
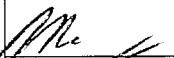





TOWN OF COMOX PLANNING REPORT

TO:	Richard Kanigan, Chief Administrative Officer
FROM:	Marvin Kamenz, Municipal Planner Peter Marohnic, Planning Technician
SUBJECT:	Rezoning Application No. RZ 09-2 Drive-thrus
MEETING DATE:	RCM September 19, 2009 1 st and 2 nd Reading


Submitted by


Concurrence


Approval

RECOMMENDATION:

That Bylaw No. 1636 (Comox Zoning Amendment No.39, 2009) be given First and Second Reading (**Attachment 3**).

PROPOSAL:

Zoning amendment to permit drive-thrus on all parcels where they currently exist and prohibit drive-thrus on all other parcels.

DISCUSSION:

Council issued the following resolution at the July 15th, 2009 Regular Council Meeting:

"That drive-thrus be permitted on parcels where they currently exist, and prohibited elsewhere."

Drive-thrus currently exist at 1966 Guthrie Road and 727 Anderton Road. A map identifying the location of these two properties is shown in **Attachment 1**. The proposed bylaw permits existing drive-thrus as well as construction of additional drive-thrus on the properties identified in **Attachment 1** and prohibits drive-thrus on all other properties in Comox. Any future application proposing drive-thrus on a property other than those identified in **Attachment 1** will require a rezoning application.

The Town has received a rezoning application for 2310 Guthrie Road (north-east corner of Guthrie Road and McDonald Road) that proposes two drive-thru facilities. A map identifying 2310 Guthrie Road's location is shown in **Attachment 2**. 2310 Guthrie Road is currently zoned R3.2: Single Family/Secondary Suite – 450m² Parcel, which does not permit a drive-thru. The application at 2310 Guthrie Road will proceed through the development review stage of the application process unaffected by the proposed bylaw (if passed by Council) because an applicant maintains the ability to apply for a rezoning.

