

**Public Hearing Report and Meeting Minutes
held in d’Esterre Seniors Centre
on Wednesday September 7, 2022**

<u>Present:</u>	Mayor	R. Arnott
	Councillors	A. Bissinger, K. Grant, S. McGowan, N. Minions, M. Swiftt, Councillor J. Kerr
	Staff	J. Wall, Chief Administrative Officer S. Russwurm, Corporate Officer M. Kamenz, Director of Development Services
<u>Absent:</u>		Nil

The Public Hearing Meeting was called to order at 6:00 p.m. with 14 members of the public in attendance.

Mayor Arnott acknowledged that the Town of Comox is standing on the Unceded traditional territory of the K'omoks First Nation.

PUBLIC HEARING STATEMENT

Mayor R. Arnott made the following statement:

This Public Hearing is hereby convened pursuant to Section 464 of the Local Government Act for the purpose of hearing representations from members of the public regarding the following:

Rezoning Application RZ 18-07 (1609 & 1617 Birch Avenue):

- a. Comox Zoning Amendment Bylaw 1899
- b. Comox Phased Development Agreement Authorization Bylaw No. 2008, 2022 (1609/1617 Birch Avenue)
- c. Development Variance Permit Application DVP 18-6

To maintain order and to ensure everyone a reasonable opportunity to be heard, I ask that each person wishing to speak first sign the Speaker’s List, located at the desk of the Clerk. Once called by the Chair, please begin your presentation to Council by clearly stating your name and address. Please make your presentation as brief as possible. After all have had an opportunity to be heard, anyone wishing to have further input may once again sign the Speaker’s List.

Council will not debate with each other or members of the public. Council will not answer questions; we are here to hear from you. Technical questions may be directed by the Chair to the staff.

Everyone will be given a reasonable opportunity to be heard at this meeting. No one will be, or should feel, discouraged or prevented from making his or her views heard. Please refrain from any conduct that would intimidate others or discourage them from speaking.

Application Summary:

- a. The intent of Comox Zoning Amendment Bylaw 1899 is to rezone the subject properties from R1.1 Single Family to R5.2 Single Family – 300 m2 Parcel to facilitate the creation of two new infill lots and two remainder lots.

- b. The intent of Comox Phased Development Agreement Authorization Bylaw No. 2008, 2022 (1609/1617 Birch Avenue) is to authorize the Town of Comox to enter into a Phased Development Agreement with Maria Hodgson and Richard Varela for a term of 10 years, limiting the Town's ability to change the zoning in exchange for an amenity contribution of \$14,000.00 towards the construction of road improvements along the south side of Cypress Avenue.
- c. The intent of Development Variance Permit Application DVP 18-6 is to reduce zoning requirements for the subject properties in order to retaining the existing single-family dwellings and to change the road infrastructure requirements to accommodate the character of the subject neighbourhood.

PUBLIC HEARING SUBMISSIONS

Summary of written submissions:

- Email received August 24, 2022 from Ian Moul, 1585 Birch Avenue, expressing no opposition to the application and asking a number of questions regarding the sidewalk, trees and character of the neighbourhood.
- Letter received September 1, 2022 from Mai and Ban Trieu, 1603 Birch Avenue, expressing support for the proposed development.
- Letter received September 2, 2022 from Louise and Graham Argyle, 215A Pritchard Road, expressing support for the application, citing increased housing density. They also expressed concern regarding the end appearance of the development and the character of the neighbourhood.
- Letter received September 6, 2022 from Terrance and Sarah Chenard, 1609 Cypress Ave, expressing opposition for the proposed development, citing traffic, mature landscaping and sidewalk concerns. They also advised that the application has been erroneously advertised.
- Email received September 6, 2022 from Maureen Denny, 1515 Balsam Avenue, expressing concerned with the proposed development, citing climate change and loss of large trees.
- Letter received September 6, 2022 from Kerry Davies, 1621 Cypress Avenue, expressing opposition with the proposed development, citing tiny 300m² lots too small to have onsite parking.
- Email received September 6, 2022 from Jay Van Oostdam, advising that the development needs to add to the livability of the community, that the large fir and other trees must not be impacted, that the houses must be small with open green space to avoid adding to the heat island and the climate crisis must be addressed.
- Letter received September 7, 2022 from Patricia Radford, 1612 Birch Avenue, expressing opposition with the proposed development, citing overcrowding and loss of quality of life.
- Letter received September 7, 2022 from Michelle Murphy, 1609B Cypress Avenue, expressing opposition with the proposed development, citing changed personality of Cypress Avenue, loss of old majestic trees, wider roads, sidewalks and more homes and people.

