

FOR: COUNCIL MEETING

MEETING DATE: May 4, 2026

DEPARTMENT: PLANNING & DEVELOPMENT

SUBJECT: **REZONING BYLAW ABANDONMENT – 444, 450, 500 COMOX ROAD, 55 MILL STREET, AND 1 TERMINAL AVENUE**

OVERVIEW

Purpose of Report

To seek Council direction to abandon bylaws associated with Rezoning Application No. RA475 (for 444, 450, 500 Comox Road, 55 Mill Street, and 1 Terminal Avenue).

Recommendation

That Council:

1. Abandon “Land Use Contract Discharge Bylaw 2022 No. 7355” (to discharge an existing Land Use Contract from the property title of 500 Comox Road); and
2. Abandon “Zoning Bylaw Amendment Bylaw 2022 No. 4500.204” (to rezone 444, 450, 500 Comox Road, 55 Mill Street, and 1 Terminal Avenue from Medium Density Residential [R8] and Gateway [DT12] to Comprehensive Development District Zone Seven [CD7] and to amend the CD7 zone with new zoning regulations, to facilitate a mixed-use development and subdivision).

DISCUSSION

A rezoning application, RA475, was received in 2021 to rezone the subject properties of 444, 450, 500 Comox Road, 55 Mill Street, and 1 Terminal Avenue to facilitate a mixed-use residential and commercial development. The properties previously included the former Howard Johnson Hotel, which was demolished last year.

The associated rezoning bylaws received three readings before the properties were acquired by the Province and Snuneymuxw First Nation (SFN) in 2024. SFN intends to redevelop the site, which includes a portion of the traditional sxwayxum village, and has applied for a boundary adjustment subdivision (SUB01543) to facilitate this redevelopment. While SFN is working on a vision for the site which may require further development approvals, they and the Province have authorized the City to cancel the rezoning application.

The following are key dates related to the subject properties and associated rezoning:

- 2021-JUL-28 – Rezoning application received
- 2022-AUG-29 – Rezoning bylaws passed first and second readings
- 2022-SEP-29 – Public Hearing
- 2022-OCT-24 – Third reading

- 2023-FEB-27 – Third reading rescinded
- 2023-MAY-02 – Second reading rescinded, passed as amended
- 2023-MAY-18 – Public Hearing and third reading
- 2024-MAR-18 – Third reading rescinded
- 2024-APR-18 – Public Hearing and third reading
- 2024-JUL-15 – Province announces acquisition of subject properties
- 2026-JAN-05 – Boundary adjustment subdivision application received

Abandoning the bylaws will cancel the current rezoning application (RA475). The abandonment of the Zoning Amendment Bylaw will mean that the existing zoning will be retained (Medium Density Residential [R8], Gateway [DT12], and Comprehensive Development District Zone Seven [CD7], which allows a mix of medium density commercial and residential uses) and that the conditions of rezoning registered on title through *Land Title Act* Section 219 covenants can be released. The Land Use Contract Discharge Bylaw will also be abandoned, as it is redundant now that all Land Use Contracts in the Province have been terminated as of June 2024. |

KEY MESSAGES

- The associated rezoning bylaws received three readings before the properties were acquired by the Province and Snuneymuxw First Nation (SFN) in 2024.
- While SFN is working on a vision for the site which may require further development approvals, they and the Province have authorized the City to cancel the rezoning application. |

ATTACHMENTS

ATTACHMENT A: Subject Property Map
“Land Use Contract Discharge Bylaw 2022 No. 7355”
“Zoning Bylaw Amendment Bylaw 2022 No. 4500.204” |

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