



CITY OF COURTENAY
Development Services

830 Cliffe Avenue
Courtenay, BC, V9N 2J7
Tel: 250-334-4441 Fax: 250-334-4241
Email: planning@courtenay.ca

OCF & ZONING BYLAW AMENDMENTS

APPLICATION

For detailed requirements and process
See Schedule A of Development Procedures
Bylaw No. 3106, 2023

The *City of Courtenay Official Community Plan Bylaw No. 3070, 2022* (OCP) is a statement of broad objectives and policies regarding the form, character and density of existing and future land use and servicing requirements for the City of Courtenay. It sets the direction for the future locations of commercial, recreation, institutional and residential uses and determines the use and density of land in the City of Courtenay.

The City of Courtenay is divided into designated land use categories or zones, pursuant to the *City of Courtenay Zoning Bylaw No 2500, 2007*. The zoning bylaw sets out the regulations for development in the City, including specifications for permitted uses, lot size and density, setbacks and building height limitations.

WHEN AN OCP OR ZONING AMENDMENT IS REQUIRED

An OCP amendment is required when a proposed land use is not consistent with the land use designations of the OCP. A zoning amendment is required when a proposed land use is not permitted under the current zoning for a property. Where the use is also inconsistent with the OCP land use designation the OCP and zoning amendment can be processed concurrently.

APPLICATION PROCESS

OCP and zoning amendments are considered by Council. For most applications, the process is as follows (please note that these time frames are approximate).

Prior to submitting an application, you are advised to discuss the proposal including specific application requirements for your project and required fees with the Planning Department.

1. The applicant is encouraged to arrange for a pre-application meeting.
2. After receiving a complete application, the application is reviewed by the Planning Department (*2-4 weeks*)
3. The applicant may conduct a Community Information Meeting
4. Referrals are issued to other City departments and external agencies (*3 weeks*)
5. Referrals are returned to the applicant for outstanding issues to be addressed (*2-4 weeks*)
6. Conditions/requirements that may arise from the Community Information Meeting will be addressed between staff and applicant prior to proceeding to Council
7. The Planning Department prepares a report and amending bylaw for Council (*2 weeks*)
8. If a Phased development Agreement is required the delegate will work with the applicant to draft and process the agreement and bylaw in accordance with schedule A of the Development procedure bylaw No. 3106
9. The application is considered by Council (where a public hearing is not held.) First, second and third readings of the bylaw may take place.
10. A public hearing maybe set and the Planning Division notifies all owners and occupants within 100 m of the subject property (*2-4 weeks*). Third reading of the bylaw may be considered following the public hearing
11. Planning staff will work with applicant for the preparation of any required covenants, statutory rights of way, phased development agreements, or development agreements (all legal fees incurred by the City shall be reimbursed by the applicant)
12. At a subsequent Council meeting final reading of the bylaw is considered
13. If the amendment is adopted, it takes place immediately. If it is refused, no substantially similar application will be considered by Council for 12 months.



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Bylaw No. 3106, 2023**

BEFORE SUBMITTING YOUR APPLICATION IT IS IMPORTANT TO NOTE THE FOLLOWING:

1. Incomplete applications will be returned to the applicant;
2. It is the applicant’s responsibility to be familiar and knowledgeable of all requirements, policies and applicable bylaws within the City of Courtenay, and to clearly represent how the application conforms to these requirements, policies and bylaws before the application will be accepted;
3. The coordinating professional must ensure that the submissions, including all plans are internally consistent. Plans that are not internally consistent will be returned to the coordinating professional with no further review;
4. Applications that are inactive for a period of 6 months or more may be closed at the discretion of the City.

