the needs of cyclists for commuting, recreation and other purposes.
- b. The Town of Comox will provide signage on those roads shown on the Bicycle Network to encourage their use by cyclists and to advise motorists.
- c. Bicycles are permitted on other local roads not shown on *Map 7 – Bicycle Network*.
- d. Additional land to accommodate a safe bicycling environment may be required at subdivision or obtained at time of rezoning.
- e. Where practical, bicycle lanes, routes, trails and paths must be continuous, providing an unbroken path to and from destination points and connecting with other bikeways.
- f. New residential developments and redevelopments are encouraged to include secure bicycle storage to facilitate the increased use of bicycles.
- g. Businesses are encouraged to provide temporary bicycle parking for customers and secure storage for employees to facilitate the increased use of bicycles.
- h. Large developments are encouraged to provide temporary bicycle parking for customers and secure storage as well as shower/change rooms for employees to facilitate the increased use of bicycles. Expansion of the allowance for the provision of bike parking and storage and support facilities in lieu of vehicle parking will be considered.
- i. Because of the frequency of archaeological deposits along Lazo Road; the existing character of Lazo Road, Knight Road between Lazo Road and Pritchard Road, and Kye Bay Road; and because of the low density in the area of these roads, there is no expectation of widening Lazo Road, Knight Road or Kye Bay Road to provide a wider shoulder along the length of these roads.
- j. The off-street trail along Lazo Road from Torrence Road to Knight Road is intended to accommodate the needs of recreational cyclists and pedestrian.
- k. The Town will consider the phased implementation of the bicycle network through its annual capital budget and at the time of major road reconstruction.

- I. To the degree practical, the first stage of implementation of the bicycle network must focus on bicycle routes. Due to the need for continuous routes, implementation of the bikeway network may be based on completing one or more specific routes at a time.

#### *2.4.1.14 Pedestrians*

The needs of pedestrians are addressed throughout the Plan. They include Age Friendly Planning; Parks, Trails and Open Space; and specific land uses. Pedestrian objectives and supporting policies with respect to sidewalks and transportation connectivity are included in this section.

#### *2.4.1.15 Pedestrian Objectives*

1. To provide a safe and comprehensive network of sidewalks and off-street trails for pedestrians; and
2. To give priority to pedestrians in the provision of transportation options.

#### *2.4.1.16 Supporting Policies for Pedestrians*

- a. Sidewalks should be well-maintained, clear of obstructions, smooth, level, non-slip and wide enough to accommodate wheelchairs and scooters with curbs that taper off at intersections.
- b. Sidewalks should provide good connectivity within Downtown Comox and to all neighbourhoods along arterial or collector roads.
- c. Roads should be well-designed and appropriately placed physical structures, such as traffic islands, where applicable, to assist pedestrians to cross busy roads.
- d. Developments are encouraged to include on-site drop-off and pick-up bays close to buildings and transport stops for handicapped and older people.

## ***2.4.2 Services: Utilities, Water Supply, Sewer, Storm Water.***

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Most of the land within Comox is serviced by a water system, sanitary sewer system, and storm water collection system. The water and sanitary sewer systems have shared responsibilities between the Town and the CVRD. The Town provides the water distribution system and the CVRD provides bulkwater to the Town. The Town provides the sanitary sewerage collection system and the CVRD is responsible for wastewater treatment. Required system improvements to service the identified lands and land use designations in the Plan have been recognized in studies commissioned by the Town of Comox and are updated as needed.

### ***2.4.2.1 Utilities and Services Objectives***

1. To set high standards for local utilities and services, particularly for existing and newly planned residential neighbourhoods.
2. To maintain existing municipal services and monitor the performance of these services.
3. To reduce post-development stormwater flows to pre-development levels.
4. To require new developments or redevelopment of existing sites to be responsible for required services without subsidy from the Town.
5. To ensure new growth is serviced by a sanitary sewerage system provided by the Town and CVRD.
6. To achieve a long-term target of diverting 75% of the solid waste by 2030 in accordance with the Regional Solid Waste Management Plan, recognizing the 2010 baseline of 48%.
7. To reduce per capita water consumption by 40%, recognizing the 2008 baseline of 600 litres per capita per day (600 l/c/d).
8. To work together with the K'ómoks First Nation to negotiate, coordinate and plan for needed infrastructure including servicing agreements that affect both jurisdictions.

### ***2.4.2.2 Water Distribution System***

The Town of Comox operates a water distribution system in which water is supplied by the CVRD from Comox Lake or the Puntledge River. Although the water quality is high, steps are planned by the CVRD to install a new intake to reduce the threat to drinking water quality resulting from human activity. The CVRD is also responsible for an active water monitoring program. Average per capita residential water consumption (also referred to as domestic water consumption including light commercial uses) in the Town is 428 l/c/d. The potential for reduction through conservation measures is considerable given the national average of 327 l/c/d. Conservation measures are needed given existing water licence commitments from Comox Lake, a potential water shortfall in extreme drought conditions and limitations in the trunk and distribution system.

Overall, the Town has a well developed water supply and distribution system. The Town has been proactive in carrying out infrastructure upgrade projects to meet future population growth. The 2003 water study update projected water demands anticipated for the years 2010 (population of 16,904) and 2020 (population of 23,036) as well as the necessary infrastructure upgrades to maintain adequate service to the year 2020 and deliver fire flow demands. The Town's population growth since 2003 has been below these projections. The 2010 population of the Town was 13,644 as indicated by BC Stats.

In recent years, the Town has undertaken water conservation measures to reduce consumption, especially during the summer months when demands increase significantly and the infrastructure must be sized to meet the demand. As a result of the lower than projected population growth and the recent water conservation measures, annual and peak water demands should be less than projected. Additional upgrading works beyond what has been proposed in the 2003 water study are therefore not expected to be required to accommodate the population projections and land use distribution in the Plan.

For future subdivisions, watermain extensions are to be looped and dead-end mains are only to be in cul-de-sacs if looping is not possible as per the Town's subdivision specifications. Areas of vacant lands proposed for development include West Comox (Aspen\Hector\McDonald roads), North Comox (off Pritchard Road between Highridge Drive and Knight Road) and the Butchers Road area.

Water modelling is presently required by the Town for proposed subdivisions and for the redevelopment of serviced lots to ensure adequate fire flows can be provided. This practise should continue. Generally, upgrading works required in response to the proposed development would be the developer's responsibility if the work is not included in the Town's DCC project list.

#### *2.4.2.3 Water Service Supporting Policies*

- a. All new development and redevelopment requiring potable water service should be connected to the Town's water system.
- b. To upgrade the water distribution system as identified in the Town of Comox Water System report prepared by Koers & Associates Engineering Ltd. in February 2003 and update the report every five years, as required.
- c. To require watermain extensions to new subdivisions to be looped with dead-end mains in cul-de-sac only if looping is not possible.



- d. To encourage water conservation measures to achieve the Regional Growth Strategy objective of reducing residential per capita water consumption by 40% (using a 2008 baseline of 600 l/c/d) by the year 2030 through conservation measures. Conservation measures include public education, implementation of universal metering, pricing on a user pay basis, installation of low-flow plumbing fixtures in all new residential, commercial, industrial or institutional construction and renovations, use of grey water for toilets, lawns, and landscaping, and xeriscaping.
- e. To conduct a regular review of the Town's water service model to ensure adequate supply of water for future growth.

#### *2.4.2.4 Sanitary Sewerage Service*

The majority of the Town is serviced by a gravity sewer collection system. Main trunk sewers and waste water treatment are operated by the Comox Valley Regional District. The majority of gravity sewers drain to a pump station on Jane Place east of Downtown Comox. A force main connects to the Comox Valley Water Pollution Control Centre off Brent Road in Electoral Area B. There, the Comox Valley Regional District operates a secondary wastewater treatment facility serving Comox, Courtenay and part of Electoral Area B.

The 2006 Town of Comox Sanitary Sewer Study prepared by McElhanney Consulting Services identified upgrading works to meet the increase in flows resulting from the development of vacant lands in West Comox (Aspen\McDonald Road area), North Comox (Pritchard Road corridor) and parts of Electoral Area B. Most of the lands in West Comox have since been developed and upgrades to the sanitary sewer system were carried out to accommodate the future development. Lands in North Comox are largely undeveloped but the Knight Road sanitary sewer main has been constructed and is designed to service this area. Lands in East Comox (King Road area) still remain outside of the Town and thus are not provided municipal sewer service. The Plan for North West Comox in general is consistent with that of the previous OCP and thus no additional upgrades, beyond those identified in the 2006 study should be required.

Undeveloped lands in the Butchers Road area will contribute flows to the gravity sewer collection system draining to the pump station on Colby Road. This station has been sized to service the development of these lands consistent with the Plan and thus no upgrades should be required, other than replacing the pumps with greater pumping capacity when deemed necessary.

Densification and redevelopment along Comox Avenue and Anderton Road from Comox Avenue to Guthrie Road, is expected to be accommodated by the existing collection system with the implementation of the upgrading works proposed in the 2006 study, some of which have already been carried out.



Lands along Lazo Road between Brent Road and Knight Road are presently serviced by on-site sewage treatment and disposal systems. The Plan does not propose major redevelopment that will trigger the need for and extension of the municipal sewerage collection system. If significant densification were to occur in this area, a municipal collection system would be required. The collection system would consist of a series of gravity mains and municipal pump stations with associated forcemains in accordance with the Cape Lazo Water and Sanitary Sewer Study prepared by Koers & Associates Engineering Ltd. in 2008.

#### *2.4.2.5 Sanitary Sewerage Service Supporting Policies*

- a. With the exception of Cape Lazo/Point Holmes area, all new development and redevelopment should be connected to the Town's sanitary sewer system.
- b. On-site waste water treatment will continue to be provided in the Cape Lazo/Point Holmes area subject to compliance with applicable provincial regulations.
- c. The Town will operate a sewerage collection system that will discharge into the main trunk sewers and waste water treatment operated by the Comox Valley Regional District. The Town does not envision the need for waste water treatment or disposal within the Town's boundaries.

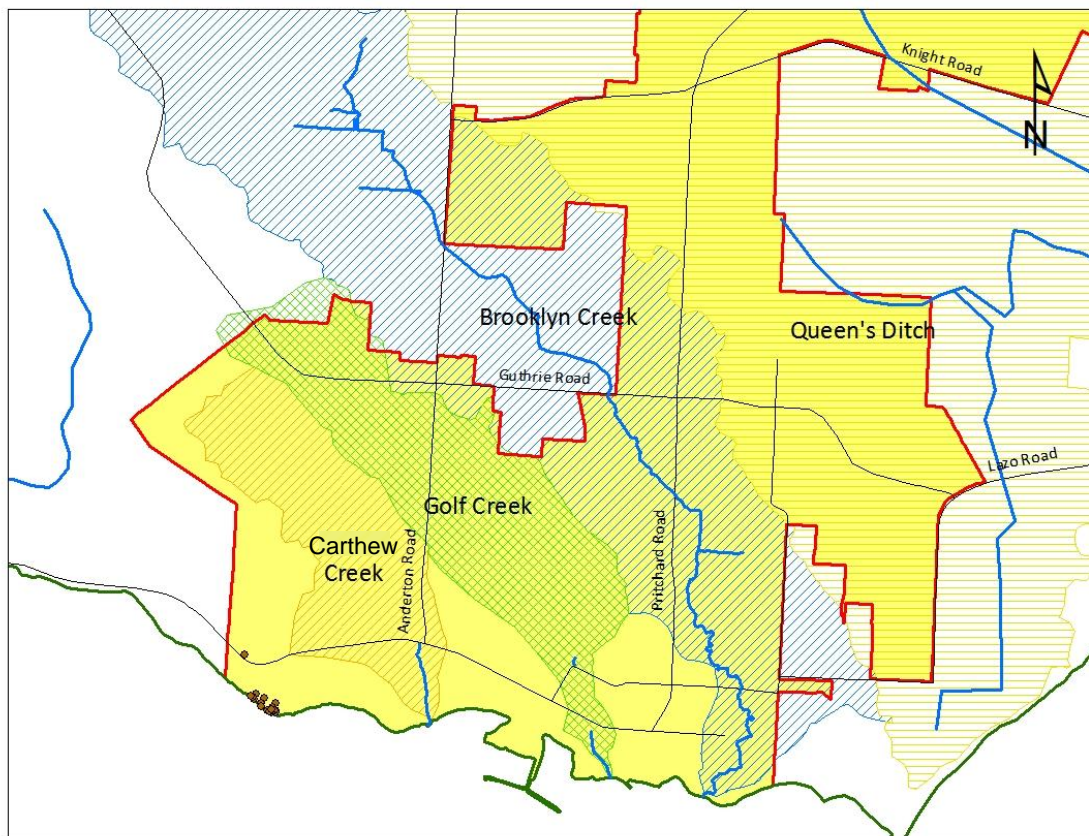
#### *2.4.2.6 Storm Drainage System*

The majority of the Town is serviced by underground storm drains conveying stormwater run-off south into Brooklyn Creek, Golf Course Creek, Carthew Creek in Port Augusta Park, or directly to the foreshore. Existing watersheds within the Town are shown on following Figure 8.

Exceptions include:

- Beckton Estates and the Butchers Road area, which drain to the south end of Lazo Marsh by underground storm drains and roadside ditches;
- North Comox, being the corridor of land along Pritchard Road generally north of Highridge Drive and lands along Knight Road, which drain by overland flow and farmland ditches to the north end of Lazo Marsh and by roadside ditches to the Queen's Ditch;
- Northwest Comox, where a portion of the land slopes north and east, draining to Brooklyn Creek by way of roadside ditches outside of the Town; and
- West Comox, where the recently developed lands at the west end of Noel Avenue in and around the water storage reservoir slope south and west which is serviced by the underground storm drain system which discharges to the roadside ditching along McDonald Road and Back Road for ultimate discharge to Comox Harbour.

**Figure 8 - Watersheds in the Town of Comox**



Overall, the Town has a well developed storm drainage system and has carried out a number of large and small infrastructure upgrade projects during the past 10 years. This includes the Anderton Road\Noel Avenue upgrade to accommodate the build-out of lands in Northwest Comox, the majority of which has occurred, and future redevelopment along Anderton Road. The upgrading work was based on the OCP land use in place at the time of the 1999 and 2001 studies. While this Plan accommodates additional densification along Anderton Road, it is anticipated adequate capacity is available for this to occur.

Proposed densification in Southeast Comox between Stewart Street and Pritchard Road, south of Cedar Avenue may require localized upgrading of mains. The responsibility would rest with the developer, if upgrading work is required. It is anticipated the proposed build-out of lands in the Butchers Road area, can be accommodated by the storm drain system servicing the area. It is anticipated the lands along Lazo Road between Brent Road and Knight Road, will be developed such that a municipal storm water collection system is not required, as is presently the case due to the highly permeable sandy soils. Development of lands along Kye Bay Road, between Knight Road and Simon Crescent, are expected to continue to be serviced by the roadside ditching in the area.

Development of North Comox along Pritchard Road, north of Highridge Drive and lands along Knight Road will require careful planning and design to protect the Lazo Conservation and Lazo Wildlife Management Areas. Additional drainage works will be required to ensure post development flows do not exceed pre-development levels. Water quality impacts on these environmentally sensitive areas will need to be minimized and historical issues relating to the Queen's Ditch, Hilton Springs at the east end of Cambridge Road, and farming of the low lying lands addressed. In order to protect these environmentally sensitive areas DPA #16 has been established.

In West Comox, development of the approximately 5 hectare forested parcel fronting on Aspen and Hector Roads, will also require careful planning and design due to historical issues relating to Brooklyn Creek and farming. A majority of this land drains east out of the Town and into Brooklyn Creek by way of roadside ditching along Hector and Anderton Roads. On-site stormwater management works will be necessary to address downstream impacts including the Birkdale Farm, which would be the responsibility of the developer.

#### *2.4.2.7 Storm Water Collection Supporting Policies*

- a. New developments are required to provide storm water collection to protect land and buildings from flooding; generally, storm water must connect to the Town's storm water collection systems.
- b. Stormwater management practices, which reduce the burden on infrastructure and enhance ecological and amenity values, including reducing impermeable areas, will be encouraged.
- c. Storm water run-off must be retained within its originating watershed, wherever feasible;
- d. On-site storm water retention facilities including rain gardens and rock pits are encouraged to minimize the downstream impact of storm water.
- e. The on-site collection and storage of rainwater from impervious surfaces including roofs for landscaping and gardens is encouraged.

- f. New developments will be required to provide facilities to limit negative impacts to fish and other aquatic habitat.
- g. Land in north-east Comox below the 30 metre Geodetic Datum, within 15 metres of the natural boundary of Hilton Springs and the Top of Bank of the conveyance ditch located along the road dedication of Cambridge Road are included in DPA #16 – Energy & Water Conservation and Reduction of Greenhouse Gas (GHG) Emissions. The objectives and guidelines for DPA #16 are specified in Part 3 and the map showing areas designated in DPA #16 is contained in Part 5. In these areas, the property owner or authorized agent must first obtain a development permit prior to issuance of a building permit; subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure pursuant of section 920 of the *Local Government Act* unless exempted in the OCP under section 919.1 (4) of the *Local Government Act*.

#### *2.4.2.8 Other Infrastructure Services Supporting Policies*

- a. The Town supports the implementation of various recycling initiatives, including the provision of recycling facilities in multi-family development;
- b. The phased undergrounding of electrical and communications services within Downtown Comox must be undertaken as part of downtown redevelopment.
- c. Within Downtown Comox, underground electrical and communications services (transmission lines and service connections) must be provided by the developer at the time of redevelopment. Outside Downtown Comox, overhead service connections should only be permitted for redevelopment or infill development in areas with existing overhead transmission lines.
- d. The Town supports recycling through curbside pickup, regular yard waste pickup, the provision of multi-material drop off depots by the CVRD, and public education including the CVRD operated Compost Education Centre in Courtenay.
- e. The Town relies on the Comox Valley Waste Management Centre for solid waste storage and does not envision the need for solid waste disposal within the Town's boundaries.

## **2.5 Other**

### ***2.5.1 Economic Strategy***

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The Town supports economic development that is sustainable. Key economic drivers for the Town are service based: 19 Wing Comox, the Comox Valley Regional Airport, health related services and tourism. Significant demographic change is anticipated although population growth is likely to be modest and at a reduced rate compared to the past decade.

The Town supports economic development of the K'ómoks First Nation consistent with the objectives and policies of the Plan.

The Town currently contributes towards the operation of the Comox Valley Economic Development Society. Council may consider and act on recommendations from that Society (or its equivalent) if it feels such action is in the interest of the Town.

## ***2.5.2 Historical and Cultural Resources***

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### ***2.5.2.1 Background***

There are important historical and cultural resources in Comox and in the Comox Valley. These include archaeological sites as the Town is located within the traditional territory of the K'ómoks First Nation. Archaeological, heritage sites and cultural resources transcend several jurisdictions and their documentation and protection should be undertaken in consultation with other local governments in the Comox Valley, the K'ómoks First Nation, and other interested stakeholders.

### ***2.5.2.2 Historical and Cultural Resources Objectives***

1. To document, protect and recognize the archaeological, historical and cultural resources in the Town and the Comox Valley; and
2. To consult with and gain appreciation of the historical perspective of the K'ómoks First Nation as a "Land of Plenty".

### ***2.5.2.3 Historical and Cultural Supporting Policies***

- a. Work in cooperation with the K'ómoks First Nation to protect and document archaeological, historic sites and cultural resources. As Comox is within the traditional territory of the K'ómoks First Nation, the absence of a provincial archaeological designation does not confirm a site has no archaeological potential.
- b. Promote better understanding of the archaeological, historic and cultural resources of the Comox Valley through interpretive signage along walkways, parks and historic sites.
- c. To consider a Heritage Strategic Plan with the CVRD and the K'ómoks First Nation in order to provide a focus for the identification of historic and cultural resources and the establishment of a regional heritage program.



## ***2.5.3 Future Boundary Expansion***

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### ***2.5.3.1 Background***

The Growth Management Principles of the RGS call for the promotion of intensification, supportive transit services, the efficient use of land, reduced public servicing costs and the achievement of environmental benefits through compact growth. To this end, the Plan can accommodate all anticipated growth within the current Town boundaries.

