

Notice of meeting of the  
**Puntledge-Black Creek (Area C)**  
**Advisory Planning Commission**

Wednesday, September 27, 2017

To be held in the Comox Valley Regional District boardroom

Located at 550B Comox Road, Courtenay, BC

Commencing at 7:00 pm

**PAGE**

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| <b>2</b> | 1. Receipt of the minutes of the Wednesday, July 26, 2017, Puntledge-Black Creek (Electoral Area C) Advisory Planning Commission meeting. |
| <b>4</b> | 2. Memorandum dated September 12, 2017, regarding 3090-20/DV 2C 17– Development Variance Permit Application - 7045 Railway Avenue (Lowe)  |
|          | 3. Next meeting date: Tentatively scheduled for Wednesday, October 25, 2017   |

***Distribution:***

Area 'C' APC members  
Area Director  
Alternate Area Director  
Chief Administrative Officer  
General Manager of Planning & Development Services  
Manager of Planning Services  
Manager of Legislative Services  
Corporate Legislative Officer  
Planners  
CVRD website  
File copy

Reception notice board (cover page)

Minutes of the meeting of the Electoral Area C (Puntledge-Black Creek) Advisory Planning Commission of the Comox Valley Regional District held on Wednesday, July 26, 2017 in the Black Creek Community Centre, located at 2001 Black Creek Road, Black Creek, BC, commencing at 7:00 pm

<b>PRESENT:</b>	Chair	Pearl McKenzie
	Members	Grant Gordon
		Jim Langridge
		James Derry
		John Milne
		Brad Chappell
<b>ABSENT:</b>	Members	Dan Thran
		David Pacholuk
		George Trousdell
<b>ALSO PRESENT:</b>	Area Director	Edwin Grieve
	Manager of Planning Services	Alana Mullaly
	Rural Planner	Jodi MacLean

### Agenda Items

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

GORDON/MILNE: THAT the minutes of the Electoral Area 'C' (Puntledge-Black Creek) Advisory Planning Commission meeting held on Wednesday, June 28, 2017 be received.

CARRIED

#### **Temporary Use Permit Application 3120-20/ TUP 1C 17 – 2292 Hamm Road/8645 Island Highway (Lewis/Carr) - Remainder of Lots 1 and 10, (DD20594N), Block 29, Comox District, Plan 3139**

CHAPPELL/GORDON: THAT the Area 'C' Advisory Planning Commission support the temporary use permit application to allow parking and storage of vegetation management related equipment and vehicles as well as employee vehicles during the working days on land that is zoned Country Residential One while the subject land is under application for re-zoning.

CARRIED

#### **Rezoning Bylaw Amendment Application 3360-20/RZ 1C 17 – 2292 Hamm Road/8645 Island Highway (Lewis/Carr) – Remainder of Lots 1 and 10, (DD20594N), Block 29, Comox District, Plan 3139, PID 002-039-389**

MILNE/DERRY: THAT the Area 'C' Advisory Planning Commission support the rezoning application from Country Residential One to a zone or zones that allow commercial or light industrial uses to be the principal use of the property.

CARRIED

**New Business:**

**Feedback to CVRD staff regarding the presentation of information to the APC**

Constructive criticism was given to the CVRD staff regarding the clarity of the information presented. Through discussion it was resolved that an executive summary which identifies all of the package components will precede the information package.

**Local notification requirement**

Concern was expressed that the 50.0 meter notification requirement in the bylaw for temporary use permit applications of this type in a settlement node is inadequate. After discussion it was recommended that the 50.0 meters be considered a minimum and that the CVRD staff be given and use discretion to increase circulation distance based on consideration of the property size and the sensitivity of the proposed use.

**Next Meeting Date**

The next Electoral Area C (Puntledge-Black Creek) Advisory Planning Commission meeting is tentatively scheduled for Wednesday, August 30, 2017 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm.

**Termination**

CHAPPELL: THAT the meeting terminate.

