

Development Permit Guidelines

2025-09-10 DRAFT



TOWN OF
COMOX



Introduction

Development permit areas (DPAs) are applied to areas or land uses to manage development, reduce the potential for any negative impacts, and ensure development is compatible with its physical context. An owner of land located within a DPA must receive a development permit prior to commencing any development, including land alteration, construction, and subdivision, as further described in the following sections. However, there are circumstances and activities that are exempt from development permit requirements as outlined in each DPA.

The Town reviews applications for development permits against the guidelines outlined in this OCP for each DPA. Guidelines may reference or incorporate other policies and regulations, as well as federal and provincial legislation. Issuance of a development permit is a form of authorization to proceed with the proposed development subject to issuance of other authorizations and permits, and may be subject to conditions imposed by the Town in accordance with the applicable DPA guidelines.

Legislative Context

Local governments have the legislative authority to designate DPAs in their OCPs under section 488 of the *Local Government Act*. Section 488 describes the purposes for which DPAs may be created, the types of activities requiring a development permit, and the requirements a local government may impose on a development permit applicant according to the type of DPA.

To designate a DPA, the conditions that justify the designation must be described. In addition, the DPA must provide guidelines that explain the special conditions or objectives to be addressed or considered in the development.

Overlapping Development Permit Area

Where land lies within more than one DPA, or where multiple uses under differing form and character DPAs are proposed, the applicable requirements for all DPAs will apply.

Except for the Riparian Ecosystems DPA, where land lies within multiple DPAs requiring reports prepared by Qualified Professionals, the Qualified Professionals should collaborate to provide one technical report that addresses overlapping areas.

Relevant Development Activities:

Unless otherwise stated in an individual DPA, a property owner must obtain a development permit prior to commencing the following within a DPA:

- subdivision of land;
- construction of, addition to, or alteration of a building or structure; and
- alteration of land, including vegetation.

Permit Exemptions

Each DPA forming part of this OCP contains a list of exemptions outlining conditions under which a development permit would not be required for lands within a DPA. The authority to exempt particular conditions or activities from requiring a development permit is granted to the Town under section 488(4) of the *Local Government Act*.

Meaning of Language

Use of the terms “should” and “encourage” in guidelines does not indicate that compliance is at the option of the applicant. Rather, compliance 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 terms “must” and “shall” indicates that compliance is mandatory. Where guidelines are emphatic without the use of a modal verb (e.g. should, encourage, must, shall), compliance is mandatory.

Discretion of the Director of Development Services

The Town’s Director of Development Services has the discretion to interpret DPA exemption criteria and guidelines and determine whether and how they will be applied for proposals.

The Town’s procedures and authority for requiring development approval information are outlined in the Development Procedures and Delegation Bylaw.

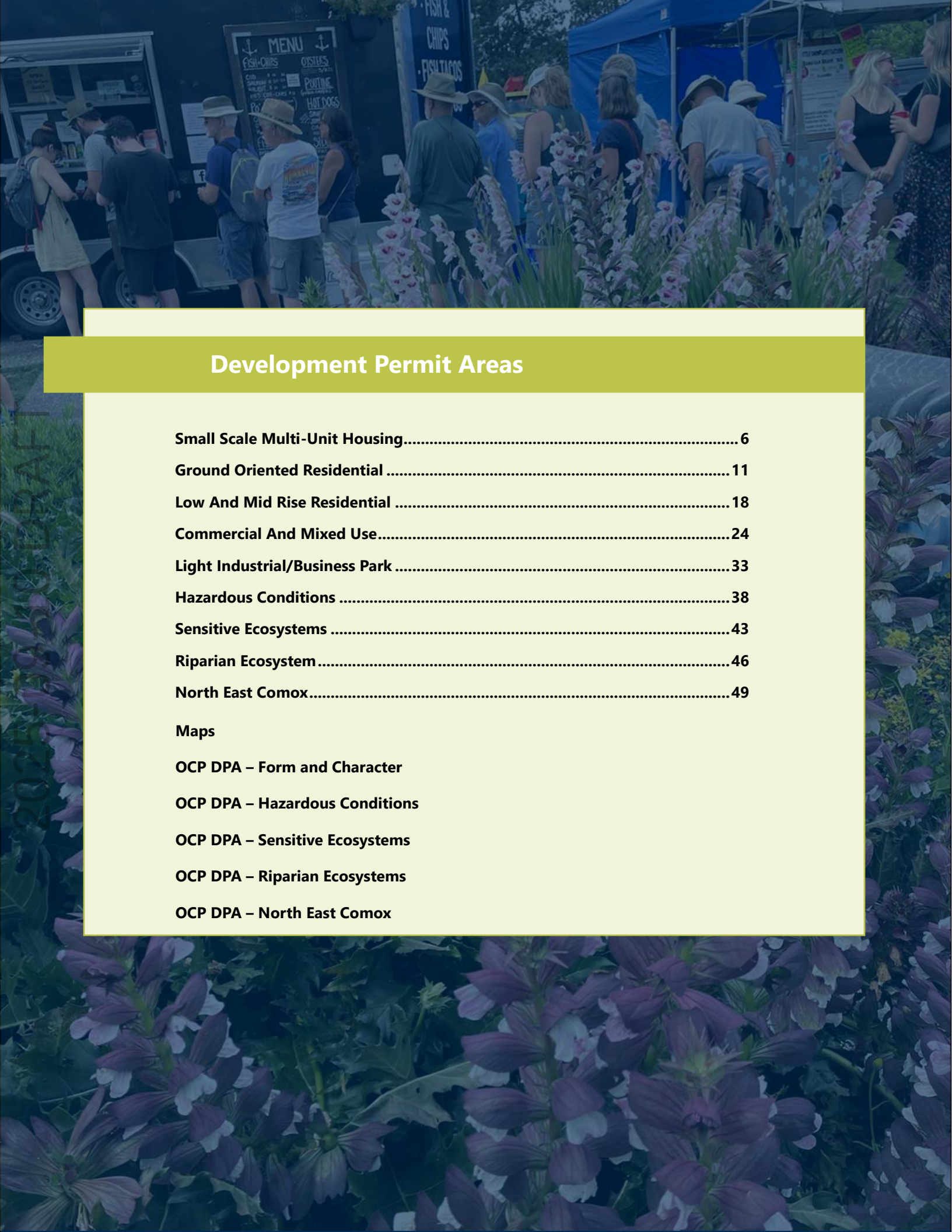


Variances

As per Section 490(1)(a) of the *Local Government Act*, zoning variances may be considered as part of Development Permit Applications where development is consistent with the intents of the Zoning Bylaw, OCP, and applicable Development Permit Area guidelines.

1. Minor variances to setbacks may be considered where:
 - A change would result in the retention of existing mature tree stands, sensitive ecosystems, or avoidance of a hazardous conditions area.
 - Variances are to accommodate desirable architectural features, such as porches, balconies, projecting design features, awnings, and canopies, provided that the building face still meets required setbacks.
 - Variances to minimum setbacks along the rear and side lot lines are used to provide a larger front yard setback to accommodate a landscaped or natural retention area along the front lot line that provides additional visual and acoustic relief for residential uses located at grade along an arterial or major collector road.
2. Variances to maximum permitted height of up to 3.1 metres, and variances to permit an appropriate building form under the same overarching land use (e.g. residential, mixed-use, commercial, industrial) may be considered where parcel coverage is reduced to preserve mature tree stands or sensitive ecosystems on site.
3. Variances to landscaping requirements may be considered in cases where the proposed building locations make it difficult or impossible to incorporate all landscaping requirements, or where trees will not thrive. In cases where landscaping requirements are reduced, compensatory planting elsewhere on site or in the adjacent public realm may be required.
4. Minor variances to impermeable surface requirements provided other means of managing stormwater are incorporated into the design.





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SMALL SCALE MULTI-UNIT HOUSING

Development Permit Area

Area

Unless exempted (see Exemptions below), a development permit addressing design guidelines must be approved prior to the construction of, addition to or alteration of a building or other structure, and the alteration of land, for all properties that currently have, or become developed with, small scale multi-unit housing, consisting of two to four attached primary residential dwelling units on a parcel. Table 1 below indicates the small-scale multi-unit housing (SSMUH) development scenarios that require a development permit.

Table 1: SSMUH DPA applicability.

SSMUH Scenario	DP Required
Single-detached dwelling*	No
Secondary suite**	No
Coach house with single-detached dwelling*	No
Coach house with duplex or townhouse	Yes
Duplex (two attached primary dwelling units)	Yes
Townhouse (3 or 4 attached primary dwelling units)	Yes

*Includes new construction and retrofit

**Includes new construction, retrofit, and building addition to accommodate secondary suite

Designation

This development permit area is designated pursuant to section 488 (1) (a), (e), (f), (h), (i), and (j) of the *Local Government Act*.

- Protection of the natural environment, its ecosystems and biological diversity.

- Establishment of objectives for the form and character of commercial, industrial, or multi-family residential development.
- Establishment of objectives to promote energy conservation.
- Establishment of objectives to promote water conservation.
- Establishment of objectives to promote the reduction of greenhouse gas emissions.
- Establishment of objectives for the form and character of intensive residential development.

Justification

This Development Permit Area guides all small-scale multi-unit housing development within the boundaries of the Town of Comox with an emphasis on high-quality, context-sensitive design through the following objectives:

- To establish design guidelines for small-scale multi-unit housing that maintain neighborhood character and natural features, while supporting housing diversity, gentle density, and Complete Communities.
- To promote building design that has a positive relationship with the street.
- To promote livability within the site while considering the relationship to neighbouring properties.



Exemptions

A Development Permit is not required for any of the following:

1. Development of single-detached dwellings, coach houses, and secondary suites as defined in the Zoning Bylaw.
2. Repair, maintenance, or construction of accessory buildings and structures.
3. Subdivision limited to a lot line adjustment, consolidation, or road or park dedication.
4. Any development that does not include small scale multi-use housing development.
5. Repair or maintenance of, or renovations to, existing legal buildings, structures, or utilities within the existing building footprint, including those structures described in s. 532(1) of the *Local Government Act* (a building permit may still be required) provided that it is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development.
6. Interior alterations.
7. Maintenance or repair of existing roads, paths, parking areas, driveways, fences or landscaping provided there is no excavation or removal of trees.
8. Construction of, or regular and emergency Town maintenance of municipal infrastructure or buildings, performed by the Municipality or its authorized agents and contractors, where the proposed works are conducted in a manner that is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development Services.



Guidelines

The following guidelines apply specifically to all residential development within the Small-Scale Multi-Unit Housing development permit area.

1. For proposals that retain existing dwellings, relaxations to design guidelines and development regulations may be considered.

Relationship to the Street

2. For buildings within the front yard, orient the primary façade to face the fronting street. Design primary entrances to include a clearly visible front door directly accessible from a public street or publicly accessible pathway and architectural features such as stoops, porches, shared landings, patios, recessed entries, and canopies.
3. On lots with multiple frontages, buildings must also be oriented and designed to address flanking streets with similar architectural and landscape treatments as the primary façade (i.e. window size and pattern, roof overhang detail, material patterns) (see Figure 1).



Figure 1: Exemplary unit, oriented and designed to address fronting and flanking streets. The flanking street frontage is pictured here (Guideline 3).

4. Grade changes between sidewalks, outdoor seating areas, and other pedestrian areas should be minimized and designed to accommodate the needs of persons with disabilities.
5. Create a soft transition between public and private spaces. Use low fencing, landscaping, and gentle grade changes to define the transition from the public realm to private residential areas.