- Letter received September 7, 2022 from Janis Webb, 1619 Cypress Avenue, expressing opposition with the proposed development, citing numerous sudden changes, new zoning, parking problems and lack of time to consider.

Summary of Speakers:

- Patricia Radford, 1612 Birch Avenue, suggested that the proposed development be turned down and that it is a warm, loving neighbourhood that doesn't need more people.
- Terrance Chenard, 1609 Cypress Avenue, advised of his concerns regarding the design of Cypress Avenue, the installation of a sidewalk, the development sign, parking and the character of the neighbourhood. He suggested that the development be scaled back to protect the integrity of the neighbourhood.
- Janis Webb, 1619 Cypress Avenue, expressed opposition to the proposed development, citing setback concerns.
- Peter Greaves, 1575 Birch Avenue, advised that he is not opposed to the development and that he just wants a legal survey of all of the existing lots.
- Richard Varela, 1617 Birch Avenue, advised that he wanted to do the same R4.1 zoning as his neighbour, and that he does not want a sidewalk.
- Brian Forster, 1624 Birch Avenue, expressed concerns regarding trees, parking, ambulance and fire services, noise levels and cost to install the sidewalk.
- Terrance Chenard, 1609 Cypress Avenue, advised that Cypress should be turned into a one-way street, and expressed concern with the destruction of mature fir trees and the sidewalk.
- Peter Greaves, 1575 Birch Avenue, advised of concerns with parking and suggested the sidewalk is a waste of time.
- Janis Webb, 1619 Cypress Avenue, advised that Cypress is a naturally traffic calmed, pedestrian lane with local traffic.
- Ann Radford, 1612 Birch Avenue, advised that she paid to have her property subdivided.
- Kerry Davies, 1621 Cypress Avenue, advised of her concerns with parking.
- Janis Webb, 1619 Cypress Avenue, advised that houses that are on slab end up using the single garage for storage.

Close of Public Hearing:

There being no further speakers wishing to make representation, Mayor Arnott made the following statement:

I would remind those present that legal considerations prevent the members of Council from considering any representation made after the close of this Public Hearing.

Before closing the Public Hearing, I am going to call three times for any further speakers on any of the matters contained in the proposed bylaws.

For the first time, is there anyone who wishes to make any further representation?

For the second time, is there anyone who wishes to make any further representation?

For the third time, is there anyone who wishes to make any further representation?

- Leonora Gallagher, 1630 Balmoral Avenue, advised of no objection to the proposed development and expressed concerns with the pavement, street lights and parking.

There being no further speakers wishing to make representation, Mayor Arnott once again made the following statement:

I would remind those present that legal considerations prevent the members of Council from considering any representation made after the close of this Public Hearing.

Before closing the Public Hearing, I am going to call three times for any further speakers on any of the matters contained in the proposed bylaws.

For the first time, is there anyone who wishes to make any further representation?

For the second time, is there anyone who wishes to make any further representation?

For the third time, is there anyone who wishes to make any further representation?

There being no speakers, I declare this Public Hearing closed.

Adjournment:

Regularly moved and seconded that the meeting adjourn at 7:00 p.m.

CARRIED

Certified correct pursuant to Section 97(1)(b) of the Community Charter.

Certified fair and accurate pursuant to Section 890(7) of the Local Government Act.

MAYOR

CORPORATE OFFICER