

Notice of meeting of the
Baynes Sound – Denman/Hornby Islands (Area A)
Advisory Planning Commission
Monday, June 26, 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 pm

The planning department will be hosting an open house on June 26 from 4pm – 7pm at the Union Bay Hall to introduce the zoning bylaw review to the community. You are invited to attend the drop-in open house. The APC meeting will begin at 7pm.

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| 2 | 1. Receipt of the minutes of the Monday, May 29, 2017, Baynes Sound – Denman/Hornby Islands (Electoral Area A) Advisory Planning Commission meeting |
| 3 | 2. Memorandum dated June 20, 2017, regarding 3090-20/DV 2A 17 – Development Variance Permit Application - 7741 Ships Point Road – Lot 48, District Lot 26, Newcastle District, Plan 17305 (Dolan) |
| | 3. Next meeting date: Tentatively scheduled for Monday, July 24, 2017 |

Distribution:

Area A APC members
Area Director
Alternate Area Director
Chief Administrative Officer
General Manager of Planning & Development
Manager of Planning Services
Corporate Legislative Officer
Manager of Legislative Services
Planners
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File copy
Reception notice board (cover page)

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, May 29, 2017 in the Bill Wood Room of the Union Bay Hall, located at 5401 South Island Hwy, Union Bay, BC, commencing at 7:00 pm

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

Agenda Items

Minutes of Advisory Planning Commission Meeting

MCKENZIE / STAPLEY: THAT the minutes of the Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission meeting held on Monday, February 27, 2017 be received.

CARRIED

Comprehensive Zoning Bylaw review

Ton Trieu, Assistant Manager of Planning Services, presented information regarding the comprehensive zoning bylaw review and invited the commission members to submit any further comments directly to him via email.

Next Meeting Date

The next Electoral Area A (Baynes Sound – Denman/Hornby Islands) advisory planning commission meeting is scheduled for Monday, June 29, 2017 in the Bill Wood Room of the Union Bay Hall, located at 5401 South Island Hwy, Union Bay, BC, commencing at 7:00 pm.

Termination

TRUSSLER / MCKENZIE: THAT the meeting terminate.

CARRIED

Time: 8:30 pm.

Recording Secretary:
Karen Fouracre

Chair:
Rodney Jones

Memo

File: 3090-20/DV 2A 17

DATE: June 20, 2017

TO: Advisory Planning Commission
Baynes Sound – Denman/Hornby Islands (Electoral Area A)

FROM: Planning and Development Services Branch

RE: Development Variance Permit – 7741 Ships Point Road (Dolan)
Lot 48, District Lot 26, Newcastle District, Plan 17305

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

An application has been received to consider a Development Variance Permit for a 0.16 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 Ships Point Road to the northeast and R-RU zoned properties on the other three sides. The water and fire service is provided by the Ships Point Improvement District. There is no sewer service.

The property is currently developed with a single detached dwelling and an accessory building (garage). The existing dwelling received final inspection in 1976. A site survey was not required. A recent survey shows the rear yard setback as 7.01 metres (Figure 3). In 1976, the property was zoned Residential Two (R-2) where the rear lot line setback was 25 feet (7.6 metres). Hence, the “as constructed” dwelling did not meet the rear yard setback in force at the time, being the “Electoral Area “A” Baynes Sound – Islands Interim Zoning Bylaw, 1973”. The applicants wish to build an addition to the existing dwelling in line with the rear wall of the dwelling. This application proposes to address the 7.01 metre setback to the existing foundation which will also enable siting of the proposed addition at a 7.25 metre setback. This requires a variance to reduce the rear yard setback from 7.5 metres to 7.0 metres.

Regional Growth Strategy

The Regional Growth Strategy (RGS) Bylaw No. 120, being the “Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010”, designates the subject property within Rural Settlement Areas. Policies in this designation focus on managing growth through land use changes. The proposed addition to an existing dwelling does not change the residential land use of the subject property. Therefore, the proposed variance is not in conflict with the RGS.

Official Community Plan

The subject property is designated Rural Settlement Area in the Official Community Plan, Bylaw No. 337, being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014”. The requested decrease to the rear yard setback does not conflict with residential policies established in this bylaw.