Site Planning

6. Buildings and landscaping should be located and designed to suit natural topography, hydrology and vegetation. Creative, site sensitive solutions are encouraged.
7. Site planning should minimize disturbance to natural contours and existing vegetation and fit the context of surrounding development and natural environment. Designers should use site layout, building orientation, window placement,



vegetation and landscape screening to provide visual privacy between neighbouring properties.

8. Position buildings on the site to maximize access to sunlight for both interior spaces and outdoor amenity areas.
9. Position buildings to protect and retain mature trees to the greatest extent possible.
10. Encourage the redevelopment of properties while maintaining existing dwellings, if possible. Internal housing conversions, such as additional units within a structure are encouraged.

Site Circulation, Parking, and Site Servicing

11. Design walkways with durable, low-maintenance and accessible surface materials (e.g., pavers, brick, concrete) and connect to existing pedestrian networks (i.e. sidewalks, pathways).
12. Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces. Shared driveways are encouraged.
13. Screen parking areas with fencing, landscaping, or other methods to reduce visual impacts on streets and neighbouring properties.
14. Place mechanical equipment (e.g., air conditioning units) and site services outside amenity areas, and reduce visual impact through siting and screening.
15. All on-site services should be underground.

Landscape Design and Open Space

16. Design all residential units to have direct and convenient access to high-quality outdoor space.
17. Design open and landscaped areas to preserve and highlight existing mature trees wherever feasible. Where not feasible, consider utilizing a tree spade to relocate significant vegetation.
18. Landscaping is a major, integral part of a project design and should be coordinated to create a

pleasing composition and cohesive look, define and enliven public spaces, moderate building massing, emphasize and frame important building features and natural focal points, screen and buffer parking and utility areas, and provide shade for comfort.

19. Landscaped areas should primarily feature trees, shrubs, perennials, grasses, and similar plantings.
20. Selection of the following types of plant species is encouraged:
 - Included in the Town of Comox's Climate Resilient Landscaping Standards.
 - Native or adapted to the region
 - Supportive of habitat, nesting, foraging, or pollination.
 - Drought tolerant.
 - Adapted to anticipated future climate conditions wherever possible.
21. Landscaped areas with the capacity to infiltrate and accommodate stormwater, such as planting beds and rain gardens, are encouraged to reduce stormwater runoff from surface parking lots and rooftops. The use of permeable paving materials for parking lots and other paved surfaces should also be considered.
22. Design sites to minimize water use for irrigation by using strategies such as:
 - designing planting areas and tree pits to passively capture rainwater and stormwater run-off.
 - selecting drought-tolerant species.
 - using lower water requirement systems such as drip irrigation.
 - using recycled water for drip irrigation systems.



- 23.** Fence design should be appropriate to its function, location and context in the neighbourhood. Fences should be of a high-quality material, reflecting and extending the building details and integrated with landscaping to minimize their visual impact. The use of chain link fencing is discouraged, and such fencing should not be visible from pedestrian areas, a street or a highway.

Building Articulation, Features, and Materials

- 24.** Private balconies and patios should consider sight lines into adjacent properties and use techniques such as partitions/screens, step backs and landscaping to reduce visual impact on neighbors.
- 25.** Minimize blank walls by incorporating elements such as windows, articulating the façade with recesses or projections, building material changes and landscaping.
- 26.** Use high-quality, durable weather resistant exterior cladding materials. Suitable materials include natural stone, masonry, metal panels, stucco, painted wood, stained wood, and fibre cement siding.
- 27.** Infill designs should not be repetitive in nature and variation between properties is encouraged (see Figure 2).



Figure 2: Infill designs should not be repetitive in nature and variation between properties is encouraged (Guideline 27).





GROUND ORIENTED RESIDENTIAL Development Permit Area

Area

Unless exempted (see Exemptions below), a development permit addressing design guidelines must be approved prior to the construction of, addition to or alteration of a building or other structure, and the alteration of land, for all properties that currently have, or become developed with, more than four dwelling units per parcel in buildings up to three storeys, with all units having direct access to grade without the use of a common interior corridor.:

Designation

This development permit area is designated pursuant to section 488 (1) (a), (e), (f), (h), (i), and (j) of the *Local Government Act*.

- Protection of the natural environment, its ecosystems and biological diversity.
- Establishment of objectives for the form and character of commercial, industrial, or multi-family residential development.
- Establishment of objectives to promote energy conservation.
- Establishment of objectives to promote water conservation.
- Establishment of objectives to promote the reduction of greenhouse gas emissions.

Justification

This development permit area guides ground-oriented residential developments and redevelopment in the Town of Comox that demonstrates a high standard of creative building design through the following objectives:

- To establish guidelines for ground-oriented residential development in both existing and new neighborhoods that preserve the neighborhood character and natural environment, while supporting the Town's goals for housing diversity, gentle density, and Complete Communities.
- To support building design that enhances streets and open spaces, encouraging walking, cycling, and social interaction, while ensuring pedestrian comfort.
- To promote new development that prioritizes environmental protection, water conservation, and energy efficiency in site planning and design.
- To ensure landscaping (both onsite and off-site frontage) enhances neighborhood livability by encouraging sidewalks and planting large trees.
- To provide meaningful outdoor spaces that offer privacy, screening, and sensitivity to neighboring properties.



Exemptions

A Development Permit is not required for any of the following:

1. Development that does not include Ground Oriented Residential development of less than five dwelling units on a parcel.
2. Subdivision limited to a lot line adjustment, consolidation, or road or park dedication.
3. Repair or maintenance of, or renovations to, existing legal buildings, structures, or utilities within the existing building footprint, including those structures described in s. 532(1) of the *Local Government Act* (a building permit may still be required) provided that it is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development.
4. Interior alterations.
5. Maintenance or repair of existing roads, paths, parking areas, driveways, or landscaping provided there is no excavation or removal of trees.
6. Construction of, or regular and emergency Town maintenance of municipal infrastructure or buildings, performed by the Municipality or its authorized agents and contractors, where the proposed works are conducted in a manner that is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development Services.



Guidelines

The following guidelines apply specifically to all development within the Ground Oriented Residential development permit area.

Relationship to the Street

1. Streetscapes should be designed to animate the street and engage pedestrians with visually appealing frontages, comfortable spaces and features such as sidewalks, bicycle parking, and street furniture.
2. Building entrances should be directly accessed from sidewalks, parking lots and pedestrian pathways as seamlessly as possible from the street. Grade changes between sidewalks, squares, outdoor seating areas, transit stops, and other pedestrian areas should also be minimized and designed to accommodate the needs of persons with disabilities (see Figure 3).
3. Residential units at grade should have individual entrances and transitional areas between the building façade and the public circulation. This space is encouraged to be a usable outdoor space with a hose bib and spigot to allow for gardening.
4. Minimize blank walls along the street. Where blank walls are unavoidable, they should be screened with landscape treatments.
5. Create a soft transition between public and private spaces. Use low fencing, landscaping, and gentle grade changes to define the transition from the public realm to private residential areas (see Figure 3).



Figure 3: Connect entrances to public pathways and create a soft transition between public and private spaces using landscaping (Guideline 2 & 5).

6. The buildings at street corners should be designed to front both the primary and secondary street frontages with consideration of window placement, roof pattern, and cladding materials and pattern, being similar on the side and front.

Site Planning

7. Buildings and landscaping should be located and designed to suit natural topography, hydrology and vegetation. Creative, site sensitive solutions are encouraged.
8. Site planning should minimize disturbance to natural contours and existing vegetation and fit the context of surrounding development and natural environment. Designers should use site layout, building orientation, window placement, vegetation and landscape screening to provide visual privacy between neighbouring properties.
9. Position buildings on the site to maximize access to sunlight for both interior spaces and outdoor amenity areas.
10. Position buildings to protect and retain mature trees to the greatest extent possible.



Site Circulation, Parking, and Site Servicing

11. Design internal circulation patterns (streets, sidewalks, pathways) to be integrated with and connected to existing bicycle and pedestrian networks (see Figure 4).
12. Include pedestrian circulation throughout the site to limit the need to walk on private drive-aisles when travelling throughout the site (see Figure 5). Pedestrian routes may overlap driveways only if pedestrian surface treatments signal the priority of the pedestrians in the space.
13. On-site pedestrian circulation should utilize trails, paths, and concrete sidewalks with rollover curbs adjacent to drive aisles.
14. Design walkways with decorative, durable, low-maintenance and accessible surface materials (e.g., pavers, brick, concrete) to distinguish pedestrian routes from vehicular zones.
15. Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, amenity features and courtyards through the appropriate selection of materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.



Figure 4: Design internal circulation patterns to be integrated with and connected to existing pedestrian networks (Guideline 11).



Figure 5: Pedestrian route to limit the need to walk on drive aisles throughout the site (Guideline 12).

16. Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces. Shared driveways are encouraged.
17. Access roads to parking areas should be constructed at minimum available grade differentials.
18. Surface parking and loading areas should be situated appropriately in accordance with parking, loading and landscaping requirements. In no cases should off-street parking be located between the front or side facade of a building and any public street.
19. Surface parking should be screened and enhanced with landscaping.
20. Ensure utility areas and hydro kiosks are clearly identified at the development permit stage and are located to minimize impact (i.e. visual, noise etc.) on public or common open spaces. Hydro kiosks should be wrapped in decorative wraps and must be screened with landscaping.



21. Solid waste storage should be designed as an integral element of the development—contained within the building or suitably screened, complementary to overall building design and adequately sized to meet the needs of uses on site; in no cases shall solid waste storage be located within the front or exterior side yard.
22. Provide pedestrian pathways adjacent to individual unit driveways and outdoor parking stalls such that there is a clear path of travel from garages and unit entrances when the parking stall is in use.
23. All on-site services must be underground.

Landscape Design and Open Space

24. Include landscaping on all areas of the site not being used for parking, circulation, buildings, and structures.
25. Provide year-round usable, public and private open spaces to create opportunities for recreation and social activity and provide buffers between uses.
26. Use Crime Prevention through Environmental Design (CPTED) principles to ensure good visual surveillance of all outdoor open spaces.
27. Design open and landscaped areas to preserve and highlight existing mature trees wherever feasible. Where not feasible, consider utilizing a tree spade to relocate significant vegetation.
28. Landscaping is a major, integral part of a project design and should be coordinated to create a pleasing composition and cohesive look, define and enliven public spaces, moderate building massing, emphasize and frame important building features and natural focal points, screen and buffer parking and utility areas, and provide shade for comfort.
29. Landscaped areas should primarily feature trees, shrubs, perennials, grasses, and similar plantings. Lawn areas should be used minimally (no more than 25 percent) of overall landscaping. Medium or large trees should be included around the perimeter of the site, and within internal areas of the site to the greatest extent possible (see Figure 6).
30. Selection of the following types plant species is encouraged:
 - Included in the Town of Comox's Climate Resilient Landscaping Standards.
 - Native or adapted to the region.
 - Supportive of habitat, nesting, foraging, or pollination.
 - Drought-tolerant.
31. Adapted to anticipated future climate conditions wherever possible. Landscaped areas with the capacity to infiltrate and accommodate stormwater, such as planting beds and rain gardens, are encouraged to reduce stormwater runoff from surface parking lots and rooftops. The use of permeable paving materials for parking lots and other paved surfaces should also be considered.
32. Design sites to minimize water use for irrigation by using strategies such as:
 - designing planting areas and tree pits to passively capture rainwater and stormwater run-off.
 - selecting drought-tolerant species



Figure 6: Landscaped areas should primarily feature trees, shrubs, perennials, grasses, and similar plantings (Guideline 29).



- using lower water requirement systems such as drip irrigation.
- using recycled water for drip irrigation systems.

- 33.** Fence design should be appropriate to its function, location and context in the neighbourhood. Fences should be of a high-quality material, reflecting and extending the building details and integrated with landscaping to minimize their visual impact. The use of chain link fencing is discouraged, and such fencing should not be visible from pedestrian areas, a street or a highway (see Figure 7).
- 34.** Youth play features should be integrated in on-site amenity and landscape areas (see Figure 8).