Time: 8:55 pm

<b>Recording Secretary:</b>
Jim Langridge

<b>Chair:</b>
Pearl McKenzie

# Memo

File: 3090-20/DV 2C 17

**DATE:** September 12, 2017

**TO:** Advisory Planning Commission  
Electoral Area C (Puntledge – Black Creek)

**FROM:** Planning and Development Services Branch

**RE:** Development Variance Permit – 7045 Railway Avenue (Lowe)  
Lot 6, Block 29, Comox District, Plan 28688, PID 001-739-387

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

An application has been received to consider a development variance permit for a 2.4 hectare property located at 7045 Railway Avenue. The property is within the Agricultural Land Reserve (ALR) and bound by ALR properties to the west and east, Tsolum River to the south and Railway Avenue to the north (Figures 1 and 2). The property contains a single family dwelling and detached garage (Figure 5). There are no farming activities on the property. The applicant plans to build a new 223m<sup>2</sup> accessory building for storage purposes (Figures 3 and 4). The building will not contain plumbing. The applicant is requesting a variance to the permitted height of an accessory building from 6 metres to 9.1 metres. According to the applicant, the increased height is required for the height of the boat and to accommodate a mezzanine at the rear of the building.

### Regional Growth Strategy and Official Community Plan

The subject property is designated Agricultural Area in both the Regional Growth Strategy, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" and the Official Community Plan, being the "Rural Comox Valley Official Community Plan Bylaw, No. 337, 2014". The proposed accessory building does not conflict with residential policies established in either of these documents.

### Zoning Bylaw Analysis

The RU-ALR zone in Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005" (Appendix A), permits accessory buildings as an accessory use. It establishes maximum height, minimum setbacks and maximum lot coverage for all buildings and structures on the property. See Table 1 for a summary of the requested variance.

**Table 1: Variance summary**

Zoning Bylaw	Variance	Existing	Proposed	Difference
Section 803	Accessory height	6.0 metres	9.1 metres	3.1 metres

The zoning bylaw defines height as the vertical distance from average natural grade of the building footprint to the peak of the roof. For this application, the average natural grade was confirmed by a BC Land Surveyor (Appendix B).

Please be advised that all adjacent properties within 500.0 metres of the subject parcel will be notified 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 – “RU-ALR zone, Bylaw No. 2781”  
Appendix B – “Letter from BC Land Surveyor”

