

**4.2.3 Zoning Amendment Bylaw No. 3040 to allow for a carriage house at 1236 Malahat Drive (3360-20-2106)**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT based on the September 27<sup>th</sup>, 2021 staff report “Zoning Amendment Bylaw No. 3040 to allow for a carriage house at 1236 Malahat Drive” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3040, 2021; and,

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3040.

**Carried**

**Councillor Cole-Hamilton left Council Chambers at 6:50 p.m.**

**Councillor Cole-Hamilton returned to Council Chambers and took his seat at 6:52 p.m.**

**Councillor McCollum left Council Chambers at 6:56 p.m.**

**Councillor McCollum returned to Council Chambers and took her seat at 6:57 p.m.**

**4.2.4 Encroachment Agreements for Endure Projects Inc. BC1227832, 397 5<sup>th</sup> Street (2240-30)**

**Moved By** Hillian

**Seconded By** Frisch

THAT based on the September 27<sup>th</sup> staff report “Encroachment Agreements for Endure Projects Inc. BC1227832, 397 5<sup>th</sup> Street”, Council approve OPTION 1 and authorize:

- One subsurface encroachment agreement and a second aerial encroachment agreement with associated section 219 *Land Title Act* restrictive covenant registered against 397 5<sup>th</sup> Street, Lot A Section 61 Comox District Plan EPP102945, and;

THAT staff proceed with the statutory notice requirements in accordance with sections 24, 26(3) and 94 of the Community Charter and;

THAT the Mayor and an Officer of the City be authorized to execute all documentation relating to the agreements.

**Carried**