Figure 7: Fences should be of high-quality material and integrated with landscaping to minimize their visual appearance (Guideline 33).



Figure 8: Youth play features should be integrated in on-site amenity and landscape areas (Guideline 34).

Building Articulation, Features, and Materials

- 35.** Use of a variety of colours, roof lines, architectural features and building materials to create interesting façade treatments. Large areas of unvaried material are strongly discouraged (see Figure 10).
- 36.** Use high-quality, durable, weather resistant exterior cladding materials. Suitable materials include natural stone, masonry, metal, stucco, painted wood, stained wood, and fibre cement siding.
- 37.** Make material transitions at an inside corner (i.e. the return) rather than on the same plane.
- 38.** Roof forms should be modulated to reduce the apparent bulk of a building and to create more visual interest. Roof colour should be generally neutral or muted to blend with the natural landscape.
- 39.** Roof-mounted equipment should be integrated with the overall roof design and adequately screened so it is concealed to the greatest extent possible from pedestrian viewpoints.



- 40. Break up the building mass by incorporating design elements that clearly define the base, middle, and top of the structure.
- 41. Individual buildings should not exceed 60 metres in length.
- 42. Private balconies and patios should consider sight lines into adjacent properties and use architectural techniques such as partitions/screens and step backs to reduce visual and shadow impact on neighbours (see Figure 9).



Figure 9: Private balconies and patios should use architectural techniques such as partitions/screens and step back to reduce visual and shadow impacts on neighbours (Guideline 42).



Figure 10: Use a variety of colours, rooflines, architectural features and building materials to create interesting façade treatments (Guideline 35).



LOW AND MID RISE RESIDENTIAL Development Permit Area

Area

Unless exempted (see Exemptions below), a development permit addressing design guidelines must be approved prior to the construction of, addition to or alteration of a building or other structure, and the alteration of land, for all properties that currently have, or become developed with, multi-unit residential buildings of four or more storeys, and multi-unit residential buildings with less than four storeys with units accessed from a common interior corridor.

Designation

This development permit area is designated pursuant to section 488 (1) (a), (e), (f), (h), (i), and (j) of the *Local Government Act*.

- Protection of the natural environment, its ecosystems and biological diversity.
- Establishment of objectives for the form and character of commercial, industrial, or multi-family residential development.
- Establishment of objectives to promote energy conservation.
- Establishment of objectives to promote water conservation.
- Establishment of objectives to promote the reduction of greenhouse gas emissions.

Justification

This Development Permit Area guides low-rise and mid-rise housing development and redevelopment in the Town of Comox that demonstrates a high standard of creative building design through the following objectives:

- To establish guidelines for low-rise and mid-rise townhouse development in both existing and new neighborhoods that preserve the neighborhood character and natural environment, while supporting the Town's goals for housing diversity, gentle density, and Complete Communities.
- To support building design that enhances streets and open spaces, encouraging walking, cycling, and social interaction, while ensuring pedestrian comfort.
- To promote new development that prioritizes environmental protection, water conservation, and energy efficiency in site planning and design.
- To ensure landscaping (both onsite and off-site frontage) enhances neighborhood livability by encouraging sidewalks and planting large trees.
- To provide meaningful outdoor spaces that offer privacy, screening, and sensitivity to neighboring properties.



Exemptions

A Development Permit is not required for any of the following:

1. An application for subdivision.
2. Any development that does not include low-rise or mid-rise development.
3. Repair or maintenance of, or renovations to, existing legal buildings, structures, or utilities within the existing building footprint, including those structures described in s. 532(1) of the *Local Government Act* (a building permit may still be required) provided that it is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development.
4. Interior alterations.
5. Maintenance or repair of existing roads, paths, parking areas, driveways, or landscaping provided there is no excavation or removal of trees.
6. Construction of, or regular and emergency Town maintenance of municipal infrastructure or buildings, performed by the Municipality or its authorized agents and contractors, where the proposed works are conducted in a manner that is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development Services.



Guidelines

The following guidelines apply specifically to all residential development within the Low-Rise and Mid-Rise Apartments development permit area.

Relationship to the Street

1. Streetscapes should be designed to animate the street and engage pedestrians with visually appealing frontages, comfortable spaces and features such as sidewalks, bicycle parking, and street furniture.
2. Building entrances should be directly accessed from sidewalks, parking lots and pedestrian pathways as seamlessly as possible from the street. Grade changes between sidewalks, squares, outdoor seating areas, transit stops, and other pedestrian areas should also be minimized and designed to accommodate the needs of persons with disabilities.
3. The primary common building entrance of buildings fronting a street should be from the public sidewalk, and should include weather protection that is complementary to the building design.
4. Residential units at grade should have individual entrances and transitional areas between the building façade and the public circulation with some soft landscaping to signal the private entrance of a dwelling unit while providing privacy. This space is encouraged to be a usable outdoor space with a hose bib and spigot to allow for gardening.
5. Minimize blank walls along the street. Where possible, locate a unit or portion of a unit in front of above-grade parking structures. Where blank walls are unavoidable, they should be animated with surface treatments such as murals, green screens, or a combination of the two.

6. Create a soft transition between public and private spaces. Use low fencing, landscaping, and gentle grade changes to define the transition from the public realm to private residential areas.

Site Planning

7. Buildings and landscaping should be located and designed to suit natural topography, hydrology and vegetation. Creative, site sensitive solutions are encouraged.
8. Site planning should minimize disturbance to natural contours and existing vegetation, and fit the context of surrounding development and natural environment. Designers should use site layout, building orientation, window placement, vegetation and landscape screening to provide visual privacy between neighbouring properties.
9. Position buildings on the site to maximize access to sunlight for both interior spaces and outdoor amenity areas. Shadow studies may be requested to maximize access to direct sunlight for public spaces and dwelling units.
10. Position buildings to protect and retain mature trees to the greatest extent possible.

Site Circulation, Parking, and Site Servicing

11. Design internal circulation patterns (streets, sidewalks, pathways) to be integrated with and connected to existing bicycle and pedestrian networks.
12. Design walkways with durable, low-maintenance and accessible surface materials (e.g., pavers, brick, concrete) to distinguish pedestrian routes from vehicular zones.
13. Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, amenity features and courtyards through the appropriate selection of



materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.

14. Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces. Shared driveways are encouraged.
15. Access roads to parking areas should be constructed at minimum available grade differentials.
16. The majority of apartment building parking should be provided in parking structures beneath the building.
17. Surface parking and loading areas should be situated appropriately in accordance with parking, loading and landscaping requirements. In no cases should off-street parking be located between the front or side facade of a building and any public street.
18. Surface parking should be screened and enhanced with landscaping and berms.
19. All accessible parking spaces should be located as close as possible to building entrances.
20. Covered short-term bicycle parking must be included and located in highly visible locations, such as near primary building entrances.
21. Ensure utility areas and hydro kiosks are clearly identified at the development permit stage and are located to minimize impact (i.e. visual, noise etc.) on public or common open spaces. Hydro kiosks should be wrapped in decorative wraps and screened with landscaping.
22. Solid waste storage should be designed as an integral element of the development—contained within the building or suitably screened, complementary to overall building design and adequately sized to meet the needs of uses on site; in no cases shall solid waste storage be located within the front or exterior side yard.
23. Conceal rooftop mechanical equipment using parapets or architectural screens integrated into the building design.

24. All on-site services must be underground.

Landscape Design and Open Space

25. Provide year-round usable, public and private open spaces to create opportunities for recreation and social activity and provide buffers between uses.
26. Use Crime Prevention through Environmental Design (CPTED) principles to ensure good visual surveillance of all outdoor open spaces.
27. Design open and landscaped areas to preserve and highlight existing mature trees wherever feasible. Where not feasible, consider utilizing a tree spade to relocate significant vegetation.
28. Landscaping is a major, integral part of a project design and should be coordinated to create a pleasing composition and cohesive look, define and enliven public spaces, moderate building massing, emphasize and frame important building features and natural focal points, screen and buffer parking and utility areas, and provide shade for comfort (see Figure 11).
29. Landscaped areas should primarily feature trees, shrubs, perennials, grasses, and similar plantings. Lawn areas should be used minimally (no more than 25 percent of overall landscaping).
30. Selection of the following types of plant species is encouraged:
 - Included in the Town of Comox's Climate Resilient Landscaping Standards.
 - Native or adapted to the region.
 - Supportive of habitat, nesting, foraging, or pollination.
 - Drought-tolerant.
 - Adapted to anticipated future climate conditions wherever possible.
31. Landscaped areas with the capacity to infiltrate and accommodate stormwater, such as planting beds and rain gardens, are encouraged to reduce stormwater runoff from surface parking



lots and rooftops. The use of permeable paving materials for parking lots and other paved surfaces should also be considered.

- 32.** Design sites to minimize water use for irrigation by using strategies such as:
- designing planting areas and tree pits to passively capture rainwater and stormwater run-off.
 - selecting drought-tolerant species.
 - using lower water requirement systems such as drip irrigation.
 - using recycled water for drip irrigation systems.
- 33.** Fence design should be appropriate to its function, location and context in the neighbourhood. Fences should be of a high-quality material, reflecting and extending the building details and integrated with landscaping to minimize their visual impact. The use of chain link fencing is discouraged, and such fencing should not be visible from pedestrian areas, a street or a highway.



Figure 11: Landscaping is a major, integral part of a project design and should be coordinated to create a pleasing composition and cohesive look, define and enliven public spaces, moderate building massing, emphasize and frame important building features and natural focal points, screen and buffer parking and utility areas, and provide shade for comfort (Guideline 28).

Building Articulation, Features, and Materials

- 34.** Innovative and interesting façade treatments are strongly encouraged on all buildings, to create identifiable, attractive developments. For example (see Figure 12):
- Stepping back or providing balcony and terrace areas on the building above the ground floor.
 - Use of a variety of colours, roof lines, architectural features and building materials. Large areas of unvaried material are strongly discouraged.
- 35.** Floors above the fourth storey should be stepped back by 0.3 metres or more to minimize shadow impacts on both public and private spaces. Other architectural features to reduce the perceived height and massing of buildings taller than four storeys may be considered in place of step-backs to the satisfaction of the Director of Development Services.
- 36.** Roof forms should be modulated to reduce the apparent bulk of a building and to create more visual interest. Roof colour should be generally neutral or muted to blend with the natural landscape.





Figure 12: Innovative and interesting façade treatments are strongly encouraged on all buildings to create identifiable, attractive developments (Guideline 34).

37. Roof-mounted equipment should be integrated with the overall roof design and adequately screened so it is concealed to the greatest extent possible from pedestrian viewpoints.
38. Break up the building mass by incorporating design elements that clearly define the base, middle, and top of the structure (see Figure 13).
39. Use high-quality, durable weather resistant exterior cladding materials. Suitable materials include natural stone, painted wood, stained wood, masonry, metal panels, stucco, and fibre cement siding.
40. Use higher quality (smaller scale, fine grained) materials at the pedestrian level (see Figure 13).
41. Make material transitions at an inside corner rather than on the same plane.
42. Buildings should be limited to a maximum of roughly 100 metres in length, and all buildings longer than 80 metres should include architectural treatments such as recesses, material and fenestration changes, articulation, or a combination of treatments to reduce the perceived length of the building.
43. Private balconies and patios should consider sight lines into adjacent properties and use architectural techniques such as

partitions/screens and step backs to reduce visual and shadow impact on neighbors (see Figure 13).

44. The primary entrance to upper-level residential units from the fronting street should be architecturally significant and differentiated.



