

Notice of meeting of the
Lazo North (Area 'B')
Advisory Planning Commission

Thursday, February 23, 2017

To be held in the Comox Valley Regional District boardroom

Located at 550B Comox Road, Courtenay, BC

Commencing at 7:00 p.m.

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| 2 | 1. Receipt of the minutes of the January 26, 2017 Lazo North (Area 'B') advisory planning commission meeting. |
| 3 | 2. Memorandum dated February 8, 2017, regarding 3090-20/ DV 1B 17 – Development variance permit application – 1307 Hudson Road – Lot B, District Lot 188, Comox District, Plan 49789 (Gartiside). |
| | 3. Next meeting date: Tentatively scheduled for Thursday, March 30, 2017. |

Distribution:

Area 'B' APC members
Area director
Alternate area director
Chief administrative officer
General manager of planning and development services branch
Manager of planning services
Corporate legislative officer
Manager of legislative services
Planners
CVRD website
File copy
Reception notice board (cover page)

Minutes of the meeting of the Electoral Area 'B' Lazo North Advisory Planning Commission of the Comox Valley Regional District held on Thursday, January 26, 2017 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 p.m.

PRESENT:	Chair	Stan Hartfelder
	Members	David Battle
		Danielle Fortosky
		Janet Crockett
ABSENT:	Members	Dean Maxwell
		Norman Reader
ALSO PRESENT:	Electoral Area Director	Rod Nichol
	Alternate Director	Andrew de Burgh Whyte
	Assistant Manager of Planning Services	Ton Trieu
	Planner	Connie Halbert
	Proponents for RZ 1B 16	Michelle DiCastrì

Agenda Items

Minutes of Advisory Planning Commission Meeting

FORTOSKY/ CROCKETT: THAT the minutes of the Electoral Area 'B' (Lazo North) advisory planning commission meeting held on Thursday, September 29, 2017 be received.

CARRIED

3360-20/ RZ 1B 16 – Zoning bylaw amendment application – Ryan Road (Jo-Ann Estates Ltd.)

FORTOSKY/ BATTLE: THAT the Area 'B' advisory planning commission support the zoning bylaw amendment application RZ 1B 16 for Ryan Road - Lot 2, District Lots 229 and 239, Comox District, Plan VIP85435 (Jo-Ann Estates Ltd.) as proposed.

CARRIED

Next Meeting Date

The next Electoral Area 'B' (Lazo North) advisory planning commission meeting is scheduled for Thursday, February 23, 2017 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 p.m.

Termination

BATTLE / CROCKETT: THAT the meeting terminate.

CARRIED

Time: 8:00 p.m.

Recording Secretary:
Andrew de Burgh Whyte

Chair:
Stan Hartfelder

Memo

File: 3090-20/DV 1B 17

DATE: February 8, 2017

TO: Advisory planning commission
Electoral Area 'B' (Lazo North)

FROM: Planning and development services branch

RE: Development variance permit – 1307 Hudson Road (Gartside)
Lot B, District Lot 188, Comox District, Plan 49789

The attached development proposal is for commission members' review and comment.

Application description

An application has been received to consider a development variance permit for a 0.25 hectare property located in Lazo North - Electoral Area 'B' (Figures 1 and 2). The property is zoned country residential one (CR-1) (Appendix A). It is bounded by Hudson Road to the east, an unopened road to the north, and CR-1 zoned properties to the south and west. The neighbourhood is predominately CR-1 zoned properties with a residential one C (R-1C) subdivision to the north. It is connected to the Comox Valley water local service area. There is no sewer service.

The property is currently developed with a small house and a workshop. The application is to vary the side yard setback from 7.5 metres to 5.8 metres and the rear yard setback from 7.5 metres to 6.3 metres to allow for the construction of an addition to the house.

Regional growth strategy and official community plan

The subject property is designated "settlement expansion area" in both the regional growth strategy, Bylaw No. 120, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" and the official community plan, Bylaw No. 337, being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014". The requested decreases to the rear and side yard setbacks do not conflict with residential policies established in either of these bylaws.

