



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 3360-20-2404/000083

From: Director of Development Services

Date: September 11, 2024

Subject: Adoption of Zoning Amendment Bylaw No. 3154 – Part 70 – Comprehensive Forty Three Zone (CD-43) (925 Braidwood Rd.)

PURPOSE:

For Council to consider adoption of Zoning Amendment Bylaw No. 3154, 2024 – Part 70 - Comprehensive Development Forty-Three Zone (CD-43) (925 Braidwood Rd.) to permit supportive, transitional and non-market multi-residential housing at 925 Braidwood Road (Lot 8, Section 16, Comox District, Plan 6065 Except Part in Plan 1149RW) and rezone the subject property from Residential Four A (R4-A) to Comprehensive Development Zone Forty-Three (CD-43).

BACKGROUND:

Council gave First, Second and Third Readings to Zoning Amendment Bylaw No. 3154 – Part70- Comprehensive Development Forty Three (CD-43) (925 Braidwood Rd.) on August 28, 2024 and passed the following resolution:

THAT Council receive for information the prohibition on holding a public hearing and the public notice given of such a prohibited public hearing; and

THAT Council give first, second and third readings of Zoning Amendment Bylaw No. 3154 Zoning Bylaw Amendment No. 3154 – Part 70 - Comprehensive Development Forty Three Zone (CD-43) (925 Braidwood Road) to rezone the land legally described as Lot 8, Section 16, Comox District, Plan 6065 Except Part In Plan 1149RW from R-4A to CD-43; and

THAT Council direct the Director of Development Services to discharge Section 219 Covenant CA7889996

DISCUSSION:

As part of At the August 28, 2024 regular council meeting, Council passed a resolution for the Director of Zoning Amendment Bylaw No. 3154, Council passed a resolution for the Director of Development Services to discharge a Section 219 covenant (CA7889996) on the property's land title that was registered by the City in 2019 as a component of the rezoning at that time to accommodate a proposed senior's residence. While that development was never realized, the covenant remains on title and continues to place a no-build restriction the land until the conditions of the covenant for amenity contributions, road dedications and traffic impact assessments have been met. This covenant will be discharged after the adoption of the bylaw.

The subject property is within 800 metres of an intersection of a Ministry of Transportation and Infrastructure (MOTI) controlled access highway, has reviewed the bylaw and approved Zoning Amendment Bylaw No. 3154-925 Braidwood Rd. Any future construction works in MoTI road right of way will require MoTI approval and may be subject to conditions.

Zoning Amendment Bylaw No. 3154 – Part70- Comprehensive Development Forty Three (CD-43) (925 Braidwood Rd.) may be considered by Council for adoption.

PUBLIC ENGAGEMENT

All comments received by 1 pm on August 28, 2024 were shared with Council for their consideration in the application.

OPTIONS:

1. THAT Council adopt Zoning Bylaw Amendment No. 3154 – Part70- Comprehensive Development Forty Three (CD-43) (925 Braidwood Rd.)
2. THAT Council provide alternative direction to staff through resolution.
3. THAT Council defeat Zoning Amendment Bylaw No. 3154 - 925 Braidwood Rd.

ATTACHMENTS:

1. Zoning Amendment Bylaw No. 3154 – 925 Braidwood Rd

Prepared by: Nancy Gothard, RPP, MCIP, Manager of Community and Sustainability Planning

Reviewed by: Marianne Wade, RPP, MCIP, Director of Development Services

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