Figure 13: Break up the building mass by incorporating design elements that clearly define the base, middle, and top of the structure (Guideline 38). Use higher quality (smaller scale, fine grained) materials at the pedestrian level (Guideline 40). Private balconies should consider sightlines into adjacent properties and consider step backs to reduce visual and shadow impact on neighbours (Guideline 43).





COMMERCIAL AND MIXED USE

Development Permit Area

Area

Unless exempted (see Exemptions below), a development permit addressing design guidelines must be approved for all properties that are currently, or become developed as, commercial and mixed-use parcels.

Designation

This development permit area is designated pursuant to section 488.1 (1) (a), (d), (f), (h), (i), and (j) of the *Local Government Act*.

- Protection of the natural environment, its ecosystems and biological diversity.
- Revitalization of an area in which commercial use is permitted.
- Establishment of objectives for the form and character of commercial, industrial, or multi-family residential development.
- Establishment of objectives to promote energy conservation.
- Establishment of objectives to promote water conservation.
- Establishment of objectives to promote the reduction of greenhouse gas emissions.

Justification

This Development Permit Area guides commercial and mixed-use development in the Town of Comox to support a vibrant, walkable, and attractive community that is sensitive to environmental conditions, including within Downtown Comox and the Harbour.

Downtown Comox is primarily designated Mid-Rise Mixed Use, and is characterized by small-town charm, a coastal setting, and human-scale buildings. The area features a mix of local businesses, public gathering spaces, and pedestrian-friendly streetscapes framed by views of the ocean and mountains. Architectural styles are generally modest and west coast-inspired, with natural materials, varied rooflines, and an emphasis on outdoor spaces like patios, balconies, and plazas.

The following objectives guide this development permit area:

- To encourage buildings that reflect the small-town coastal character of Comox, and include a mix of uses such as shops, services, and housing to provide active and welcoming streets.
- To establish guidelines for commercial and mixed-use development in both existing and new neighborhoods that preserve the neighbourhood character and natural environment.
- To support building design that enhances streets and open spaces, encouraging walking, cycling, and social interaction, while ensuring pedestrian comfort.



- To promote development that considers environmental protection, water conservation, and energy efficiency in site planning and design.
- To ensure landscaping (both onsite and off-site frontage) enhances neighborhood livability by encouraging sidewalks and planting large trees.
- To provide meaningful outdoor spaces that offer privacy, screening, and sensitivity to neighbouring properties.
- To support interactions with the waterfront with developments that are cohesive, interactive, and contribute to a vibrant Downtown Comox and Harbour.

Exemptions

A Development Permit is not required for any of the following:

1. An application for subdivision.
2. Any development that does not include commercial or mixed-use development.
3. Repair or maintenance of, or renovations to, existing legal buildings, structures, or utilities within the existing building footprint, including those structures described in s. 532(1) of the *Local Government Act* (a building permit may still be required) provided that it is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development.
4. Interior alterations.
5. Maintenance or repair of existing roads, paths, parking areas, driveways, or landscaping provided there is no excavation or removal of trees.
6. Construction of, or regular and emergency Town maintenance of municipal infrastructure or buildings, performed by the Municipality or its authorized agents and contractors, where the proposed works are conducted in a manner that is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development Services.



Guidelines

The following guidelines apply to all development within the Commercial and Mixed-Use development permit area, including the Downtown and Harbour areas.

Relationship to the Street

1. Streetscapes should be designed to animate the street and engage pedestrians with visually appealing frontages, comfortable spaces and features such as sidewalks, patios, plazas, bicycle parking, and street furniture.
2. Building entrances should be directly accessed from sidewalks, parking lots and pedestrian pathways as seamlessly as possible from the street. Grade changes between sidewalks, squares, outdoor seating areas, transit stops, and other pedestrian areas should also be minimized and designed to accommodate the needs of persons with disabilities.
3. The most active elements of a commercial use should be located near the windows fronting the street (e.g. the dining area of a restaurant as opposed to the food preparation area).
4. Residential units at grade should have individual entrances and transitional areas between the building façade and the public circulation with landscape screens to signal the private entrance of a dwelling unit and provide privacy. This space is encouraged to be a usable outdoor space with a hose bib and spigot to allow for gardening (see Figure 14).
5. The primary pedestrian entrance to commercial units at grade should be from the fronting street (see Figure 15).



Figure 14: Residential units at grade should have transitional areas between the building façade and public circulation with landscape screens (Guideline 4).

6. Building façades that front streets should be developed with active ground floors to ensure businesses are easily identifiable and to promote pedestrian-friendly streets.
7. Design shop façades as individual entities to strengthen their character and interest to the pedestrian. Inviting entrances and clear window glazing offering visibility into a store are especially important to enhance indoor/outdoor connections. Interior renovations that close in storefront windows with display walls and cabinets that impede views into a store are discouraged. Avoid excessive window signage and the use of tinted or colored glass at grade.





Figure 15: The primary pedestrian entrance to commercial units at grade should be from the fronting street (Guideline 5).

8. Minimize blank walls along the street. Where possible, locate a unit or portion of a unit in front of above-grade parking structures. Where blank walls are unavoidable, they should be animated with surface treatments such as murals, green screens, or a combination of the two.
9. Provide an entrance to upper level residential units from the fronting street, in addition to any other secondary entrances.

Site Planning

10. Buildings and landscaping should be located and designed to suit natural topography, hydrology and vegetation. Creative, site sensitive solutions are encouraged.
11. Site planning should minimize disturbance to natural contours and existing vegetation, and fit the context of surrounding development and natural environment. Designers should use site layout, building orientation, window placement, vegetation and landscape screening to provide visual privacy between neighbouring properties.
12. Position buildings on the site to maximize access to sunlight for both interior spaces and outdoor amenity areas. Shadow studies may be

requested to maximize access to direct sunlight for public spaces and dwelling units.

13. Position buildings to protect and retain mature trees to the greatest extent possible.
14. For sites with multiple buildings, ensure that outdoor amenity spaces at grade between buildings are spacious, inviting, and comfortable.

Site Circulation, Parking, and Site Servicing

15. Design internal circulation patterns (streets, sidewalks, pathways) to be integrated with and connected to existing bicycle and pedestrian networks.
16. Design walkways with durable, low-maintenance and accessible surface materials (e.g., pavers, brick, concrete) to distinguish pedestrian routes from vehicular zones.
17. Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, amenity features and courtyards through the appropriate selection of materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.
18. Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces. Shared driveways are encouraged.
19. Access roads to parking areas should be constructed at minimum available grade differentials.
20. The majority of apartment building parking should be provided in parking structures beneath the building.
21. Surface parking and loading areas should be situated appropriately in accordance with parking, loading and landscaping requirements. In no cases should off-street parking be located between the front or side facade of a building and any public street.



22. Surface parking should be screened and enhanced with landscaping and berms.
23. All accessible parking spaces should be located as close as possible to building entrances.
24. Encourage covered short-term bicycle parking in highly visible locations, such as near primary building entrances; and provide long-term bicycle storage facilities within buildings for residents' use.
25. Ensure utility areas and hydro kiosks are clearly identified at the development permit stage and are located to minimize impact (i.e. visual, noise etc.) on public or common open spaces. The wrapping of hydro kiosks in decorative wraps is encouraged.
26. Solid waste storage should be designed as an integral element of the development—contained within the building or suitably screened, complementary to overall building design and adequately sized to meet the needs of uses on site; in no cases shall solid waste storage be located within the front or exterior side yard.
27. Conceal rooftop mechanical equipment using parapets or architectural screens integrated into the building design.
28. All on-site services must be underground.

Landscape Design and Open Space

29. Provide year-round usable, public and private open spaces to create opportunities for recreation and social activity and provide buffers between uses (see Figure 16).



Figure 16: Provide year-round usable, public and private open spaces to create opportunities for recreation and social activity and provide buffers between uses (Guideline 29).

30. Use Crime Prevention through Environmental Design (CPTED) principles to ensure good visual surveillance of all outdoor open spaces.
31. Design open and landscaped areas to preserve and highlight existing mature trees wherever feasible. Where not feasible, consider utilizing a tree spade to relocate significant vegetation.
32. Landscaping is a major, integral part of a project design and should be coordinated to create a pleasing composition and cohesive look, define and enliven public spaces, moderate building massing, maximize views into stores, emphasize and frame important building features and natural focal points, screen and buffer parking and utility areas, and provide shade for comfort.
33. Landscaped areas should primarily feature trees, shrubs, perennials, grasses, and similar plantings. Lawn areas should be used minimally (no more than 25 percent) of overall landscaping.
34. Selection of the following types of plant species is encouraged:
 - Included in the Town of Comox's Climate Resilient Landscaping Standards.
 - Native or adapted to the region.
 - Supportive of habitat, nesting, foraging, or pollination (see Figure 17).



- Drought tolerant.
- Adapted to anticipated future climate conditions wherever possible.



Figure 17: Select plant species that are supportive of habitat, nesting, foraging, or pollination (Guideline 34).

- 35.** Landscaped areas with the capacity to infiltrate and accommodate stormwater, such as planting beds and rain gardens, are encouraged to reduce stormwater runoff from surface parking lots and rooftops. The use of permeable paving materials for parking lots and other paved surfaces should also be considered.
- 36.** Design sites to minimize water use for irrigation by using strategies such as:
 - designing planting areas and tree pits to passively capture rainwater and stormwater run-off.
 - selecting drought-tolerant species.
 - using lower water requirement systems such as drip irrigation.
 - using recycled water for drip irrigation systems.
- 37.** Fence design should be appropriate to its function, location and context in the neighbourhood. Fences should be of a high-quality material, reflecting and extending the building details and integrated with landscaping to minimize their visual impact. The use of chain link fencing is discouraged, and such fencing should not be visible from pedestrian areas, a street or a highway.

Building Articulation, Features, and Materials

- 38.** Innovative and interesting façade treatments are strongly encouraged on all buildings, to create identifiable, attractive developments. For example:
 - Stepping back or providing balcony and terrace areas on the building above the ground floor.
 - Use of a variety of colours, roof lines, architectural features and building materials. Large areas of unvaried material are strongly discouraged.
- 39.** Floors above the fourth storey should be stepped back by 0.3 metres or more to minimize shadow impacts on both public and private spaces. Other architectural features to reduce the perceived height and massing of buildings taller than four storeys may be considered in place of step-backs to the satisfaction of the Director of Development Services (see Figure 18).
- 40.** Roof forms should be modulated to reduce the apparent bulk of a building and to create more visual interest. Roof colour should be generally neutral or muted in order to blend with the natural landscape.
- 41.** Roof-mounted equipment should be integrated with the overall roof design and adequately screened so it is concealed to the greatest extent possible from pedestrian viewpoints.
- 42.** Break up the building mass by incorporating design elements that clearly define the base, middle, and top of the structure.
- 43.** Use high-quality, durable, weather resistant exterior cladding materials. Suitable materials include natural stone, masonry, metal, stucco, painted wood, stained wood, and fibre cement siding. Where flat panel fibre cement siding is used, it should be an accent and not comprise more than approximately one third of a building face, and flashing colour around the panels



should not contrast significantly with the panel colour (see Figure 18).

44. Use higher quality (smaller scale, fine grained) materials at the pedestrian level.



Figure 18: Upper storey step backs; variety of colours, roof lines, building materials and architectural features that reduce perceived height and massing (Guidelines 38-39). Flat panel siding used as accent on building rather than dominant material, and seams blend in due to use of flashing that is same colour as panels (Guideline 43).