The Town's small land base, varying degrees of interest amongst property owners in proceeding with development at any one time and land assembly issues are likely to combine to create restrictions in land supply relative to demand. Selective boundary extensions can address this imbalance by providing additional supply and market competition. Under the RGS, new development on the fringes of municipal areas are to be identified for boundary expansion and provided with publicly owned water and sewer services in order to allow for new long-term growth opportunities in a phased and orderly manner.

The Growth Management Principles of the RGS also call for areas of existing development on the fringes of municipal areas to be identified that should eventually be incorporated through boundary extension and provided with publicly owned water and sewer services in order to address existing public health and environmental issues.

Previous boundary expansions have taken place at the request of property owners. Typically boundary expansion has taken place at the fringe of the Town in order to provide needed services (e.g. Kye Bay) or accommodate additional development (e.g. Butchers Road area).

### ***2.5.3.2 Future Boundary Expansion Objective***

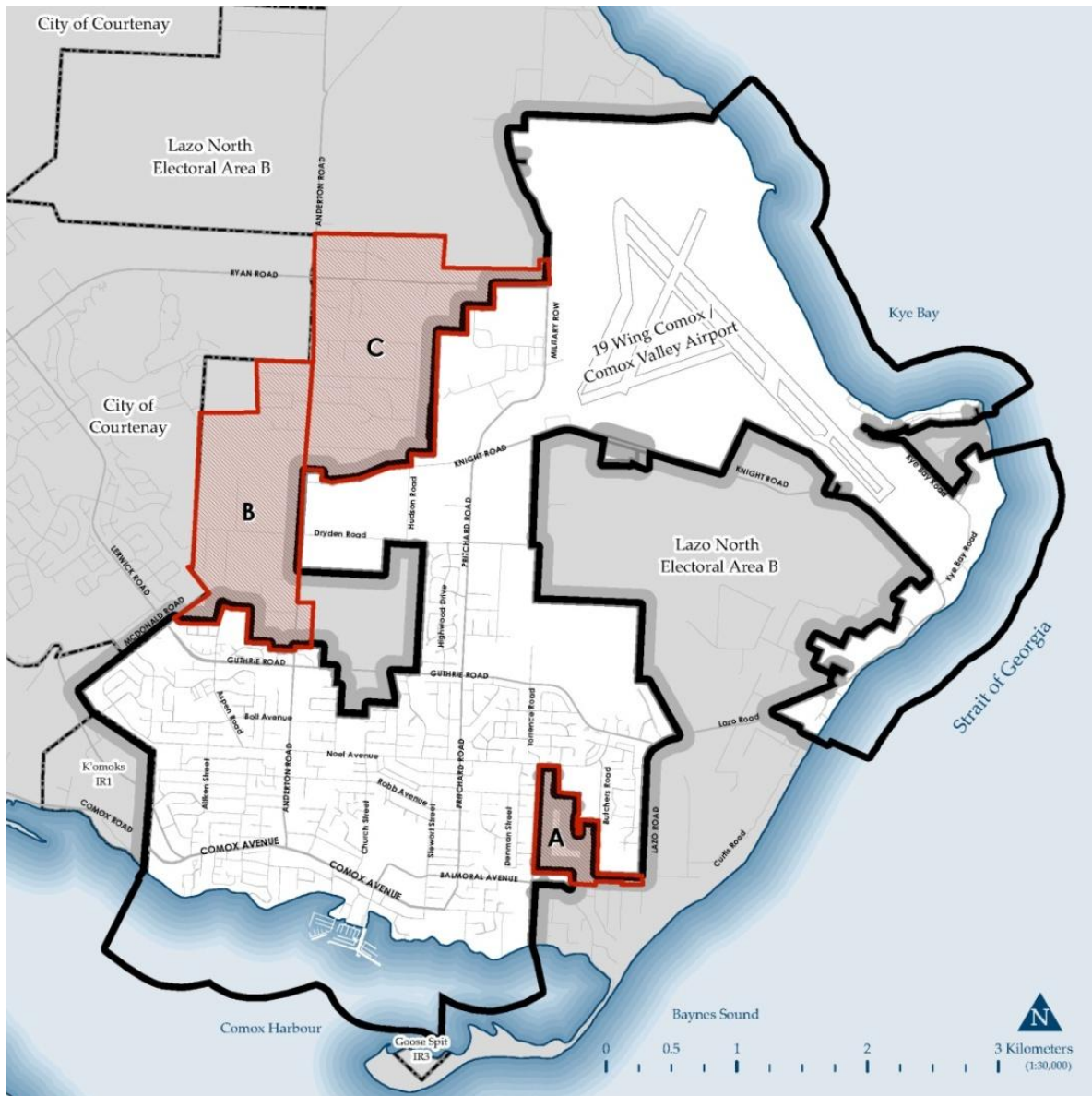
1. To comply with the Growth Management Principles of the RGS.

### ***2.5.3.3 Future Boundary Expansion Supporting Policies***

- a. There are no known areas on the fringes of the Town that should be incorporated through boundary expansion and provided with publicly owned water and sewer services in order to address existing public health or environmental issues.

- b. Any boundary expansion to accommodate development must be adjacent to existing development and services as the Growth Management Principles of the RGS are based on the efficient use of land, the financial viability of planned investment in public infrastructure, compact growth and new long-term growth in a phased and orderly manner. The following areas, in priority order (as indicated in following Figure 9) are located on the fringes of Comox and could in the future be incorporated through boundary expansion into the Town and provided with publicly owned water and sewer services in accordance with the Growth Management Principles of the RGS;
  - i. Area along Lazo Road to Gage Road and north of Lazo Road, east of Torrence Road, south of Noel Avenue, and west of Highmoor Road and Butchers Road (identified as Area A);
  - ii. Area west of Anderton Road and east of McDonald Road north of the Town Boundary (identified as Area B); and
  - iii. Area east of Anderton Road and west of Military Row north of the Town boundary to Ryan Road (identified as Area C).

**Figure 9 - Town of Comox Potential Boundary Expansion Areas**



- c. Servicing of Areas A and B have the best potential for accommodating new long-term growth opportunities in a phased and orderly manner for the following reasons: proximity to existing urban residential development, proximity to existing water and sewer services, proximity to existing major collector or arterial roads, proximity to commercial services in Downtown Comox or West Comox, large parcel sizes with redevelopment potential, and ability to provide additional supply of serviced land and facilitate a competitive housing market.
- d. Areas on the fringes of the Town that are in the Agricultural Land Reserve or are environmentally sensitive are not considered suitable for urban development.
- e. In the long term, if remaining lands east of the Town are to be incorporated into a municipality, they would be incorporated into the Town of Comox.

## ***2.5.4 Inter-Jurisdictional Planning***

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### ***2.5.4.1 Background***

It is important for the Town to work with other local governments, the CVRD and the K'ómoks First Nation to address and plan for future needs. Water, sanitary sewage treatment and solid waste management are examples of services which are more efficiently planned for and funded on a regional basis.

### ***2.5.4.2 Inter-Jurisdictional Supporting Policy***

1. The Town supports inter-jurisdiction planning for the purposes of information sharing, standardization of data collection, cost effective provision of services, the efficient allocation of scarce resources, and to promote regional interests.

## Part 3: Development Permit Areas

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### ***3.1 Development Permit Area (DPA) #1 Downtown Comox***

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#### ***3.1.1 Area Affected***

DPA #1 – Downtown Comox applies to all areas as shown on the map *DPA #1 – Downtown Comox*.

#### ***3.1.2 Purpose***

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #1 is for:

- The revitalization of an area in which a commercial use is permitted;
- Establishment of objectives to promote energy and water conservation; and
- Establishment of objectives to promote a reduction of greenhouse gas emissions.

#### ***3.1.3 Justification***

Downtown Comox is the Regional Growth Strategy Town Centre for Comox and is the most important area in the Town for commerce, multi-family uses and government services. The Plan accommodates redevelopment with additional density, subject to appropriate guidelines to address massing, exterior design, colour and signage with a marine theme. Appropriate site planning and landscaping can result in energy and water conservation and lead to a reduction in a community's green house gas emissions. Provision of on-site recycling collection for multi-family and commercial uses will contribute to waste stream reduction. Diverting solid wastes from landfill reduces the amount of methane<sup>12</sup> released thereby contributing to a reduction in greenhouse gas emissions.

#### ***3.1.4 Exemptions***

A development permit is not required for the following actions:

- A. Internal building alterations; or
- B. Subdivisions.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

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<sup>12</sup> The Intergovernmental Panel on Climate Change (IPCC) notes the direct Global Warming Potential (GWP) of the greenhouse gas methane (CH<sub>4</sub>) is 23 relative to carbon dioxide (CO<sub>2</sub>). This means methane is 23 times more effective at trapping heat (global warming) than CO<sub>2</sub>. Source: IPCC Third Assessment Report – Climate Change 2001 – Working Group I: The Scientific Basis.

C. Minor external additions or alterations to existing buildings or structures provided that:

- I. changes are consistent with the general character of the development as previously approved in terms of colour, materials and form;
- II. additions or alterations are valued less than \$50,000 for materials and labour;
- III. additions are less than 25% of the existing floor area to a maximum of 200 square metres; and
- IV. changes in the exterior design of a building on any one side involve an area less than 25%; or

D. Alteration of land, where there is no alteration to trees.

### *3.1.5 Guidelines*

Unless exempt under Section 3.1.4, no alteration of land, including vegetation; construction of, addition to, or alteration of a building or other structure is to occur unless the applicant first obtains a development permit. A development permit shall not be issued except in compliance with the following guidelines.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

#### *3.1.5.1 Site Services*

- 1) All developments should provide full services along front and exterior side lot lines in accordance with the Town’s Subdivision and Development Servicing Bylaw, which may include provision and/or upgrading of sidewalks, curbs, gutter, pavement, wiring and street lighting;
- 2) All on-site services should be underground; and
- 3) Where collection of solid waste from a development is proposed to be centralized, garbage and recycling compounds should be located in safe, convenient locations and not within a front or exterior side yard.

#### *3.1.5.2 Building Guidelines*

The objective with new buildings is to respect and emphasize the small town scale and waterfront character of Comox. Building guidelines consist of the following:

- 1) Heritage-style buildings are encouraged;



- 2) Buildings fronting along Comox Avenue should be oriented to Comox Avenue with limited or no building setbacks except for the purpose of enhancing the pedestrian street level appeal. This may include recessed entrances, planters, shrubs, street furniture, outdoor seating, public art and walkways;
- 3) Buildings should continuously occupy the street frontage in order to provide animation to the street. Short distances between storefronts and generous provision of windows are encouraged. Along a street frontage, blank walls without windows should not be provided;
- 4) Where a building is adjacent to a street, its principal elevation should be orientated to the street and designed in such a manner as to promote a lively, energetic, pedestrian-oriented, streetscape including:
  - a) The provision of a strongly articulated, primary pedestrian entrance to each ground floor unit accentuated by:
    - i. door design, trim, and hardware; and
    - ii. a direct pedestrian path to the street;
  - b) Differentiation of the ground level from higher stories and between buildings through variation in articulation, exterior material texture, and architectural details such as trim and window treatment; and
  - c) Provision of a primary visual focal point;

Within a development, other building elevations which are visible from adjacent streets should be treated similarly, excluding the pedestrian entrance requirements; and

- 5) Buildings over 1 storey should be massed to reduce the appearance of height and increase ground floor weight through terracing or tapering of building mass and roof lines, in addition the development form above two storeys is encouraged to be stepped back or recessed to accommodate balconies, rooftop gardens, protect view corridors and enhance passive solar gain;
- 6) Buildings adjacent to a street corner should be oriented to both streets and building design should add significance or prominence to the corner by providing visual and physical access to the building from the corner including:
  - a) locating the primary pedestrian entrance of the end unit at the corner; and
  - b) providing distinctive architectural elements for the corner unit.
- 7) In mixed use developments, a clear visual separation of uses should be provided, either vertically or horizontally;
- 8) Special architectural features that are considered important in establishing character or variety may, with Council approval, exceed the zoning height limit. Any height variance should take into consideration the height of other buildings on the street;

- 9) A variety in height, form, colour and finishes should be used to emphasize the small town scale and pedestrian orientation of Downtown Comox. Use of balconies, bay windows, and the occasional tower and dormer windows are encouraged to add interest to the street scene;
- 10) Frontages should be varied in architectural treatment at least every 30 metres to provide the variety and interest required. This is to avoid long, dominating facades, canopies and other architectural features that impose an inhuman or uncomfortable scale on the pedestrian realm;
- 11) Where practical, individual storefronts should be no greater than 10.5 metres and preferably narrower;
- 12) Awning and canopies projecting not less than 1.8 metres with continuous street coverage along a front lot line are encouraged. The design of canopies should also vary from frontage to frontage. Long canopies of the same design can harm the desired diversity and scale and should be avoided;
- 13) All facades of a building should be finished to the same care and standard as the front of the building. Large blank walls may be treated with one or more of the following:
  - a) Plant Materials: Plantings or trellises to screen and soften the wall; and
  - b) Sculptural Element or Artwork: and executed by a professional sculptor.
- 14) North - south roads in Downtown Comox create view corridors. Waterfront and other long distance views along Church Street from Buena Vista Avenue to Beaufort Avenue and Port Augusta Street should be protected through sensitive and proper massing, setbacks, and heights of buildings at street ends;
- 15) Vehicular access to all off-street parking spaces should be from a lane or side street except where lane or side street access is not possible because of site or development peculiarities;
- 16) Vehicle access and egress from a development should be limited to one common driveway, except where access is from a lane;
- 17) The exterior materials of all buildings should be brick, fibre cement siding, stone masonry, wood, stucco or concrete. No building face should be more than 20% stucco or concrete. Unfinished or unarticulated exposed concrete should not be permitted. Metal trim and architectural hardware and details are permitted;
- 18) Exterior trim and architectural features should be robust and weather resistant;
- 19) Designs should encourage crime prevention by using passive security design elements including:
  - a) Providing adequate pedestrian level lighting for sidewalks, pathways and parking areas to promote safe evening access;
  - b) Buildings should be designed and sited to facilitate a high degree of visual surveillance of adjacent streets and onsite, outdoor common areas from unit windows;

- c) Exterior unit entrances/exits should be designed and sited to facilitate a high degree of visual surveillance from unit windows, adjacent streets and internal roads; and
  - d) The location of habitable rooms with windows that face streets, sidewalks and associated open space to promote informal surveillance through a high level of visual oversight.
- 20) Outdoor, including rooftop, mechanical and electrical equipment, including heat pumps, should be screened from the view of onsite building windows, balconies, decks, adjacent streets, adjacent properties and other prominent public viewpoints;
- 21) All exterior building, exterior corridor, and site lighting fixtures (including those in parking areas but excluding dwelling unit balcony and patio lighting) should:
  - a) produce illumination levels in accordance with common engineering practices and standards;
  - b) be of a metal halide type or provide a similar light spectrum;
  - c) minimize illumination of adjacent properties;
  - d) consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
  - e) be arranged so rays of light are directed upon the parking, walking, loading, or corridor areas and not upon adjacent land or streets; and
  - f) excluding light fixtures that are incorporated into canopies, lighting of off-street parking and loading areas should:
    - i. be so arranged that no part of any fixture is more than 4.5 metres above finished ground level, and
    - ii. not overhang manoeuvring aisles or loading spaces.

#### 3.1.5.3 Pedestrian Guidelines

- 1) Continuous “active” frontages should be provided along all streets, for example shops, displays, entrance doors;
- 2) Continuous weather protection on all main streets is encouraged. Weather protection should consist of light, translucent or transparent canopies and awnings. Solid, built canopies or arcades, which tend to reduce desirable daylight and brightness, should not be permitted. Weather protection features should project at least 1.8 metres over the sidewalk;
- 3) Surfacing of pedestrian pathways should be non-stamped concrete, exposed aggregate or brick. Use of exposed aggregate with granite inlays and broom finished concrete curbs should be provided for all Comox Ave public sidewalks;
- 4) Where a driveway or manoeuvring aisle provides part of a pedestrian route, the pedestrian pathway should be a minimum width of 1.5 metres and should be demarked by use of concrete or interlocking brick to differentiate it from the rest of the driveway or manoeuvring aisle. If the pedestrian pathway is the same elevation as the adjacent driveway or manoeuvring aisle, it may be included in the overall driveway and manoeuvring aisle width in determining compliance to minimum widths established in the Town’s Zoning Bylaw;

- 5) All pedestrian routes should be designed for universal access to accommodate persons with disabilities;
- 6) Safe, convenient pedestrian routes for all units should be provided from the unit to an abutting street; and
- 7) Sunny sitting-out areas are encouraged throughout Downtown Comox, especially sidewalk cafes and quiet “sitting and watching” areas, with a variety of hard and soft ground surfaces and public seating. Private sitting areas may be adjacent to but should not be on public sidewalks, unless a minimum of 2 metres of sidewalk is available for safe pedestrian passage.

#### 3.1.5.4 Marine Theme

Comox desires to emphasize a marine theme in its Downtown to reflect its waterfront location and history. Marine themes are derived from the practical needs of challenging weather conditions and heavy usage. This means materials should essentially be practical, durable and hardwearing. Natural woods are ideal in this circumstance. Just as the masts of boats and the practical marine accessories of wood and metal construction are successful themes, so painted metal features, designed to fit their function, can also exhibit a marine theme.

A combination of strong wooden elements and lighter, but still strong metal objects provide the basis for a marine theme, if they are designed with robustness and weathering in mind. A predominance of natural materials, especially wood, with natural colours, highlighted occasionally with strong bright emphasis assist in achieving the marine theme.

#### 3.1.5.5 Colour Guidelines

For the reasons earlier described, natural muted colours with harmonizing tones should be used throughout Downtown Comox, including roofs. Only two exceptions should be considered.

- 1) Architectural hardware and accent details; and
- 2) Along commercial frontages, at the main floor level only, a variety of colours is desirable to add liveliness and interest.

#### 3.1.5.6 Signage Guidelines

- 1) Signage should incorporate a Marine Theme in the location, design and choice of materials. Materials should be carved wood, high quality painted metal, or materials that allow for three-dimensional relief. Incorporation of a marine, historical or other appropriate motif in the signage is encouraged. Interior illuminated or plastic fronted signs should not be permitted;
- 2) Where more than one business fronts a street under a single awning, there should be no more than one awning sign per business;

- 3) Facia signs may be located on the exterior front wall, side wall(s), and rear wall of a building; and
- 4) Hanging, under-canopy signs are encouraged perpendicular to a building, but only one per business should be permitted and any such sign should be not less than 2.5 metres above the sidewalk.

#### 3.1.5.7 Energy, Water Conservation and Greenhouse Gas Reduction:

- 1) Buildings should be sited, designed and landscaped to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer, this guideline does not apply to sites which do not receive substantial solar exposure;
- 2) Incorporation of solar panels as a supplementary or alternative energy and geothermal heating is encouraged; and
- 3) Landscaping should be drought resistant; xeriscaping is encouraged.

#### 3.1.5.8 Landscape Guidelines

- 1) All areas not covered by buildings, structures, driveways, parking or loading areas should be landscaped;
- 2) All landscaping should be installed to British Columbia Society of Landscape Architects (BCSLA) standards;
- 3) Landscaping of boulevards should be required, including the provision of street trees in accordance with the following:  
A minimum of:
  - a) one high-branched tree, of at least 5 centimetre calliper at breast height at time of planting, for every 6.0 metres of street property line with a maximum distance between trees of 12.0 metres, where the type and spacing of trees is to form a sidewalk canopy. Tree species should be compatible with the overall street tree character of the area; and
  - b) a minimum of 3 cubic metres of appropriate soil and growing space for each tree.
- 4) Owners should employ the principle of “no net loss” of significant plant material in any development. Where it is necessary to remove significant plant material in order to develop a property, replacement plantings should be provided of a sufficient number, size, type and maturity to off-set its removal;
- 5) Landscaping for screening purposes should provide an effective landscape screen at the time of planting;
- 6) All landscaping should be serviced with an automatic watering system to allow new plantings to become established and where necessary for landscape maintenance; and

- 7) Fences should be aesthetically designed and be compatible with adjacent developments. Chain link fences should not be permitted. Fencing should be robust and minimum commercial grade. Wood fencing should have minimum 6" x 6" posts and 2" x 4" horizontal supports at the top and bottom of fence panels. All wooden fencing and other wooden landscape components should be treated with paint, stain, or other preservative, or contain a natural preservative (i.e. cedar).