Zoning bylaw

The CR-1 zone in the zoning bylaw, Bylaw No. 2781 being the "Comox Valley Zoning Bylaw, 2005" (Appendix A) establishes maximum height, minimum setbacks, maximum lot coverage and maximum combined floor area for all buildings and structures on the property. Specifically it sets the rear yard setback to 7.5 metres and the side yard setback to 7.5 metres when the property abuts a road and has a frontage greater than 31 metres. See Table 1 for a summary of the variances requested.

Table 1: Variance summary

Zoning Bylaw No. 2781	Variance	Zoning	Proposed	Difference
Section 402(2)(ii)(b)	Side yard setback- abutting a road	7.5 metres	5.8 metres	1.7 metres
Section 707(4)	Rear yard setback	7.5 metres	6.3 metres	1.2 metres

The variance request to reduce the rear and side yard setbacks to allow the construction of an addition is due to the position of the existing house and workshop (Figure 3). The request does not impact the intent of minimum setbacks which in part is to provide spatial separation between buildings on properties and between buildings and roads for fire separation, utility corridors, etc. Note the requested 5.8 metres is greater than the Ministry of Transportation and Infrastructure requirement for a 4.5 metre setback from any roadway.

Please be advised that all adjacent properties within 100 metres of the subject parcel will be informed via mail of the variance request and be given the opportunity to comment prior to the application going forward to the electoral areas services committee for consideration.

Sincerely,

A. Mullaly

Alana Mullaly, MCIP, RPP
 Manager of Planning Services
 Planning and Development Services Branch

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Attachment Appendix A – “CR-1 zone, Bylaw No. 2781”