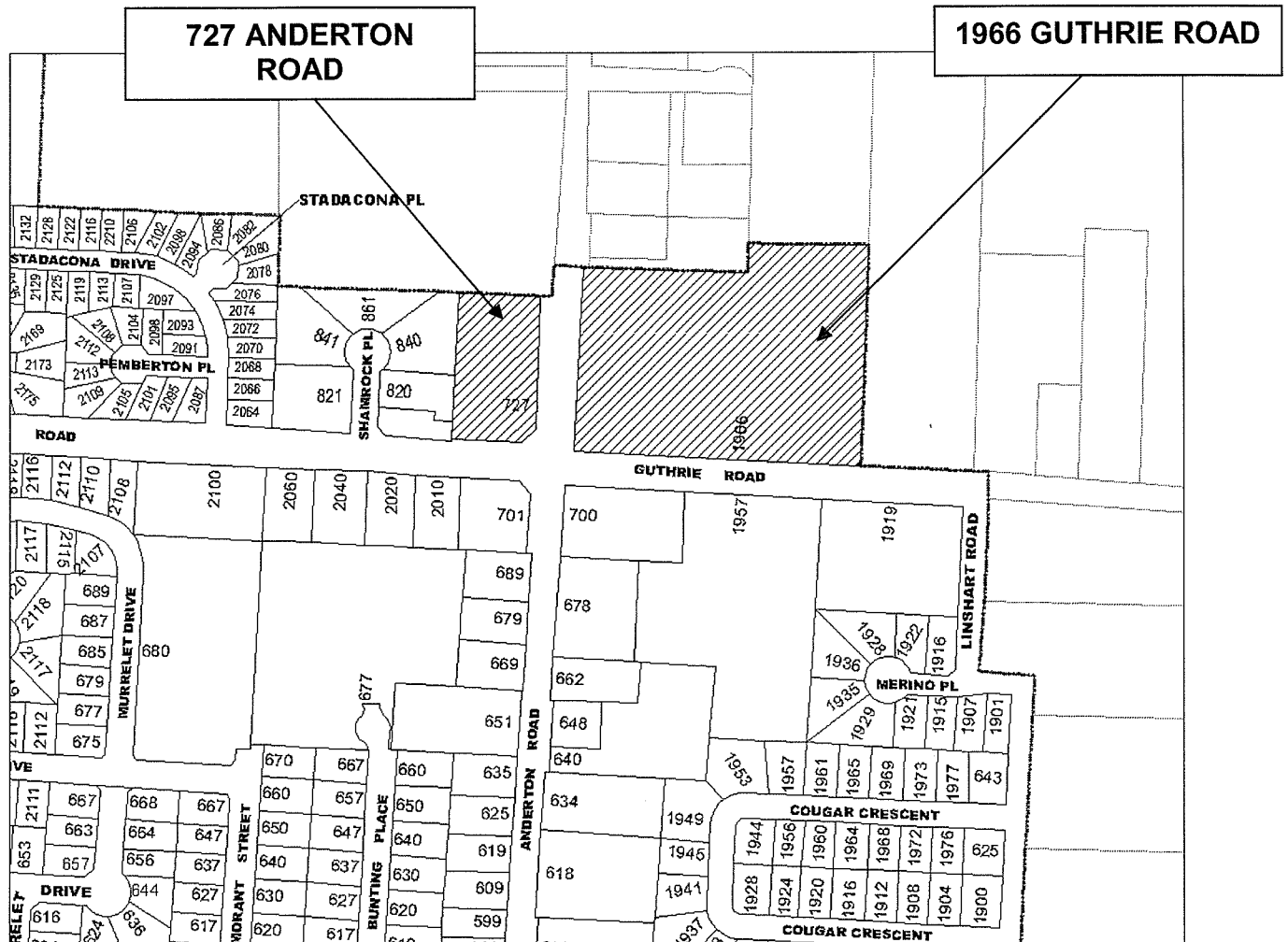
MK/PM
Schedules: 0

Attachments:

- 1: Application Summary
- 2: Map showing location of 2310 Guthrie Road
- 3: Bylaw No. 1636

ATTACHMENT 1

APPLICATION SUMMARY:



Proposal:

Zoning amendment to permit drive-thrus on all parcels where they currently exist and prohibit drive-thrus on all other parcels.

Legal Descriptions:

Lot A, Section 77, Comox District, Plan VIP86498
 Lot A, District Lot 170, Comox District, Plan VIP67445

Civic Addresses:

1966 Guthrie Road
 727 Anderton Road

OCP

Land Use Designation: Commercial: District Commercial
Dev. Permit Area: Development Permit Area No. 2 – General
Commercial and Industrial

Zoning: C3.1 Arterial Commercial

Permitted Uses Include:

- Retail Stores
- Offices
- Restaurants
- Medical Clinics
- Gas Bars
- Brew Pubs

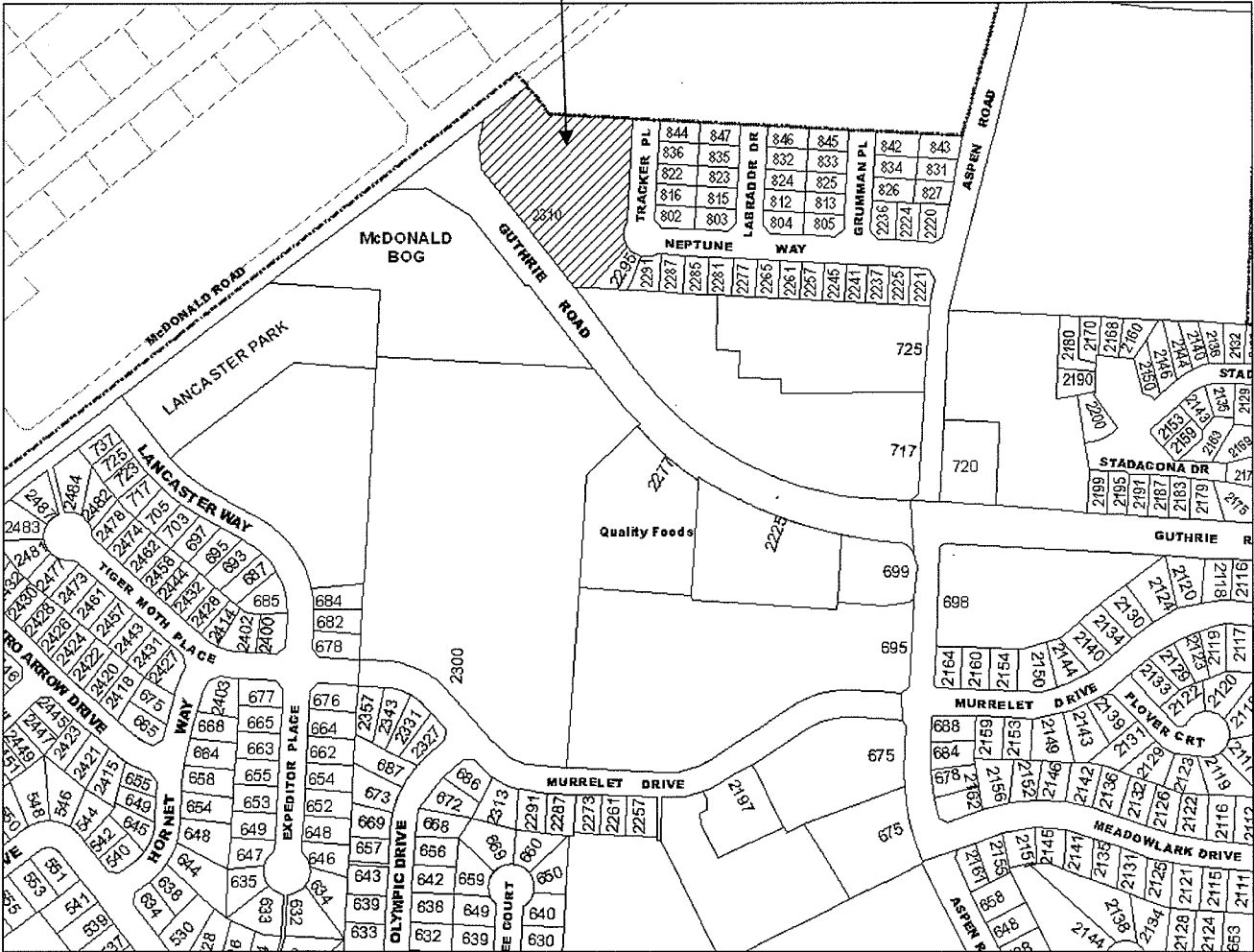
Surrounding Uses:

The subject property is surrounded by:

- Light Industrial and Multi-Family Residential to the west.
- Arterial Commercial (vacant lot), Gas Bar, and Multi-Family Residential to the south.
- Comox Valley Regional District Residential to the north.
- Comox Valley Regional District Rural Agricultural Land Reserve to the east.

ATTACHMENT 2

2310 Guthrie Road



ATTACHMENT 3

TOWN OF COMOX

BYLAW NO. 1636

A BYLAW TO AMEND THE TOWN OF COMOX ZONING BYLAW 1377

WHEREAS Council has the authority under the provisions of the *Local Government Act* to amend the Zoning Bylaws;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title:

This Bylaw may be cited for all purposes as "Comox Zoning Amendment No. 39, 2009".

2. Amendments:

- (a) Section 3.2 (Definitions), Town of Comox, Zoning Bylaw 1377 is amended by adding the following definition:

Drive-Thru Services

A business in which customers order and receive food, services, or retail goods or conduct financial transactions while remaining in their vehicle, but excluding car washes, service stations and gas bars, and facilities providing minor vehicle repair.

- (b) Section 5 (General Regulations), Town of Comox, Zoning Bylaw 1377 is amended as follows:

- i. By adding the following text as Section 5.10 and renumbering accordingly:

Drive-Thru Services and Drive-Thru Restaurants

Drive-Thru Services and Drive-Thru Restaurants are prohibited in all zones except the C3.1 zone.

(c) Section 305.1(11), Town of Comox, Zoning Bylaw 1377 is amended by adding the following use and renumbering accordingly:

(11) Drive-thru services

(d) Section 305.2, Town of Comox, Zoning Bylaw 1377 is amended as follows

i. By adding the following text as Section 305.2(4):

Drive-thru services and drive-thru restaurants shall only be permitted on Lot A Section 77 Comox District Plan VIP86498 and Lot A District Lot 170 Comox District Plan VIP67445

4. Adoption:

READ A FIRST time this	day of	,	2009
READ A SECOND time this	day of	,	2009
ADVERTISED A FIRST time this	day of	,	2009
ADVERTISED A SECOND time this	day of	,	2009
PUBLIC HEARING HELD this	day of	,	2009
READ A THIRD time this	day of	,	2009
ADOPTED this	day of	,	2009

MAYOR

CORPORATE OFFICER