45. Make material transitions at an inside corner rather than on the same plane.
46. Buildings should be limited to a maximum of roughly 100 metres in length, and all buildings longer than 80 metres should include architectural treatments such as recesses, material and fenestration changes, articulation, or a combination of treatments to reduce the perceived length of the building.
47. Private balconies and patios should consider sight lines into adjacent properties and use architectural techniques such as partitions/screens and step backs to reduce visual and shadow impact on neighbors.
48. The primary entrance to upper-level residential units from the fronting street should be architecturally significant and differentiated from commercial units.

Sunlight Access & Seasonal Design

49. Prioritize pedestrian comfort through weather-protective features such as canopies, awnings, and overhangs in locations such as primary building entrances, street corners, above store fronts and display windows, other areas where people frequently gather or wait. Ensure weather protection features are architecturally integrated and reflect the building's design and fenestration patterns (see Figure 19).



Figure 19: Prioritize pedestrian comfort through weather protective features such as canopies, awnings, and overhangs in locations such as primary building entrances, street corners, above store fronts and display windows, other areas where people frequently gather or wait. Ensure weather protection features are architecturally integrated and reflect the building's design and fenestration patterns (Guideline 49).

50. Utilize architectural and landscape elements to block high summer sun while allowing winter sun penetration.

Signage and Lighting

51. Develop signage as an integral element of the building's façade, and to be compatible in scale



and design with the design, colour, and material of the building.

- 52. Address signs must be visible from the street.
- 53. Signs should be scaled for pedestrians rather than vehicles, except along major arterials.
- 54. Encourage front-lit or halo-lit signs that illuminate the sign surface without excessive glare. Avoid the use of internally lit plastic box signs and mast mount freestanding signs.
- 55. Provide shielded, full cut-off down lighting to provide security and ambient lighting while minimizing light pollution and spill over lighting into adjacent properties.
- 56. Ensure that parking, walking, loading, and corridor areas have lighting.
- 57. Aside from light fixtures integrated into canopies, lighting of off-street parking and loading areas should be arranged that no part of any fixture is more than 4.5 metres above finished ground level and not overhang manoeuvring aisles or loading spaces.

Tourist Commercial Uses

Tourist commercial uses in the Kye Bay/Lazo area (OCP DPA – Form and Character – Commercial:Tourist) are in a unique setting adjacent to rural residential uses, and the following design guidelines should take precedence over any of the forgoing guidelines.

- 58. Building design should reflect the scale and nature of single-detached housing.
- 59. Primary materials should be masonry, fibre-cement siding, wood, or a combination of these. Use of metal should be limited to an accent material comprising not more than 10% of the building facade.
- 60. Except for masonry and metal accents, materials patterns should be board and batten, shingle, lap, shiplap, tongue-and-groove, or a combination.

- 61. A muted colour palette should be used so that buildings blend into the natural surroundings.
- 62. The Waterfront should be viewed as the primary frontage and buildings should be designed to front the ocean.
- 63. Fencing along the waterfront should be limited to 1.2 metres in height with some transparency. Solid metal fences are not permitted in any circumstances.
- 64. Parking and vehicle access should not be located adjacent to a side lot line to minimize the impacts of vehicular traffic on adjacent parcels. Parking areas should ideally be located on a central area of the site.

Harbour

In addition to the above guidelines, the following guidelines apply specifically within the Harbour areas as shown on OCP DPA – Form and Character – Harbour / Marina:

- 65. Building character should be commercial or residential in nature and not industrial or utilitarian (see Figure 20).
- 66. A Marine Theme is encouraged for buildings and structures.
- 67. Generous provision of windows (i.e. bay windows, dormers) is encouraged.



Figure 20: Building character should be commercial or residential in nature and not industrial or utilitarian (Guideline 65).

Downtown Comox

In addition to the above guidelines, the following guidelines apply within Downtown Comox as shown on OCP DPA – Form and Character - Downtown.

- 68.** Encourage the creation of patios and plazas within Downtown Comox adjacent to the sidewalk to facilitate pedestrian use and street activation (see Figure 21).



Figure 21: Encourage the creation of patios and plazas within Downtown Comox adjacent to the sidewalk to facilitate pedestrian use and street activation (Guideline 68).

- 69.** Built form and siting should maintain view corridors to and from the waterfront to the greatest extent possible.
- 70.** Design shall complement the scale and character of the Downtown area, harmonizing with the height, setbacks, and massing of adjacent buildings.
- 71.** Along Comox Avenue, narrow storefronts that integrate with the existing pattern are strongly encouraged.

- 72.** Notwithstanding guideline 43, within Downtown Comox, high-quality, timeless materials and patterns, such as masonry, stucco, painted wood, stained wood, and fibre cement siding in wood siding styles such as lap, shiplap, shingle, v-groove/tongue and groove, and board and batten, are strongly encouraged.
- 73.** Buildings on sloped sites are encouraged to utilize tiered building forms that step up/down with the slope.
- 74.** Storeys above the fourth must integrate minimum 0.3-metre step-backs to integrate with existing character.
- 75.** Sidewalk improvements and hardscape areas adjacent to sidewalks shall utilize decorative surface treatments such as exposed aggregate concrete, coloured concrete, stamped concrete, and/or pavers, which may be combined with smooth or broom-finished concrete.





LIGHT INDUSTRIAL/BUSINESS PARK

Development Permit Area

Area

Unless exempted (see Exemptions below), a development permit addressing design guidelines must be approved for all properties that are currently, or become, developed for light industrial/business park development.

Designation

Pursuant to Section 488 (1)(f) of the *Local Government Act*, this designation establishes objectives for the form and character of commercial, industrial or multi-family residential development within the boundaries of the Town of Comox.

This development permit area is designated pursuant to section 488.1 (1) (a), (f), (h), (i), and (j) of the *Local Government Act*.

- Protection of the natural environment, its ecosystems and biological diversity.
- Establishment of objectives for the form and character of commercial, industrial, or multi-family residential development.
- Establishment of objectives to promote energy conservation.
- Establishment of objectives to promote water conservation.
- Establishment of objectives to promote the reduction of greenhouse gas emissions.

Justification

This Development Permit Area guides the design and character of employment-focused development to realize functional, safe and attractive industrial and business park environments in Comox, through the following objectives:

- To encourage buildings and sites that are functional, tidy, safe, and efficient.
- To ensure that light industrial/business park development is designed in a manner that is functional and compatible with surrounding land uses, and contributes positively to its neighbourhood, context, and industry.
- To minimize impacts on neighbouring properties and the public realm.

Exemptions

A Development Permit is not required for any of the following:

1. An application for subdivision.
2. Any development that does not include light industrial/business park development.
3. Repair or maintenance of, or renovations to, existing legal buildings, structures, or utilities within the existing building footprint, including those structures described in s. 532(1) of the *Local Government Act* (a building permit may still be required) provided that it is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development.
4. Interior alterations.



5. Maintenance or repair of existing roads, paths, parking areas, driveways, or landscaping provided there is no excavation or removal of trees.
6. Construction of, or regular and emergency Town maintenance of municipal infrastructure or buildings, performed by the Municipality or its authorized agents and contractors, where the proposed works are conducted in a manner that is consistent with the objectives of the Development Permit Guidelines, and endorsed by the Director of Development Services.



Guidelines

The following guidelines apply specifically to all development within the Light Industrial/Business Park DPA.

Relationship to the Street

1. Building entrances should be directly accessed from sidewalks, parking lots and pedestrian pathways as seamlessly as possible from the street. Grade changes between sidewalks, squares, outdoor seating areas, transit stops, and other pedestrian areas should also be minimized and designed to accommodate the needs of persons with disabilities (see Figure 22).



Figure 22: Building entrances should be directly accessed from sidewalks, parking lots and pedestrian pathways as seamlessly as possible from the street (Guideline 1).

2. Building façades that front streets should be developed with active ground floors to ensure businesses are easily identifiable and to promote pedestrian-friendly streets. Inviting entrances and clear window glazing offering visibility into a commercial/office space are especially important to enhance indoor/outdoor connections (see Figure 23).



Figure 23: Building façades that front streets should be developed with active ground floors to ensure businesses are easily identifiable and to promote pedestrian-friendly streets. Inviting entrances and clear window glazing offering visibility into a commercial/office space are especially important to enhance indoor/outdoor connections (Guideline 2).

3. Building elevations fronting and visible to the street should not include loading areas or service doors (i.e. an overhead loading door).
4. Minimize blank walls along the street. Where blank walls are unavoidable, they should be animated with surface treatments such as murals, green screens, or a combination of the two.



Site Circulation, Parking, and Site Servicing

5. Design internal circulation patterns (streets, sidewalks, pathways) to be integrated with and connected to existing bicycle and pedestrian networks.
6. Design walkways with durable, low-maintenance and accessible surface materials (e.g., pavers, brick, concrete) to distinguish pedestrian routes from vehicular zones.
7. Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, amenity features and courtyards through the appropriate selection of materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.
8. Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces. Shared driveways are encouraged.
9. Access roads to parking areas should be constructed at minimum available grade differentials.
10. Surface parking and loading areas should be situated appropriately in accordance with parking, loading and landscaping requirements.
11. All accessible parking spaces should be located as close as possible to building entrances.
12. Encourage short-term bicycle parking in highly visible locations, such as near primary building entrances.
13. Ensure utility areas and hydro kiosks are clearly identified at the development permit stage and are located to minimize impact (i.e. visual, noise etc.) on public or common open spaces.
14. Solid waste storage should be designed as an integral element of the development—contained within the building or suitably screened, complementary to overall building design and adequately sized to meet the needs of uses on site.

15. Conceal rooftop mechanical equipment using parapets or architectural screens integrated into the building design.
16. All on-site services must be underground.

Landscape Design and Open Space

17. Provide public and private open spaces to create opportunities for social activity and provide buffers between uses.
18. Use Crime Prevention through Environmental Design (CPTED) principles to ensure good visual surveillance of all outdoor open spaces.
19. Design open and landscaped areas to preserve and highlight existing mature trees wherever feasible. Where not feasible, consider utilizing a tree spade to relocate significant vegetation.
20. Landscaping is a major, integral part of a project design and should be coordinated to create a pleasing composition and cohesive look, define and enliven open spaces, moderate building massing, emphasize and frame important building features and natural focal points, screen and buffer parking, utility areas and neighbouring properties, and provide shade for comfort.
21. Landscaped areas should primarily feature trees, shrubs, perennials, grasses, and similar plantings. Lawn areas should be used minimally (no more than 25 percent) of overall landscaping.
22. Selection of the following types of plant species is encouraged:
 - Included in the Town of Comox's Climate Resilient Landscaping Standards.
 - Native or adapted to the region.
 - Supportive of habitat, nesting, foraging, or pollination.
 - Drought-tolerant.
 - Adapted to anticipated future climate conditions wherever possible.



- 23.** Landscaped areas with the capacity to infiltrate and accommodate stormwater, such as planting beds and rain gardens, are encouraged to reduce stormwater runoff from surface parking lots and rooftops. The use of permeable paving materials for parking lots and other paved surfaces should also be considered (see Figure 24).



Figure 24: Landscaped areas with the capacity to infiltrate and accommodate stormwater, such as planting beds and rain gardens, are encouraged to reduce stormwater runoff from surface parking lots and rooftops (Guideline 23).

- 24.** Design sites to minimize water use for irrigation by using strategies such as:
- designing planting areas and tree pits to passively capture rainwater and stormwater run-off.
 - selecting drought-tolerant species.
 - using lower water requirement systems such as drip irrigation.

- using recycled water for drip irrigation systems.

- 25.** Fences should be designed to be visually appealing and compatible with adjacent developments. Chain link fences are not permitted.

