

Notice of meeting of the
Baynes Sound – Denman/Hornby Islands (Area ‘A’)
Advisory Planning Commission
Monday, February 27, 2017
To be held in the Bill Wood Room
Located at the Union Bay Hall, 5401 South Island Highway, Union Bay, BC
Commencing at 7:00 p.m.

PAGE

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| 2 | 1. Receipt of the minutes of the Monday, January 23, 2017, Baynes Sound – Denman/Hornby Islands (Electoral Area ‘A’) advisory planning commission meeting. |
| 3 | 2. Memorandum dated February 3, 2017, regarding 3360-20/ RZ 1A 16 – Zoning bylaw amendment application - 3985 Island Highway South – Parcel A (DD 270-N) of Lot 6, Block K, Section 6-A, Nelson District, Plan 1478, except part in Plan 24103 (Montizambert/St. Onge). |
| 21 | 3. Memorandum dated February 14, 2017, regarding 3090-20/ DV 1A 17 – Development variance permit application - 3395 Baden Road – Lot 6, Section 28, Township 11, Nelson District, Plan VIP83163 (Adamschek). |
| | 4. Next meeting date: Tentatively scheduled for Monday, March 27, 2017. |

Distribution:

Area ‘A’ APC members
Area director
Alternate area director
Chief administrative officer
General manager of property services branch
Manager of planning services
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Minutes of the meeting of the Electoral Area 'A' (Baynes Sound – Denman/Hornby Islands) advisory planning commission of the Comox Valley Regional District held on Monday, January 23, 2017 in the Bill Wood Room of the Union Bay Hall, located at 5401 South Island Hwy, Union Bay, BC, commencing at 7:00 p.m.

PRESENT:	Chair	Rodney Jones
	Members	Karen Fouracre
		Bill Trussler
		Bruce Livesey
		Janet Thomas
		Pieter Rutgers
		David Stapley
ABSENT:	Members	Margaret McKenzie
ALSO PRESENT:	Electoral Area Director	Bruce Jolliffe
	Alternate Director	Jim Argue
	Manager of Planning Services	Alana Mullaly

Agenda Items

Minutes of Advisory Planning Commission Meeting

RUTGERS/LIVESEY: THAT the minutes of the Electoral Area 'A' (Baynes Sound – Denman/Hornby Islands) advisory planning commission meeting held on Monday, November 28, 2016 be received.

CARRIED

3090-20/ DV 6A 16 – development variance permit application – 385 Bates Drive – Lot 24, District Lot 30, Newcastle District, Plan 23165 (Haigh/Barnes)

RUTGERS/LIVESEY: THAT the Area 'A' advisory planning commission support the approval of development variance permit application DV 6A 16 for 385 Bates Drive (Haigh/Barnes) as presented as there have been no neighbour complaints of this long-standing situation and there is little traffic on the road.

CARRIED

Next Meeting Date

The next Electoral Area 'A' (Baynes Sound – Denman/Hornby Islands) advisory planning commission meeting is scheduled for Monday, February 27, 2017 in the Bill Wood Room of the Union Bay Hall, located at 5401 South Island Hwy, Union Bay, BC, commencing at 7:00 p.m.

Termination

TRUSSLER/THOMAS: THAT the meeting terminate.

CARRIED

Time: 7:09 p.m.

Recording Secretary:
Karen Fouracre

Chair:
Rodney Jones

Memo

File: 3360-20/RZ 1A 16

DATE: February 3, 2017

TO: Advisory planning commission
Electoral Area 'A' (Baynes Sound – Denman/Hornby Islands)

FROM: Planning and development services branch

RE: Zoning bylaw amendment – 3985 Island Highway South (Montizambert/St. Onge)
Parcel A (DD 270-N) of Lot 6, Block K, Section 6-A, Nelson District, Plan 1478,
except part in Plan 24103

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

An application has been received to consider a zoning bylaw amendment for a property in Royston at 3985 Island Highway. The property is currently zoned public assembly one (PA-1) and the application seeks to rezone the property to a residential zone so that the applicants can use the old school house as a principal dwelling.

For more information, please refer to the attached staff report dated January 4, 2017, which was presented to the electoral areas services committee on January 16, 2016.

Thank you for your review.

Sincerely,

A. Mullaly

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

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Enclosure

DATE: January 4, 2017

FILE: 3360-20/RZ 1A 16

TO: Chair and members
Electoral areas services committee

FROM: Debra Oakman, CPA, CMA
Chief Administrative Officer

RE: 3985 Island Highway South (Montizambert/St. Onge)
Electoral area 'A', Baynes Sound – Denman/Hornby Islands
Parcel A (DD 270-N) of Lot 6, Block K, Section 6-A, Nelson District, Plan 1478,
Except part in Plan 24103

Purpose

The purpose of this report is to advise the electoral areas services committee of an application to rezone the subject property from public assembly one (PA-1) to a residential zone to allow residential use to be the principal use of the property and to recommend that the application be externally referred (Appendix A).

Policy analysis

Section 460 of the *Local Government Act* (RSBC, 2015, c. 1) (LGA) states that a local government must define procedures by which a property owner may apply for a bylaw amendment. Section 479 of the LGA authorizes a local government to regulate the use, density, the size and shape of land, buildings and structures. Section 464 states that a local government must hold a public hearing before adopting a zoning bylaw.

Executive summary

An application has been received to consider rezoning the subject property, where the old Royston schoolhouse building is located, from public assembly one (PA-1) to a residential zone so that the building can be renovated and used as a dwelling. While the PA-1 allows for an accessory dwelling, the purpose of the application is to allow the dwelling to be the principal use. The property is within the settlement expansion area (SEA), as designated by the regional growth strategy (RGS) and official community plan (OCP). It is within the Royston local water service area and within the Courtenay fire protection district (Appendix B). To be consistent with the policy directions of the SEA, both the City of Courtenay and Village of Cumberland should be included in the referral process. Staff recommends that the First Nations and agency referral process for this rezoning application be initiated. Once this process is completed, comments from these parties will be presented to the board for consideration of next steps.

Recommendation from the chief administrative officer:

THAT the board endorse the agency referral list as outlined in appendix A of staff report dated January 4, 2017, and direct staff to commence the external agency referral process for Parcel A (DD 270-N) of Lot 6, Block K, Section 6-A, Nelson District, Plan 1478, except part in plan 24103, as part of a proposed amendment (RZ 1A 16) to Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”;

AND FINALLY THAT Comox Valley Regional District staff consult with First Nations in accordance with the referrals management program dated September 25, 2012, for Parcel A

(DD 270-N) of Lot 6, Block K, Section 6-A, Nelson District, Plan 1478, except part in plan 24103, as part of a proposed amendment (RZ 1A 16) to Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005.”