#### 3.1.5.9 Parking Guidelines

- 1) Residential parking for a mixed use development on a parcel should be separated from parking for commercial or other uses;
- 2) No parking spaces, loading spaces (other than passenger drop off areas), associated manoeuvring aisles or driveways should be located between a building and an adjacent street;
- 3) Council may consider a reduction in parking spaces based on a mix of complimentary uses, different peak time usage or other factors. A parking study by a professional engineer may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007;
- 4) Wherever practical, surface parking areas should be softened with the planting of trees throughout the areas to visually break-up the parking area;
- 5) Residential parking facilities should be under cover and below the building or below ground, except on sites of less than 630 square metres in area or for detached housing;
- 6) Except for developments containing no more than two dwelling units, all off-street parking and loading spaces should be located a minimum of 4.6 metres, measured horizontally from an openable window to residential accommodation and more than 3.0 metres measured vertically from the surface of the parking or loading space; and
- 7) Except for driveways and loading areas, all parking areas not located within a structure should be set back 1.5 metres from the site boundaries. This setback should be landscaped with ground cover with a continuous hedge or wood or masonry wall between 75 centimetres and 90 centimetres in height.



## **3.2 Development Permit Area (DPA) #2 Ground Oriented Infill**

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### **3.2.1 Areas Affected**

DPA #2 – Ground Oriented Infill (DPA #2) applies to all areas as shown on the map  
*DPA #2 – Ground Oriented Infill.*

### **3.2.2 Purpose**

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #2 is to establish objectives:

- For the form and character of intensive residential development: consisting of compact single detached dwellings, duplexes, triplexes, patio homes and townhouses;
- To promote energy and water conservation; and
- To promote a reduction in greenhouse gas emissions.

### **3.2.3 Justification**

Townhouses and ground oriented infill consisting of compact single detached dwellings, duplexes, triplexes and patio homes present opportunities to create a range of housing opportunities in ‘greenfield’ sites and through the redevelopment of large centrally located sites. These developments should be compatible with surrounding areas that typically contain a predominance of single detached dwellings or form a transition between these areas and higher density apartment and mixed use development. Appropriate site planning and landscaping can result in energy and water conservation and lead to a reduction in a community’s greenhouse gas emissions. Provision of on-site recycling collection for multi-family residential use will contribute to waste stream reduction. Diverting solid wastes from landfill reduces the amount of methane<sup>13</sup> released thereby contributing to a reduction in greenhouse gas emissions.

### **3.2.4 Exemptions**

A development permit is not required for the following actions:

- A. Construction of, addition to, or alteration of a coach house; **(#1752, September 25/2013)**
- B. Internal building alterations; or
- C. Alteration of land, including vegetation.

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<sup>13</sup> The Intergovernmental Panel on Climate Change (IPCC) notes the direct Global Warming Potential (GWP) of the greenhouse gas methane (CH<sub>4</sub>) is 23 relative to carbon dioxide (CO<sub>2</sub>). This means methane is 23 times more effective at trapping heat (global warming) than CO<sub>2</sub>. Source: IPCC Third Assessment Report – Climate Change 2001 – Working Group I: The Scientific Basis.



Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- D. Minor external additions or alterations to existing buildings or structures provided that:
  - I. changes are consistent with the general character of the development as previously approved in terms of colour, materials and form;
  - II. additions or alterations are valued less than \$50,000 for materials and labour.
  - III. additions do not exceed 25% of the existing floor area to a maximum of 200 square metres; and
  - IV. changes in the exterior design of a building on any one side involve an area less than 25%.
- E. Subdivisions, this exemption does not apply to subdivisions which do not meet the Zoning Bylaw minimum parcel frontage as measured along a public road constructed in accordance with the dedication and construction standards established by the Subdivision and Development Servicing Bylaw in accordance with section 938 of the *Local Government Act*; or
- F. Construction of, addition to or alteration of one single detached dwelling or secondary suite on a parcel. This exemption does not apply to parcels which do not meet the Zoning Bylaw minimum parcel frontage as measured along a public road constructed in accordance with the dedication and construction standards established by the Subdivision and Development Servicing Bylaw in accordance with section 938 of the *Local Government Act*.

### 3.2.5 Guidelines

Unless exempt under Section 3.2.4, no subdivision or construction of, addition to, or alteration of a building or other structure is to occur unless the applicant first obtains a development permit. A development permit shall not be issued except in compliance with the following guidelines.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

#### 3.2.5.1 Site Services and Access

- 1) All on-site services should be underground;

- 2) All developments should provide full services along front and exterior side lot lines in accordance with the Town's Subdivision and Development Servicing bylaw, which may include provision and/or upgrading of sidewalks, curbs, gutter, pavement, wiring, and street lighting;
- 3) On-site mitigation measures should be provided so that post-development hydrology (runoff and infiltration) reflects pre-development hydrology;
- 4) Where collection of solid waste from a strata development is proposed to be centralized, garbage and recycling compounds should be provided in safe and convenient locations and not within a front or exterior side yard;
- 5) No loading areas, common parking areas or associated driveways should be located between a building and an adjacent street; and
- 6) Vehicle access and egress from a development should be limited to one common driveway, except where access is from a lane.

#### 3.2.5.2 Building Guidelines

- 1) Townhouses should not exceed to a maximum of 5 dwelling units in a building;
- 2) Buildings over 1 storey should be massed to reduce the appearance of height and increase ground floor weight through terracing or tapering of building mass and rooflines;
- 3) Buildings adjacent to a street corner should be oriented to both streets and a building design that adds significance or prominence to the corner by providing visual and physical access to the building from the corner is encouraged;
- 4) The exterior materials of all buildings should be brick, fibre cement siding, stone masonry, wood, stucco or concrete. No building face should be more than 20% stucco or concrete. A higher percentage of stucco, concrete or use of vinyl siding may be permitted where sufficient architectural details are provided to ensure visual and pedestrian interest. Metal trim and architectural hardware and details are permitted;
- 5) Exterior trim and architectural features should be robust and weather resistant;
- 6) Where a building is adjacent to a street, its principal elevation should be orientated to the street and designed in such a manner as to promote a lively, energetic, pedestrian-oriented, streetscape including:
  - a) the provision of a strongly articulated, primary pedestrian entrance to each unit accentuated by:
    - i. door design, trim, and hardware;
    - ii. provision of a door window or sidelight;
    - iii. porch, dormer or recessing; and
    - iv. a direct hard surfaced pedestrian pathway to the street. Use of smooth, level non-slip permeable surfacing suitable for use by those with mobility impairment (e.g. walkers, wheelchairs) is also permitted.

- b) Excluding single family dwellings, duplexes and triplexes
  - i. A high degree of façade and roof articulation further emphasized by variation in exterior material texture and building separation;
  - ii. Differentiation of the ground level from higher storeys and between buildings through variation in articulation, exterior material texture and architectural details such as trim and window treatment; and
  - iii. Provision of a primary visual focal point.

Within a development, other building elevations which are visible from adjacent streets should be treated similarly excluding the pedestrian entrance requirement.

- 7) Sloping roof lines and use of gables and dormers are encouraged;
- 8) Garage doors visible from an abutting street should be recessed to reduce visual prominence and provide visual and pedestrian interest through door design, hardware and inclusion of windows;
- 9) Design should encourage crime prevention by using passive security design elements including:
  - a) Providing adequate pedestrian level lighting for sidewalks, pathways and parking areas to promote safe evening use;
  - b) Units should be designed and sited to facilitate a high degree of visual surveillance of adjacent streets and onsite, outdoor common areas from unit windows;
  - c) Unit entrances/exits should be designed and sited to facilitate a high degree of visual surveillance from unit windows, adjacent streets and internal roads; and
  - d) The location of habitable rooms with windows that face streets, sidewalks, and associated open space to promote informal surveillance through a high level of visual oversight;
- 10) Each unit should be provided private outdoor space, balcony or deck with a minimum depth of 2.5 metres and a minimum area of 10 square metres;
- 11) Buildings should provide visual privacy between units and also between private amenity spaces such as balconies and patios; and
- 12) The creation of usable outdoor amenity space in the form of front and/or rear courtyards is encouraged. Where units have individual courtyard gardens, an exterior faucet should be provided for each unit to facilitate optional container gardening by residents.

### 3.2.5.3 Integration with the Existing Development

- 1) With the exception of townhouses, the orientation, scale, form and materials of each building should reflect that of a single detached dwelling. Mirror image duplexes or triplexes should not be permitted;

- 2) Sufficient variation in design should be provided between dwelling units in a duplex or triplex to provide an interesting streetscape at the pedestrian level;
- 3) Duplexes and triplexes should resemble a single detached dwelling as viewed from abutting streets giving no indication of multiple units other than separate entrance doors to each unit;
- 4) Building materials and colours should be compatible with surrounding development. Excluding trim and accent colours, natural muted colours with harmonizing tones should be used; and
- 5) All exterior building, exterior corridor, and site lighting fixtures (including those in parking areas but excluding dwelling unit balcony and patio lighting) should:
  - a) produce illumination levels in accordance with common engineering practices and standards;
  - b) be of a metal halide type or provide a similar light spectrum;
  - c) minimize illumination of adjacent properties;
  - d) consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
  - e) be arranged so light is directed upon the parking and walking areas and not upon adjacent land or streets; and
  - f) be arranged so no part of any fixture is more than 4.5 metres above the finished grade level of off-street parking and loading areas.

#### 3.2.5.4 Energy, Water Conservation and Greenhouse Gas Reduction

- 1) Buildings should be sited, designed and landscaped to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer. This guideline does not apply to sites which do not receive substantial solar exposure;
- 2) Incorporation of solar panels as a supplementary or alternative energy and geothermal heating is encouraged; and
- 3) Landscaping should be drought resistant; xeriscaping is encouraged.

#### 3.2.5.5 Landscape Guidelines

- 1) All areas not covered by buildings, structures, roads, driveways, parking or loading areas should be landscaped;
- 2) All landscaping should be installed to British Columbia Society of Landscape Architects (BCSLA) standards;
- 3) Landscaping for screening purposes should provide an effective landscape screen at the time of planting;
- 4) All landscaping should be serviced with an automatic watering system to allow new plantings to become established and where necessary for landscape maintenance;

- 5) Existing mature trees should be retained wherever possible. Owners should employ the principle of “no net loss” of significant plant material in any development. Where it is necessary to remove significant plant material in order to develop a property, replacement plantings should be provided of a sufficient number, size, type and maturity to off-set its removal;
- 6) Landscaping of boulevards may be required including the provision of street trees in accordance with the following:
  - a) one high-branched tree, of at least 5 centimetre calliper at breast height at time of planting, for every 6.0 metres of street property line with a maximum distance between trees of 12.0 metres, where the type and spacing of trees is to form a sidewalk canopy. Tree species should be compatible with the overall street tree character of the area; and
  - b) a minimum of 3 cubic metres of appropriate soil and growing space for each tree.
- 7) Fences should be aesthetically designed and be compatible with adjacent developments. Chain link fences should not be permitted. Fencing should be robust and minimum commercial grade. Wood fencing should have minimum 6” x 6” posts and 2” x 4” horizontal supports at the top and bottom of fence panels. All wooden fencing and other wooden landscape components should be treated with paint, stain, or other preservative, or contain a natural preservative (i.e. cedar); and
- 8) Fences in a front yard should not exceed a maximum height of 1.0 metre.

#### 3.2.5.6 Pedestrian Circulation

- 1) Safe, convenient pedestrian routes for all units should be provided from the unit to an abutting street; and
- 2) Where a driveway or manoeuvring aisle provides part of a pedestrian route, the pedestrian pathway should be a minimum width of 1.5 metres and shall be demarked by use of concrete or interlocking brick to differentiate it from the rest of the driveway or manoeuvring aisle. If the pedestrian pathway is the same elevation as the adjacent driveway or manoeuvring aisle, it may be included in the overall driveway and manoeuvring aisle width in determining compliance to minimum widths established in the Town’s Zoning Bylaw.

### **3.3 Development Permit Area (DPA) #3 General Multi-Family**

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#### **3.3.1 Area Affected**

DPA #3 – General Multi-Family applies to all areas as shown on map *DPA #3 - General Multi-Family*.

#### **3.3.2 Purpose**

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #3 is to establish objectives:

- For the form and character of multi-family and intensive residential development;
- To promote energy and water conservation; and
- To promote a reduction in green house gas emissions.

#### **3.3.3 Justification**

The focus of general multi-family is to allow low-rise apartments and townhouses, mainly along arterial or collector roads, predominately through redevelopment but also development of ‘greenfield’ sites. These developments should be appropriately located within close proximity to local services and multi-modal travel such as transit, bicycle routes and pedestrian access. Given their prominent location and density, these higher density residential forms should provide a strong street and pedestrian orientation, fit in with the overall urban fabric and support alternative forms of transportation. In addition, general multi-family can accommodate lower density residential uses such as duplexes, triplexes and compact single detached lots. These will typically only occur where site characteristics are not conducive to higher density or larger developments. Given their prominent location, density and proximity to existing neighbourhoods, such lower density forms of development should be compatible with surrounding areas that typically contain a predominance of single detached dwellings or other forms of ground oriented residential development. Appropriate site planning and landscaping can result in energy and water conservation and lead to a reduction in a community’s greenhouse gas emissions. Provision of on-site recycling collection for multi-family residential use will contribute to waste stream reduction. Diverting solid wastes from landfill reduces the amount of methane<sup>14</sup> released thereby contributing to a reduction in greenhouse gas emissions.

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<sup>14</sup> The Intergovernmental Panel on Climate Change (IPCC) notes the direct Global Warming Potential (GWP) of the greenhouse gas methane (CH<sub>4</sub>) is 23 relative to carbon dioxide (CO<sub>2</sub>). This means methane is 23 times more effective at trapping heat (global warming) than CO<sub>2</sub>. Source: IPCC Third Assessment Report – Climate Change 2001 – Working Group I: The Scientific Basis.



### 3.3.4 Exemptions

A development permit is not required for the following actions:

- A. Construction of, addition to, or alteration of a coach house; **(#1752, September 25/2013)**
- B. Internal building alterations; or
- C. Alteration of land, including vegetation.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- D. Minor external additions or alterations to existing buildings or structures provided that:
  - I. changes are consistent with the general character of the development as previously approved;
  - II. additions or alterations are valued less than \$50,000 for materials and labour;
  - III. additions do not exceed 25% of the existing floor area to a maximum of 200 square metres; and
  - IV. changes in the exterior design of a building on any one side involves an area less than 25%;
- E. Subdivisions; this exemption does not apply to subdivisions which do not meet the Zoning Bylaw minimum parcel frontage as measured along a public road constructed in accordance with the dedication and construction standards established by the Subdivision and Development Servicing Bylaw in accordance with section 938 of the *Local Government Act*; or
- F. Construction of, addition to or alteration of one single detached dwelling or a secondary suite on a parcel; this exemption does not apply to parcels which do not meet the Zoning Bylaw minimum parcel frontage as measured along a public road constructed in accordance with the dedication and construction standards established by the Subdivision and Development Servicing Bylaw in accordance with section 930 of the *Local Government Act*.

### 3.3.5 Guidelines

Unless exempt under Section 3.3.4, no subdivision or construction of, addition to, or alteration of a building or other structure is to occur unless the applicant first obtains a development permit. A development permit shall not be issued except in compliance with the following guidelines.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.



Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

#### 3.3.5.1 Site Services

- 1) All on-site services should be underground;
- 2) All developments should provide full services along front and exterior side lot lines in accordance with the Town’s Subdivision and Development Servicing bylaw, which may include provision and/or upgrading of sidewalks, curbs, gutter, pavement, wiring, and street lighting;
- 3) On-site mitigation measures should be provided so that post-development hydrology (runoff and infiltration) reflects pre-development hydrology; and
- 4) Where collection of solid waste is proposed to be centralized, garbage and recycling compounds should be provided in safe and convenient locations and not within a front or exterior side yard.

#### 3.3.5.2 Building Guidelines

- 1) Townhouses should not exceed a maximum of 5 dwelling units in a building;
- 2) Buildings over 1 storey should be massed to reduce the appearance of the height and increase ground floor weight through terracing or tapering of building mass and roof lines;
- 3) Building design should reflect a residential character. Sloping rooflines and extensive use of gables and dormers are encouraged;
- 4) To maintain a residential scale, a major break in the building form should be incorporated into the architecture at least every 15 metres;
- 5) Overall building character should convey permanence, provide visual interest at the pedestrian level, and avoid monotonous or overbearing character. The use of large, robust, unique architectural details to provide key visual focal points offsets otherwise uniform exterior treatments. Alternatively, the provision of rich detail as exemplified in the use of wood planks, cement board planks, brick and stone provides the desired character when combined with robust trim features;
- 6) Exterior trim and architectural features should be robust and weather resistant;
- 7) Where a building is adjacent to a street, its principal elevation should be orientated to the street and designed in such a manner as to promote a lively, energetic, pedestrian-oriented, streetscape including:
  - a) the provision of a strongly articulated, primary pedestrian entrance to each ground level unit or in the case of apartments to each building, accentuated by:
    - i. door design, trim, and hardware;
    - ii. provision of a door window or sidelight;
    - iii. porch, dormer or recessing; and

- iv. a direct hard surfaced pedestrian pathway to the street. Use of smooth, level non-slip permeable surfacing suitable for use by those with mobility impairment (e.g. walkers, wheelchairs) is also permitted.
- b) a high degree of façade and roof articulation further emphasized by variation in exterior material texture and building separation;
- c) differentiation of the ground level from higher stories and between buildings through variation in articulation, exterior material texture, and architectural details such as trim and window treatment; and
- d) provision of a primary visual focal point;

Within a development, other building elevations which are visible from adjacent streets should be treated similarly excluding the pedestrian entrance requirement. The front entrance to an apartment should be visible from a public road;

- 8) Buildings adjacent to a street corner should be oriented to both streets and building design should add significance or prominence to the corner by providing visual and primary pedestrian access to the building from the corner;
- 9) Garage doors visible from an abutting street should be recessed to reduce their visual prominence and provide visual and pedestrian interest through door design, hardware and inclusion of windows;
- 10) Design should encourage crime prevention by using passive security design elements including:
  - a) Providing adequate pedestrian level lighting for sidewalks, pathways, and parking areas to promote safe evening use;
  - b) Buildings should be designed and sited to facilitate a high degree of visual surveillance of adjacent streets and onsite, outdoor common areas from unit windows;
  - c) Exterior unit entrances/exits should be designed and sited to facilitate a high degree of visual surveillance from unit windows, adjacent streets and internal roads; and
  - d) The location of habitable rooms with windows that face streets, sidewalks, and associated open space to promote informal surveillance through a high level of visual oversight;
- 11) Buildings should provide visual privacy between units and also between private amenity spaces such as balconies and patios; and
- 12) Outdoor including rooftop mechanical and electrical equipment, such as heat pumps should be screened from the view of onsite building windows, balconies, decks, adjacent streets, adjacent properties, and other prominent public viewpoints.

### 3.3.5.3 Integration with the Existing Development

- 1) Building orientation, scale, form, height and setbacks should, where practical, reflect characteristics consistent with the surrounding context;
- 2) Building character should be compatible with surrounding development;
- 3) All exterior building, exterior corridor, and site lighting fixtures (including those in parking areas but excluding dwelling unit balcony and patio lighting) should:
  - a) produce illumination levels in accordance with common engineering practices and standards;
  - b) be of a metal halide type or provide a similar light spectrum;
  - c) minimize illumination of adjacent properties;
  - d) consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
  - e) be arranged so light is directed upon the parking and walking areas and not upon adjacent land or streets; and
  - f) excluding light fixtures that are incorporated into canopies, lighting of off-street parking and loading areas should:
    - i. be so arranged that no part of any fixture is more than 4.5 metres above finished ground level, and
    - ii. not overhang manoeuvring aisles or loading spaces.

### 3.3.5.4 Energy, Water Conservation and Greenhouse Gas Reduction

- 1) Buildings should be sited, designed and landscaped to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer. This guideline does not apply to sites which do not receive substantial solar exposure;
- 2) Incorporation of solar panels as a supplementary or alternative energy and geothermal heating is encouraged; and
- 3) Landscaping should be drought resistant; xeriscaping is encouraged.