Zoning Bylaw

The R-RU zone in the Zoning Bylaw, Bylaw No. 2781 being the “Comox Valley Zoning Bylaw, 2005” establishes minimum setbacks, maximum height, 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. See Table 1 for a summary of the variance requested.

Table 1: Variance Summary

Zoning Bylaw No. 2781	Variance	Zoning	Proposed	Difference
Section 706 (4)	Rear Yard Setback for a Principal Dwelling	7.5 metres	7.0 metres	0.5 metres

The variance requested is to reduce the rear yard setback to allow the construction of an addition to the existing dwelling built too close to the rear yard lot line. The request does not significantly 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, public access, etc.

Please be advised that all adjacent properties within 100.0 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”

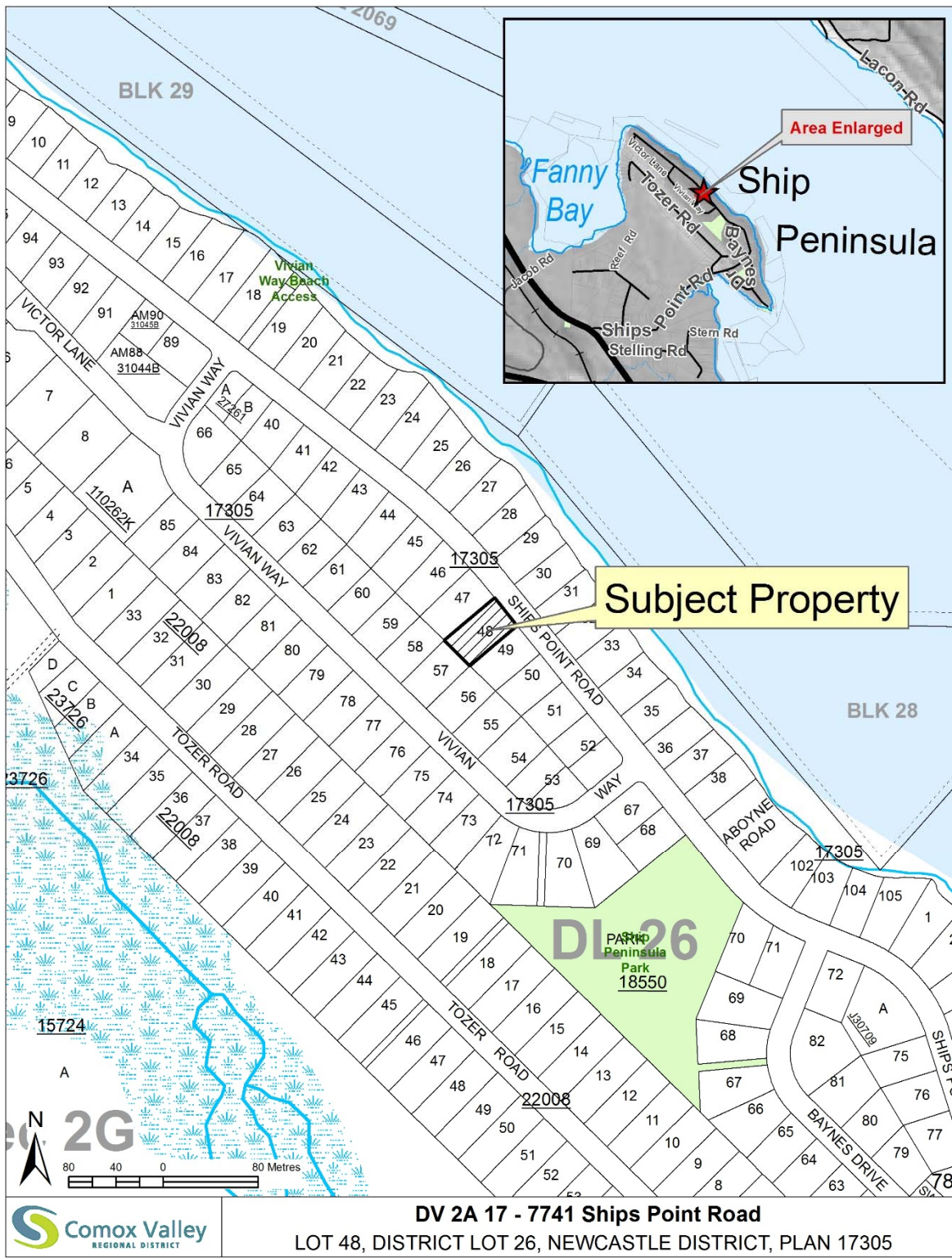


Figure 1: Subject Property Map

Comox Valley Regional District



Figure 2: Air Photo Map

Comox Valley Regional District

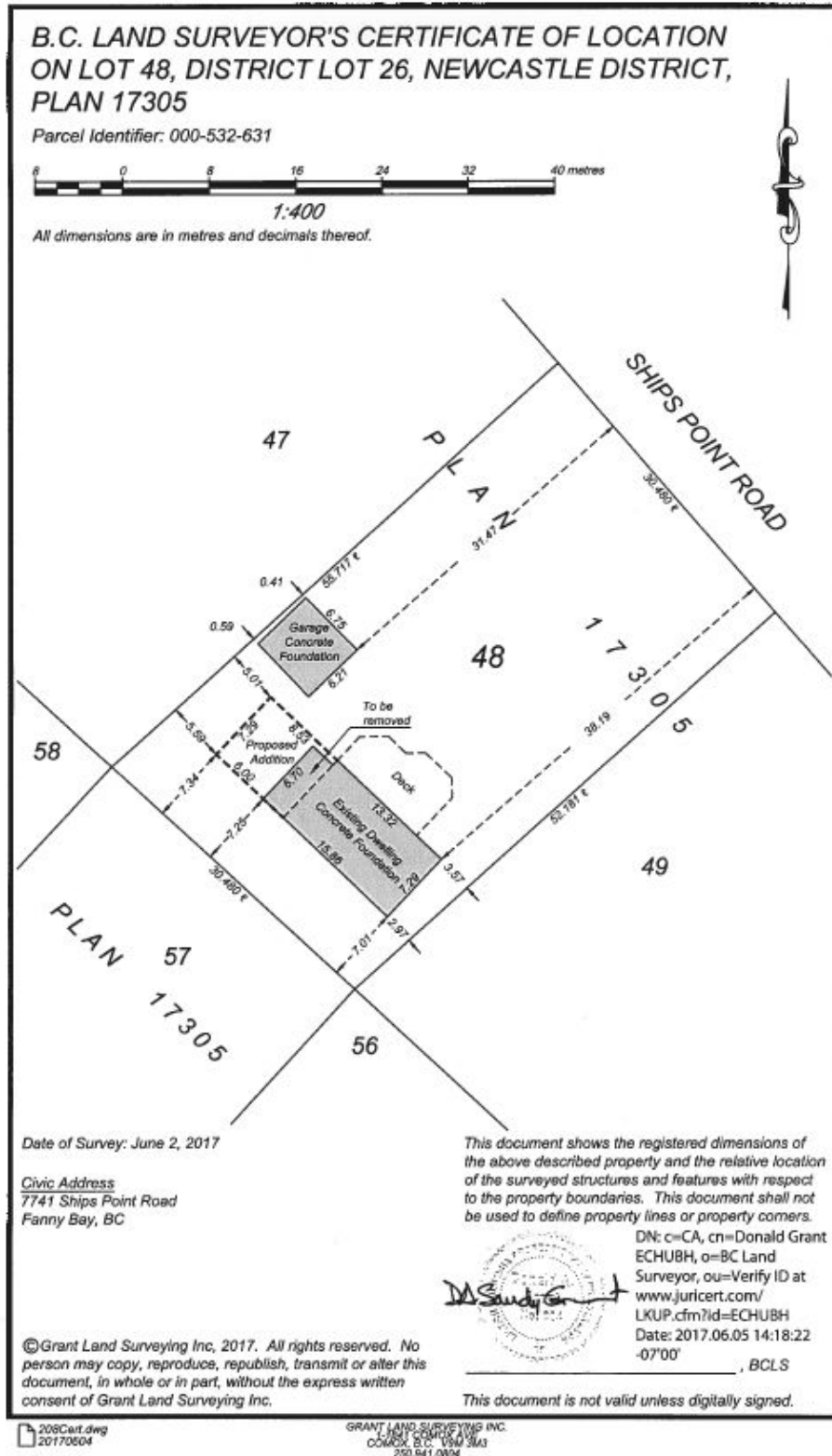


Figure 3: Site Plan

Comox Valley Regional District

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