Building Articulation, Features, and Materials

- 26.** Avoid presenting blank or unarticulated facades to the street. Use projections, recesses, plantings, awnings, colour, and texture to break up large unglazed wall surfaces and reduce their visual impact.
- 27.** Differentiate building components—such as warehouses, offices, or sales areas—by using a variety of exterior materials.
- 28.** Use high-quality, durable exterior cladding materials that are fire-resistant or non-combustible.
- 29.** Painted or unpainted concrete may be used but must be combined with at least two other exterior materials visible from the public realm, such as wood, stone, brick, masonry, or metal.

Signage and Lighting

- 30.** Provide shielded, down lighting to provide security, illuminate entries, and illuminate vehicular and pedestrian access while minimizing light pollution and spill over lighting into adjacent properties.





HAZARDOUS CONDITIONS

Development Permit Area

Area

As per section 489 of the *Local Government Act*, unless exempted under section 1.5 below, a Development Permit addressing hazardous conditions guidelines must be approved for those properties shown as Hazardous Condition Development Permit Areas (DPA) before:

- Subdivision of land;
- Alteration of land, including vegetation; and
- Construction of, addition to, or alteration of a building or structure.

Designation

Pursuant to section 488(1)(b) of the *Local Government Act*, these lands are hereby designated a development permit area for protection of development from hazardous conditions.

Justification

Hazardous conditions, including but not limited to, flooding, bank instability, erosion, groundwater seepage, land slip, rock falls, subsidence, and sea level rise, may in some cases be abated by using appropriate precautionary measures as part of site and building design, construction, and long-term maintenance.

Objectives

Minimize risks to people and property from natural hazards including:

- Steep slope hazards
- Flood hazards

Manage development and construction practices in natural hazard areas to protect structures from damage.

Promote activities to reduce hazards while addressing environmental issues.



Exemptions

A Hazardous Conditions Development Permit will not be required for any of the following:

All Hazard Conditions:

1. The proposed development will not be impacted by, and will not result in impacts to surrounding properties, in relation to the identified hazardous condition(s). For the Town to determine whether the proposed development qualifies for this exemption, applicants may be required to provide a letter on the development and hazardous conditions, prepared by a Qualified Professional (QP), registered in British Columbia.
 2. Proposed actions and activities are necessary to prevent immediate threats to life or property.
 3. Renovation or alteration to existing buildings or structures that do not require an extension of the foundation and will not result in additional risks in relation to the identified hazardous conditions. For the Town to determine whether the proposed development qualifies for this exemption, applicants may be required to provide a letter on the development and hazardous conditions, prepared by a QP, outlining that the proposed development will not increase risks to people or property.
 4. Cutting down a hazardous tree that presents an immediate danger to life or property, provided that the stump remains undisturbed. This must be confirmed by an ISA Certified Arborist as outlined in the Tree Management and Protection
- Bylaw as amended from time to time, or any future iteration thereof.
5. A technical subdivision for lot consolidation, lot line adjustment, or road dedication.
 6. The Director of Development Services determines and confirms in writing that proposed activities will not increase hazard condition risks to people or property. The Director may request that the applicant provide a letter from a QP outlining that proposed activities will not increase hazard condition risks to people or property.
 7. On the properties shown shaded on Figure 24 - Kye Bay Properties, pruning of trees provided that a written opinion prepared and executed by an ISA Certified Arborist states that:
 - 7.1. the proposed pruning did not undermine the tree's health;
 - 7.2. the proposed pruning was conducted under the supervision of an ISA Certified Arborist;
 - 7.3. the proposed pruning was in accordance with the ANSI Standard A-300;
 - 7.4. all tree parts greater than 5 cm in diameter were removed from the slope at time of pruning in a manner that does not create channelized pathways; and,
 - 7.5. any disturbances to the existing ground cover or soil were remediated with replanting, repacking, or regrading.
 8. Pruning, topping or cutting down trees or plants located below the toe of the slope on properties shown shaded on Figure 25 below:

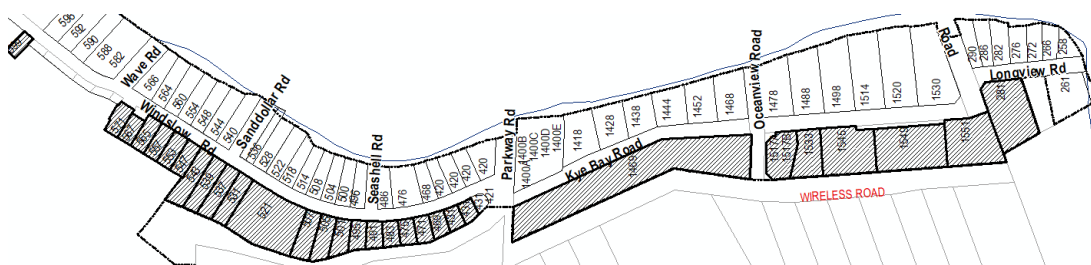


Figure 25: Windslow Road and Wireless Road parcels.



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9. Cutting down or pruning a hazardous tree that presents an immediate danger to human safety or to property. This must be confirmed by an ISA Certified Arborist. If the property owner cuts down or prunes a tree pursuant to this section, the Owner will advise the Parks Manager that it has done so in writing within one (1) business day of cutting down the tree.
 10. On the properties shown shaded on Figure 26 Kye Bay Properties below, cutting down or pruning a hazardous tree provided that a written opinion prepared and executed by an ISA Certified Arborist states that the tree presents a danger to human safety or to property.
 11. On the properties shown shaded on Figure 26: Kye Bay Properties below, re-topping of trees provided that a written opinion prepared and executed by an ISA Certified Arborist states that the tree has been previously topped and re-topping did not undermine the tree's health.
 12. On the properties shown shaded on Figure 26 Kye Bay Properties below, pruning of plants provided that a written opinion prepared and signed by a Red Seal Landscape Horticulturalist or executed by an ISA Certified Arborist states that:
 - 12.1. the pruning did not undermine the plant's health or substantially reduce existing ground cover;
 - 12.2. all plant parts greater than 5 cm in diameter were removed from the slope at time of pruning in a manner that does not create channelized pathways; and,
 - 12.3. any disturbances to the existing ground cover or soil were remediated with replanting, repacking, or regrading.
 13. On Lot 1, District Lot 93, Comox District, Plan 25746, pruning of plants within 30 cm horizontal distance from the edge of an existing trail to a height 2.5 metres above grade.

Flood Risk Only

14. The construction of accessory buildings less than 10 square metres in area.
15. Landscape enhancement projects, such as planting new trees and shrubs.
16. Gardening and yard maintenance activities within an existing landscaped area, such as mowing lawns, pruning trees and shrubs, planting vegetation.

Steep Slopes Only

17. The construction of accessory buildings less than 10 square metres in area that does not require any ground disturbance.
18. Landscape enhancement projects, such as planting new trees and shrubs, that are undertaken or authorized in writing by the Town of Comox.
19. Gardening and yard maintenance activities within an existing landscaped area, such as mowing lawns, and pruning trees and shrubs.

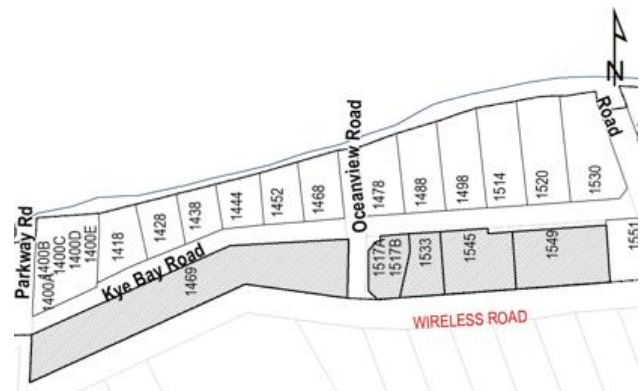


Figure 26: Kye Bay Properties



Guidelines

The general guidelines for issuing Development Permits in a Hazardous Condition Development Permit Areas are below; however, not all guidelines will be applicable to all developments. Typically, an assessment report which has been prepared by a professional qualified in the relevant discipline and licensed to practice in British Columbia will be required. Where a report has been accepted by the Town of Comox, recommendations will be used to establish conditions for the Development Permit. Care will need to be taken to ensure that guidelines intended to mitigate hazardous conditions are implemented in a manner sensitive to the environmental protection and preservation guidelines as outlined in the Sensitive Ecosystems and Riparian Ecosystems Development Permit Areas.

General

The following general guidelines apply to all Hazardous Condition areas, except that guidelines specific to Steep Slope and Flood Hazards take precedence if there is conflict with the general guidelines.

1. A report prepared by a QP must be provided to the Town, outlining the risks of development to the subject parcel and other parcels impacted by the immediate hazard area, measures that will be used to mitigate risks, and statements that:
 - 1.1. The proposed development will not increase hazard risks to people or property and will reduce risks compared to pre-development conditions as feasible.
 - 1.2. The proposed development will be safe for the intended use.
2. QP Reports must be in accordance with the Town's Report Terms of Reference for flood and steep slope hazards.
3. All development must be in accordance with the QP report outlined in guidelines 1 and 2.
4. Do not excavate, fill, place, erect or construct any building or permanent structure in areas subject to hazardous conditions that cannot be mitigated by the recommendations of a QP.
5. Site buildings and structures in accordance with setbacks determined by a QP.
6. Avoid encroaching into the critical root zones of those trees being retained.

Steep Slope Hazards

7. The geotechnical report shall be coordinated with an environmental report or riparian area assessment report as required by other Town Development Permit Areas, if applicable, to create a combined solution that mitigates both hazard and environmental impacts and protects environmentally valuable resources.
8. Maintain existing vegetation to absorb water, minimize erosion and protect slopes.
9. Design the development to minimize alterations to the steep slope to reflect the site rather than altering the site to reflect the development, notwithstanding site alterations that will mitigate hazards.
10. Preserve areas with natural slopes of 30 percent or more as natural open space.
11. Construct accesses such as pathways and stairways to minimize slope disturbance.
12. Avoid placing fill, excavated material, sand or soil near the top of the slope.
13. Slope stabilization must address bioengineering solutions prior to hard engineering solutions, designed by QPs.
14. Revegetate disturbed slopes where gullied or bare soil is exposed as per a QP's report, which must include a planting plan to stabilize the slope.



15. Where possible, design the site to avoid the need for retaining walls. Where this is not possible, retaining walls should be tiered to retain a gradual slope as close to the natural slope as feasible.

Flood Hazards

16. Building foundations must be designed by a Professional Engineer and include a safe for intended use statement.
17. All buildings for residential occupancy shall require the underside of the floor system for living space to be above the flood construction level.
18. Floor space ancillary to residential occupancies (such as underground or grade level parking), and floor space for commercial and industrial occupancies, may be permitted below the identified flood construction level if all electrical and mechanical equipment is located above the identified flood construction level or where a Professional Engineer has confirmed they may be safely located below it.





SENSITIVE ECOSYSTEMS

Development Permit Area

Area

As per section 489 of the *Local Government Act*, unless exempted, a Development Permit addressing Sensitive Ecosystem guidelines must be approved for those properties shown to contain lands generally identified on the OCP DPA – Sensitive Ecosystems Map, and all lands within Town boundaries that include sensitive ecosystems or wildlife habitats prior to:

- Subdivision of land;
- Alteration of land, including vegetation; and
- Construction of, addition to, or alteration of a building or structure.

Designation

In accordance with section 488(1)(a) of the *Local Government Act*, the Town of Comox Sensitive Ecosystems Development Permit Area has been established to protect the natural environment, its ecosystems and biodiversity. These lands are also designated under section 485 of the *Local Government Act* as areas in which the municipality may require applicants to provide information on the anticipated impact of development activities on the natural environment of the area affected.