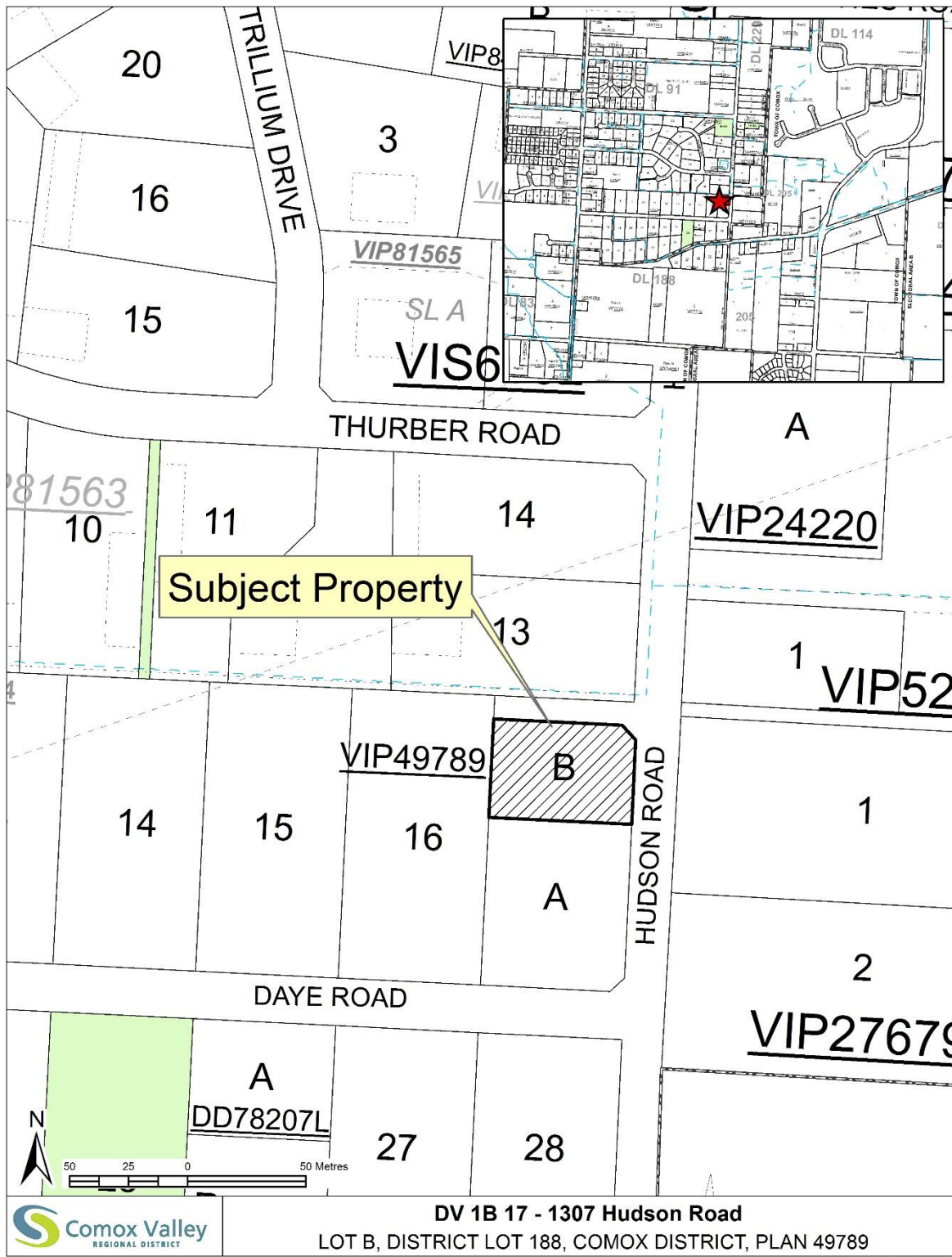


Figure 1: Subject property map

Comox Valley Regional District

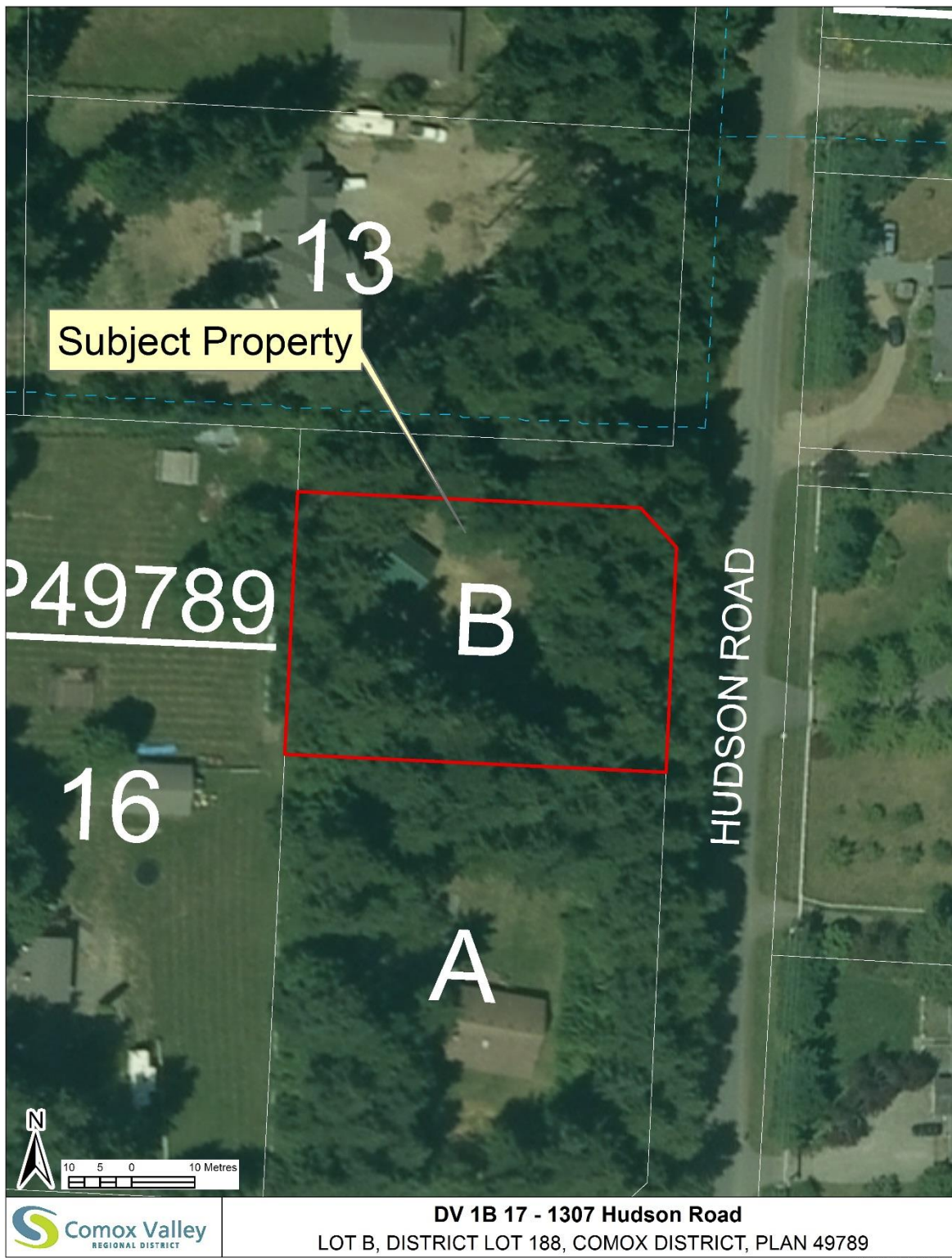


Figure 2: Air photo map

Comox Valley Regional District

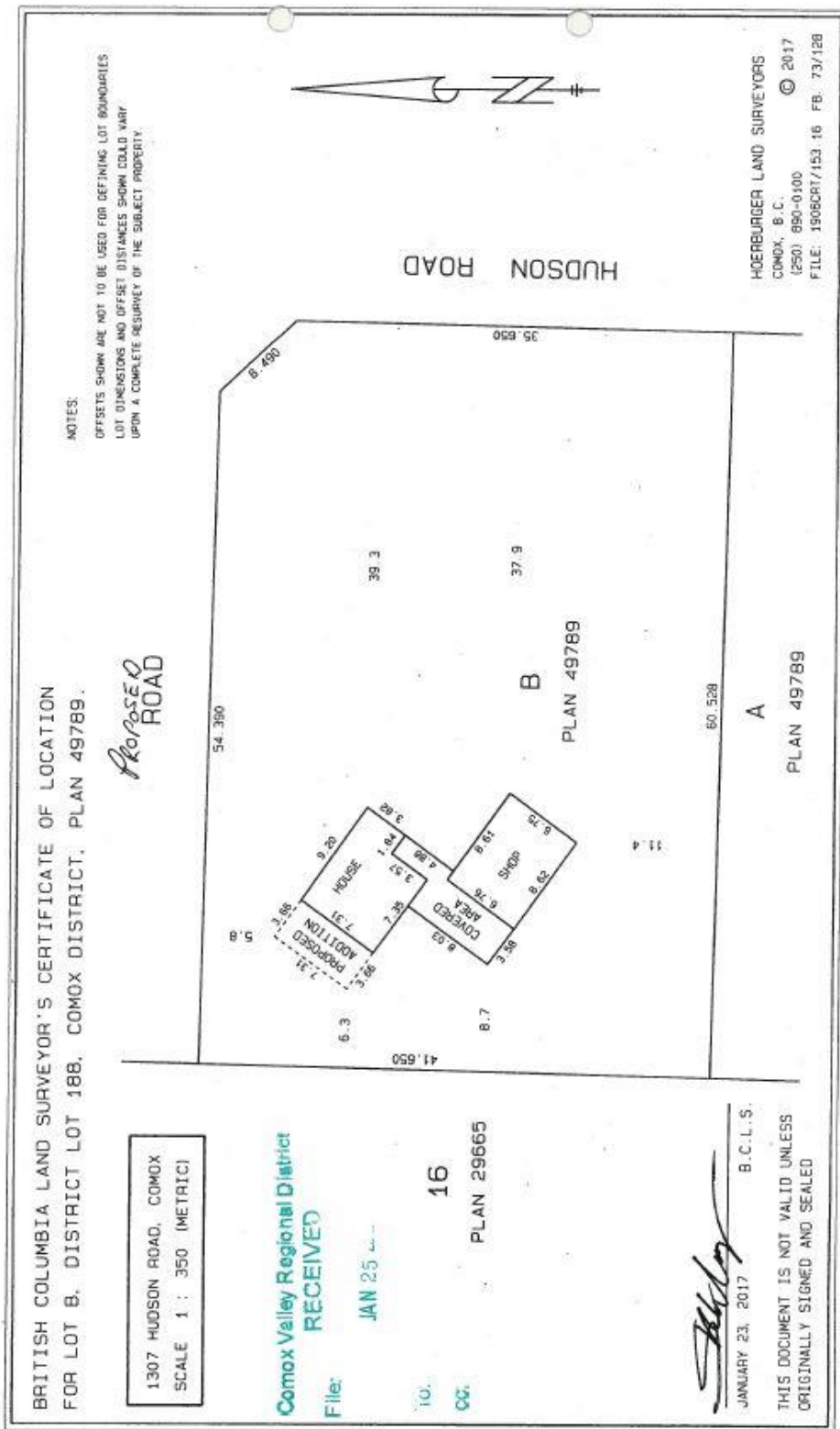


Figure 3: Site plan

Comox Valley Regional District

707**Country Residential One (CR-1)****1. PRINCIPAL USE**

- i) **On any lot:**
 - a) Residential use.
- ii) **On any lot over 4000 metres² (1.0 acre):**
 - a) Agricultural use.

2. ACCESSORY USES

- i) **On any lot:**
 - a) Home occupation use;
 - b) Accessory buildings; and
 - c) Bed and Breakfast
- ii) **On any lot 2.0 hectares (4.9 acres) or larger:**
 - a) Animal kennels.

3. DENSITY**Residential use is limited to:**

- i) **On any lot:** One single detached dwelling and secondary suite, or one single detached dwelling and one carriage house, or one single detached dwelling and one secondary dwelling limited in area to 90 metres² (968.8 feet²).
- ii) **On any lot 1.0 hectare (2.5 acres) and over:** Two single detached dwellings.