Respectfully:

D. Oakman

Debra Oakman, CPA, CMA
Chief Administrative Officer

Background/current situation

The subject property is a 0.4 hectare (1 acre) lot located on the Island Highway in Royston (Figure 1 and 2). It is developed with the old Royston schoolhouse and several out-buildings (Figures 3, 4 and 5). It was sold in 2006 by the school district to a member of the public. This year, new owners took possession and are seeking to convert the building into a residence. The property is currently zoned PA-1 (Appendix C) and the applicants would like to rezone to a residential zone so that the building can be modernized and used as a dwelling unit. The surrounding area is mostly zoned residential one (Figure 6) (Appendix D).

The applicants have already conducted some work on the building: adding a natural gas service connection, improving site drainage, and modernizing some electrical and plumbing works. The new residential zone would allow the owners to continue working on the building, such as adding a residential kitchen, and using it as a permanent private dwelling.

Official community plan analysis

The property is designated in the SEA in the OCP being the “Rural Comox Valley Regional District Official Community Plan, Bylaw No. 337, 2014”. The objective of this designation is to maintain a rural character with on-site servicing and low densities. While the existing PA-1 zone allows for an accessory dwelling, the surrounding residential zones allow for both a principal and an accessory dwelling. To address the intent of the SEA’s direction to maintain low densities, a zone exception can be used to limit the parcel to one single detached dwelling, as is permitted in the PA-1 zone.

Policy 36(2) of this designation states “*Any land use application for subdivision or rezoning will be reviewed in light of the planning direction in the adjacent municipality in order to ensure that consideration is given to compatible planning and zoning requirements of that municipality*”, and policy 37(3) states “*New residential development must not preclude future land assembly and subdivisions that are compatible with the standard of the adjacent municipality*”. To be consistent with these policy directions, both the City of Courtenay and the Village of Cumberland are included on the recommended external agency referral list (Appendix A).

Zoning bylaw analysis

The property is currently zoned PA-1 (Figure 6), in Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”, in which “public assembly” is defined as “*the use of land buildings or structures for religious institutions, cemeteries, clubs, hospitals, community care facility, institutional uses, government offices, daycare centres, schools, museums, community halls, auditorium, amphitheatre, publicly funded recreation facilities.*”

The PA-1 zone only allows residential use as an accessory use to a public assembly use and limits that residential use to one dwelling unit. The subject property’s surrounding residential zone is residential one (R-1) which allows for a principal dwelling unit and an accessory dwelling unit in the form of a secondary suite, carriage house, or secondary dwelling. Should the property be rezoned to R-1, consistent with the neighbourhood, it would enable the owners (or future owners) to add an

accessory dwelling. To maintain a lower density, as the OCP directs, a zone exemption can be used to limit the density of the residential property to one single detached dwelling. The zoning change would also allow the property to be used for a home occupation or a bed and breakfast. Neither the PA-1 zone, nor the R-1 zone, allows agricultural use.

Options

The board could accept the recommendation to proceed to the First Nations and external agency referral or deny the application. Given that the proposal is consistent with the RGS and OCP, it is recommended that the board commence the First Nations and agency referral processes.

Financial factors

A \$3,000 rezoning application fee has been collected for the application under the “Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014.” If the application proceeds, the applicant will incur a statutory public hearing fee of \$1,500. The total fee for the rezoning application is \$4,500.

Legal factors

This report and the recommendations contained herein are in compliance with the LGA and regional district bylaws. The LGA authorizes a local government to regulate the use of land and buildings.

Regional growth strategy implications

The subject property is designated as SEA in the RGS, Bylaw No. 120, being the “Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010”. This designation is provided to settlements on the fringe of the municipalities that were developed with private water and/or sewer servicing, or areas with long-term potential to accommodate growth, and where extensions of publicly-owned water or sewer services has occurred or is feasible. The subject property is within the Royston local water service area and the property is located within the Courtenay fire protection district. There is no sewer servicing in this area. The application is consistent with this SEA designation which directs that new development not detract from compact growth options within the municipal area and that infrastructure capacity is available and financially sustainable. To ensure the adjoining municipal areas are provided opportunity for input into the application, the City of Courtenay and the Village of Cumberland are included on the recommended external agency referral list (Appendix A).

Intergovernmental factors

Appendix A contains a list of organizations and authorities to which this proposed amendment is recommended to be forwarded, including the City of Courtenay and the Village of Cumberland. This rezoning application will be referred to First Nations in accordance with the referrals management program. Feedback from the referral process will be provided at a future electoral areas services committee meeting.

Interdepartmental involvement

Planning staff is leading the review of this application. Input from the following departments will be collected as the application moves through the review process:

- Building services
- Bylaw compliance
- Transit and sustainability
- Fire protection
- Engineering services

Citizen/public relations

Staff recommends that the application be referred to the Area ‘A’ advisory planning commission. If the application proceeds to bylaw preparation, community consultation will be held in accordance with Bylaw No. 328 (i.e. statutory mailing and public hearing).

Prepared by:

J. MacLean

 Jodi MacLean, , MCIP, RPP
 Rural Planner

Concurrence:

A. Mullaly

 Alana Mullaly, M.Pl., MCIP, RPP
 Manager of Planning Services

Concurrence:

A. MacDonald

 Ann MacDonald, MCIP, RPP
 General Manager of Planning
 and Development Services
 Branch

Attachments: Appendix A – “External agency referral list”
 Appendix B – “Maps of regional growth strategy, Courtenay fire services and Royston water local service areas”
 Appendix C – “Public assembly one (PA-1) zone, Zoning Bylaw No. 2781”
 Appendix D – “Residential one (R-1) zone, Zoning Bylaw No. 2781”