### 3.3.5.5 Landscape Guidelines

- 1) All areas not covered by buildings, structures, driveways, parking and loading areas should be landscaped;
- 2) All landscaping should be installed in accordance with sound landscaping principles;
- 3) All landscaping should be serviced with an automatic watering system to allow new plantings to become established and where necessary for landscape maintenance;
- 4) Existing mature trees should be retained wherever possible;

- 5) Along all lot lines common with another parcel, landscaping should be provided with the objective of providing screening to protect the privacy of the occupants of adjacent properties as well as the residents of the multi-family project in accordance with the following:
  - a) Materials: Landscape material, hedge, fence or combination thereof, so as to be effective year round;
  - b) Not less than 1.8 metres above finished ground level; and
  - c) Screening should be located along and within 1.0 metre of a lot line shared with another parcel;
- 6) Fences should be aesthetically designed and be compatible with adjacent developments. Chain link fences should not be permitted. Fencing should be robust and minimum commercial grade. Wood fencing should have minimum 6" x 6" posts and 2" x 4" horizontal supports at the top and bottom of fence panels. All wooden fencing and other wooden landscape components should be treated with paint, stain, or other preservative, or contain a natural preservative (i.e. cedar);
- 7) Fences in a front yard should not exceed a maximum height of 1.0 metre;
- 8) Wherever practical, surface parking areas should be softened with the planting of trees throughout to visually break-up the parking areas;
- 9) Landscaping of boulevards should be required including the provision of street trees in accordance with the following:
  - a) one high-branched tree, of at least 5 centimetre calliper at breast height at time of planting, for every 6.0 metres of street property line with a maximum distance between trees of 12.0 metres, where the type and spacing of trees is to form a sidewalk canopy. Tree species should be compatible with the overall street tree character of the area; and
  - b) a minimum of 3 cubic metres of appropriate soil and growing space for each tree.

#### 3.3.5.6 Open Space

- 1) Open space should be provided in order to give residents the opportunity to enjoy sunlight and views and to provide a common focus for each development;
- 2) Each townhouse should provide private outdoor space, balcony or deck with a minimum depth of 2.5 metres and a minimum area of 10 square metres;
- 3) Apartments should have an outdoor amenity area not less than 5.0 square metres for each residential unit. The design of the outdoor amenity area should provide for sunlight exposure but should not be located within the required front yard;
- 4) In addition to the apartment outdoor amenity area, each apartment unit should provide a deck, patio, or balcony with a minimum area of 5.0 square metres,

- 5) The creation of usable outdoor amenity space in the form of front and/or rear courtyards is encouraged. Where units have individual courtyard gardens, an exterior faucet should be provided for each unit to facilitate optional container gardening by residents;

#### 3.3.5.7 Pedestrian Circulation

- 1) Safe, convenient pedestrian routes for all units should be provided from the unit to an abutting street;
- 2) On-site pedestrian circulation should form a continuous network connecting dwellings to parking and outdoor amenity areas and should be wheelchair accessible; and
- 3) The pedestrian pathway from the street to the primary pedestrian entrance to each apartment building should be physically separate from vehicle parking, loading areas, manoeuvring aisles and driveways. For other pedestrian routes, where a driveway or manoeuvring aisle provides part of a pedestrian route, the pedestrian pathway should be a minimum width of 1.5 metres and be demarked by use of concrete or interlocking brick to differentiate it from the rest of the driveway or manoeuvring aisle. If the pedestrian pathway is the same elevation as the adjacent driveway or manoeuvring aisle, it may be included in the overall driveway and manoeuvring aisle width in determining compliance to minimum widths established in the Town's Zoning Bylaw.

#### 3.3.5.8 Parking

- 1) Vehicle access to and egress from a development should be limited to one common driveway, where possible;
- 2) Parking for residents and visitors should have convenient access to building entries;
- 3) Underground or below grade parking should be well lighted and have security facilities; and
- 4) No loading areas other than passenger drop off areas, common parking areas or associated driveways should be located between a building and adjacent street.

### ***3.4 Development Permit Area (DPA) #4 Mixed Use: Commercial-Residential***

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#### ***3.4.1 Area Affected***

DPA #4 – Mixed Use: Commercial-Residential applies to all areas as shown on map  
*DPA #4 – Mixed Use: Commercial-Residential.*

#### ***3.4.2 Purpose***

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #4 is to establish objectives:

- For the form and character of multi-family housing and commercial development;
- To promote water and energy conservation; and
- To promote a reduction in greenhouse gas emissions.

#### ***3.4.3 Justification***

Mixed use development and redevelopment can create residential and commercial opportunities using joint resources such as buildings. Most of the locations identified as Mixed Use: Commercial-Residential are very prominent due to their location along arterial roads or in newly developing neighbourhoods. Whether these are 'greenfield' or redevelopment sites, it is important the resulting development present a 'good fit' with their neighbours and enhance the overall character of the Town of Comox. For redevelopment sites, the form and character will be substantially different from existing highway commercial uses with low site coverage and large surface parking areas. Redevelopment sites will provide a strong street orientation, be pedestrian friendly and provide significant attention to architectural detailing, landscaping and energy conservation. Appropriate site planning and landscaping can result in energy and water conservation and lead to a reduction in a community's greenhouse gas emissions. Provision of on-site recycling collection for residential and commercial use will contribute to waste stream reduction. Diverting solid wastes from landfill reduces the amount of methane<sup>15</sup> released thereby contributing to a reduction in greenhouse gas emissions.

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<sup>15</sup> The Intergovernmental Panel on Climate Change (IPCC) notes the direct Global Warming Potential (GWP) of the greenhouse gas methane (CH<sub>4</sub>) is 23 relative to carbon dioxide (CO<sub>2</sub>). This means methane is 23 times more effective at trapping heat (global warming) than CO<sub>2</sub>. Source: IPCC Third Assessment Report – Climate Change 2001 – Working Group I: The Scientific Basis.

### *3.4.4 Exemptions*

A development permit is not required for the following actions:

- A. Internal building alterations;
- B. Subdivisions;
- C. Construction of, addition to or alteration of a single detached dwelling, secondary suite or coach house; or
- D. Alteration of land, including vegetation.

Written confirmation of exemption from the Town is available prior to the commencement of the following action:

- E. Minor external additions or alterations to existing buildings or structures provided that:
  - I. changes are consistent with the general character of the development as previously approved;
  - II. additions or alterations are valued less than \$50,000 for materials and labour;
  - III. additions are less than 25% of the existing floor area to a maximum of 200 square metres; and
  - IV. changes in the exterior design of a building on any one side involve an area less than 25%.

### *3.4.5 Guidelines*

Unless exempted under Section 3.4.4, no construction of, addition to or alteration of a building or other structure is to occur unless the applicant first obtains a development permit. A development permit shall not be issued except in compliance with the following guidelines.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

#### *3.4.5.1 Site Services*

- 1) All on-site services should be underground;



- 2) Where collection of solid waste from a development is proposed to be centralized, garbage and recycling compounds should be located in safe, convenient locations and not within a front or exterior side yard; and
- 3) All developments should provide full services along front and exterior side lot lines in accordance with the Town's Subdivision and Development Servicing Bylaw, which may include provision and/or upgrading of sidewalks, curbs, gutter, pavement, wiring and street lighting.

#### 3.4.5.2 Building Guidelines

- 1) Buildings should continuously occupy the street frontage in order to provide animation to the street. Short distances between storefronts and generous provision of windows are encouraged. Along a street frontage blank walls without windows should not be provided;
- 2) Frontages should be varied in architectural treatment at least every 30 metres to provide the variety and interest required. This is to avoid long, dominating facades, canopies and other architectural features that impose an inhuman or uncomfortable scale on the pedestrian realm;
- 3) A clear visual separation of commercial versus residential uses should be provided, either vertically or horizontally;
- 4) Special architectural features that are considered important in establishing character or variety may, with Council approval, exceed the zoning height limit. Any height variance should take into consideration the height of other buildings on the street;
- 5) A variety in height, form, mass and setbacks should be used to emphasize the small town scale and pedestrian orientation of Comox. Use of balconies, bay windows, and the occasional tower and dormer windows are encouraged to add interest to the street scene;
- 6) Canopies should also vary from frontage to frontage. Long canopies of the same design can harm the desired diversity and scale and should be avoided;
- 7) Where practical, individual storefronts should be no greater than 10.5 metres and preferably narrower;
- 8) Buildings over 1 storey should be massed to reduce the appearance of the height and increase ground floor weight through terracing or tapering of building mass and roof lines;
- 9) Building design should reflect a residential character. Sloping rooflines and extensive use of gables and dormers are encouraged;
- 10) Overall building character should convey permanence, provide visual interest at the pedestrian level, and avoid monotonous or overbearing character. The use of large, robust, unique architectural details to provide key visual focal points, offsets otherwise uniform exterior treatments. Alternatively, the provision of rich detail as exemplified in the use of wood planks, cement board planks, brick and stone provides the desired character when combined with robust trim features;

- 11) Exterior trim and architectural features should be robust and weather resistant;
- 12) Where a building is adjacent to a street, its principal elevation should be orientated to the street and designed in such a manner as to promote a lively, energetic, pedestrian-oriented, streetscape including:
  - a) the provision of a strongly articulated, primary pedestrian entrance to each ground floor unit accentuated by:
    - i. door design, trim, and hardware; and
    - ii. a direct pedestrian pathway to the street.
  - b) differentiation of the ground level from higher stories and between buildings through variation in articulation, exterior material texture, and architectural details such as trim and window treatment; and
  - c) provision of a primary visual focal point;

Within a development, other building elevations which are visible from adjacent streets should be treated similarly excluding the pedestrian entrance requirement;

- 13) Designs should encourage crime prevention by using passive security design elements including:
  - a) Providing adequate pedestrian level lighting for sidewalks, pathways and parking areas to promote safe evening use;
  - b) Buildings should be designed and sited to facilitate a high degree of visual surveillance of adjacent streets and onsite, outdoor common areas from unit windows;
  - c) Exterior unit entrances/exits should be designed and sited to facilitate a high degree of visual surveillance from unit windows, adjacent streets and internal roads; and
  - d) The location of habitable rooms with windows that face streets, sidewalks, and associated open space to promote informal surveillance through a high level of visual oversight;
- 14) Outdoor, including rooftop, mechanical and electrical equipment, including heat pumps, should be screened from the view of onsite building windows, balconies, decks, adjacent streets, adjacent properties, and other prominent public viewpoints.

#### 3.4.5.3 Integration with the Existing Development

- 1) Building orientation, scale, form, height and setbacks should, where practical, reflect characteristics consistent with the surrounding context;
- 2) Building character should be compatible with surrounding development;
- 3) All exterior building, exterior corridor, and site lighting fixtures (including those in parking areas but excluding dwelling unit balcony and patio lighting) should:
  - a) produce illumination levels in accordance with common engineering practices and standards;
  - b) be of a metal halide type or provide a similar light spectrum;

- c) minimize illumination of adjacent properties;
- d) consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
- e) be arranged so rays of light are directed upon the parking, walking, loading, or corridor areas and not upon adjacent land or streets; and
- f) excluding light fixtures that are incorporated into canopies, lighting of off-street parking and loading areas should :
  - i. be so arranged that no part of any fixture is more than 4.5 metres above finished ground level, and
  - ii. not overhang manoeuvring aisles or loading spaces.

#### 3.4.5.4 Energy, Water Conservation and Greenhouse Gas Reduction

- 1) Building siting, design and landscaping to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer is encouraged. This guideline does not apply to sites which do not receive substantial solar exposure;
- 2) Incorporation of solar panels as a supplementary or alternative energy and geothermal heating is encouraged; and
- 3) Landscaping should be drought resistant; xeriscaping is encouraged.

#### 3.4.5.5 Landscape Guidelines

- 1) All areas not covered by buildings, structures, driveways or parking and loading areas should be landscaped;
- 2) All landscaping should be installed in accordance with sound landscaping principles;
- 3) Landscaping of boulevards should be required, including street trees, in accordance with the following:

A minimum of:

  - a) one high-branched tree, of at least 5 centimetre calliper at breast height at time of planting, for every 6.0 metres of street property line with a maximum distance between trees of 12.0 metres, where the type and spacing of trees is to form a sidewalk canopy. Tree species should be compatible with the overall street tree character of the area; and
  - b) a minimum of 3 cubic metres of appropriate soil and growing space for each tree.
- 4) Landscaping for screening purposes should provide an effective landscape screen at the time of planting;
- 5) Existing mature trees should be retained wherever possible;
- 6) All landscaping should be serviced with an automatic watering system to allow new plantings to become established and where necessary for landscape maintenance;

- 7) Fences should be aesthetically designed and be compatible with adjacent developments. Chain link fences should not be permitted. Fencing should be robust and minimum commercial grade. Wood fencing should have minimum 6" x 6" posts and 2" x 4" horizontal supports at the top and bottom of fence panels. All wooden fencing and other wooden landscape components should be treated with paint, stain, or other preservative, or contain a natural preservative (i.e. cedar);
- 8) Extensive landscaping should be provided along Anderton Road frontages between Comox Ave and Guthrie Road; and
- 9) Wherever practical, surface parking areas should be softened with the planting of trees throughout to visually break-up the parking areas.

#### 3.4.5.6 Pedestrian Guidelines

- 1) Continuous "active" frontages should be provided along all streets, for example shops, displays, entrance doors;
- 2) Continuous weather protection on all main streets is encouraged. Weather protection should consist of light, translucent or transparent canopies and awnings. Solid, built canopies or arcades, which tend to reduce desirable daylight and brightness, should not be permitted. These features should project at least 1.8 metres over the sidewalk;
- 3) Safe, convenient pedestrian routes for all units should be provided from the unit to an abutting street;
- 4) All pedestrian routes should be designed for universal access to accommodate persons with disabilities;
- 5) Where a driveway or manoeuvring aisle provides part of a pedestrian route, the pedestrian pathway should be a minimum width of 1.5 metres and be demarked by use of concrete or interlocking brick to differentiate it from the rest of the driveway or manoeuvring aisle. If the pedestrian pathway is the same elevation as the adjacent driveway or manoeuvring aisle, it may be included in the overall driveway and manoeuvring aisle width in determining compliance to minimum widths established in the Town's Zoning Bylaw.

#### 3.4.5.7 Parking Guidelines

- 1) Residential parking for a mixed use development on a parcel should be separated from parking for commercial or other uses;
- 2) Council may consider a reduction in parking spaces based on a mix of complimentary uses, different peak time usage or other factors. A parking study by a professional engineer may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007;
- 3) No parking spaces, loading spaces other than passenger drop off areas, associated manoeuvring aisles or driveways should be located between a building and adjacent street;

- 4) Residential parking facilities are encouraged to be under cover and below the building or below ground, except on sites of less than 630 square metres in area or for detached housing;
- 5) Except for developments containing no more than two dwelling units, all off-street parking and loading spaces should be located a minimum of 4.6 metres, measured horizontally from an openable window to residential accommodation located on a storey within 3.0 metres measured vertically from the surface of the parking or loading space; and
- 6) Except for driveways and loading areas, all parking areas not located within a structure should be set back 1.5 metres from the site boundaries. This setback should be landscaped with ground cover with a continuous hedge or wood or masonry wall between 75 centimetres and 90 centimetres in height.

#### 3.4.5.8 2300 Guthrie Road Guidelines

This section applies to land at the north-east intersection of Guthrie Road and McDonald Road.

- 1) Access for commercial uses should be from Guthrie Road or McDonald Road; and
- 2) Access for residential use should be from Tracker Place.

#### 3.4.5.9 Lazo and Hutton Roads Guidelines

- 1) Residential and commercial uses should be detached; and
- 2) Design features should reflect the scale and nature of low density detached houses with extensive native tree cover.

### ***3.5 Development Permit Area (DPA) #5 Commercial: Neighbourhood and Tourist***

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#### ***3.5.1 Area Affected***

DPA #5 Commercial: Neighbourhood and Tourist applies to all areas as shown on map *DPA #5 – Commercial Neighbourhood and Tourist*.

#### ***3.5.2 Purpose***

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #5 is to establish objectives:

- For the form and character of commercial and light industrial development;
- To promote energy and water conservation; and
- To promote a reduction in greenhouse gas emissions.

#### ***3.5.3 Justification***

The guidelines for DPA #5 are intended to ensure development is compatible with surrounding land uses and complements the social and environmental goals of the Plan. Appropriate site planning and landscaping can result in energy and water conservation and lead to a reduction in greenhouse gas emissions. Provision of on-site recycling collection for multi-family and commercial uses will contribute to waste stream reduction. Diverting solid wastes from landfill reduces the amount of methane<sup>16</sup> released thereby contributing to a reduction in greenhouse gas emissions.

#### ***3.5.4 Exemptions***

A development permit is not required for the following actions:

- A. Interior building alterations;
- B. Subdivisions; or
- C. Alteration of land, including vegetation.

Written confirmation of exemption from the Town is available prior to the commencement of the following action:

- D. Minor external additions or alterations to existing buildings or structures provided that:

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<sup>16</sup> The Intergovernmental Panel on Climate Change (IPCC) notes the direct Global Warming Potential (GWP) of the greenhouse gas methane (CH<sub>4</sub>) is 23 relative to carbon dioxide (CO<sub>2</sub>). This means methane is 23 times more effective at trapping heat (global warming) than CO<sub>2</sub>. Source: IPCC Third Assessment Report – Climate Change 2001 – Working Group I: The Scientific Basis.

- I. changes are consistent with the general character of the development as previously approved;
- II. additions or alterations are valued less than \$50,000 for materials and labour;
- III. additions are less than 25% of the existing floor area to a maximum of 200 square metres; and
- IV. changes in the exterior design of a building on any one side involve an area less than 25%.

### *3.5.5 Guidelines*

Unless exempt under Section 3.5.4, no construction of, addition to, or alteration of a building or other structure is to occur unless the applicant first obtains a development permit. A development permit shall not be issued except in compliance with the following guidelines.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

#### *3.5.5.1 Site Services*

- 1) All on-site services should be underground;
- 2) Where collection of solid waste from a development is proposed to be centralized, garbage and recycling compounds should be located in safe, convenient locations and not within a front yard; and
- 3) All developments should provide full services along front and exterior side lot lines in accordance with the Town’s Subdivision and Development Servicing Bylaw, which may include provision and/or upgrading of sidewalks, curbs, gutter, pavement, wiring and street lighting.

#### *3.5.5.2 Building Guidelines*

Building guidelines consist of the following:

- 1) A variety in height, form, mass and setbacks should be used to emphasize the small town scale and pedestrian orientation of Comox;



- 2) Buildings should continuously occupy the street frontage in order to provide animation to the street. Short distances between storefronts and generous provision of windows are encouraged. Along a street frontage blank walls without windows should not be permitted;
- 3) Frontages should be varied in architectural treatment at least every 30 metres to provide the variety and interest required. This is to avoid long, dominating facades, canopies and other architectural features that impose an inhuman or uncomfortable scale on the pedestrian realm;
- 4) Where practical, individual storefronts should be no greater than 10.5 metres and preferably narrower;
- 5) Canopies should also vary from frontage to frontage. Long canopies of the same design can harm the desired diversity and scale and should be avoided;
- 6) Buildings over 1 storey should be massed to reduce the appearance of the height and increase ground floor weight through terracing or tapering of building mass and roof lines;
- 7) Building design should reflect a residential character. Sloping rooflines and extensive use of gables and dormers are encouraged;
- 8) Overall building character should convey permanence, provide visual interest at the pedestrian level, and avoid monotonous or overbearing character. The use of large, robust, unique architectural details to provide key visual focal points, offsets otherwise uniform exterior treatments. Alternatively, the provision of rich detail as exemplified in the use of wood planks, cement board planks, brick and stone provides the desired character when combined with robust trim features;
- 9) Exterior trim and architectural features should be robust and weather resistant;
- 10) Where a building is adjacent to a street, its principal elevation should be orientated to the street and designed in such a manner as to promote a lively, energetic, pedestrian-oriented, streetscape including:
  - a) the provision of a strongly articulated, primary pedestrian entrance to each ground floor unit accentuated by:
    - i. door design, trim, and hardware; and
    - ii. a direct pedestrian pathway to the street.
  - b) differentiation of the ground level from higher stories and between buildings through variation in articulation, exterior material texture, and architectural details such as trim and window treatment; and
  - c) provision of a primary visual focal point;Within a development, other building elevations which are visible from adjacent streets should be treated similarly excluding the pedestrian entrance requirement;
- 11) Designs should encourage crime prevention by using passive security design elements including:

- a) Providing adequate pedestrian level lighting for sidewalks, pathways and parking areas to promote safe evening use;
  - b) Buildings should be designed and sited to facilitate a high degree of visual surveillance of adjacent streets and onsite, outdoor common areas from unit windows;
  - c) Exterior unit entrances/exits should be designed and sited to facilitate a high degree of visual surveillance from unit windows, adjacent streets and internal roads; and
  - d) The location of habitable rooms with windows that face streets, sidewalks, and associated open space to promote informal surveillance though a high level of visual oversight;
- 12) Outdoor, including rooftop, mechanical and electrical equipment, including heat pumps, should be screened from the view of onsite building windows, balconies, decks, adjacent streets, adjacent properties, and other prominent public viewpoints.