APPLICANT INFORMATION	DESCRIPTION OF PROPERTY
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<p>Name(s): _____</p> <p>Address: _____</p> <p>_____</p> <p>City: _____ Postal Code: _____</p> <p>Phone: _____ E-mail: _____</p>	<p>Civic address: _____</p> <p>_____</p> <p>Legal Description: _____</p> <p>_____</p>
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If applicant is NOT the owner of property:

Owner’s Name(s):	Owner’s phone/e-mail:
Owner’s Address:	

- Written Strata Council Approval (if applicable) to be included with application.**
- Does the zoning amendment require a phased development agreement?**

OFFICIAL COMMUNITY PLAN AMENDMENT	ZONING AMENDMENT
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<p>Current OCP Designation:</p> 	<p>Current Zoning:</p>
<p>Proposed Designation:</p> 	<p>Proposed Zoning:</p>

PROJECT DESCRIPTION

<p>*K'ómoks First Nation (KFN) has enacted a Cultural Heritage Investigation Permit (CHIP), which is required for development works within a certain proximity of watercourses and all areas having a high archeological potential. Where applicable, staff and Council advise applicants to contact KFN directly to learn if a CHIP is required. The CHIP is administered by KFN. For more information contact the KFN administrative office at 250-339-4545 extension 112, or visit https://komoks.ca/departement/lands-program/. Please indicate if you have contacted KFN.</p>	<p>YES</p> <input type="checkbox"/>	<p>NO</p> <input type="checkbox"/>
<p>Staff and Council encourage applicants to work with the Comox Valley Conservation Partnership (referrals@cvlandtrust.ca) early in the design stages of a project to obtain valuable feedback on design options that could help mitigate, improve or adapt to environmental conditions of the development site. Please indicate if you have contacted them.</p>	<p>YES</p> <input type="checkbox"/>	<p>NO</p> <input type="checkbox"/>

SITE & BUILDING INFORMATION

	Existing:	Proposed:		Existing:	Proposed:
Front setback:	_____	_____	Parking Spaces:	_____	_____
Rear setback:	_____	_____	Loading Spaces:	_____	_____
Side setback:	_____	_____	Landscaped Area:	_____	_____
Side flanking street:	_____	_____	Useable Open Space:	_____	_____
Building height:	_____	_____	Fence height:	_____	_____
Landscape setbacks:	_____	_____			
Proposed Gross Floor Area:			Lot Coverage (including building coverage):		

APPLICANT/AGENT AUTHORIZATION

1. If the owners is applying personally:

- a. I am the owner of the real property, legally described as: _____ and that I am registered as such in the Land Registry Office in Victoria, BC; and that
- b. I hereby agree to indemnify and save harmless the City of Courtenay and its employees against all claims, liabilities, judgements, costs and expenses of whatsoever which may in any way occur against the said City and its employees in consequence and of incidental to, the consideration of the application

Signature of Registered Owner

Date

Signature of Registered Owner

Date

***If multiple owners are listed or the property (ies) are owned by a company, the signatures of all owners or required company signatories must be included. Please Initial here that all required signatures are shown on this form. _____**

2. If an agent is applying on behalf of the owner:

- a. I am the authorized agent of _____ who is the registered owner of the real property, legally described as: _____
- b. I hereby agree to indemnify and keep harmless the City of Courtenay and its employees against all claims, liabilities, judgements, costs and expenses of whatsoever which may in any way occur against the said City and its employees in consequence and of incidental to, the consideration of the application;

It is understood that until the City of Courtenay is advised in writing that I am no longer acting on behalf of the undersigned registered owner, the City of Courtenay shall deal exclusively with me with respect to all matters pertaining to the proposed application;

I hereby declare that the foregoing information is true and proper and I make this declaration knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature of Agent

Date

Signature of Registered Owner

Date

Signature of Registered Owner

Date

This checklist outlines the mandatory requirements for a complete submission. Please ensure you have included all required documentation and drawings or your application will not be processed. Please note that further submission materials may be required during application processing.

REQUIRED SUBMISSIONS

- Completed Application signed by the registered owners, or written authority for an agent to act on behalf of the owner and written Strata Council approval (if applicable)
- Certificate of Title * dated no more than 30 Days prior to the date of the application
*** Copy of Certificate of Title shall also include copies of any easements and covenants (this information is available from the Land Title Office).**
- Application Fee
- BC Land Surveyors sketch plan in **metric** including any existing buildings on the property in relation to legal property boundaries
- Site Disclosure Statement for Contaminated Sites
- Separate written summary, including description of proposed development and reasons/rationale for the proposal. The written summary must explain how the proposal complies with the applicable development permit guidelines. When an element of the proposal does not comply with a guideline a justification stating the divergence and the reason shall be included
- Electronic submissions of all drawings to be provided with all applications (must be in PDF format)

ARCHITECTURAL SUBMISSIONS

These requirements may vary depending on the nature of the application please discuss with planning staff prior to submission.

