

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

Thursday, June 29, 2017

To be held in the Comox Valley Regional District boardroom

Located at 550B Comox Road, Courtenay, BC

Commencing at 7 pm

**The planning department will be hosting an open house on June 29 from 4pm – 7pm in the CVRD boardroom 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.**

**PAGE**

- |          |    |  |
|----------|----|--|
| <b>2</b> | 1. | Receipt of the minutes of the May 25, 2017 Lazo North (Area ‘B’) Advisory Planning Commission meeting.   |
| <b>4</b> | 2. | Memorandum dated June 19, 2017, regarding 3090-20/DV 4B 17 – Development Variance Permit Application – 5998 Aldergrove Drive – Lot 13, Block 29, Comox District, Plan 11986, PID 004-948-751 (Mowbray) |
|          | 3. | Next meeting date: Tentatively scheduled for Thursday, July 27, 2017   |

***Distribution:***

Area ‘B’ APC members  
Area Director  
Alternate Area Director  
Chief Administrative Officer  
General Manager of Planning And Development Services  
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, May 25, 2017 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm

<b>PRESENT:</b>	Chair	Stan Hartfelder
	Members	David Battle Danielle Fortosky Norman Reader Dean Maxwell Janet Crockett
<b>ABSENT:</b>	Members	
<b>ALSO PRESENT:</b>	Electoral Area Director	Rod Nichol
	Assistant Manager Planning Services	Ton Trieu
	Proponents for DV 3B 17	Jack Barnsley Pam Barnsley

### Agenda Items

#### **Minutes of Advisory Planning Commission Meeting**

BATTLE / READER: THAT the minutes of the Electoral Area B (Lazo North) Advisory Planning Commission meeting held on Thursday, February 23, 2017 be received.

CARRIED

#### **3090-20/ DV 3B 17 – Development Variance Permit Application – 1919 Thurber Road (Barnsley)**

FORTOSKY/ MAXWELL: THAT the Area B Advisory Planning Commission support the development variance permit application 3090-20 / DV 3B 17 for 1919 Thurber Road (Barnsley) Lot 7, District Lot 91, Comox District, Plan 31278 as proposed.

CARRIED

#### **Comprehensive Zoning Bylaw review**

Ton Trieu, Assistant Manager of Planning Services, presented information regarding the comprehensive zoning bylaw review and informed the APC membership of how the zoning review process would be conducted. It was the consensus of the APC membership that stakeholder and public input was an essential component to the success of this initiative. It was suggested by the commission that public input should be sought at various meeting locations within Electoral Areas A, B, and C rather than one central point such as the CVRD boardroom, with the rationale that multiple locations would provide dynamic input from various community perspectives for informed decision making purposes.

#### **Next Meeting Date**

The next Electoral Area B (Lazo North) Advisory Planning Commission meeting is scheduled for Thursday, June 29, 2017 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm.

**Termination**

READER / BATTLE:            THAT the meeting terminate.

CARRIED

Time: 8:40 pm.

<b>Recording Secretary:</b>
Dean Maxwell

<b>Chair:</b>
Stan Hartfelder

# Memo

File: 3090-20/DV 4B 17

**DATE:** June 19, 2017

**TO:** Advisory Planning Commission  
Electoral Area B (Lazo North)

**FROM:** Planning and Development Services Branch

**RE:** Development Variance Permit – 5998 Aldergrove Drive (Mowbray)  
Lot 13, Block 29, Comox District, Plan 11986, PID 004-948-751

---

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 0.17 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 Aldergrove Drive to the west, Dinghy Road (unopened road) to the south, Georgia Strait to the east and CR-1 zoned property to the north. The portion of Dinghy Road abutting the subject property is a "category 5" beach access, meaning that it is not a managed access and no improvements are proposed. The neighbourhood is predominately CR-1 zoned properties. There is no water or sewer service. The property is within the Merville Fire Protection District.