#### 3.5.5.3 Integration with the Existing Development

- 1) Building orientation, scale, form, height and setbacks should, where practical, reflect characteristics consistent with the surrounding context;
- 2) Building character should be compatible with surrounding development;
- 3) All exterior building, exterior corridor, and site lighting fixtures (including those in parking areas) should:
  - a) produce illumination levels in accordance with common engineering practices and standards;
  - b) be of a metal halide type or provide a similar light spectrum;
  - c) minimize illumination of adjacent properties;
  - d) consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
  - e) be arranged so rays of light are directed upon the parking, walking, loading, or corridor areas and not upon adjacent land or streets; and
  - f) excluding light fixtures that are incorporated into canopies, lighting of off-street parking and loading areas should:
    - i. be arranged that no part of any fixture is more than 4.5 metres above finished ground level; and
    - ii. not overhang manoeuvring aisles or loading spaces.

#### 3.5.5.4 Energy, Water Conservation and Greenhouse Gas Reduction

- 1) Building siting, design and landscaping to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer is encouraged. This guideline does not apply to sites which do not receive substantial solar exposure;

- 2) Incorporation of solar panels as a supplementary or alternative energy and geothermal heating is encouraged; and
- 3) Landscaping should be drought resistant; xeriscaping is encouraged.

#### 3.5.5.5 Landscape Guidelines

- 1) All areas not covered by buildings, structures, driveways, parking or loading areas should be landscaped;
- 2) All landscaping should be installed in accordance with sound landscaping principles;
- 3) Landscaping of boulevards should be required, including provision of street trees in accordance with the following:  
A minimum of:
  - a) one high-branched tree, of at least 5 centimetre calliper at breast height at time of planting, for every 6.0 metres of street property line with a maximum distance between trees of 12.0 metres, where the type and spacing of trees is to form a sidewalk canopy. Tree species should be compatible with the overall street tree character of the area; and
  - b) a minimum of 3 cubic metres of appropriate soil and growing space for each tree;
- 4) Existing mature trees should be retained where possible;
- 5) Landscaping for screening purposes should provide an effective landscape screen at the time of planting;
- 6) All landscaping should be serviced with an automatic watering system to allow new plantings to become established and where necessary for landscape maintenance;
- 7) Wherever practical, surface parking areas should be softened with the planting of trees throughout to visually break-up the parking areas; and
- 8) Fences should be aesthetically designed and be compatible with adjacent developments. Chain link fences should not be permitted. Fencing should be robust and minimum commercial grade. Wood fencing should have minimum 6" x 6" posts and 2" x 4" horizontal supports at the top and bottom of fence panels. All wooden fencing and other wooden landscape components should be treated with paint, stain, or other preservative, or contain a natural preservative (i.e. cedar).

#### 3.5.5.6 Pedestrian Guidelines

- 1) Continuous "active" frontages should be provided along all streets, for example shops, displays, entrance doors;

- 2) Continuous weather protection on all main streets is encouraged. Weather protection should consist of light, translucent or transparent canopies and awnings. Solid, built canopies or arcades, which tend to reduce desirable daylight and brightness, should not be permitted. These features should project at least 1.8 metres over the sidewalk;
- 3) Safe, convenient pedestrian routes for all units should be provided from the unit to an abutting street;
- 4) All pedestrian routes should be designed for universal access to accommodate persons with disabilities; and
- 5) Where a driveway or manoeuvring aisle provides part of a pedestrian route, the pedestrian pathway should be a minimum width of 1.5 metres and be demarked by use of concrete or interlocking brick to differentiate it from the rest of the driveway or manoeuvring aisle. If the pedestrian pathway is the same elevation as the adjacent driveway or manoeuvring aisle it may be included in the overall driveway and manoeuvring aisle width in determining compliance to minimum widths established in the Town's Zoning Bylaw.

#### 3.5.5.7 Parking Guidelines

- 1) No parking spaces, loading spaces, associated manoeuvring aisles or driveways should be located between a building and adjacent street;
- 2) Council may consider a reduction in parking spaces based on a mix of complimentary uses, different peak time usage or other factors. A parking study by a professional engineer may be required in accordance with the Comox Development Approval Information Bylaw;
- 3) New developments adjacent to other commercial uses should coordinate access and interconnection of parking areas and driveways between adjacent properties where possible; and
- 4) Except for driveways and loading areas, all parking areas not located within a structure should be set back 1.5 metres from the site boundaries. This setback should be landscaped with ground cover with a continuous hedge or wood or masonry wall between 75 centimetres and 90 centimetres in height.

#### 3.5.5.8 Kye Bay Area

In addition to the foregoing guidelines, the form and character of tourist uses in the Kye Bay area should conform to the residential character of the seaside area.

- 1) Design features should reflect the scale and nature of single detached housing; and
- 2) Sloping roof lines and extensive use of gables and dormers should be provided.

## **3.6 Development Permit Area (DPA) #6 Light Industrial**

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### **3.6.1 Area Affected**

DPA #6 – Light Industrial applies to all areas as shown on map *DPA #6 – Light Industrial*.

### **3.6.2 Purpose**

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #6 is to establish objectives:

- For the form and character of industrial development;
- To promote energy and water conservation; and
- To promote a reduction of greenhouse gas emissions.

### **3.6.3 Justification**

The guidelines of DPA #6 are intended to ensure industrial development is compatible with surrounding land uses and complements the economic and environmental goals of this Plan. Appropriate site planning and landscaping can result in energy and water conservation and lead to a reduction in a community's greenhouse gas emissions. Provision of on-site recycling collection for industrial and compatible commercial uses will contribute to waste stream reduction. Diverting solid wastes from landfill reduces the amount of methane<sup>17</sup> released thereby contributing to a reduction in greenhouse gas emissions.

### **3.6.4 Exemptions**

A development permit is not required for the following actions:

- A. Internal building alterations;
- B. Subdivisions; or
- C. Alteration of land, including vegetation.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

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<sup>17</sup> The Intergovernmental Panel on Climate Change (IPCC) notes the direct Global Warming Potential (GWP) of the greenhouse gas methane (CH<sub>4</sub>) is 23 relative to carbon dioxide (CO<sub>2</sub>). This means methane is 23 times more effective at trapping heat (global warming) than CO<sub>2</sub>. Source: IPCC Third Assessment Report – Climate Change 2001 – Working Group I: The Scientific Basis.

- D. Minor external additions or alterations to existing buildings or structures provided that:
- I. changes are consistent with the general character of the development as previously approved;
  - II. additions or alterations are valued less than \$50,000 for materials and labour;
  - III. additions are less than 25% of the existing floor area to a maximum of 200 square metres; and
  - IV. changes in the exterior design of a building on any one side involve an area less than 25%.

### *3.6.5 Guidelines*

Unless exempt under Section 3.6.4, no construction of, addition to, or alteration of a building or other structure is to occur unless the applicant first obtains a development permit. A development permit shall not be issued except in compliance with the following guidelines.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

#### *3.6.5.1 Building Guidelines*

- 1) All developments should provide full services along front and exterior side lot lines in accordance with the Town’s Subdivision and Development Servicing Bylaw, which may include provision and/or upgrading of sidewalks, curbs, gutter, pavement, wiring and street lighting;
- 2) All onsite services should be underground;
- 3) Building character should be reflective of commercial development and not utilitarian;
- 4) Building character should convey permanence;
- 5) Building elevations fronting and visible to the street are encouraged to include offices, showrooms, pitched roofs and a visual focal point;
- 6) Building elevations fronting and visible to the street should not include loading areas;
- 7) Building elevations visible from adjacent roads or properties should be finished and treated similarly to the front elevation;

- 8) Buildings should be designed and sited to screen from public view unsightly site elements such as storage, shipping and loading areas, transformers and meters, bay doors and garbage and recycling receptacles;
- 9) Where collection of solid waste from a development is proposed to be centralized, garbage and recycling compounds should be located in safe, convenient locations and not within a front or exterior side yard; and
- 10) Roof top mechanical equipment should be hidden behind screens designed as an integral part of a building, or parapets may be extended to conceal such equipment from view from adjacent streets.

#### 3.6.5.2 Integration with the Existing Development

- 1) All exterior building, exterior corridor, and site lighting fixtures (including those in parking areas but excluding dwelling unit balcony and patio lighting) should:
  - a) produce illumination levels in accordance with common engineering practices and standards;
  - b) be of a metal halide type or provide a similar light spectrum;
  - c) minimize illumination of adjacent properties;
  - d) consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
  - e) be arranged so rays of light are directed upon the parking, walking, loading, or corridor areas and not upon adjacent land or streets; and
  - f) excluding light fixtures that are incorporated into canopies, lighting of off-street parking and loading areas should:
    - i. be arranged that no part of any fixture is more than 4.5 metres above finished ground level; and
    - ii. not overhang manoeuvring aisles or loading spaces.
- 2) Building character should be compatible with surrounding development; and
- 3) New developments should coordinate access and interconnection of parking areas and driveways between adjacent properties where possible.

#### 3.6.5.3 Energy, Water Conservation and Greenhouse Gas Reduction

- 1) Building siting, design and landscaping to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer is encouraged. This guideline does not apply to sites which do not receive substantial solar exposure;
- 2) Incorporation of solar panels as a supplementary or alternative energy and geothermal heating is encouraged; and
- 3) Landscaping should be drought resistant; xeriscaping is encouraged.



#### 3.6.5.4 Landscape Guidelines

- 1) All areas not covered by buildings, structures, roads and parking areas should be landscaped, with the exception of storage yards;
- 2) All landscaping should be installed in accordance with sound landscaping principles;
- 3) Landscaping plans should include street tree plantings;
- 4) Landscaping for screening purposes should provide an effective landscape screen at the time of planting;
- 5) All landscaping should be serviced with an automatic watering system to allow new plantings to become established and where necessary for landscape maintenance;
- 6) Industrial development adjacent to residential uses including residential uses located on 19 Wing Comox should provide solid screening consisting of a berm, tight board fence or other solid fencing not less than 2.0 metres in height;
- 7) Along that portion of Military Row which abuts 19 Wing Comox, development along the south east edge of Military Row should provide a continuous landscaped buffer of sufficient height and depth to screen development from 19 Wing Comox;
- 8) The outdoor storage of materials on any parcel adjacent to residential including residential on 19 Wing Comox should be screened by a continuous landscaped berm of sufficient height and depth to provide adequate buffering. This guideline does not apply to aircraft storage; and
- 9) Fences should be aesthetically designed and be compatible with adjacent developments. Chain link fences should not be permitted. Fencing should be robust and minimum commercial grade. Wood fencing should have minimum 6" x 6" posts and 2" x 4" horizontal supports at the top and bottom of fence panels. All wooden fencing, and other wooden landscape components, should be treated with paint, stain or other preservative.

#### 3.6.5.5 Parking Guidelines

- 1) Parking areas are encouraged to be located behind buildings and not adjacent to roads, especially arterial and collector roads; and
- 2) Landscaping should be provided in parking areas to give visual relief to large parking surfaces.

### **3.7 Development Permit Area (DPA) #7 Riparian Areas**

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The following definitions apply to DPA #7 only:

**Assessment methods:** means the methods set out in the Schedule to the *Riparian Areas Regulation* approved under the *Fish Protection Act*.

**Assessment report:** means a report prepared in accordance with assessment methods to assess the potential impact of a proposed development in a riparian assessment area and which is certified for the purposes of the Riparian Areas Regulation by a qualified environmental professional.

**Qualified environmental professional:** means a qualified environmental professional as defined in and contemplated by the Fish Protection Act Riparian Areas Regulation BC Reg 376/2004, as amended from time to time.

**Riparian area high water mark:** means, as determined by a qualified environmental professional, the visible high water mark of a stream where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the stream a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain.

Riparian assessment area means:

- a) for a stream, the 30 meter strip on both sides of the stream, measured from the riparian area high water mark,
- b) for a ravine less than 60 meters wide, a strip on both sides of the stream measured from the riparian area high water mark to a point that is 30 meters beyond the top of the ravine bank, and
- c) for a ravine 60 meters wide or greater, a strip on both sides of the stream measured from the riparian area high water mark to a point that is 10 meters beyond the top of the ravine bank.

**Ravine:** means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1.

**Stream:** includes any of the following that provides fish habitat:

- a) a watercourse, whether it contains water or not;
- b) a pond, lake, river, creek or brook; or
- c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph a) or b).

**Top of the ravine bank:** means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine which could be developed.

### *3.7.1 Area Affected*

DPA #7 – Riparian Areas applies to all areas within the Town that are within the riparian assessment area of:

- Brooklyn Creek;
- those portions of Golf Creek south of Comox Ave and north of Balmoral Ave;
- that portion of Carthew Creek south of Comox Avenue;
- the headwaters of Hilton Springs, southeast of Cambridge Road;
- Lazo Marsh;
- Queen's Ditch drainage channel on the north side of Southwind Drive;
- the ditches along and north of Knight Road and south of Salmonberry Drive that discharge into the Queen's Ditch
- the ditches located within and west of the road dedication of Military Row and south of Oceanspray Drive that discharge into Little River; and
- the ditch that travels along Ryan Road and Military Row north of Ocean Spray Drive that discharges into Little River.

Unless all development, including the alteration of vegetation, will be clearly outside DPA #7, the proposed location of development relative to the DPA #7 boundary as determined by a BC Land Surveyor (BCLS), and incorporated into a BCLS certified site plan, may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007.

### *3.7.2 Purpose*

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #7 is to protect the natural environment, its ecosystems and biological diversity in relation to freshwater streams as they pertain to fish and fish habitat. It is not the intent of this Development Permit Area to vary a regulation of any other bylaw.

### 3.7.3 Justification

The *Riparian Areas Regulation*, an Order in Council approved under the *Fish Protection Act*, directs local governments to protect riparian areas from development so they can provide natural features and conditions that support fish life processes. The streams identified in this DPA #7 are fish-bearing, or connected to fish-bearing streams through surface flow.

### 3.7.4 Exemptions

A development permit is not required for the following actions. Written confirmation of exemption from the Town is available prior to the commencement of such actions:

- A. Reconstruction or repair of a permanent structure described in section 911 (8) of the *Local Government Act* if the structure remains on its existing foundation;
- B. The repair, renovation, maintenance or reconstruction of an existing permanent structure on its existing foundation, including roads;
- C. Farm operations as defined under the *Farm Practices Protection Act*;
- D. Hydroelectric facilities and forestry activities;
- E. Developments that are not associated with or resulting from residential, commercial or industrial activities, or ancillary activities thereto; or
- F. Developments authorized by the Minister of Fisheries and Oceans or a regulation under the *Fisheries Act (Canada)*.

### 3.7.5 Guidelines

Unless exempted under Section 3.7.4 no subdivision, alteration of land, including vegetation, or construction of, addition to, or alteration of a building or structure is to occur unless the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

- 1) A development permit should not be issued unless the Town has received notification from the Ministry of Environment that Fisheries and Oceans Canada and the Ministry of Environment have been:
  - a) notified of the development proposal, and

- b) provided with a copy of an assessment report prepared by a qualified environmental professional that
  - i. certifies that he or she is qualified to carry out the assessment,
  - ii. certifies that the assessment methods have been followed, and
  - iii. provides their professional opinion that:
    - a. if the development proposal is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian area, or
    - b. if the streamside protection and enhancement areas identified in the report are protected from the development and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian area.

### **3.8 Development Permit Area (DPA) #8 Waterfront Environment**

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#### **3.8.1 Area Affected**

DPA #8 – Waterfront Environment applies to all areas of those parcels as shown on map *DPA #8 – Waterfront Environment* that are within 30.0 metres of the upland side of the natural boundary of Georgia Strait.

Unless all development, including the alteration of vegetation, is clearly outside DPA #8, the proposed location of development relative to the DPA boundary as determined by a BC Land Surveyor (BCLS) and incorporated into a BCLS certified site plan may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007.

#### **3.8.2 Purpose**

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #8 is to protect the natural environment, its ecosystems and biological diversity in relation to the waterfront of properties in the Kye Bay and Lazo Road/Point Holmes areas.

#### **3.8.3 Justification**

Waterfront properties and adjacent land provide essential habitat and corridors for fish, birds and other wildlife. Adjacent lands also act as natural water storage, drainage and purifying systems. Vegetation adjacent to watercourses needs to remain in a largely undisturbed state in order to maintain healthy watercourses.

#### **3.8.4 Exemptions**

A development permit is not required for the following actions:

- A. Internal building alterations;
- B. Hand removal of Scotch Broom (*Cytisus scoparius*) and English Ivy (*Hedera helix*);
- C. Construction, repair, or maintenance of works by the Town or its authorized agents or contractors;
- D. Construction of a fence not within the Buffer.
- E. Emergency actions to prevent, control, or reduce flooding, erosion or other immediate threats to life and property including emergency flood or erosion protection works; or
- F. Cutting down hazardous trees that present an immediate danger to life or property. This must be confirmed by an ISA Certified Arborist.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- G. Alteration of land, including vegetation; subdivision; or the construction of, addition to, or alternation of a building or structure that meet the following criteria:
  - I. no activity occurs within 5 metres of the natural boundary of the Strait of Georgia (hereafter called the 'Buffer');
  - II. for the construction of a principal building, construction of an accessory building or structure in excess of 30 square metres or addition to a building or structure in excess of 30 square metres, a Buffer that is in and is to be left in an undisturbed natural state is provided;
  - III. a temporary fence (no less than 1.2 metres in height) 5 metres from and in parallel with, the natural boundary of the Strait of Georgia is erected in order to prevent physical access to the Buffer;
  - IV. protective measures are provided to ensure that no waterborne silt, debris or contaminants, other than those associated with normal gardening and lawn watering, enter the Buffer;
  - V. where there is no addition to or construction of a building or structure within 7 metres of the natural boundary of the Strait of Georgia; and
  - VI. where there is no direct or indirect discharge of treated water into or through the Buffer or into the Strait of Georgia, other than indirect discharge associated with normal lawn and garden watering;
- H. Implementation of a Habitat Restoration Plan prepared by a Registered Professional Biologist, or a Registered Landscape Architect with a specialization in habitat restoration;
- I. Construction of a trail to access the Strait of Georgia through the Buffer provided that the following conditions are met:
  - I. only one trail is built on a parcel;
  - II. the trail is for private pedestrians (not public), non-vehicular use only;
  - III. no trees are removed;
  - IV. the trail is not more than 1.5 metres wide;
  - V. the trail's surface is permeable (i.e. allows water to filter through, e.g. soil or gravel); and
  - VI. the trail must be designed to:
    - a) where environmentally appropriate, provide the most direct route to the watercourse;
    - b) where feasible, avoid areas with high soil compaction;
    - c) prevent physical intrusion to wet areas such as ground water seepage areas and small ephemeral wetlands; and



- d) avoid erodible banks or other erosion-prone areas or be elevated above them.

(Acceptable reference documents for trail development include Fisheries and Oceans, Ministry of Environment, *Access Near Aquatic Areas*; and Fisheries and Oceans, Ministry of Environment, *Land Development Guidelines for the Protection of Aquatic Habitat*.)

