



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 3360-20-2406/RZ000085

From: Director of Development Services

Date: May 21, 2025

Subject: Zoning – Amendment Bylaw No. 3157 – Medium Density Multi-Residential (RM-1)

PURPOSE:

For Council to consider adoption of *Zoning – Amendment Bylaw No. 3157 – Medium Density Multi-Residential (RM-1)* to amend Zoning Bylaw No. 2005, 2007, to establish a new Multi-Residential (RM-1) zone, that permits the “gentle infill” contemplated in the areas designated as Urban Residential in the City’s Official Community Plan (OCP). Concurrently, the bylaw proposes to rezone the property addressed as 1655 20th Street, legally described as PARCEL “C” (DD 401114I) OF LOT B, DISTRICT LOT 230, COMOX DISTRICT, PLAN 12188, from Residential Small-Scale Multi-Unit Housing (R-SSMUH) to the newly established RM-1 to permit a 12-unit townhouse development.

BACKGROUND:

Council gave first, second and third reading to *Zoning – Amendment Bylaw No. 3157 – Medium Density Multi-Residential (RM-1)* at the Regular Council meeting on May 7, 2025.

The May 7, 2025 Staff Report proposed that the following conditions be met prior to consideration of adoption of rezoning:

- Section 219 covenant for the Owner to provide cash-in-lieu for frontage improvements up to the centreline on the full frontage of 20th Street, including removal and replacement of pavement, curb, gutter and sidewalk, in the amount approved by the City’s authorized delegate, payable prior to building permit issuance.
- Section 219 covenant for contribution to the Affordable Housing Amenity Reserve Fund, payable prior to building permit issuance for the 5th and subsequent dwelling units in the amount of \$32,000.

DISCUSSION:

In the interest of streamlining processing time, rather than requiring Section 219 covenants, the proposed conditions are addressed through the following:

- Frontage improvements or cash-in-lieu for frontage improvements noted above are required by Subdivision and Development Servicing Bylaw No. 2919, 2018, prior to building permit issuance. Although detailing specific requirements in a covenant on title can clarify responsibilities for developers, the covenant is not required to ensure the payment prior to building.
- The developer has provided a Letter of understanding (**Attachment 2**) that commits the developer to paying \$32,000 in full prior to issuance of the second building permit for the project, which will include the fifth unit.

RECOMMENDED OPTION:

1. THAT Council adopt “Zoning – Amendment Bylaw No. 3157 – Medium Density Multi-Residential (RM-1)”.

ALTERNATIVE OPTIONS:

2. THAT Council provide alternative direction to staff.
3. THAT Council not proceed.

ATTACHMENTS:

1. Zoning – Amendment Bylaw No. 3157 – Medium Density Multi-Residential (RM-1)
2. Letter of Understanding for Affordable Housing Community Amenity Contribution

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Concurrence: Geoff Garbutt, M.P.I., MCIP, RPP, City Manager (CAO)