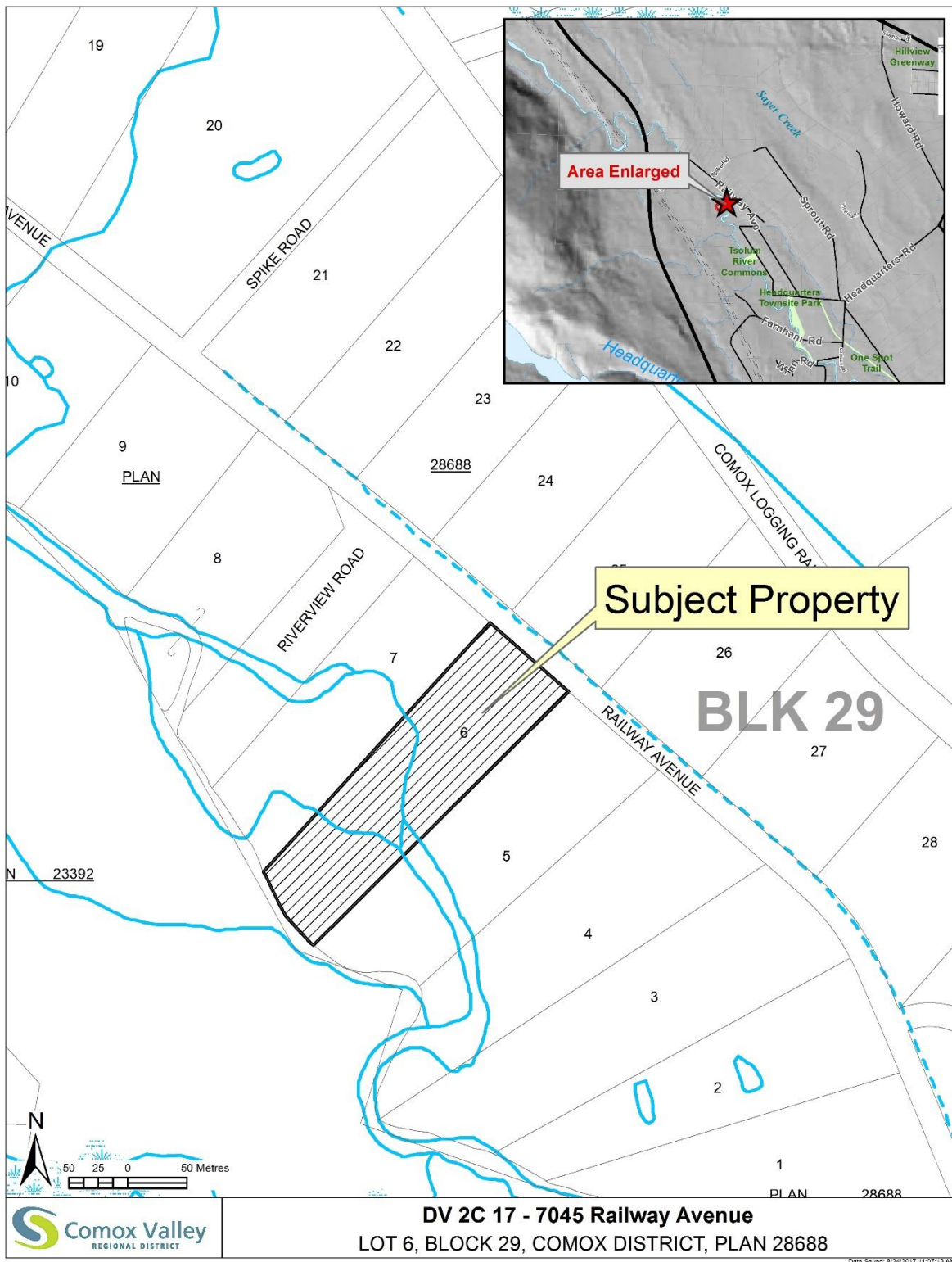


Figure 1: Subject Property Map

Comox Valley Regional District

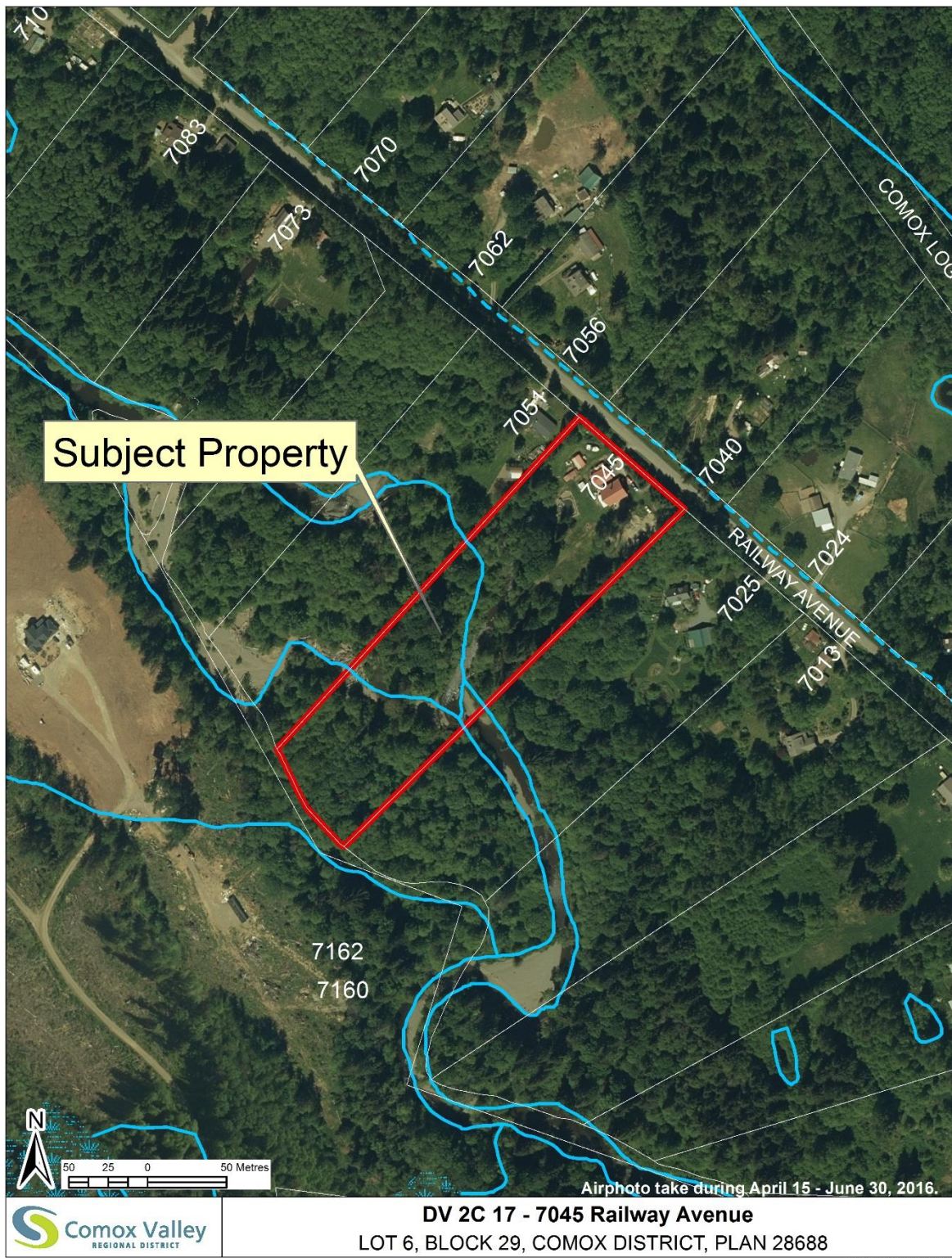


Figure 2: Aerial Photo

Comox Valley Regional District

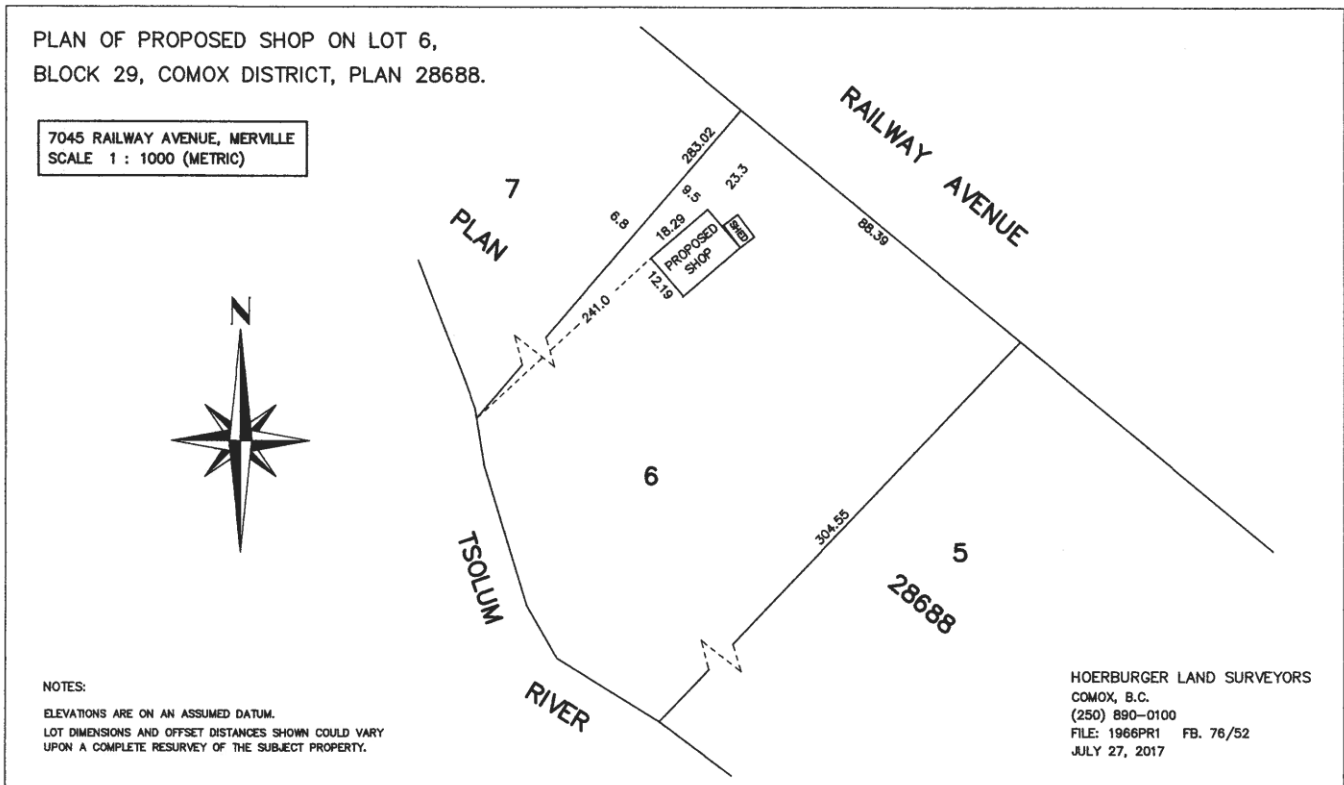


Figure 3: Site Plan



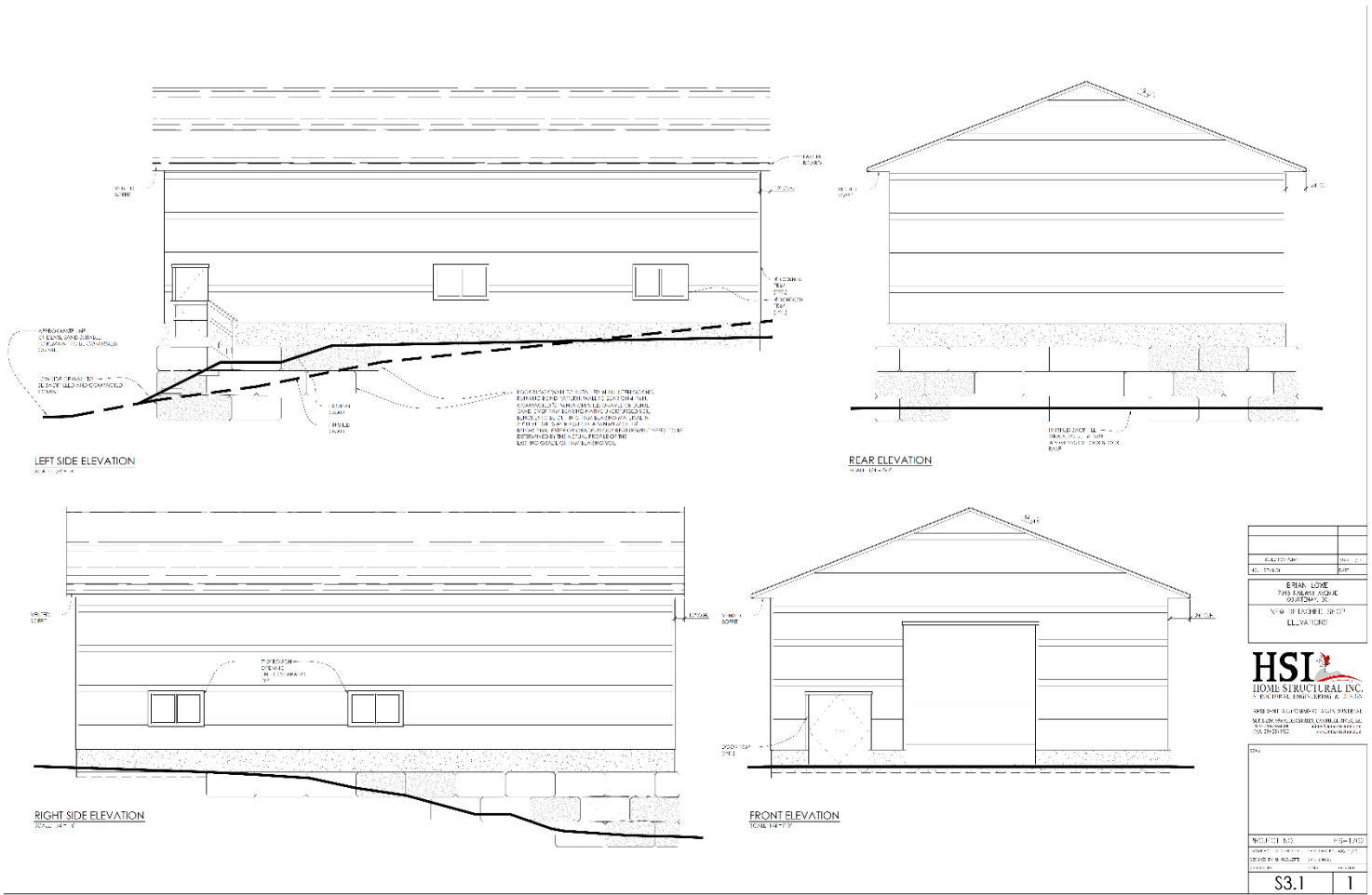


Figure 4: Building Plans



**Figure 5: (L-R) Site of Proposed Accessory Building, Buffer Between Building Site and Neighbouring Property, and Size of Boat**

**803****Rural ALR (RU-ALR)****1. PRINCIPAL USE****On any lot:**

- i) Residential use;
- ii) Agricultural use;
- iii) On any lot in the Agriculture Land Reserve any other use specifically permitted by the Provincial Land Reserve Commission under the *Agricultural Land Reserve Act*, regulations and orders.

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