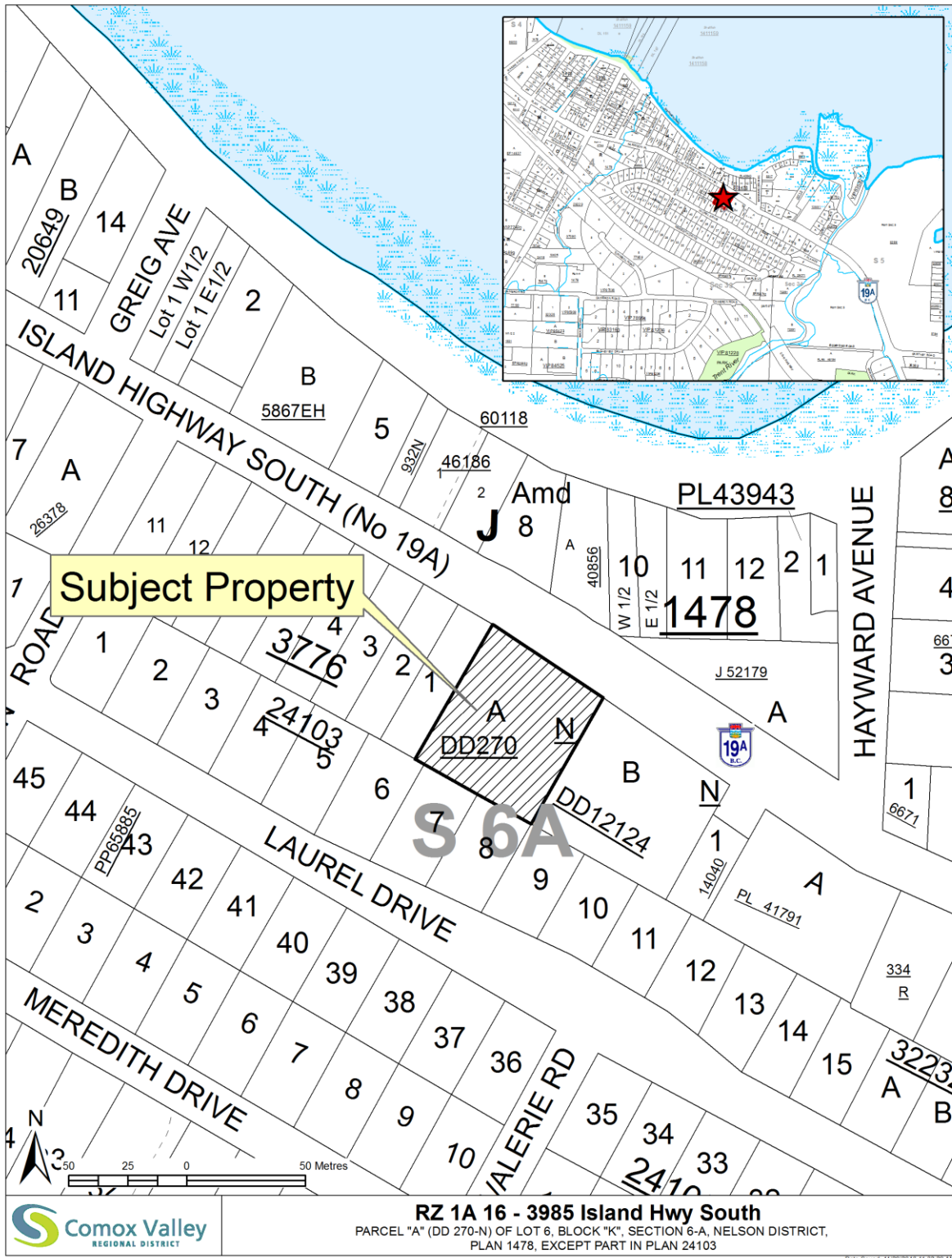


Figure 1: Subject property map



Figure 2: Air photo



Figure 3: Old Royston schoolhouse building, under renovations (Nov 2016)