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

The setbacks required for buildings and structures within the Country Residential One zone shall be as set out in the table below.

Type of Structure	Height	Required Setback			
		Front yard	Rear yard	Side yard	
				Frontage <31m	Frontage >31m
Principal	10.0m (32.8ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)
Accessory	4.5m-or less (14.8ft)	7.5m (24.6ft)	1.0m (3.3ft)	1.0m (3.3ft)	1.0m (3.3ft)
Accessory	6.0m-4.6m (19.7ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)

Except where otherwise specified in this bylaw, no building or structure shall be located in any required front and side yard setback areas. [Note: Part 400, Siting Exceptions, of this bylaw and Bylaw No. 1836 being the "Floodplain Management Bylaw, 1997" may affect the siting of structures adjacent to major roads and the natural boundaries of watercourses and the sea, respectively.]

5. LOT COVERAGE

- i) The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area.

6. FLOOR AREA REQUIREMENTS

- i) The maximum combined gross floor area of all accessory buildings shall not exceed 200.0 metres² (2152.9 feet²).

7. SUBDIVISION REQUIREMENTS

- i) Despite any other provision of this bylaw, the minimum permitted lot area within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010” is 4.0 hectares. #200
- ii) Despite any other provision of this bylaw, for the purpose of subdivision, the following sections of this bylaw do not apply to lots within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010”:
- a) Section 503 Subdivision Standards 1. AREA AND FRONTAGE REQUIREMENTS i);
- b) Section 503 Subdivision Standards 2. LOT SIZE EXCEPTIONS i) a); and
- c) Section 503 Subdivision Standards 2. LOT SIZE EXCEPTIONS iii).

iii) **Lot Area**

The minimum lot area permitted shall be 2.0 hectares (4.9 acres)

Despite (iii), a subdivision with lots smaller than identified above may be created by subdivision provided that the average lot area within the subdivision is equal to the minimum lot area permitted.

End • CR-1