Justification

The Sensitive Ecosystems DPA is established to protect Comox's sensitive ecosystems, including species at risk, from the effects of development and, where possible, to restore and enhance degraded sensitive ecosystems. Species at-risk are species or

populations that are listed under Schedule 1, 2 and 3 of the *Species at Risk Act* (S.C. 2002, c.29), are Red- or Blue-listed by the BC Conservation Data Centre, are considered regionally important, or are protected by the BC *Wildlife Act*. Known sensitive ecosystems in the Town include, but are not limited to:

- Arbutus/Garry Oak
- Coastal bluffs
- Heron nesting sites
- Raptor nesting sites, including but not limited to eagle, owl, and peregrine falcon
- Marine ecosystems
- Older forests
- Wildlife corridors

There may be other sensitive ecosystems in the Town that are identified during development processes that should be protected or should have development impacts mitigated.



Objectives

- Protecting, restoring and enhancing environmentally sensitive areas as functioning ecosystems.
- Protecting biodiversity, as well as wildlife habitats, features and functions.
- Avoiding negative impacts to environmentally sensitive areas over mitigation or compensation.
- Managing the introduction and spread of invasive species.

Exemptions

A Development Permit is not required for the following:

1. Works, not including the removal of trees, within an area of human disturbance, provided the area of human disturbance is not expanded. Areas of human disturbance include:
 - 1.1. Footprints of buildings and structures,
 - 1.2. Areas where soil or vegetation has been added, removed, or altered, and
 - 1.3. Without limiting (a) and (b), the following areas:
 - 1.3.1. areas modified for agricultural use, including, without limitation, for crops, pasture, range, hayfields and normal farm practices,
 - 1.3.2. areas that are or have been used for resource extraction and have not been restored to their natural conditions, and
 - 1.3.3. areas occupied by invasive plant species to an extent that precludes the unassisted reestablishment of native plant species.
2. Ecological restoration or enhancement projects that are undertaken or authorized by the Town of Comox.
3. Emergency responses or works required by the Town of Comox, Provincial Emergency Program or the Comox Valley Regional District.
4. hand removal of noxious weeds, as identified in the BC Weed Control Regulation and known invasive species, provided that measures are taken to prevent soil or debris being discharged into the watercourse, and subject to immediate replanting with native vegetation suitable to local conditions.
5. Cutting down a hazardous tree that presents an immediate danger to life or property as confirmed by an ISA Certified Arborist.
6. If a site inspection and professional report has been completed and submitted by a Qualified Professional (QP) stating that no mitigation measures are required to avoid negative impacts of proposed development on sensitive ecosystems on or near the parcel, and the report has been accepted by the Town.
7. The Director of Development Services determines and confirms in writing that proposed activities are unlikely to negatively impact a sensitive ecosystem. The Director may request that the applicant provide a letter from a QEP outlining that proposed activities are unlikely to impact a sensitive ecosystem.



Guidelines

1. Site design and development should be consistent with an Environmental Report prepared in accordance with the Town's Report Terms of Reference and guidelines contained in this section.
2. Applicants must provide an Environmental Report prepared by a QP together with other professionals as the project warrants, including:
 - 2.1. Assessment from an environmental perspective of the proposed drainage, sediment and erosion control, storm drainage systems, and slope stability.
 - 2.2. Identification and assessment of sensitive ecosystems on the site and the impacts of development on sensitive ecosystems adjacent to the site, including marine ecosystems on waterfront sites, and recommendations to avoid or mitigate impacts of proposed development.
 - 2.3. Mechanisms for the protection of significant trees, vegetation or other sensitive ecosystem components during and post construction.
 - 2.4. Identification of the location of buffers required to protect sensitive ecosystems, including recommendations for fencing along buffers where adjacent development and activity is anticipated.
 - 2.5. Identification of, and measures required to protect active bird nests, including minimum buffers in accordance with the Provincial Environmental Best Management Practices for Urban and Rural Land Development.
 - 2.6. A plan for restoration of sensitive ecosystems that will be retained where they have been disturbed or where invasive weeds have intruded.
 - 2.7. Considerations for variances that could facilitate better protection and mitigation of impacts to sensitive ecosystems on the site.
 - 2.8. The timing of site work and rehabilitation.
 - 2.9. Where fencing may be installed, recommendations for fencing that allows for wildlife movement.
 - 2.10. An environmental monitoring plan.
3. Restoration plans prepared by a QP will be required where an environmentally sensitive area has been disturbed through unauthorized activities.
4. Garry Oak ecosystems should be undisturbed at all costs given their rarity and ecosystem diversity as a condition for all DPs issued under this DPA.





RIPARIAN ECOSYSTEMS

Development Permit Area

Area

As per section 489 of the *Local Government Act*, unless exempted, a Development Permit addressing Sensitive Ecosystem guidelines must be approved for those properties shown to contain lands generally identified on the OCP DPA – Riparian Ecosystems Map, and all lands within Town boundaries that include streams or wetlands, prior to:

- Subdivision of land;
- Alteration of land, including vegetation; and
- Construction of, addition to, or alteration of a building or structure.

Designation

Pursuant to section 488(1)(a) of the *Local Government Act*, these lands are hereby designated a development permit area for protection of the natural environment, its ecosystems and biodiversity, and in particular riparian ecosystems. These lands are also designated under section 485 of the *Local Government Act* as areas in which the municipality may require applicants to provide information on the anticipated impact of development activities on the natural environment of the area affected.

Justification

Local governments are obliged by the *Riparian Areas Protection Act* and *Riparian Areas Regulation* to protect water bodies and riparian areas from the effects of residential, commercial and industrial development.

Riparian ecosystems represent areas of high biodiversity and a range of habitat features. They are an important connection between land and water, are important components of the hydrological cycle, function in natural erosion, deposition, and flood mitigation processes, and function as wildlife corridors. Riparian ecosystems also provide a natural setting and visual assets to Comox residents. As a result, riparian ecosystems warrant protection from development, in addition to revitalization of areas that have been degraded by human disturbance.

There are several well-known, important riparian assessment areas in the Town. There may be other riparian assessment areas that are independent of, or connected to the following riparian assessment areas.

- Brooklyn Creek
- Golf Creek
- Carthew Creek
- Hilton Springs
- Lazo Marsh
- Queen's Ditch drainage channel
- the ditches along and north side of Knight Road and south of Salmonberry Drive that discharge into 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
- the ditch that travels along Ryan Road and Military Row north of Ocean Spray Drive that discharges into Little River

Definitions

Any terms used in this Development Permit Area that are defined in the Riparian Areas Protection Regulation [B.C. Reg. 32/2023] (Regulation) are as defined in the Regulation as amended from time to time, or any future iteration thereof.

Major Development means the construction of five or more dwelling units on a parcel, the construction of commercial and industrial buildings that require new or extended foundations, or subdivision to create three or more parcels.

Exemptions

A Development Permit will not be required for the following:

1. A development where the developer provides a copy of an authorization issued under section 35 (2) (b) or (c)[serious harm to fish — exception] of the *Fisheries Act* (Canada) for the development.
2. Repairs or other non-structural alterations or additions to a building or other structure, if:
 - 2.1. the structure will remain on its existing foundation and footprint, and
 - 2.2. The use of a building or structure conforms with uses permitted by the Zoning Bylaw on the parcel, and the building or structure is not damaged or destroyed to the extent of 75% or more of its value above its foundations.
3. Maintenance of an area of human disturbance, other than a building or structure, if the area is not extended and the type of disturbance is not changed.
4. Farming activities as defined in the Farm Practices Protection (Right to Farm) Act.
5. Development outside of a riparian assessment area. Where development is not clearly outside of a riparian assessment area, the Town may require a site plan completed by a BC Land Surveyor to identify that development is taking place outside a riparian assessment area.
6. Works in or about a stream approved under the *Water Sustainability Act*.



Guidelines

Unless exempted, a development permit will not be issued unless the Ministry of Environment has provided the Town with a copy of an assessment report prepared by a QEP, and development will take place as per the recommendations of the assessment report.

1. The minimum setback from the stream boundary as identified by a QEP and incorporated into a BC Land Surveyor certified site plan is 30 metres, unless an assessment report prepared by a QEP identifies a narrower SPEA as per the simple assessment, or a varying setback as per the detailed assessment, as outlined in Regulation Technical Assessment Manual.
2. The minimum setback from the top of a ravine bank for ravines that are 60 metres wide or more is 10 metres from top of ravine bank, as identified by a qualified QEP and incorporated into a BCLS certified site plan, unless an assessment report prepared by a QEP identifies a different setback as per the detailed assessment outlined in the Regulation Technical Assessment Manual. For clarity, the setback may need to be larger than 10 metres under another Development Permit Area.
3. Subdivision, including bare land subdivision, must result in parcels that are entirely outside of the SPEA, unless the SPEA is restored to a naturalized state, fenced, and protected through covenants on title of each parcel that includes a portion of a SPEA.
4. In addition to the minimum requirements of an assessment report as per the Regulation Technical Assessment Manual, assessment reports for Major Development must include the following measures that should be implemented for the development, including where a simple assessment is completed as per the Regulation Technical Assessment Manual, but except where a stream is classified by the QEP as a ditch as defined in the Regulation Technical Assessment Manual:
 - 4.1. measures to improve the health of the SPEA in areas of previous human disturbance within the SPEA.
 - 4.2. any potential hazards posed by the proposed development to natural features, functions or conditions in the SPEA that support the life processes of protected fish, and recommended measures to be taken to avoid the hazards.
 - 4.3. recommendations from the QEP for fencing and signage that prevents human disturbance of the SPEA but allows for movement of animals, and that complies with any form and character development permit area guidelines that apply to the type of development.
 - 4.4. recommended measures to protect and enhance natural features on the parcel that are outside of, but integral to the SPEA, including tree cover and vegetation, drainage patterns, aquifer protection, and topography.
5. Without limiting the Regulation Technical Assessment Manual, where a permanent structure is proposed to be demolished to facilitate development, the assessment report must identify the SPEA as if the permanent structure does not exist, and all development should take place outside the SPEA.





NORTH EAST COMOX

Development Permit Area

Area

As per section 489 of the *Local Government Act*, unless exempted, a Development Permit addressing North East Comox guidelines must be approved for those properties shown on the OCP DPA – North East Comox map prior to:

- Subdivision of land;
- Alteration of land, including vegetation; and
- Construction of, addition to, or alteration of a building or structure.

Designation

In accordance with sections 488(1) (a), (b), (c), (i) of the *Local Government Act*, these lands are hereby designation a development permit area for:

- the protection of the natural environment, its ecosystems and biodiversity.
- protection of development from hazardous conditions.
- protection of farming.

Objectives

- Protect the integrity of the ground water supply for the Lazo Wildlife Management Area, Hilton Springs, and adjacent ALR lands to the north.
- Manage drainage and prevent flooding on lands downstream and down-slope of this DPA.

Justification

Protecting the integrity of ground water supply and drainage control for the Lazo Wildlife Management Area, Hilton Springs and ALR land, mitigating impacts to ecological vitality and productive capability respectively.

Exemptions

A development permit is not required for the following actions:

1. Subdivision limited to a lot line adjustment, consolidation, or road or park dedication.
2. Subdivision of land; alteration of land, including vegetation; or construction of, addition to, or alteration of a building or other structure on a parcel within the area shown shaded in figure 27, for which a subdivision has been approved or a building permit issued in compliance with Town of Comox Subdivision and Development Servicing Bylaw, Schedule 7 (North East Comox Special Requirements).
3. Construction of, addition to, or alteration of a single detached dwelling and accessory buildings thereto.
4. Construction of, addition to, or alteration of a coach house.
5. Construction of, addition to, or alteration of a multi-unit building and accessory buildings thereto located on Lot 33 District Lot 156 Comox District Plan VIP64775 (1260 Noel Avenue).



Guidelines

Unless exempted, 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.