Figure 4: Accessory buildings located on the subject property

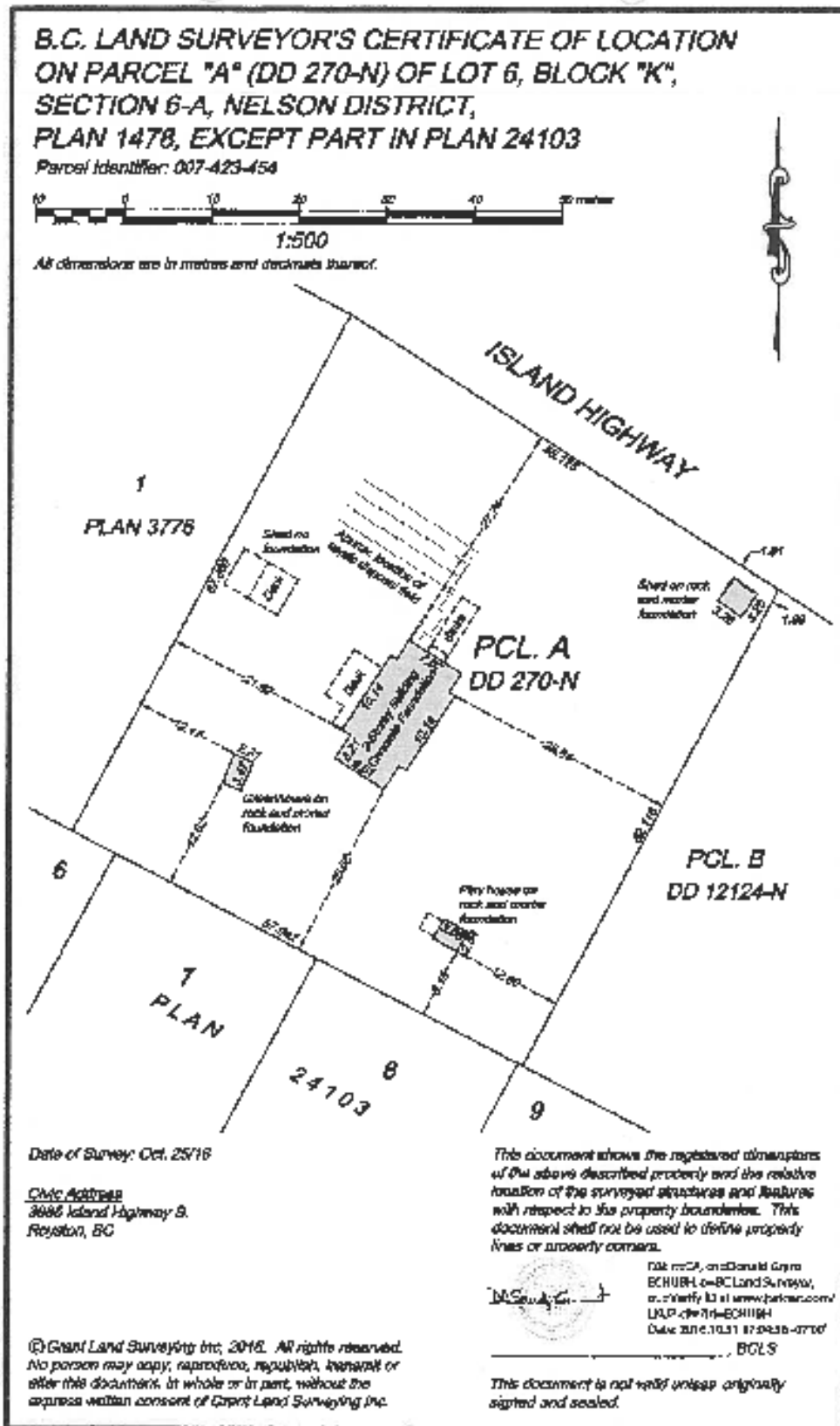


Figure 5: Surveyor's certificate, as submitted by applicant

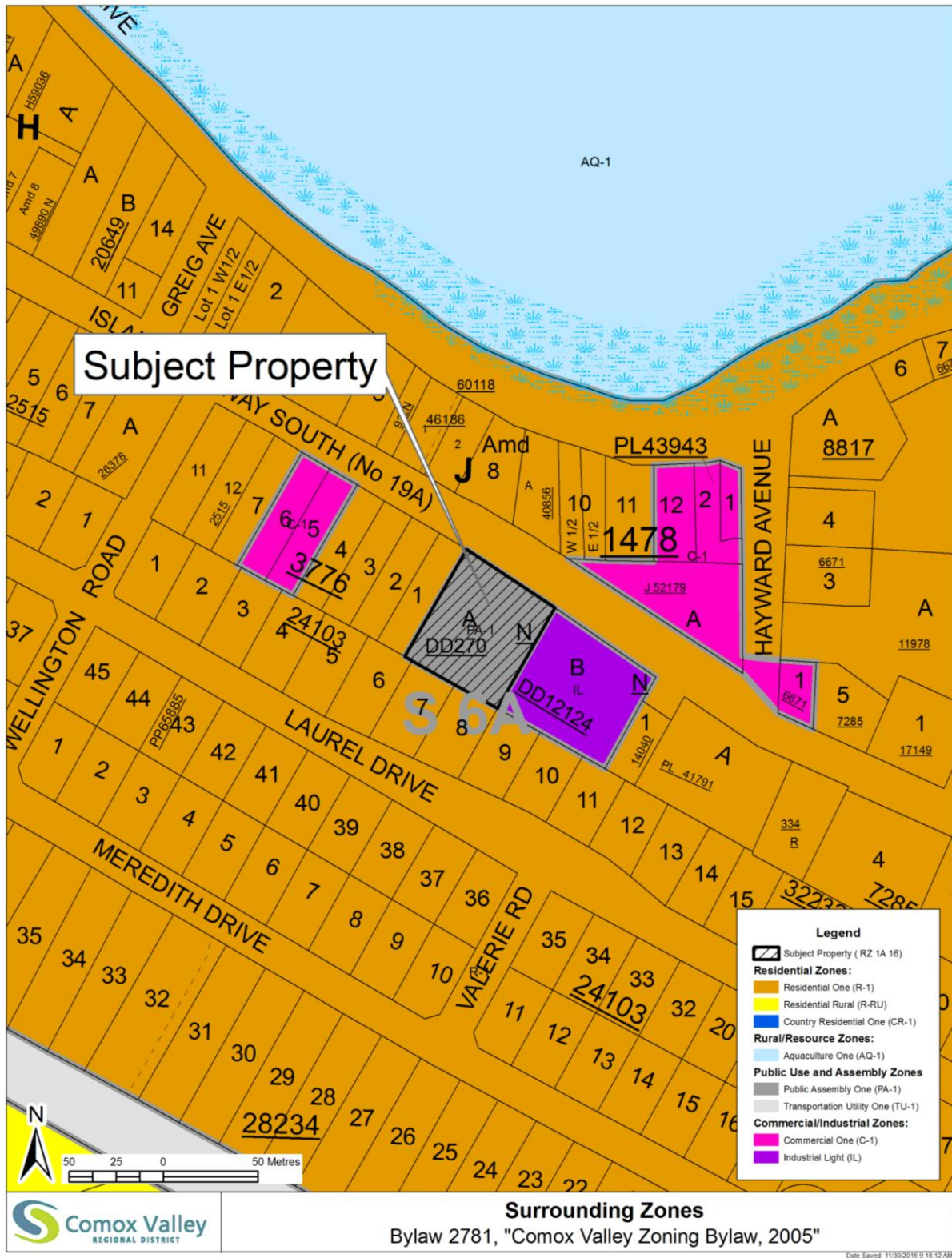


Figure 6: Zoning of area

AGENCY AND FIRST NATIONS REFERRAL LIST**First Nations**

<input checked="" type="checkbox"/>	K'ómoks First Nation	<input checked="" type="checkbox"/>	Homalco Indian Band
<input checked="" type="checkbox"/>	We Wai Kai Nation of the Laich-Kwil-Tach Treaty Society	<input checked="" type="checkbox"/>	Wei Wai Kum

Federal Departments and Agencies

<input type="checkbox"/>	Canadian Coast Guard	<input type="checkbox"/>	Public Works and Government Services Canada
<input type="checkbox"/>	Fisheries and Oceans Canada	<input type="checkbox"/>	RCMP
<input type="checkbox"/>	Indian and Northern Affairs Canada	<input type="checkbox"/>	Transport Canada Navigable Waters