### 3.8.5 Guidelines

Unless exempted under Section 3.8.4, no subdivision of land, alteration of land, including vegetation, construction of, addition to, or alteration of a building or structure is to occur until the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

- 1) No subdivision, alteration of land, including vegetation, or construction of, addition to, or alteration of a building or other structure should occur within 5 metres of the natural boundary of the Buffer, unless:
  - a) all opportunities to relax other development requirements (such as the minimum setback requirements from lot lines) have been exhausted; and
  - b) the applicant demonstrates that one or more of the following conditions exist:
    - i. that the Buffer takes up so much of the existing lot that it would make the lot undevelopable under existing zoning regulations;
    - ii. due to topographic, natural hazard, or other environmental constraints on the existing lot, there is no feasible building site outside the Buffer; or
    - iii. for an addition or alteration to an existing structure, there is no feasible building site outside the Buffer.
- 2) Where the Buffer is in and is to be left in an undisturbed natural state, applicants may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007 to provide an Impact Assessment completed by a Registered Professional Biologist or a Registered Landscape Architect with a specialization in habitat restoration. The Impact Assessment should specify the necessary measures to ensure no degradation of fish habitat and the minimization of potential environmental damage in the Buffer. Such measures should include the following:

- a) an erosion control plan; and
  - b) the use of construction methods and the limitation of construction to times of the year that minimize potential impacts on fish and wildlife habitat;
- 3) Where the Buffer is in an undisturbed natural state and alteration of the Buffer is proposed, applicants may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007 to provide an Impact Assessment completed by a Registered Professional Biologist or a Registered Landscape Architect with a specialization in habitat restoration. The Impact Assessment should specify the necessary measures to ensure no degradation of fish habitat and the minimization of potential environmental damage in the Kye Bay Buffer. Such measures should include the following:
  - a) an erosion control plan;
  - b) minimization of vegetation removal and identification of those features of the existing habitat that will be altered within the Buffer;
  - c) a natural habitat restoration plan for the Buffer; and
  - d) the use of construction methods and the limitation of construction to times of the year that minimize potential impacts on fish and wildlife habitat;
- 4) Where the Kye Bay Buffer is *not* in an undisturbed, natural state, applicants may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007 to provide an Impact Assessment completed by a Registered Professional Biologist or a Registered Landscape Architect with a specialization in habitat restoration. The Impact Assessment should specify the necessary measures to restore the natural habitat within the Buffer, to ensure no degradation of fish habitat and the minimization of potential environmental damage in the Buffer. Such measures should include the following:
  - a) an erosion control plan;
  - b) a natural habitat restoration plan for the Buffer; and
  - c) the use of construction methods and the limitation of construction to times of the year that minimize potential impacts on fish and wildlife habitat;
- 5) Treated discharge (such as from swimming pools, hot tubs and spas) should be to an approved treatment system; and
- 6) The alteration of land, including vegetation; subdivision; or the construction of, addition to, or alteration of a building or structure within DPA #8 should be in accordance with any required Impact Assessment, including any works or protective measures specified.

### **3.9 Development Permit Area (DPA) #9 Upland Environment**

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#### **3.9.1 Area Affected**

DPA #9 – Upland Environment applies to all areas of those parcels as shown on *Map DPA #9* as Upland Environment that are within 30 metres measured upland of the natural boundary of the Strait of Georgia and all areas as identified on *Map DPA #9* as Upland Environment with Older Forest ESA.

Unless all development, including the alteration of vegetation, is clearly outside DPA #9, the proposed location of development relative to the DPA boundary as determined by a BC Land Surveyor (BCLS) and incorporated into a BCLS certified site plan may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007.

#### **3.9.2 Purpose**

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #9 is to protect the natural environment, its ecosystems and biological diversity in relation to the upland waterfront area of properties in the Lazo Road/Point Holmes area and lands containing Older Forest Sensitive Ecosystem.

#### **3.9.3 Justification**

Waterfront properties and adjacent upland areas provide essential habitat and corridors for fish, birds and other wildlife. Adjacent upland areas also act as natural water storage, drainage and purifying systems. Vegetation and slopes adjacent to watercourses need to remain in a largely undisturbed state in order to maintain healthy watercourses. Older Forest is areas with mature tree cover, providing long established environmentally sensitive ecosystems and habitat which should remain undisturbed.

#### **3.9.4 Exemptions**

A development permit is not required for the following actions:

- A. Construction of, addition to or alteration of a fence, in accordance with the following:
  - I. No trees greater than 10 centimetres in diameter at breast height are altered; and
  - II. Height of fence can be no more than 1.20 meters above finished grade (it is encouraged for sections of the fence to have a distance of 0.45 metres from the finished grade to the bottom wire or rail, to allow for the safe passage of small mammals and fawns);

- B. Hand removal of Scotch Broom (*Cytisus scoparius*) and English Ivy (*Hedera helix*);
- C. Construction, repair or maintenance of works by the Town, its authorized agents or contractors;
- D. Emergency action to prevent, control, or reduce flooding, erosion or other immediate threats to life and property including emergency flood or erosion protection works; or
- E. Cutting down a hazardous tree that presents an immediate danger to life or property. This must be confirmed by an ISA Certified Arborist.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- F. Alteration or addition to an existing building or structure, where there is no alteration to vegetation, other than non-native vegetation; or
- G. Implementation of a Habitat Restoration plan prepared by a Registered Professional Biologist or a Registered Landscape Architect with a specialization in Habitat Restoration.

### 3.9.5 Guidelines

Unless exempted under Section 3.9.4, no subdivision of land; alteration of land, including vegetation; or construction of, addition to, or alteration of a building or other structure is to occur unless the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

- 1) Measures to ensure no degradation of fish habitat and minimization of potential environmental damage should include the following:
  - a) an erosion control plan;
  - b) minimization of vegetation removal;
  - c) identification of those features of the existing habitat that will be altered;
  - d) a natural habitat restoration plan;
  - e) the use of construction methods and the limitation of construction to times of the year that minimize potential impacts on fish and wildlife habitat; and

- 2) An Impact Assessment completed by a Registered Professional Biologist or a Registered Landscape Architect with a specialization in habitat restoration may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007. The Impact Assessment should:
  - a) specify the environmental values of the parcel applicable to DPA #9;
  - b) identify any environmental values to be altered; and
  - c) specify the necessary measures to ensure no degradation of fish habitat and the minimization of potential environmental damage in DPA #9 as noted in Section 3.9.5 (1).
- 3) The alteration of land, including vegetation, subdivision, or construction of, addition to or alteration of a building or structure within DPA #9 should be in accordance with any required Impact Assessment, including any works or protective measures specified.

### ***3.10 Development Permit Area (DPA) #10 Bald Eagle and Great Blue Heron Nesting Sites/Perching Trees***

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The following definitions apply to DPA #10 only:

**Bald Eagle & Great Blue Heron nest tree buffer** means a radius from a tree containing a nest site for Bald Eagles or Great Blue Herons. The radius of the buffer varies depending on the parcel size as follows:

- 1) Within a 200 metre radius of a Bald Eagle or Great Blue Heron nest tree if the parcel is greater than 5 hectares;
- 2) Within a 100 metre radius of a Bald Eagle or Great Blue Heron nest tree if the parcel is between 1 to 5 hectares; or
- 3) Within a 60 metre radius of a Bald Eagle or Great Blue Heron nest tree if the parcel is less than 1 hectare.

**Breeding season quiet buffer** means a distance of 100 metres in addition to 1), 2) or 3) above where loud or unusual noise should be avoided during the breeding season.

Breeding season means:

- a) From January 1<sup>st</sup> to August 31<sup>st</sup> or earlier than August 31<sup>st</sup> if young Bald Eagles have fledged from the nest as confirmed by a Registered Professional Biologist; or
- b) From January 1<sup>st</sup> to September 15<sup>th</sup> or earlier than September 15<sup>th</sup> if Great Blue Herons have fledged from the nest as confirmed by a Registered Professional Biologist; and
- c) From January 1 to April 30<sup>th</sup> where a Registered Professional Biologist has confirmed that no nesting activity for Bald Eagles or Great Blue Herons is present as of April 30<sup>th</sup>.

#### ***3.10.1 Area Affected***

DPA #10 – Eagle and Great Blue Heron Nesting Sites/Perching Trees applies to all areas as shown shaded on map *DPA #10 – Eagle and Great Blue Heron Nesting Sites/Perching Trees*. (**#1734 Dec. 5/12, #1754 May 7/14**)

### *3.10.2 Purpose*

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of this Development Permit Area is to protect the natural environment, its ecosystems and biological diversity in relation to Bald Eagle and Great Blue Heron nesting seasons, nests, nest trees, designated perching trees, and high potential nest trees and perching trees to provide supportive habitat and conditions for Bald Eagles and Great Blue Herons.

### *3.10.3 Justification*

The nesting habitat of Bald Eagles and Great Blue Herons may be adversely affected by land development; however, adverse impacts can be mitigated if certain practices are adopted. If breeding populations are to be maintained, nesting and feeding habitat must be protected.

### *3.10.4 Exemptions*

A development permit is not required for the following actions:

- A. Maintenance of existing lawn and garden areas;
- B. Internal alteration to an existing building provided all construction activity is wholly enclosed within the walls of the building;
- C. Construction, repair or maintenance of works by the Town or its authorized agents or contractors;
- D. Lands subject to restrictive covenants: FB354244, FB354832, FB354834 and FB354830;
- E. Emergency action to prevent, control, or reduce flooding, erosion or other immediate threats to life and property including emergency flood or erosion protection works. Nothing in this DPA negates the need for compliance with any federal or provincial statutes or regulations; or
- F. Cutting down a hazardous tree that presents an immediate danger to life or property. This must be confirmed by an ISA Certified Arborist. Nothing in this DPA negates the need for compliance with any federal or provincial statutes or regulations.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- G. Alteration of land, including vegetation, or construction of, addition to, or alteration of a building or structure provided that no alteration, construction, or addition occurs within a Bald Eagle & Great Blue Heron Nest Tree Buffer or the breeding season quiet buffer (when applicable);



- H. For an existing principal building within a Bald Eagle & Great Blue Heron Nest Tree Buffer, an addition or alteration is permitted, provided that:
- I. the setback of the addition or alteration is equal to or greater than the existing principal building setback from the nest tree;
  - II. the footprint of the principal building, including any addition is equal to or less than 300 square metres;
  - III. a minimum setback of 60 metres is maintained;
  - IV. no alteration of land, including vegetation or construction of, addition to or alteration of a building or structure is to occur within the breeding season; and
  - V. land alteration, including vegetation within a Bald Eagle & Great Blue Heron Nest Tree Buffer is limited to that necessary for the addition to or alteration of the principal building;
- I. Construction of, addition to or alteration of a fence provided no work is to occur within the Breeding Season and no trees greater than 10 centimetres in diameter at breast height are altered;
- J. Alteration of land, including vegetation, or construction of, addition to, or alteration of a building or structure within the Breeding Season Quiet Buffer where a Registered Professional Biologist provides written documentation that specified works will not negatively impact the breeding season quiet buffer;
- K. In situations where the construction of a new maximum 300 square metre principal building requires encroachment into a Bald Eagle & Great Blue Heron Nest Tree Buffer, the minimum possible encroachment will be permitted provided that:
- I. a minimum setback of 60 metres is maintained for the Great Blue Heron Nest Tree Buffer or one and a half times the height of the nest tree for the Bald Eagle nest tree buffer; and
  - II. no alteration of land, including vegetation or construction of, addition to or alteration of a building or structure is to occur within the breeding season;
- L. Implementation of a Habitat Restoration plan prepared by a Registered Professional Biologist, or a Registered Landscape Architect with a specialization in Habitat Restoration; or
- M. Where written documentation is obtained from a representative of the Wildlife Tree Stewardship Program (WITS), the Ministry of Environment or a Registered Professional Biologist that a Bald Eagle or Great Blue Heron nest no longer exists, the following actions are exempt within the Bald Eagle or Great Blue Heron Nest Tree Buffer and breeding season quiet buffer :
- I. a subdivision of land;
  - II. alteration of land including vegetation other than to the nest tree; or
  - III. construction of, addition to or alteration of a building or structure.

### *3.10.5 Guidelines*

Unless exempted under Section 3.10.4 no subdivision of land, no alteration of land, including vegetation, or the construction of, addition to, or alteration of a building or structure is permitted within a Bald Eagle or Great Blue Heron Nest Tree Buffer or Breeding Season Quiet Buffer, if applicable unless the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

- 1) Measures to ensure no degradation of Bald Eagle or Great Blue Heron habitat occurs should include:
  - a) Habitat restoration;
  - b) Soil amendment;
  - c) Soil hydrology;
  - d) Wind-throw mitigation;
  - e) Construction methods and times;
  - f) Protective fencing; and
  - g) Protective measures.
- 2) A Nesting/Habitat Impact Assessment prepared by a Registered Professional Biologist may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007 in regard to the Bald Eagle & Great Blue Heron Nest Tree Buffer and Breeding Season Quiet Buffer (where applicable).
- 3) These regulations do not negate the need for compliance with any federal or provincial statutes and regulations governing the management of Bald Eagles or Great Blue Herons, nests or nest trees (i.e. Federal Migratory Bird Convention Act and the Provincial Wildlife Act).
- 4) The alteration of land, including vegetation, subdivision, or construction of, addition to or alteration of a building or structure within DPA #10 should be in accordance with any required impact assessment, including any work or protective measures specified.

### ***3.11 Development Permit Area (DPA) #11 Wildlife Corridor***

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#### ***3.11.1 Area Affected***

DPA #11 – Wildlife Corridor applies to all areas as shown on map *DPA #11 – Wildlife Corridor*.

#### ***3.11.2 Purpose***

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #11 is to protect the natural environment, its ecosystems and biological diversity in relation to the resting and movement of deer.

#### ***3.11.3 Justification***

The establishment of a protected wildlife corridor is intended to provide traversable areas sufficient for the resting and movement of deer to key habitat refuge areas including, the Lazo Conservation Area, Lazo Wildlife Management Area, Northeast Woods, and upland areas of the Strait of Georgia and Brooklyn Creek.

#### ***3.11.4 Exemptions***

A development permit is not required for the following actions:

- A. Alteration of land, including vegetation, for maintenance purposes, or alteration of non-native vegetation;
- B. Construction, repair, or maintenance of works by the Town or its authorized agents or contractors;
- C. Construction of, addition to, or alteration of a building or structure, excluding fencing;
- D. Emergency actions to prevent, control, or reduce flooding, erosion or other immediate threats to life and property including emergency flood or erosion protection works;
- E. Cutting down hazardous trees that present an immediate danger to life or property. This must be confirmed by an ISA Certified Arborist;

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- F. Construction of, addition to or alteration of a fence in accordance with the following:
  - I. No trees greater than 10 centimetres diameter at breast height are altered; and

- II. Height of fence can be no more than 1.20 meters above finished grade (it is encouraged for sections of the fence to have a distance of 0.45 metres from the finished grade to the bottom wire or rail, to allow for the safe passage of small mammals and fawns).

### *3.11.5 Guidelines*

Unless exempted under Section 3.11.4 no subdivision; alteration of land including vegetation or construction of, addition to or alteration of a fence is to occur unless the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

- 1) Measures to mitigate degradation of deer resting and movement habitat should include the following:
  - a) Identification of appropriate property boundary fencing specifications and locations; and
  - b) a natural habitat restoration plan, where applicable.
- 2) An Impact Assessment completed by a Registered Professional Biologist may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007. The Impact Assessment should:
  - a) specify the habitat values of the parcel in relation to the resting and movement of deer;
  - b) identify any deer resting and movement habitat values to be altered;
  - c) identify connectivity for the movement of deer to adjacent lands; and
  - d) specify the necessary measures to minimize and mitigate negative impacts on deer resting or movement habitat.
- 3) The subdivision; alteration of land including vegetation or construction to or alteration of a fence within DPA #11 should be in accordance with any required Impact Assessment, including any works or protective measures specified.

## **3.12 Development Permit Area (DPA) #12 Garry Oak Habitat**

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### *3.12.1 Area Affected*

DPA #12 – Garry Oak Habitat applies to all areas as shown on map *DPA #12 – Garry Oak Habitat*.

### *3.12.2 Purpose*

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #12 is to protect the natural environment, its ecosystems and biological diversity in relation to Garry Oak ecosystem.

### *3.12.3 Definition*

A Garry Oak ecosystem is one with naturally occurring Garry Oak trees. Garry Oak ecosystems include woodlands, meadows, grasslands, and open rocky areas. Garry Oak trees may be found in mixed stands with other trees, including Arbutus, Douglas-fir and Sitka Spruce. In addition to the signature oak tree, the Garry Oak ecosystem includes nearly 700 other plant species, more than 100 species of birds, 7 amphibians, 7 reptiles, 33 mammals, and an estimated 800 invertebrates.

### *3.12.4 Justification*

In Canada, Garry Oak ecosystems are limited to southeastern Vancouver Island, the Gulf Islands, outliers in the Fraser Valley and on Savary Island. The global distribution extends south to California. Comox is at the extreme northern limits of this range. Garry Oak in Comox include, but are not limited to krummholz forms of Garry Oak on sand substrates that are unique in Canada.

Most Canadian Garry Oak ecosystems have been destroyed, degraded, and highly fragmented, primarily by urban and rural development and the spread of invasive plant species. Less than 5% remains in near-natural condition, and ecosystems at extremes, such as those in Comox, are especially vulnerable. Ecosystems at the edges of their distribution typically contain high biodiversity and have important adaptive value in the face of climate change.

Garry Oak ecosystems are home to more plant species than any other terrestrial ecosystem in coastal British Columbia. In addition to the signature oak tree and nearly 700 other plant species, these ecosystems include more than 100 species of birds, 7 amphibians, 7 reptiles, 33 mammals, and an estimated 800 invertebrates.

As the ecosystems disappear, so do the plants and animals they support. There are currently 113 provincially red and blue-listed species at risk, including 55 species that are nationally designated at risk, that are dependent on Garry Oak ecosystems for their continued survival.

In Comox, Garry Oak ecosystems are located in the Point Holmes area as well as along the coastal bluffs west of St. Joseph's General Hospital and in Filberg Park.

### *3.12.5 Exemptions*

A development permit is not required for the following actions:

- A. Hand removal of Scotch Broom (*Cytisus scoparius*), English Ivy (*Hedera helix*) and other non-native invasive plant species;
- B. Construction, repair or maintenance of works by the Town, its authorized agents or contractors;
- C. Emergency action to prevent, control, or reduce flooding, erosion or other immediate threats to life and property including emergency flood or erosion protection works; or
- D. Cutting down a hazardous tree that presents an immediate danger to life or property. This must be confirmed by an ISA Certified Arborist.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- E. Subdivision of land, alteration of land, including vegetation, or construction of, addition to, or alteration of a building or structure if the parcel does not contain any Garry Oak ecosystem as certified by a Registered Professional Biologist;
- F. Alteration of land, including vegetation, or construction of, addition to, alteration of a building or structure provided that no alteration, construction, or addition occurs within or negatively impacts Garry Oak ecosystem as certified by a Registered Professional Biologist;
- G. Alteration or addition to an existing building or structure, where there is no alteration to vegetation, other than non-native vegetation;
- H. Construction of, addition to or alteration of a fence provided no krummholz Garry Oak trees, or other Garry Oak trees regardless of size or non-Garry Oak trees greater than 10 centimetres in diameter at breast height are altered; or
- I. Implementation of a Habitat Restoration plan prepared by a Registered Professional Biologist or a Registered Landscape Architect with a specialization in habitat restoration.

### *3.12.6 Guidelines*

Unless exempted under Section 3.12.4 no subdivision of land; no alteration of land, including vegetation; construction of, addition to or alteration of a building or other structure is to occur unless the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

- 1) Measures to ensure no overall degradation of Garry Oak ecosystem occurs should include consideration of the following elements:
  - a. Topsoil retention;
  - b. Provision of a suitable buffer between the Garry Oak ecosystem and construction footprint;
  - c. Location and composition of pedestrian walkways;
  - d. Identification of existing ecosystem features of the Garry Oak ecosystem that will unavoidably be altered;
  - e. Best Management Practices during and following construction to mitigate potential negative impacts to Garry Oak ecosystem, including those detailed in Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia<sup>18</sup>; and
  - f. Habitat restoration plan, where applicable.
- 2) An Ecological/Habitat Assessment completed by a Registered Professional Biologist with a specialization in habitat restoration may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007. The Ecological/Habitat Assessment should:
  - a. Identify and describe the Garry Oak ecosystem environmental values of the parcel, including species at risk that may occur;
  - b. identify any connectivity with adjacent parcels with Garry Oak ecosystems;
  - c. identify any Garry Oak ecosystem environmental values to be altered; and
  - d. specify the necessary measures to protect and where possible restore existing Garry Oak ecosystems, as an integral part of the proposed development in DPA #12.