1. The quantity and quality of ground water flows to Lazo Marsh, Hilton Springs and ALR lands to the north of Lazo Marsh, east of Pritchard Road and south of Knight Road, should be maintained in relation to existing site conditions.
2. The impact of surface and ground water flows on flood frequency and duration on lands downstream and down-slope of this DPA for up to and including the 100-year storm event should be the same or less than existing site conditions.
3. A 15-metre undisturbed natural state buffer must 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, as identified on a BCLS certified by a British Columbia Land Surveyor (BCLS) certified site plan.
4. A report by a professional engineer with expertise in geotechnical engineering or hydrology and a professional agrologist may be required in accordance with Comox Planning Procedures Bylaw 1780 addressing measures necessary to ensure:
 - the quality and quantity of ground water flows are maintained in relation to existing site conditions; and
 - the impact of surface and ground water flows on flood frequency and duration on lands downstream and down-slope of this DPA for up to and including the 100-year storm event should be the same or less than existing site conditions.
5. The subdivision of land; alteration of land including vegetation; or construction of, addition to, or alteration of a building or other structure should be in accordance with any required professional engineer and professional agrologist impact assessment report, including any works or protective measures specified.

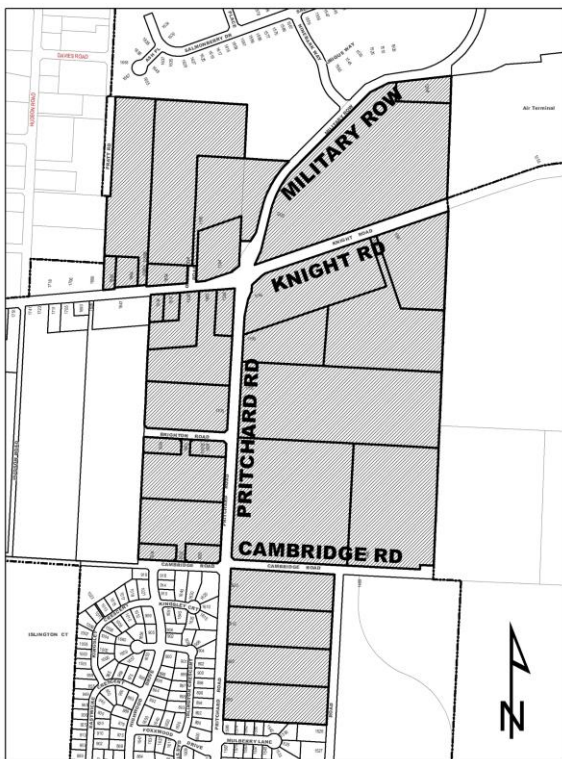


Figure 27: North East Comox Sub-catchment Area





TOWN OF COMOX



OCP DPA - Form and Character

 Commercial: Tourist Boundary

 Downtown Boundary

 Harbour / Marina Boundary

 Form and Character

Administrative Boundaries

 Town of Comox

 Reserve Lands

 Parcel

Comox Harbour

COMOX 1

HECTOR RD

WILLOW RD

ASPHEN RD

BOLTON RD

ANDERTON RD

ROBB AVE

BUENA VISTA AVE

COMOX AVE

BEAUFORT AVE

CHURCH ST

PORT JUAN ST

BALMORAL AVE

TORRENCE RD

RAILROAD RD

NOEL AVE

CUTHBERT RD

KNIGHT RD

MILITARY ROW

Kyle Bay

WINDSOR RD

KYLE BAY RD

LAKE RD

Salish Sea

Strait of Georgia

Baynes Sound

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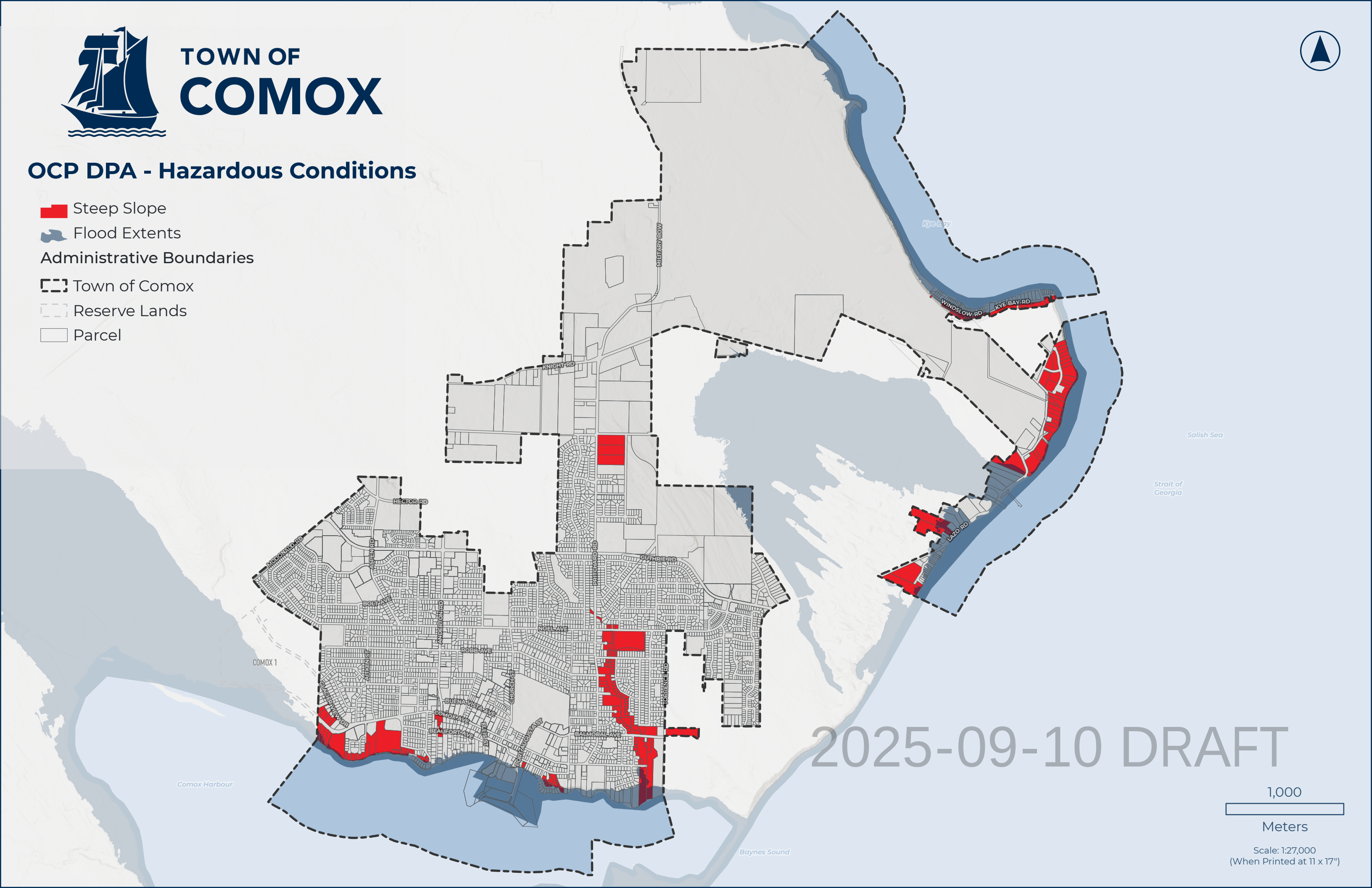


TOWN OF
COMOX



OCP DPA - Hazardous Conditions

-  Steep Slope
-  Flood Extents
- Administrative Boundaries
 -  Town of Comox
 -  Reserve Lands
 -  Parcel



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TOWN OF COMOX



OCP DPA - Riparian Ecosystems

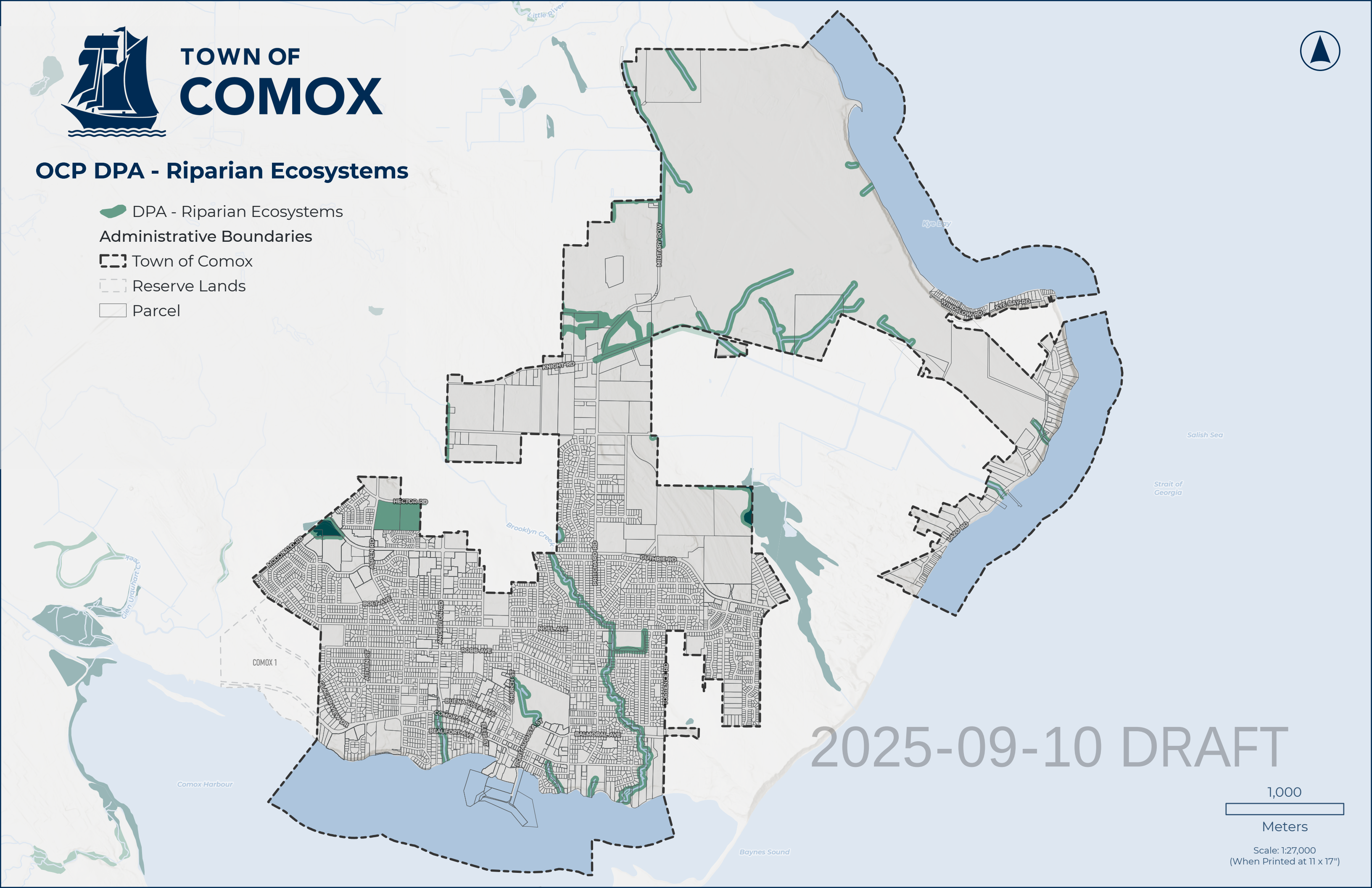
 DPA - Riparian Ecosystems

Administrative Boundaries

 Town of Comox

 Reserve Lands

 Parcel



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Administrative Boundaries

 Town of Comox

Reserve Lands

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