Provincial Ministries and Agencies

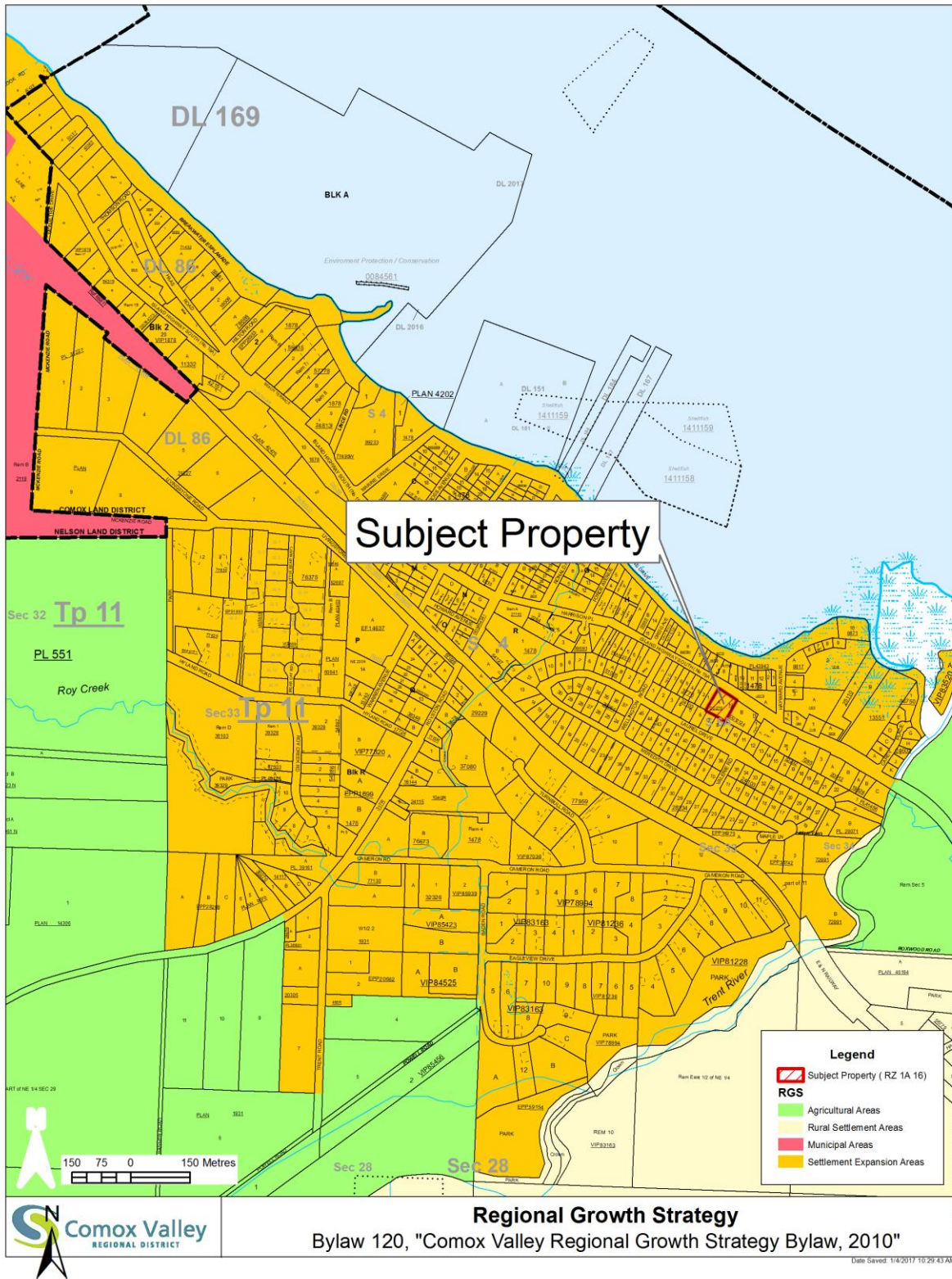
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<input type="checkbox"/>	Ministry of Community, Sport and Cultural Development	<input type="checkbox"/>	Ministry of Forests, Lands and Natural Resource Operations
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Ministry of Energy and Mines
<input type="checkbox"/>	BC Ferry Services Inc.	<input type="checkbox"/>	Ministry of Environment
<input type="checkbox"/>	BC Transit	<input type="checkbox"/>	Ministry of Agriculture
<input type="checkbox"/>	Ministry of Aboriginal Relations and Reconciliation	<input checked="" type="checkbox"/>	Ministry of Transportation and Infrastructure
<input type="checkbox"/>	Ministry of Tourism, Trade and Investment	<input type="checkbox"/>	Ministry of Forests, Lands and Natural Resource Operations