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<sup>18</sup> [www.env.gov.bc.ca/wld/documents/bmp/devwithcare2006/develop\\_with\\_care\\_intro.html](http://www.env.gov.bc.ca/wld/documents/bmp/devwithcare2006/develop_with_care_intro.html)



- 3) Subdivision, alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure within DPA #12 should be in accordance with any required Ecological/Habitat Assessment, including any works or protective measures specified.
- 4) Prior to any development activity, boundaries of the Garry Oak ecosystems and the extent of encroachment allowed by the development permit should be clearly marked with a bright orange or other highly visible temporary fence with a minimum height of 1.2 metres and supported by poles a maximum distance from one another of 2.5 metres. This fence should remain in place throughout clearing, site preparation, construction, or any other form of disturbance. This area is called the non-disturbance area should be signed accordingly.
- 5) Within a non-disturbance area, trees and vegetation should not be cut, pruned, altered, removed or damaged in any way other than minor damage incidental to the construction of the temporary fence barrier noted above.

### **3.13 Development Permit Area (DPA) #13 Hazardous Areas**

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#### **3.13.1 Areas Affected**

DPA #13 – Hazardous Areas applies to all areas as shown on map *DPA #13 – Hazardous Areas*.

#### **3.13.2 Purpose**

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #13 is to protect development from hazardous conditions in relation to erosion and unstable slopes along the coastal bluffs and the deeply incised portion of Brooklyn Creek.

#### **3.13.3 Justification**

The lands included within this DPA may be subject to erosion and/or unstable slopes.

#### **3.13.4 Exemptions**

A development permit is not required for the following actions. Written confirmation of exemption from the Town is available prior to the commencement of such actions:

- A. Alteration of land, including vegetation or construction of, addition to or alteration of a building or structure located west of the south terminus of Beach Drive that is more than a horizontal distance equal to 3 times the height of the bluff as measured from the toe of the bluff;
- B. Alteration of land, including vegetation or construction of, addition to or alteration of a building or structure located more than 15.0 metres from the natural boundary of Brooklyn Creek south of Noel Avenue;
- C. Subdivision of land, alteration of land, including vegetation or construction of, addition to or alteration of a building or structure located on the east corner of Simon Crescent and Kye Bay Road (Lot 1, District Lot 93, Comox District, Plan 2175, Except Amended Parcel A (DD 20783N) and Except Those Parts in Plan 150R, 834 RW and 32578, and Except That Part Lying South West of Plan 834 RW) that is more than 45 metres upland from the top of the bluff;
- D. Alteration of land, including vegetation or construction of, addition to or alteration of a building or structure located south of the east corner of Simon Crescent and Kye Bay Road (Lot 1, District Lot 93, Comox District, Plan 2175, Except Amended Parcel A (DD 20783N) and Except Those Parts in Plan 150R, 834 RW and 32578, and Except That Part Lying South West of Plan 834 RW) that is more than a horizontal distance equal to 3 times the height of the bluff as measured from the toe of the bluff; or

- E. Alterations of an existing building which do not alter the floor area of the building or building foundations and are valued at less than \$10,000 for materials and labour.

### *3.13.5 Guidelines*

Unless exempted under Section 3.13.4, no subdivision, alteration of land, including vegetation or construction of, addition to or alteration of a building or structure, is to occur unless the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

- 1) Land should be safe for the intended use or measures required for the land to be safe for the intended use provided.
- 2) A report completed by a professional engineer or geoscientist experienced in geotechnical engineering indicating the land is safe for the intended use or measures required for the land to be safe for the intended use should be provided.
- 3) The alteration of land, including vegetation, subdivision, or construction of, addition to or alteration of a building or structure within DPA #13 should be in accordance with any required professional engineer or geoscientist report including any measures specified for the land to be safe for the intended use.

### **3.14 Development Permit Area (DPA) #14 Marine Foreshore**

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#### **3.14.1 Area Affected**

DPA #14 – Marine Foreshore applies to all areas as shown on map *DPA #14 – Marine Foreshore* that are below the natural boundary.

Unless all development, including the alteration of vegetation, is clearly within a waterlot, the proposed location of development within DPA# 14 as determined by a BC Land Surveyor (BCLS) and incorporated into a BCLS certified site plan may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007.

#### **3.14.2 Purpose**

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #14 is to protect the natural environment, its ecosystems and the biological diversity in relation to the marine foreshore.

#### **3.14.3 Justification**

The Courtenay River estuary is one of the most important in the Province of B.C. in terms of its environmental significance and productivity. Historically the K'ómoks First Nations has utilized the foreshore for a variety of activities including the harvesting of fin fish and shellfish. The Courtenay River estuary also contains archaeological sites of great importance to the K'ómoks First Nation. The marine foreshore along Kye Bay and the Point Holmes areas is also environmentally sensitive and highly valued for its natural environment.

Protecting, restoring and enhancing this marine habitat in a manner which allows for compatible aquaculture uses are the primary objectives.

#### **3.14.4 Exemptions**

A development permit is not required for the following actions:

- A. Construction, repair or maintenance of works by the Town its authorized agents or contractors; or
- B. Emergency action to prevent, control, or reduce flooding, erosion or other immediate threats to life and property including emergency flood or erosion protection works.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- C. Implementation of a Habitat Restoration Plan prepared by a Registered Professional Biologist or a Registered Landscape Architect with a specialization in Habitat Restoration;
- D. Works subject to a Provincial or Federal impact assessment ensuring no net loss of fin fish or shellfish habitat; or
- E. The non-mechanized seeding, rearing, cultivation and harvesting of clams or oysters within the foreshore provided:
  - II. No placement of any structure within the foreshore except for the placement of 35.6 centimetre concrete block markers at the corners of the tenure boundary;
  - III. Only live oysters placed above seeded clams are used for predator control; and
  - IV. No processing of shellfish.

#### *3.14.5 Guidelines*

Unless exempted under Section 3.14.4, no subdivision of land, alteration of land, including vegetation; or construction of addition to or alteration of a building or structure is to occur unless the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

- 1) Measures to ensure no net loss of fin fish or shellfish habitat should include:
  - a) an erosion control plan;
  - b) minimization of vegetation removal and identification of those features of the existing habitat that will be altered;
  - c) a natural habitat restoration plan; and
  - d) the use of construction methods and the limitation of construction to times of the year that minimize potential impacts on shellfish and fin fish habitat.
- 2) An impact assessment completed by a Registered Professional Biologist with specialization in fin and shellfish habitat and protection and restoration may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007. The impact assessment should:

- a) specify the fin fish and shellfish environmental values of the proposed development area and those of the surrounding Courtenay River Estuary or Georgia Strait;
  - b) document the water quality in the area; and
  - c) identify any fin fish or shellfish impact and mitigative measures required to ensure no net loss of habitat applies, including water quality in relation to the proposed development area and the surrounding Courtenay River Estuary or Georgia Strait.
- 3) The subdivision of land; alteration of land, including vegetation; or construction of, addition to or alteration of a building or structure within DPA #14 should be in accordance with any required Impact Assessment, including any works or protective measures specified.

### **3.15 Development Permit Area (DPA) #15 Comox Harbour and Marinas**

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#### **3.15.1 Area Affected**

DPA #15 – Comox Harbour and Marinas applies to all areas as shown on map *DPA #15 – Comox Harbour and Marinas* that are below the natural boundary.

Unless all development, including the alteration of vegetation, is clearly within a waterlot, the proposed location of development within DPA #15 as determined by a BC Land Surveyor (BCLS) and incorporated into a BCLS certified site plan may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007.

#### **3.15.2 Purpose**

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #15 is to establish objectives:

- For the form and character of commercial development in the Comox Harbour;
- To protect the natural environment, its ecosystems and the biological diversity in relation to the Courtenay River Estuary;
- To promote energy conservation; and
- To promote a reduction in greenhouse gas emissions.

#### **3.15.3 Justification**

The Comox Harbour and marinas are important economic drivers which play a significant role in enhancing Downtown Comox and broadening the tax base. The buildings have high visibility due to their prominent location in the Comox Harbour. Any future development in this area must ensure environmental impacts are satisfactorily addressed given their location within the environmentally sensitive Courtenay River Estuary. Appropriate site planning can result in energy conservation and lead to a reduction of a community's greenhouse gas emissions. Provision of on-site recycling collection for commercial uses will contribute to waste stream reduction. Diverting solid wastes from landfill reduces the amount of methane<sup>19</sup> released thereby contributing to a reduction in greenhouse gas emissions.

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<sup>19</sup> The Intergovernmental Panel on Climate Change (IPCC) notes the direct Global Warming Potential (GWP) of the greenhouse gas methane (CH<sub>4</sub>) is 23 relative to carbon dioxide (CO<sub>2</sub>). This means methane is 23 times more effective at trapping heat (global warming) than CO<sub>2</sub>. Source: IPCC Third Assessment Report – Climate Change 2001 – Working Group I: The Scientific Basis.



### *3.15.4 Exemptions*

A development permit is not required for the following actions:

- A. Internal building alterations;
- B. Construction, repair or maintenance of works by the Town its authorized agents or contractors; or
- C. Emergency action to prevent, control, or reduce flooding, erosion or other immediate threats to life and property including emergency flood or erosion protection works.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- D. Minor external additions or alterations to existing buildings or structures excluding those to a wharf, pier, boat launch or dock provided that:
  - I. Changes are consistent with the general character of the development as previously approved;
  - II. Additions or alterations are valued less than \$50,000 for materials and labour;
  - III. Additions or alterations are less than 25% of the existing floor area to a maximum of 200 square metres; and
  - IV. Changes in the exterior design of a building on any one side involve an area less than 25%.
- E. Implementation of a Habitat Restoration Plan prepared by a Registered Professional Biologist or a Registered Landscape Architect with a specialization in Habitat Restoration; or
- F. Works subject to a Provincial or Federal impact assessment ensuring no net loss of fin fish or shellfish habitat.

### *3.15.5 Guidelines*

Unless exempted under Section 3.15.4, no subdivision of land; alteration of land, including vegetation; or construction of, addition to, or alteration of a building, including a floating building, or other structure is to occur unless the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

- 1) Measures to ensure no net loss of fin fish or shellfish habitat should include:
  - a) an erosion control plan;
  - b) minimization of vegetation removal and identification of those features of the existing habitat that will be altered;
  - c) a natural habitat restoration plan; and
  - d) the use of construction methods and the limitation of construction to times of the year that minimize potential impacts on shellfish and fin fish habitat.
- 2) An impact assessment completed by a registered professional biologist with specialization in fin and shellfish habitat and protection and restoration may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007. The impact assessment should:
  - a) specify the fin fish and shellfish environmental values of the proposed development area and those of the surrounding Courtenay River Estuary;
  - b) document the water quality in the area; and
  - c) identify any fin fish or shellfish impact and mitigative measures required to ensure no net loss of habitat applies, including water quality in relation to the proposed development area and the surrounding Courtenay River Estuary.
- 3) The subdivision of land; alteration of land, including vegetation; or construction of, addition to, or alteration of a building or structure within DPA #15 should be in accordance with any required Impact Assessment, including any works or protective measures specified.

#### 3.15.5.1 Building Guidelines

The objective with new buildings is to respect and emphasize the small town scale and waterfront character of Comox. Building guidelines consist of the following:

- 1) A Marine Theme is encouraged for buildings and structures;
- 2) A variety in height, form, mass and setbacks should be used to emphasize the small town scale and pedestrian orientation of Downtown Comox. Use of balconies, bay windows and dormer windows are encouraged;
- 3) Building character should be commercial or residential in nature and not industrial or utilitarian;
- 4) Generous provision of windows are encouraged;

- 5) Frontages should be varied in architectural treatment at least every 30 metres to provide the variety and interest required. This is to avoid long, dominating facades, canopies and other architectural features that impose an inhuman or uncomfortable scale;
- 6) Where practical, individual storefronts should be no greater than 10.5 metres and preferably narrower;
- 7) Canopies should also vary from frontage to frontage. Long canopies of the same design can harm the desired diversity and scale and should be avoided;
- 8) Roofs should be sloped. Other interesting roof treatments may be considered;
- 9) Consideration should be given to the potential for passive solar heating and cooling. This guideline does not apply to sites which do not receive substantial solar exposure;
- 10) Where collection of solid waste from a development is proposed to be centralized, garbage and recycling compounds should be located in safe, convenient locations and not within a front yard;
- 11) Buildings over 1 storey should be massed to reduce the appearance of the height and increase ground floor weight through terracing or tapering of building mass and roof lines;
- 12) Overall building character should convey permanence, provide visual interest at the pedestrian level, and avoid monotonous or overbearing character. The use of large, robust, unique architectural details to provide key visual focal points, offsets otherwise uniform exterior treatments. Alternatively, the provision of rich detail as exemplified in the use of wood planks, cement board planks, brick and stone provides the desired character when combined with robust trim features;
- 13) Exterior trim and architectural features should be robust and weather resistant;
- 14) Designs should encourage crime prevention by using passive security design elements including:
  - a) Providing adequate pedestrian level lighting for walkways and parking areas to promote safe evening access;
  - b) Buildings should be designed and sited to facilitate a high degree of visual surveillance of onsite walkways and outdoor common areas from unit windows
  - c) Exterior unit entrances/exits should be designed and sited to facilitate a high degree of visual surveillance from unit windows, adjacent streets and walkways; and
  - d) The location of habitable rooms with windows that face streets, walkways and associated open space to promote informal surveillance through a high level of visual oversight.

- 15) Outdoor, including rooftop, mechanical and electrical equipment, including heat pumps, should be screened from the view of onsite building windows, balconies, decks, adjacent streets, adjacent properties and other prominent public viewpoints;
- 16) Where a building is adjacent to a street or walkway, its principal elevation should be orientated to the street or walkway and designed in such a manner as to promote a lively, energetic, pedestrian-oriented, environment including:
- a) The provision of a strongly articulated, primary pedestrian entrance to each ground floor unit accentuated by door design, trim, and hardware;
  - b) Differentiation of the ground level from higher stories and between buildings through variation in articulation, exterior material texture, and architectural details such as trim and window treatment; and
  - c) Provision of a primary visual focal point;

Due to the visibility from all directions, all elevations should be treated similarly, excluding pedestrian entrance requirements; and

- 17) All exterior building, exterior corridor, and site lighting fixtures (including those in parking areas) should:
- a) produce illumination levels in accordance with common engineering practices and standards;
  - b) be of a metal halide type or provide a similar light spectrum;
  - c) minimize illumination of adjacent properties;
  - d) consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
  - e) be arranged so rays of light are directed upon the parking, walking, loading, or corridor areas and not upon adjacent land or streets; and
  - f) excluding light fixtures that are incorporated into canopies, lighting of off-street parking and loading areas should:
    - i. be arranged that no part of any fixture is more than 4.5 metres above finished ground level; and
    - ii. not overhang manoeuvring aisles or loading spaces.

#### 3.15.5.2 Marine Theme

Comox desires to emphasize a marine theme to reflect its waterfront location and history. Marine themes are derived from the practical needs of challenging weather conditions and heavy usage. This means materials should essentially be practical, durable and hardwearing. Natural woods are ideal in this circumstance. Just as the masts of boats, and the practical marine accessories of wood and metal construction are successful themes, so painted metal features, designed to fit their function, can also exhibit a marine theme.

Hence a combination of strong wooden elements and lighter, but still strong metal objects provide the basis for a marine theme, if they are designed with robustness and weathering in mind. A predominance of natural materials, especially wood, with natural colours, highlighted occasionally with strong bright emphasis assist in achieving the marine theme.

#### 3.15.5.4 Signage Guidelines

Signage should incorporate a Marine Theme in the location, design and choice of materials. Materials should be carved wood, high quality painted metal, or materials that allow for three-dimensional relief. Incorporation of a marine, historical or other appropriate motif in the signage is encouraged. Interior illuminated or plastic fronted signs should not be permitted.

- 1) Where more than one business is under a single awning, there should be no more than one awning sign per business;
- 2) Hanging, under-canopy signs are encouraged perpendicular to a building, but only one per business should be permitted and any such sign should be not less than 2.5 metres above the sidewalk or walkway; and
- 3) Facia signs may be located on the exterior front wall, side wall(s), and rear wall of a building.

### **3.16 Development Permit Area (DPA) #16 Energy and Water Conservation and Reduction of Greenhouse Gas Emissions**

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#### **3.16.1 Area Affected**

DPA #16 – Energy & Water Conservation and Reduction of Greenhouse Gas (GHG) Emissions applies to all areas, as shown on map *DPA #16*.

Unless all development, including the alteration of vegetation, is clearly above the 30 metre Geodetic Datum and more than 15 metres from the natural boundary of Hilton Springs and the Top of Bank of the conveyance ditch located along the road dedication of Cambridge Road, the proposed location for development relative to these boundaries as determined by a British Columbia Land Surveyor (BCLS) and incorporated into a BCLS certified site plan may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007.

#### **3.16.2 Purpose**

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purposes of DPA #16 are to establish objectives:

- For the protection of the natural environment, its ecosystems and biodiversity in relation to the integrity of the ground water supply for the Lazo Wildlife Management Area and adjacent ALR lands to the North;
- To promote water and energy conservation; and
- To promote the reduction of greenhouse gas emissions.

#### **3.16.3 Justification**

Conservation of energy is needed to mitigate the impact of new supply sources. Most energy sources for vehicles and buildings will add to GHG emissions and are considered to be a primary contributor to climate change. Conservation measures will result in cost savings to residents and reduce negative impacts on the environment. Protecting the integrity of ground water supply for not only the Lazo Wildlife Management Area and for ALR land is integral to the ecological vitality and the productive capability of these areas respectively.

#### **3.16.4 Exemptions**

A development permit is not required for the following actions:

- A. Subdivision limited to a lot line adjustment, consolidation or dedication;

- B. Alteration of land, including vegetation and construction of, addition to or alteration of a building or structure in which all works are:
  - I. West of Anderton Road; or
  - II. Above 30 metres Geodetic Datum and not within 15 metres of a natural boundary of Hilton Springs or the Top of Bank of the conveyance ditch located along the Cambridge Road dedication; or
- C. Subdivision of parcels less than 1.5 hectares that are:
  - I. West of Anderton Road; or
  - II. above 30 metres Geodetic Datum and not within 15 metres of a natural boundary of Hilton Springs or the top of bank of the conveyance ditch located along the Cambridge Road dedication.

Written confirmation of exemption from the Town is available prior to the commencement of the following action:

- D. Subdivision, provided a report by a professional engineer has been submitted to the approving officer analyzing the implications of road and lot layout for passive solar heating and cooling and the land is:
  - I. West of Anderton Road or
  - II. above 30.0 metres Geodetic Datum and not within 15 metres of a natural boundary of Hilton Springs or the Top of Bank of the conveyance ditch located along the Cambridge Road dedication.

### *3.16.5 Guidelines*

Unless exempted under Section 3.16.4, no subdivision of land; alteration of land, including vegetation or construction of addition to or alteration of a building or structure is to occur unless the applicant first obtains a development permit.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

- 1) For the subdivision of parcels with an area greater than or equal to 1.5 hectares:
  - a) Landscaping and the road network layout should, where practical, facilitate passive solar heating and cooling; and



- b) A report completed by a professional architect and landscape architect may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007 specifying measures necessary to allow for passive heating and cooling of buildings.
- 2) The quantity and quality of ground water flow to Lazo Marsh and ALR lands to the North of Lazo Marsh, east of Pritchard and south of Knight Road should be maintained.
- 3) For the subdivision of land; alteration of land, including vegetation or construction of, addition to or alteration of a building or structure east of Anderton Road and below the 30 meter Geodetic Datum a report by a professional engineer with expertise in geotechnical engineering or hydrology and a professional agrologists may be required in accordance with Comox Development Approval Information Bylaw No. 1530, 2007 addressing measures necessary to ensure the quality and quantity of groundwater flow from and to adjacent parcels remains as per pre-development conditions.
- 4) A 15 metre natural buffer should be provided from the natural boundary of Hilton Springs and the Top of Bank of the conveyance ditch located along the road dedication for Cambridge Road.
- 5) The subdivision of land; alteration of land, including vegetation; or construction of addition to or alteration of a building or structure should be in accordance with any required impact assessment, including any works or protective measures specified.