The property is currently developed with a singled detached dwelling and an accessory building (still under construction). The dwelling received a building permit in 1975 and received final inspection in 1978. A site survey was not required. A recent site plan shows the east side yard setback as 2.24 metres (Figure 3). In 1978, the property was zoned Residential Two (R-2) where the side lot line setback was 12 feet (3.65 metres) when the side yard flanks a street. Hence, the "as constructed" dwelling did not meet the side yard setback in force at the time, being the "Electoral Area 'B' Comox North Interim Zoning Bylaw, 1973". The applicants have applied for a building permit to renovate this dwelling (Figure 4). This application proposes to address the 2.24m setback to the existing foundation and accommodate a further encroachment for the proposed eaves. The application proposes an east side yard setback of 2.24 metres (versus 4.5m) for the existing foundation and 1.84 metres for the new eaves (versus 2.5m).

## 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 renovation of an existing garage into living space 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 side yard setback does not conflict with residential policies established in this bylaw.

Zoning Bylaw

The CR-1 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 side yard setback to 4.5 metres when the property abuts a road and has a frontage less than 31 metres. See Table 1 for a summary of the variance requested.

**Table 1: Variance Summary**

<b>Zoning Bylaw No. 2781</b>	<b>Variance</b>	<b>Zoning</b>	<b>Proposed</b>	<b>Difference</b>
Section 402(2)(ii)(a)	Side yard setback-abutting a road	4.5 metres	2.24 metres	2.26 metres
Section 403(1)	Side yard setback - eaves	2.5 metres	1.84 metres	0.66 metres

The variance requested is to reduce the side yard setback to allow the renovation of an existing house built too close to the unopened road on the east 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. Note that the applicant has also applied to the Ministry of Transportation and Infrastructure to relax their requirement for a 4.5 metre setback from any roadway, including unopened road allowances.