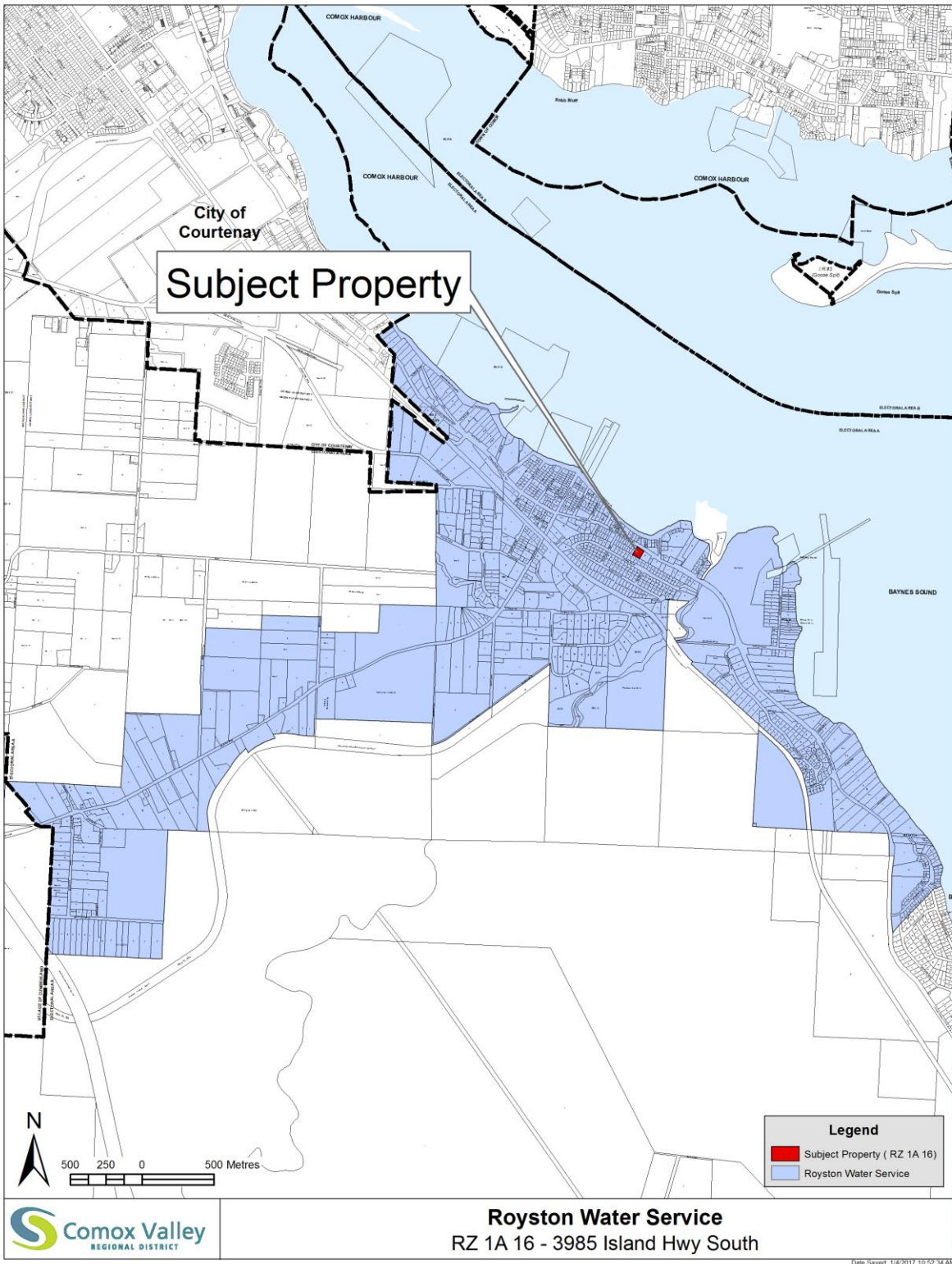
Local Government

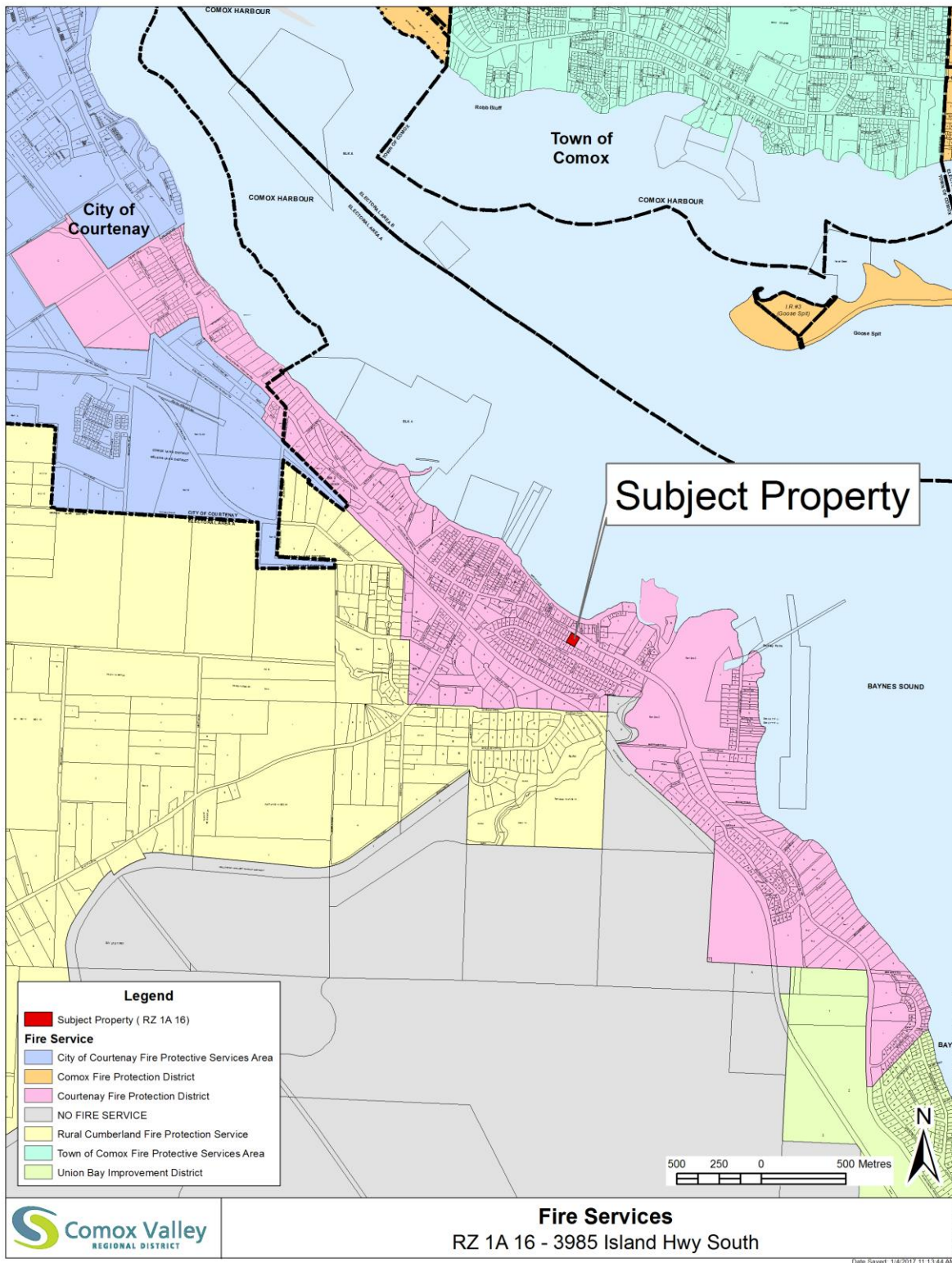
<input type="checkbox"/>	Comox (Town of)	<input type="checkbox"/>	Alberni-Clayoquot Regional District
<input checked="" type="checkbox"/>	Courtenay (City of)	<input type="checkbox"/>	Strathcona Regional District
<input checked="" type="checkbox"/>	Cumberland (Village of)	<input type="checkbox"/>	Regional District of Mount Waddington
<input type="checkbox"/>	Islands Trust	<input type="checkbox"/>	Regional District of Nanaimo

Other

<input type="checkbox"/>	Agricultural Community Advisory Panel	<input type="checkbox"/>	Comox Valley Economic Development Society
<input checked="" type="checkbox"/>	School District #71 (Comox Valley)	<input checked="" type="checkbox"/>	Island Health Authority
<input type="checkbox"/>	School District #72 (Campbell River)	<input checked="" type="checkbox"/>	Advisory Planning Commission 'A'







PART 1000**PUBLIC USE & ASSEMBLY ZONES****1001****Public Assembly One (PA-1)****1. PRINCIPAL USES****On any lot:**

- i) Public assembly use.

2. ACCESSORY USES**On any lot:**

- i) Fairground use;
-
- ii) Residential use limited to one dwelling unit;
-
- iii) Accessory buildings and structures.

3. SITING OF PRINCIPAL BUILDINGS AND STRUCTURES

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

Type of Structure	Heights	Required Setback				
		Front yard	Rear yard	Side yard	Side yard abutting road	
					Frontage <31m	Frontage >31m
Principal	12.0m (39.4ft)	4.5m (14.8ft)	4.5m (14.8ft)	1.5m (4.9ft)	4.5m (14.8ft)	7.5m (24.6ft)
Accessory	4.5m-or less (14.8ft)	4.5m (14.8ft)	1.5m (4.9ft)	1.5m (4.9ft)	4.5m (14.8ft)	7.5m (24.6ft)

Except where otherwise specified in this bylaw, no building or structure shall be located in any required front and side yard setback area. [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.]

4. ACCESSORY BUILDINGS

- i) Accessory buildings shall have a floor area not exceeding 10% of the lot area.

5. CONDITIONS OF USE

- i) Any camping associated with fairground use must be in conjunction with an event sponsored by a non-profit cause, organization or society taking place on the lot on which the use is carried out.

6. LOT COVERAGE

- i) The maximum lot coverage of all buildings and structures shall not exceed 60% of the total lot area.

7. MINIMUM LOT AREA AND FRONTAGE

- 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) A lot shall have a minimum area of 325.0 metres² (3,498.4 feet²) and a minimum frontage of 10%, but in no case less than 12.0 metres (39.4 feet).

End • PA-1

PART 700**RESIDENTIAL ZONES****701****Residential One (R-1)****1. PRINCIPAL USE****On any lot:**

- i) Residential use.

2. ACCESSORY USES**On any lot:**

- i) Secondary suite;
- ii) Home occupation use;
- iii) Accessory buildings;
- iv) Bed and Breakfast.

#4

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 90.0 metres² (968.8 feet²).

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

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

Type of Structure	Height	Required Setback		
		Front yard	Rear yard	Side yard
Principal	10.0m (32.8ft)	4.5m (14.8 ft)	4.5m (14.8 ft)	1.75m (5.8 ft)
Accessory	4.5m-or less (14.7 ft or less)	4.5m (14.8 ft)	1.0m (3.3 ft)	1.0m (3.3 ft)
Accessory	6.0m-4.6m (19.68ft)	4.5m (14.8 ft)	4.5m (14.8 ft)	1.75m (5.8 ft)

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. 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:

- a) When connected to community water and sewer: 600 metres² (6458.6 feet²)
- b) When connected to either community water or sewer: 4000 metres² (1.0 acre)
- c) When serviced by well and approved septic system: 1.0 hectare (2.5 acre)

Despite (iii), a subdivision with lots smaller than identified in (a), (b), and (c) above may be created by subdivision provided that the average lot area within the subdivision is equal to the minimum lot areas permitted based upon the available servicing.