### ***3.17 Development Permit Area (DPA) # 17Coach Houses*** (#1752, Sept 25/2013)

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#### *3.17.1 Area Affected*

DPA #17 – Coach Houses applies to all areas as shown on the map *DPA #17 – Coach Houses*.

#### *3.17.2 Purpose*

In accordance with sections 919.1 and 920 of the *Local Government Act*, the purpose of DPA #17 is to establish objectives:

- For the form and character of intensive residential development consisting of coach houses;
- To promote energy and water conservation; and
- To promote a reduction in greenhouse gas emissions.

#### *3.17.3 Justification*

Coach house development presents the possibility to create a range of housing opportunities in both “greenfield” sites and already established neighbourhoods. Coach houses should be compatible with surrounding areas that typically contain a predominance of single detached dwellings. Appropriate site planning and landscaping can result in energy and water conservation and lead to a reduction in a community’s greenhouse gas emissions.

#### *3.17.4 Exemptions*

A development permit is not required for the following actions:

- A. Internal building alterations;
- B. Construction of, addition to or alteration of buildings and structures other than coach houses; or
- C. Alteration of land, including vegetation.

Written confirmation of exemption from the Town is available prior to the commencement of the following actions:

- D. Construction of, addition to or alteration of a coach house provided that:
  - I. The exterior materials are brick, fibre cement siding, stone masonry, wood, stucco or concrete and no building face is more than 20% unfinished concrete. Metal trim and architectural hardware and details are permitted;

- II. Any coach house elevation located closer than 7.5 metres to an interior side or rear lot line, has vertical glazing not exceeding 10% of that elevation's area, excluding roof and individual windows shall be limited to 0.5 square metres or less and shall not be located within 1.0 metre of another window;
  - III. All coach house elevation's located closer than 7.5 metres to the interior side or rear lot line do not exceed 3.0 metres in height, as measured from existing grade to the underside of the roof;
  - IV. Both the coach house and the single detached dwelling have separate at grade outdoor space, or deck with a minimum depth of 2.5 metres, a minimum area of 15 square metres and not located closer than 2.0 to a lot line. For the coach house:
    - a. the open space must abut an exterior coach house wall and be directly accessible from the coach house; and
    - b. an exterior faucet is provided to facilitate optional gardening by residents;
  - V. Existing trees with a DBH of more than 20 centimetres are retained, unless removal is necessary to allow for a coach house of the Zoning Bylaw maximum permitted gross floor area, in conformance with DPA #17 exemption criteria. In this case a replacement tree of comparable species of minimum 5 cm DBH for deciduous trees and 1.5 meter minimum height for coniferous trees is provided for each mature tree removed; and
  - VI. All new onsite wiring services are underground;
- E. Minor external additions or alterations to existing coach houses provided that:
- I. changes are consistent with the general character of the development as previously approved in terms of colour, materials, form, landscaping and open space;
  - II. additions or alterations are valued less than \$10,000 for materials and labour;
  - III. Additions or alterations do not exceed 30% of the existing floor area to a maximum of 20 square metres; and
  - IV. changes in the exterior design of a building on any one side involve an area less than 50%; or

F. Subdivision of land.

### *3.17.5 Guidelines*

Unless exempt under Section 3.17.4, no alteration of land, including vegetation; construction of, addition to, or alteration of a building or other structure is to occur unless the applicant first obtains a development permit. A development permit shall not be issued except in compliance with the following guidelines.

Use of the word “should” in a guideline does not indicate that compliance is at the option of the applicant. Rather compliance to the guideline will be required as a condition of issuance of a development permit unless there are exceptional reasons why the guideline should not be applied to its fullest extent.

Use of the term “encourage” indicates that compliance with the guideline may at the discretion of the Council be required as a condition of issuance of a development permit.

#### 3.17.5.1 Site Services and Access

- 1) All onsite services should be underground.

#### 3.17.5.2 Building Guidelines

- 1) The exterior materials of coach houses should be brick, fibre cement siding, stone masonry, wood, stucco or concrete. No building elevation should be more than 20% of unfinished concrete. The use of vinyl siding may be permitted where sufficient architectural details are provided to ensure visual interest. Metal trim and architectural hardware and details are permitted;
- 2) Exterior trim and architectural features should be robust and weather resistant;
- 3) Pedestrian access to a coach house is encouraged to be designed for universal access, to accommodate persons with mobility impairment;
- 4) Coach house siting and design should encourage crime prevention by using passive security design elements including, where applicable, the location of habitable rooms with windows that face streets, sidewalks, pathways and coach house associated open space, to promote informal surveillance through a high level of visual oversight; and
- 5) All exterior building and site lighting fixtures should:
  - a. produce illumination levels in accordance with common engineering practices and standards;
  - b. be of a metal halide type or provide a similar light spectrum;
  - c. minimize illumination of adjacent properties;
  - d. consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
  - e. be arranged so rays of light are directed upon the parking, walking, areas and not upon adjacent land or streets; and
  - f. be so arranged that no part of any fixture is more than 4.5 metres above finished grade level of off-street parking areas.

#### 3.17.5.3 Integration with the Existing Development:

- 1) The design, siting and orientation, of a coach house should reflect that of a secondary unit;

- 2) Coach house design, siting and orientation, should provide visual privacy between neighbouring properties; and
- 3) Coach house design and features should be compatible with surrounding development;

#### 3.17.5.4 Energy, Water Conservation and Greenhouse Gas Reduction:

- 1) Coach houses should be sited, designed and landscaped to take advantage of passive solar exposure in wintertime and reduce sun penetration in summer. This guideline does not apply to sites which do not receive substantial solar exposure;
- 2) Coach house incorporation of solar panels as a supplementary or alternative energy and geothermal heating is encouraged; and
- 3) Coach house landscaping should be drought resistant; xeriscaping is encouraged.

#### 3.17.5.5 Landscape Guidelines

- 1) Both the coach house and single-family dwelling should be provided with their own separate outdoor space, balcony or deck, each with:
  - a. a minimum depth of 2.5 metres, a minimum area of 15 square metres and not located closer than 2.0 to a lot line;
  - b. located in a suitable location adjacent to the unit, serviced with direct access thereto; and
  - c. the coach house outdoor space should be provided with an exterior faucet to facilitate optional container gardening by residents
- 2) Existing mature trees should be retained wherever possible. Owners should employ the principle of “no net loss” of significant plant material in any development. Where it is necessary to remove significant plant material in order to build a coach house on a property, replacement plantings should be provided of a sufficient number, size, type, suitability and maturity to off-set its removal; and
- 3) Fences should be aesthetically designed and be compatible with adjacent developments. Fencing should be robust. Wood fencing should have minimum 4” x 4” posts and 2” x 4” horizontal supports at the top and bottom of fence panels. All wooden fencing and other wooden landscape components should be treated with paint, stain, or other preservative, or contain a natural preservative (i.e. cedar).

### ***3.18 Development Approval Information Area***

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#### ***3.18.1 Purpose***

Sections 920.01 and 920.1 of the *Local Government Act* provide the authority for a local government to “specify circumstances” or “designate areas” or do both in which development may not proceed until information about potential impacts are provided and assessed by the local government. This additional information can be required where the activity involves a rezoning, development permit or temporary commercial or industrial use permit.

#### ***3.18.2 Area Affected and Circumstances***

The entire area within the Town of Comox is established as a Development Approval Information Area.

#### ***3.18.3 Objective***

The intent of establishing this Development Approval Information Area is to ensure that appreciable negative impacts of proposed developments are identified and documented as part of the development review process. In the event that appreciable negative impacts are identified, the Town may request certain mitigations from the applicant in order to improve the proposal and minimize potential negative impacts on neighbouring lands or the environment.

#### ***3.18.4 Justification***

The *Local Government Act* provides local governments with the authority to establish Development Approval Information Areas. The Town of Comox wishes to use this authority for those proposed developments that may have an appreciable impact on the natural environment, surrounding properties and the character of the neighbourhood.

#### ***3.18.5 Development Approval Information Area Requirements***

Development Approval Information may be required in accordance with the “Comox Development Approval Information Bylaw No. 1530, 2007” as amended.

## Part 4: Plan Implementation and Monitoring

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## 4.1 Purpose

This OCP must be consistent with the Regional Context statement contain here within. This OCP contains statements about the preferred general direction for the future growth management of the Town of Comox.

The purpose of this section of the OCP is to identify a process by which to keep track of progress of the objectives stated in this Plan. In some cases this includes quantifiable measurements and others are more qualitative or will require further study outside of the OCP update to develop appropriate monitoring criteria.

## 4.2 Implementation

Adoption of an OCP is an essential means of implementing the RGS at a local level. As part of this it is required by the *Local Government Act* an OCP adopt a Regional Context statement (RCS). The RCS must specifically identify how the OCP is consistent with the RGS and if not how it will be made consistent over time. The context statement must be reviewed every 5 years and submitted to the regional board for acceptance.

A number of actions are required on the part of the Town of Comox and Council to implement the OCP, specific actions identified in the objectives and policies of the Plan are listed below:

- Conduct a review of the Town of Comox Zoning Bylaw and any other relevant bylaws to ensure consistency with the new OCP and RGS;
- Maintain communications with K'ómoks First Nation;
- Work with BC Transit, K'ómoks First Nation and the City of Courtenay to improve Transit services within the Town and other key CVRD destinations; and
- Review and update of Town OCP and Zoning Bylaw in relation to K'ómoks First Nation Final Treaty Settlement

Focus	Implementation/Action
<b>Section 2.1.1.3 Residential Policies</b>	
<b>Policy a:</b> Provide for Kye Bay residential zoning	Amend Zoning Bylaw to include R3.4, R3.5, R3.6 and R3.7 Zones for Kye Bay residential uses.
<b>Policy f:</b> Low Rise Apartments	Update Zoning Bylaw as part of rezoning process to allow low-rise apartments with a maximum of four stories in appropriate zones.
<b>Section 2.1.1.4 Residential: Detached Policies</b>	
<b>Policy b:</b> Coach Houses	Amend Zoning Bylaw to enable coach houses on a site by site basis.

Focus	Implementation/Action
<b>Section 2.1.1.4 Residential: Detached Policies</b>	
<b>Policy d:</b> Limited subdivision of Knight Road parcels (3,500m <sup>2</sup> )	Amend R3.3 Single Family Zone to allow limited subdivision of parcels along Knight Road west of Pritchard. Amend Subdivision and Development Servicing Bylaw to review consolidation of accesses along Knight Road.
<b>Policy e:</b> Establish minimum lot size for Point Holmes/Cape Lazo area south of Knight Road	Amend R3.3 Single Family Zone to include a minimum lot size of 5000m <sup>2</sup> for the Point Holmes/Cape Lazo area.
<b>Policy f:</b> Subdivision on Kye Bay Road from Knight Road	Update Zoning Bylaw to ensure no further subdivision of the parcels east of main runway is permitted (along Kye Bay Road from Knight Road up to and including 1139 Kye Bay Road)
<b>Policy g:</b> Subdivision on Point Holmes/Cape Lazo area, north of 1139 Kye Bay Road.	Amend R3.3 Single Family Zone to include a minimum lot size of 5000m <sup>2</sup> for the Point Holmes/Cape Lazo area.
<b>Section 2.1.1.5 Ground Oriented Infill Housing Policies</b>	
<b>Policy d:</b> Infill development to accommodate compact single dwelling lots	Update Zoning Bylaw to include a new zone with a minimum lot size of approximately 350m <sup>2</sup> for infill development.
<b>Section 2.1.2.3 Affordable, Rental and Special Needs Housing Policies</b>	
<b>Policy b:</b> Secondary suites	Update single family zoning to include secondary suites subject to meeting specified performance criteria. Update Zoning Bylaw to lower secondary suite building area to 90m <sup>2</sup> .
<b>Section 2.1.3.3 Downtown Comox Policies</b>	
<b>Policy h:</b> Maximum building height Downtown	Amend Zoning Bylaw to allow for a maximum of four storeys in Downtown Comox.
<b>Section 2.1.4.3 Mixed Use: Commercial-Residential Policies</b>	
<b>Policy c:</b> Separation of parking uses in mixed use developments	Update Zoning Bylaw parking regulations to ensure separation of commercial parking from residential parking.
<b>Section 2.1.5.3 Commercial: Neighbourhood and Tourist Policies</b>	
<b>Policy b:</b> Accommodate tourist accommodation activities outside Downtown.	Create C6.1 Commercial Zone for Kye Bay tourist commercial uses.
<b>Section 2.1.6.3 Light Industrial Policies</b>	
<b>Policy f:</b> Buffering of industrial uses from residential use.	Update Zoning Bylaw I2.1 Aeronautical Industrial Zone to ensure any light industrial uses are buffered from adjoining residential areas including those in 19 Wing Comox and Electoral Area B.

Focus	Implementation/Action
<b>Section 2.1.6.3 Light Industrial Policies</b>	
<b>Policy f:</b> Buffering of industrial uses from residential use.	Update Zoning Bylaw through revised I2.1 Aeronautical Industrial Zone to ensure any light industrial uses are buffered from adjoining residential areas including those in 19 Wing Comox and Electoral Area B.
<b>Section 2.1.8.3 Parks, Trails and Open Space Policies</b>	
<b>Policies c &amp; q:</b> Future parkland acquisition	Council will acquire parks as identified in the OCP as opportunities arise.
<b>Section 2.1.9.3 Agriculture and Aquaculture Policies</b>	
<b>Policy c:</b> To protect the agricultural land base	Amend Zoning Bylaw to include new AG1.1 Agricultural Zone,
<b>Policy f:</b> Encourage community gardens	Accommodate community gardens as an accessory use in residential areas and municipal open space.
<b>Policy i:</b> Expand potential aquaculture areas	Amend M1.2 zone to accommodate aquaculture.
<b>Section 2.2.5 Policy Statements for Civic Participation</b>	
<b>Policy a:</b> Ensure needs of seniors considered in the context of proposed new development	Council will consider representation from Seniors on the Advisory Planning Commission.
<b>Section 2.3.13 Environment Policies</b>	
<b>Policy p:</b> Stormwater flows	Update Subdivision and Development Servicing Bylaw to require new developments to demonstrate post development storm water flows will not have a negative impact on groundwater or on fish habitat.
<b>Policy q:</b> Consider expanded scope of Tree Management and Protection Bylaw.	Include protection of mature trees in areas suitable for infill or mixed use: commercial-residential development.
<b>Policy s:</b> CVRD Environmental Mapping	Undertake a comprehensive environmental survey and mapping of the coastal sand dunes in conjunction with the CVRD with a view to establishing a coastal sand dunes environmental development permit area
<b>Policy x:</b> Oil water separator requirement for parking areas.	Amend Subdivision and Development Servicing Bylaw to include oil water separator requirement for parking areas of all commercial, multi-family and industrial development.
<b>Section 2.4.1.13 Supporting Policies for Bikeways</b>	
<b>Policy h:</b> Increased bicycle parking & storage considered in lieu of parking.	Update Zoning Bylaw to allow consideration of expanding the allowance for bicycle parking, storage and support facilities in lieu of vehicle parking requirements.

<b>Policies a, d, k &amp; l:</b> Implementation of the bicycle network	Implementation of the bicycle network will take place subject to funding availability.
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Focus	Implementation/Action
<b>Section 2.4.2.7 Storm Water Collection Supporting Polices</b>	
<b>Policy g:</b> 15m buffer of Hilton Springs & conveyance ditch in road dedication of Cambridge Road.	Investigate the sufficiency of a 15m buffer from the natural boundary of Hilton Springs and the Top of Bank of the conveyance ditch located along the road dedication of Cambridge Road.
<b>Section 2.4.14 Supporting Policies for Roads</b>	
<b>Policy s:</b> Stewart Street between Cedar & Balsam Ave road closure.	Action bylaw closure to vehicle traffic of Stewart Street between Cedar & Balsam and the unconstructed part of Cottonwood.

In addition, other areas not specifically identified but under CVRD zoning will be required to have Town zoning.

Focus	Implementation/Action
<b>Part 3: Development Permit Areas</b>	
DPA #1, 2, 3, 4, 5, 6, 15 and 16	Review of zoning, parking, screening and Subdivision and Development Servicing Bylaws to incorporate applicable DPA guidelines.
DPA #1, 2, 3, 4, 5, 6 and 15	Review Zoning Bylaw to require centralized recycling facilities where appropriate.
DPA #16	Amend Development Approval Information Bylaw to reference Greenhouse Gas and sustainability impacts, particularly measures to allow passive heating and cooling.

## 4.3 Monitoring

The Town of Comox Official Community Plan is a 20 year vision and growth management strategy. The successful implementation of this growth management strategy depends upon consistent application of the objectives and policies stated in the OCP.

To measure and monitor the success of the OCP implementation requires the annual reporting of key development statistics and indicators. Indicators are required to ensure the overall vision of the community is being achieved. The following indicators are suggested, although these may evolve over time to better track and determine the success of the OCP objectives and supporting policies.

**Residential** – building permits and development permits by building type (housing supply increasing in diversity) proportion of housing types (single detached, multi-family, apartments etc.), number of affordable housing units and average area of new single family parcels created through subdivision.

**Commercial** – amount and location of new commercial development (commercial focus on Downtown and mixed use areas and small scale neighbourhood commercial).

**Downtown Comox** – amount of commercial floor space in Downtown, vacancy rate of ground level space in Downtown.

**Economic Development** – number of business licences, total amount of commercial floorspace, assessed value of Class 5 (Light Industry) and Class 6 (Business Other) land and improvements.

**Industrial** - Industrial lands (amount of industrial land zoned), amount of industrial land actively used for light industrial purpose.

**Mixed use** – Document proportion of new or redevelopment projects with a mixed use component (building/development permits).

**Parks, Trails & Open Space** – Number of hectares of protected passive and active space, distance of developed trails, amount and type of open space protected through new development, parkland acquisitions.

**Agriculture and Aquaculture** – Proportion of ALR land in active farm use, water area actively needed for aquaculture.

**Environment** – Urban Forest tree cover (percentage of tree cover in Comox including private ownership, public ownership and along roadways), measurement of GHG emissions, water quality measurements in Brooklyn Creek, Comox Harbour, Kye Bay and Point Holmes, restoration areas (document development permits involving restoration in DPAs #7, #8, #9, #10, #11, #12, #14, and #15), document third party certification of mixed use, commercial and residential development in order to foster more sustainable development (e.g. BuiltGreen, LEEDS).

**Infrastructure** – Proportion of Comox housing within 400 metres of transit; B.C. Transit ridership in Comox; average distance between Transit stops; distance of developed bicycle lanes, bicycles routes and off-street trails; and transportation modal split (transit, cycling, pedestrians, passenger vehicles).

**Services** - per capita water consumption (measure progress toward target of 40% reduction), volume of solid waste (measure progress toward target of 75% solid waste diversion), and relationship of population to road infrastructure (population served per km of paved roads).

**Age Friendly Initiatives** –number and proportion of wheelchair accessible housing units, number of assisted living units, number of accessible transit stops, wheelchair and scooter accessible sidewalks (let-downs, minimum width of 1.5 metres), public realm seating (transit stops, benches in parks and along Comox Avenue).

## Part 5: Maps

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Map 1 – Land Use Designations

Map 2 – Residential Infill Potential

Map 3 – Parks, Trails and Open Space

Map 4 – Sensitive Ecosystem Inventory and Ecological Features

Map 5 – Road Network

Map 6 – Bus Routes

Map 7 – Bicycle Network

Map 8 – Truck Routes

Map 9 – Public Lands Inventory

DPA #1 – Downtown Comox

DPA #2 – Ground Oriented Infill

DPA #3 – General Multi-Family

DPA #4 – Mixed Use: Commercial-Residential

DPA #5 – Commercial: Neighbourhood and Tourist

DPA #6 – Light Industrial

DPA #7 – Riparian Areas

DPA #8 – Waterfront Protection

DPA #9 – Upland Environment

DPA #10 – Eagle and Great Blue Heron Nesting Sites/Perching Trees

DPA #11 – Wildlife Corridor

DPA #12 – Garry Oak Habitat

DPA #13 – Hazardous Areas

DPA #14 – Marine Foreshore

DPA #15 – Comox Harbour and Marinas

DPA # 16 – Energy and Water Conservation and Reduction of Greenhouse Gas  
Emissions

DPA # 17 – Coach Houses