- Electronic (PDF) copy of professionally drawn Architectural Submissions including the following:
 - Location Map, including north arrow and drawing scales for all drawings;
 - Elevations, sections, floor plans (and roof plans where requested);
 - Dimensions, in metric or metric conversions, for all elevations and site plans;
 - Geodetic elevation;
 - Comprehensive building site layout;
 - Exterior building materials and colours;
 - Zoning bylaw compliance;
 - Parking lot layout in accordance with City standards, including bicycle parking;
 - Waste and recycling storage and pickup areas, for commercial, institutional, industrial, multi-residential, and mixed-uses;
 - Vehicle/pedestrian circulation and turning radius for delivery and emergency vehicles including waste and recycling pick up services;
 - Road widening;
 - Fire hydrant locations;
 - Open space;
 - All watercourses and riparian areas, trees to be retained in conformance with *Tree Protection and Management Bylaw No. 2850, 2017*, and any other environmentally sensitive areas including required setbacks.

LANDSCAPE SUBMISSIONS

These requirements may vary depending on the nature of the application please discuss with planning staff prior to submission.

- Electronic (PDF) copy of professionally drawn Landscape Submissions in metric including the following:
 - Property lines, surrounding streets, limit of contract lines, setbacks, easements;
 - All watercourses, riparian areas, and environmentally sensitive areas including required setback areas;
 - Any other notable site features including retention/preservation areas;
 - Conformance with the *Tree Protection and Management Bylaw No. 2850, 2017* which requires that 50 trees per hectare be included. Properties over 4000m² in size shall include *existing* tree retention where possible. Drawings must identify proposed methods of preservation for trees to be retained;
 - Vehicular and pedestrian paving, planting, fencing, and landscape structures including dimensions;
 - Location of all engineering services (overhead, underground, light standards, etc) which may affect landscaping;
 - Adjacent landscape/development features, where applicable;
 - Area of site to be landscaped and all plant material and landscaping features at installed sizes, accurate location, spacing, minimum soil depths for planting;
 - Underground irrigation system plan showing water source, type, and details of the irrigation system;
 - Plant list naming all recommended plant material and size specification, location, spacing and dimensions;
 - Include references to the most recent BCSLA/BCNTA landscape standard for all landscape construction;
 - Detailed landscape and maintenance specifications;

CIVIL INFRASTRUCTURE (DEVELOPMENT ENGINEERING) SERVING SUBMISSIONS

Complete Detailed Design drawing are not required at time of Development Permit (DP) application – however prior to approval of the DP applicants are required to have submitted Civil Infrastructure design drawings and the drawings will need to have been reviewed, revised as necessary and approved. For more detailed information on how to prepare these submissions, see the Specifications for Development Engineering Drawings document available online. For any questions or to review site specific submittal requirements please contact Development Services staff.

ADDITIONAL STUDIES

The following studies may be required to support your application.

<input type="checkbox"/> Environmental Impact Assessment including Environmentally Sensitive Features	<input type="checkbox"/> Acoustical Impact Study
<input type="checkbox"/> Construction and Environmental Management Plan	<input type="checkbox"/> Hydrological Study including Groundwater Management Assessment
<input type="checkbox"/> Tree Assessment Study including Wind Study	<input type="checkbox"/> Storm water Management and Drainage Study
<input type="checkbox"/> Geotechnical Study	<input type="checkbox"/> Soil Agrology Study
<input type="checkbox"/> Transportation and Traffic Impact Study	<input type="checkbox"/> Greenhouse Gas emission profile
<input type="checkbox"/> Site Access and Servicing including Municipal Infrastructure Impacts	<input type="checkbox"/> Wildfire Hazard Assessment
<input type="checkbox"/> Demand for Local Community Service Study	<input type="checkbox"/> Archaeological Assessment
<input type="checkbox"/> Visual Impact Study	<input type="checkbox"/> Other Studies as Deemed Necessary