End • R-1

Memo

File: 3090-20/DV 1A 17

DATE: February 14, 2017

TO: Advisory planning commission
Electoral Area 'A' (Baynes Sound – Denman/Hornby Islands)

FROM: Planning and development services branch

RE: Development variance permit – 3395 Baden Road (Adamschek)
Lot 6, Section 28, Township 11, Nelson District, Plan VIP83163

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

An application has been received to consider a development variance permit for a 0.74 hectare property located in Baynes Sound – Denman/Hornby Islands, Electoral Area 'A' (Figures 1 and 2). The property is zoned residential-rural (R-RU). It is bounded by Eagleview Drive to the north, Baden Road to the south and R-RU zoned properties to the east and west. It is currently undeveloped.

The application is to vary the height of a carriage house from 7.0 metres to 7.62 metres. The proposed design of the carriage house provides for 2.7 metre garage doors, a pitched roof and 89.3 square metres of living space.

Regional growth strategy / official community plan

The 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 variance for increasing the maximum height of a carriage house does not conflict with the residential policies established in these bylaws.

Development permit area

There is a watercourse (pond) located on this property. The proposed location of the carriage house is within 30 metres of this pond, thus triggers an aquatic and riparian habitat development permit (DP). The applicants have submitted a biophysical assessment, prepared by a qualified environmental professional that establishes a 2 metre wide riparian buffer around the perimeter of the pond and removal of invasive plant species.

Zoning bylaw

The R-RU zone (Appendix A) establishes minimum setbacks, maximum heights, maximum lot coverage and maximum floor area (Figure 3). In addition, the zoning bylaw establishes requirements for carriage houses. Specifically the maximum height for a carriage house is 7.0 metres. See table 1 for a summary of the variance request.

Table 1: Variance summary

Zoning Bylaw No. 2781	Variance	Zoning	Proposed	Difference
Section 309(3)	Height – Carriage House	7.0 metres	7.62 metres	0.62 metres

The proposed design for the carriage house will meet the provisions for a carriage house in the zoning bylaw for setback, maximum size, exterior staircase, and parking (Figure 4). The proposed setback of 12.2 metres (7.5 metres minimum) from Eagleview Drive and 3.65 metres (3.5 metres minimum) from the east side lot line are greater than the minimum setbacks required in the zoning bylaw, thus will minimize the view impact of increased height from the road and the adjacent property.

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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Attachments Appendix A - “R-RU zone, Bylaw No. 2781”