- i) Accessory buildings.

**3. CONDITIONS OF USE**

- i) Any conditions imposed on applications made to the Provincial Land Reserve Commission under the *Agricultural Land Reserve Act*.
- ii) Any conditions or limitations imposed elsewhere in this bylaw (See Section 303).

**4. DENSITY****Residential Use is limited to:**

- i) **On any lot:** One single detached dwelling plus additional dwelling units (attached or detached) where the additional dwelling units are required by full time farm employees working on farm operations or are specifically permitted by the Provincial Land Reserve Commission under the *Agricultural Land Reserve Act*.

**5. SITING OF BUILDINGS AND STRUCTURES**

The setbacks required for buildings and structures within the Rural ALR 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	10.0m (32.8ft)	7.5m (24.6 ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)	7.5m (24.6ft)
Accessory	4.5m-or less (14.8ft)	7.5m (24.6 ft)	1.0m (3.3ft)	1.0m (3.3ft)	1.0m (3.3ft)	7.5m (24.6ft)
Accessory	6.0m-4.6m (19.7ft)	7.5m (24.6 ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)	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 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.]

6. **LOT COVERAGE**

- i) The maximum lot coverage of all buildings and structures shall not exceed 15% (excluding greenhouses).

7. **SUBDIVISION REQUIREMENTS**

- i) Minimum lot area: 8.0 hectares (19.8 acres)
- ii) Minimum lot frontage: 10% of the perimeter of the lot.

*End • RU-ALR*

## HOERBURGER LAND SURVEYORS

280A Anderton Road, Comox, B.C. V9M 1Y2  
Ph. (250) 890 - 0100 Fax: (250) 890 - 0210

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August 25, 2017

**Brian Lowe**  
7045 Railway Avenue  
Merville, BC

**Re: Roof height for a proposed accessory building at 7045 Railway Avenue,  
Merville, BC; Lot 6, Plan 28688**

We surveyed the existing original grade at the footprint of your proposed new accessory building and found the grade to fall **2.26 metres** from front to rear. Therefore average original grade is 1.13 metres below the front of the site.

The proposed building is to be constructed 8.04 metres above it's slab height, and the slab is proposed to be set at 0.10 metres below the front of the site. The proposed building height calculates to  $1.13 - 0.10 + 8.04 = \mathbf{9.07 \text{ metres}}$  above average original grade.

I trust you will find the above in order, but please call me at 890-0100 if you have any questions.



Steven Hoerbuerger, BCLS