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

\cjh

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

*Comox Valley Regional District*

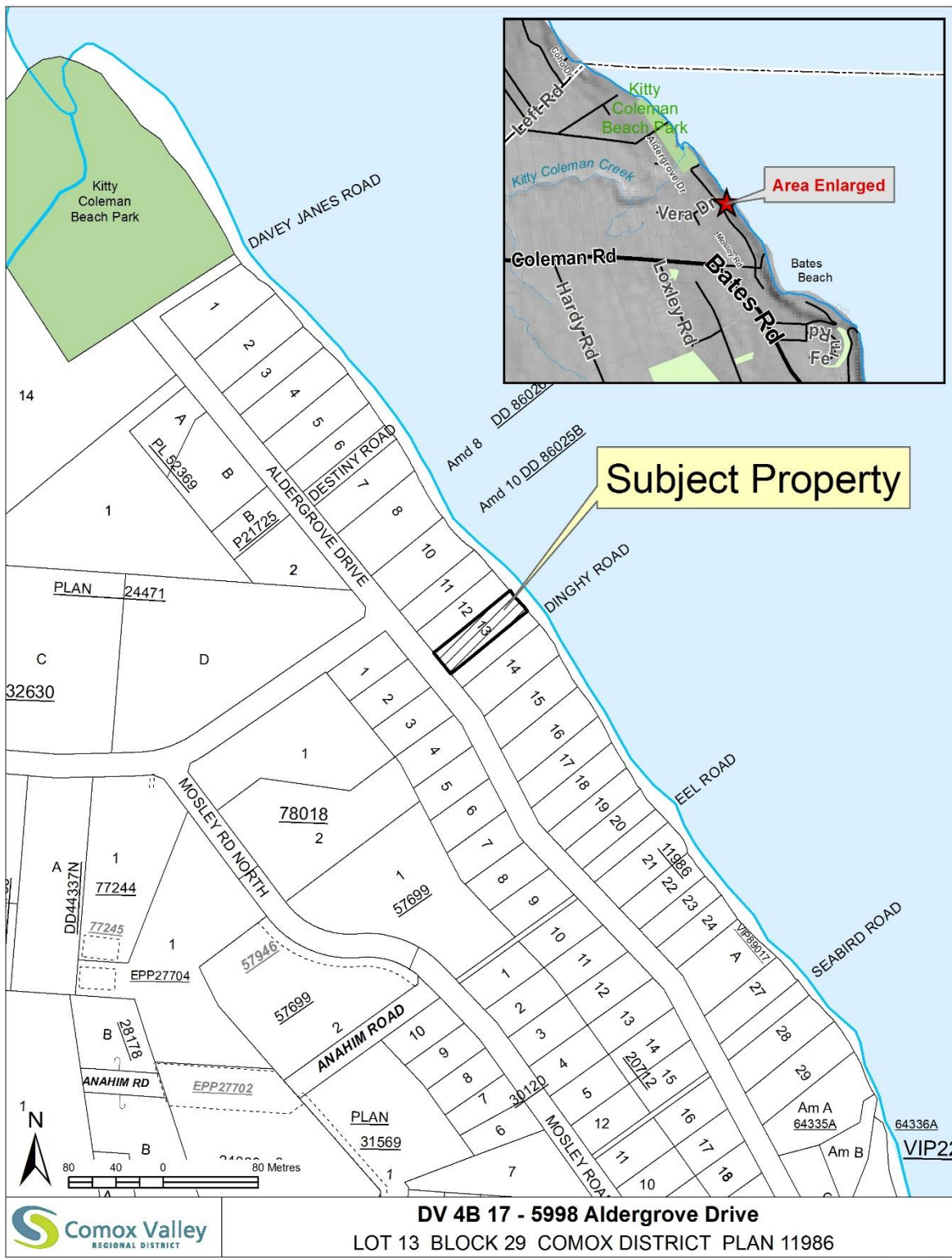


Figure 1: Subject Property Map

Comox Valley Regional District



Figure 2: Air Photo Map

Comox Valley Regional District

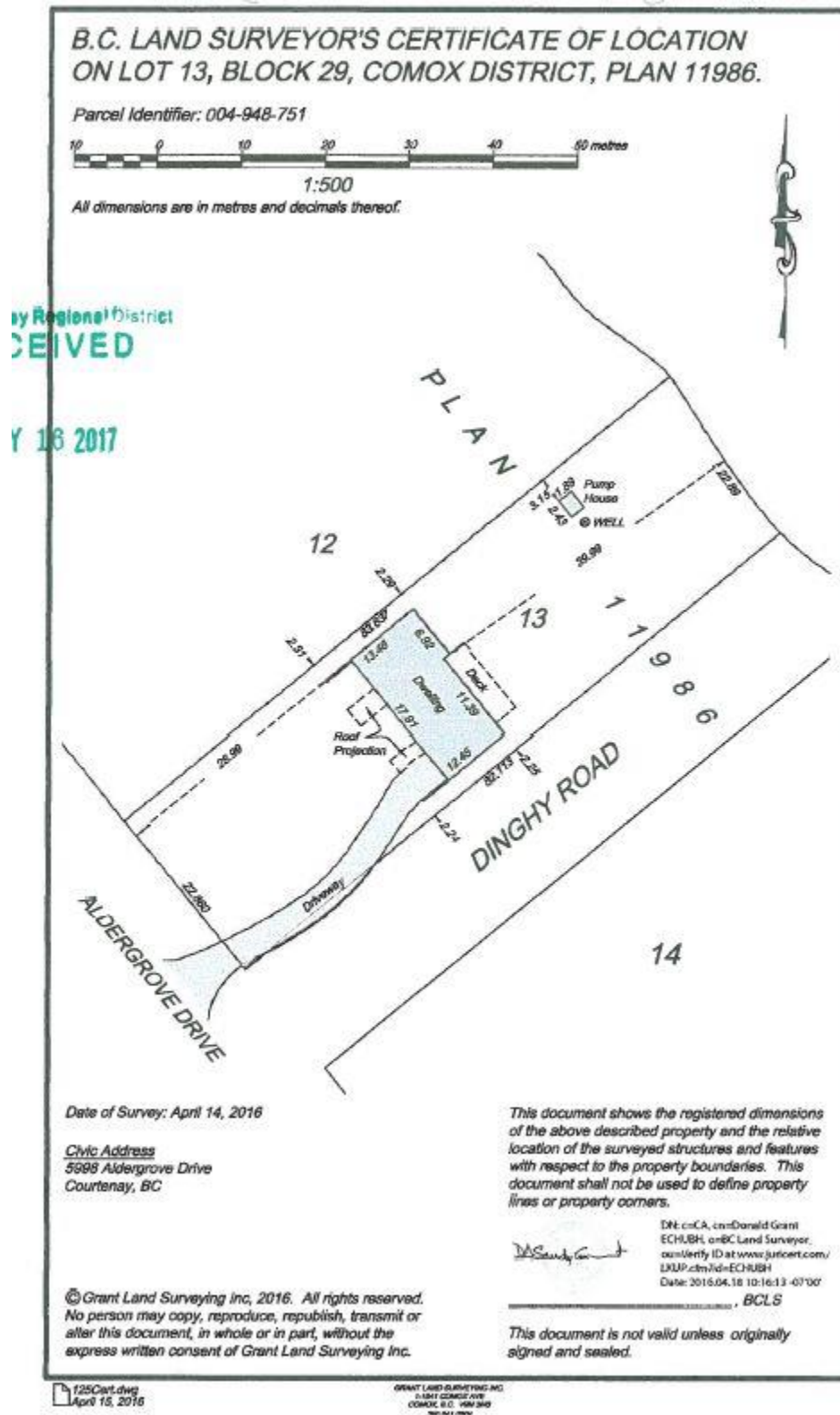


Figure 3: Site Plan

Comox Valley Regional District



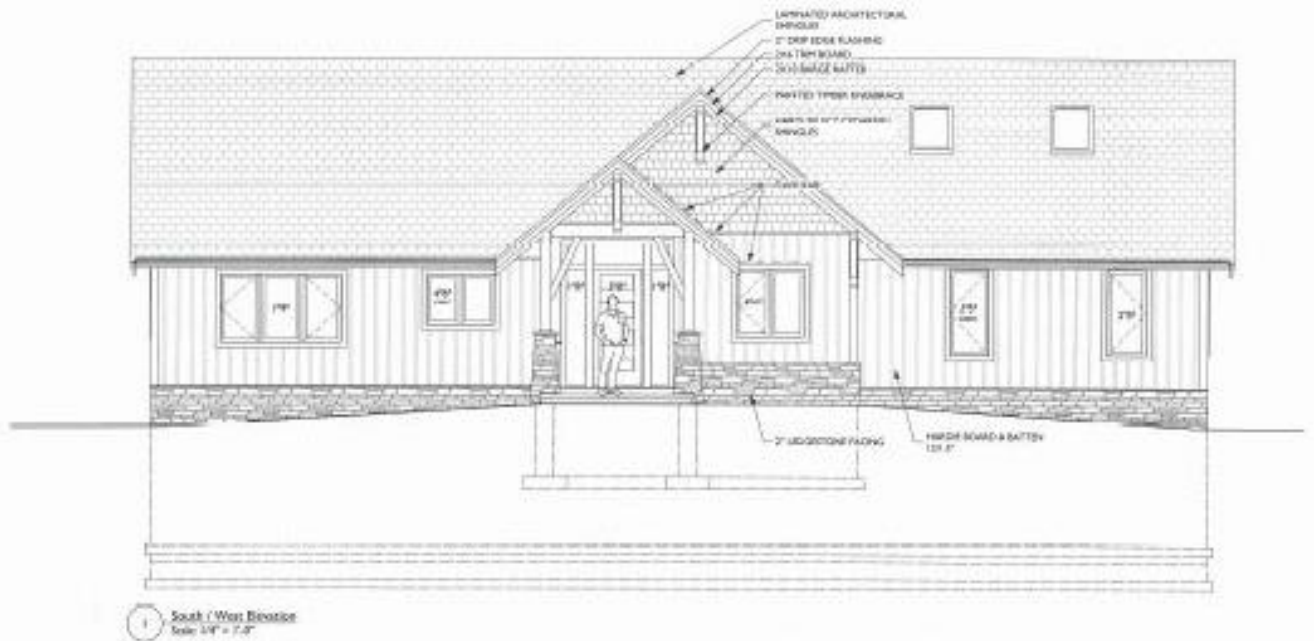


Figure 4: Front and East Side Elevations

**707**

**Country Residential One (CR-1)**

**1. PRINCIPAL USE**

- i) On any lot:**
  - a) Residential use.
- ii) On any lot over 4000 metres<sup>2</sup> (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 metres<sup>2</sup> (968.8 feet<sup>2</sup>).
- 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 metres<sup>2</sup> (2152.9 feet<sup>2</sup>).

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*