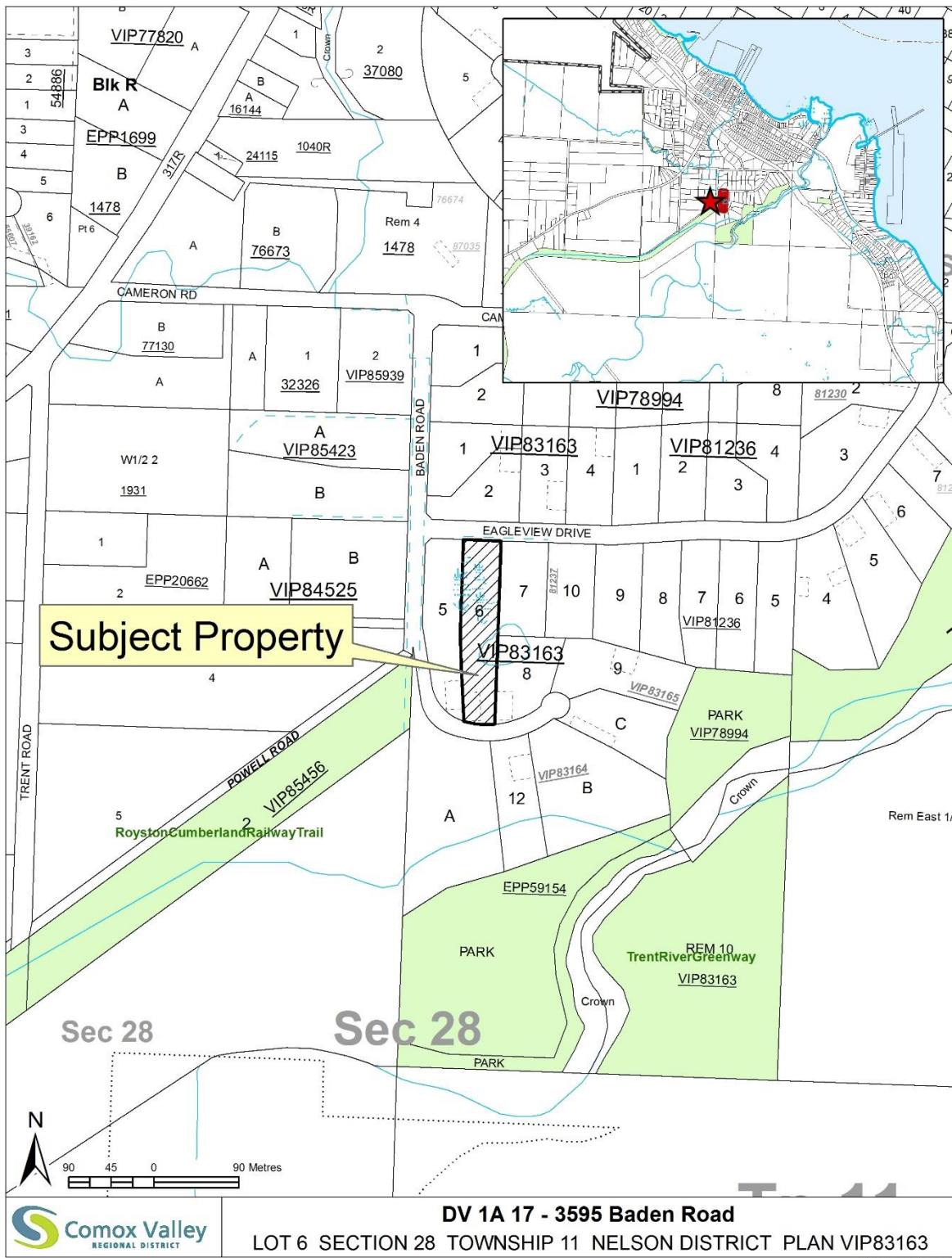


Figure 1: Subject property map

Comox Valley Regional District

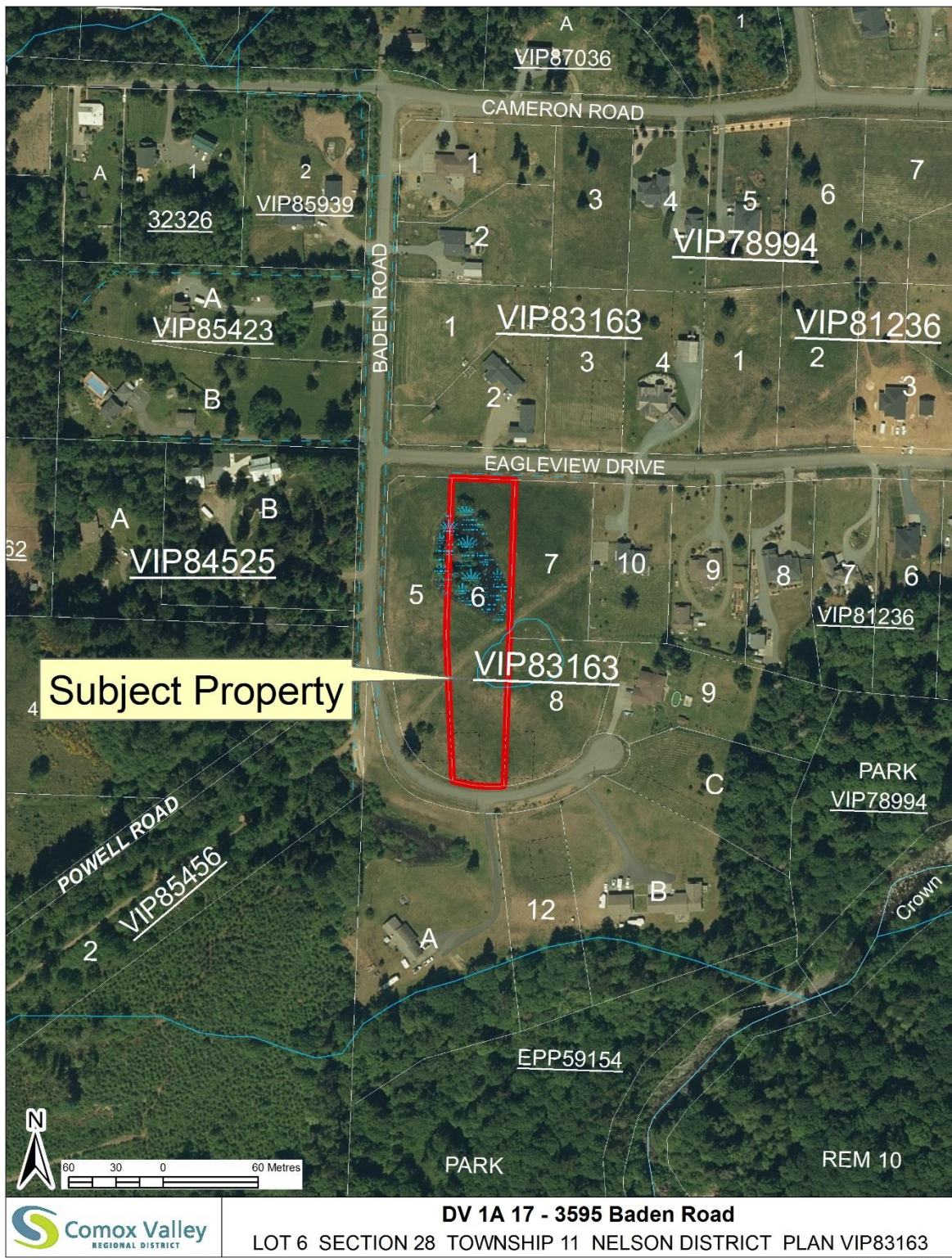


Figure 2: Air photo map

Comox Valley Regional District

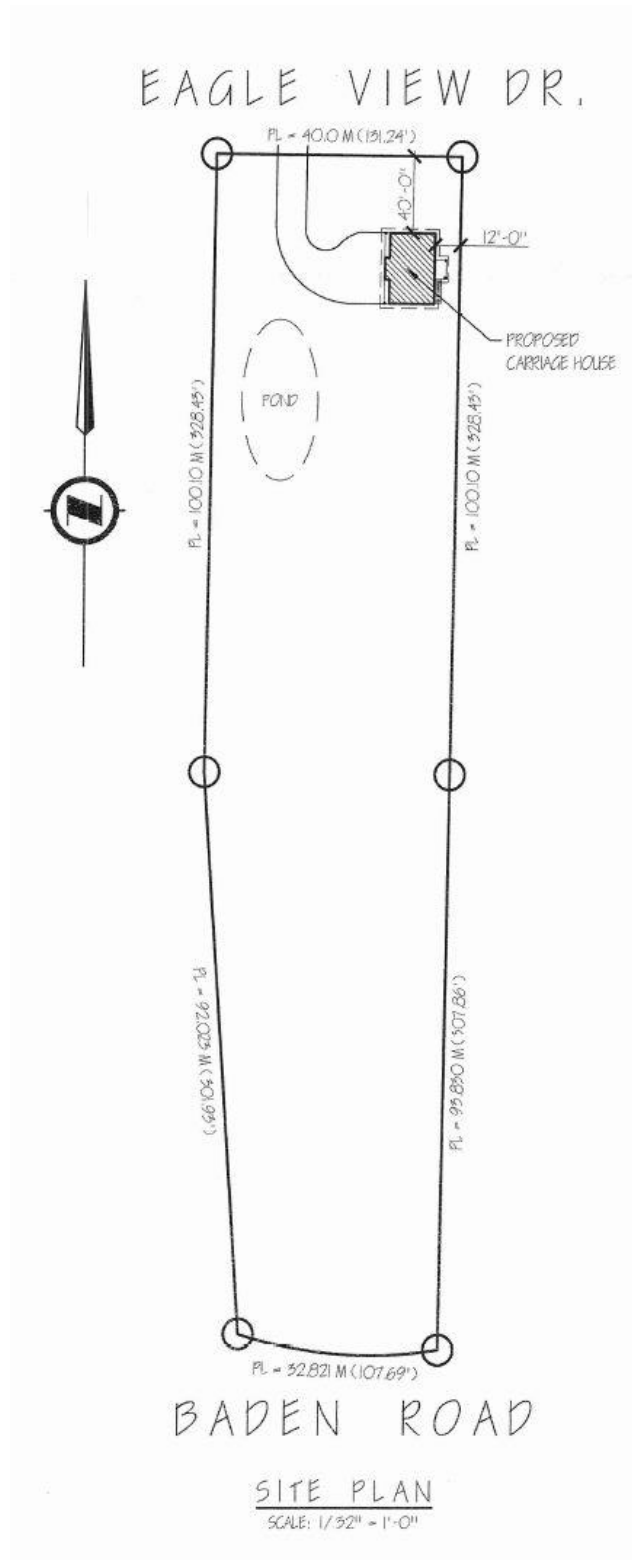


Figure 3: Site plan



Figure 4: Elevations

706**Residential-Rural (R-RU)****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**On any lot:**

- i) Secondary suite;
- ii) Home occupation use;
- iii) Accessory buildings;
- iv) Bed and Breakfast.

#4

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 90.0 metres² (968.8 feet²).

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

The setbacks required for buildings and structures within the Residential Rural 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 (32.8 ft)	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. [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 0.8 hectares (2.0 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 • R-RU