

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

Wednesday, January 24, 2018

To be held in the Comox Valley Regional District boardroom

Located at 550B Comox Road, Courtenay, BC

Commencing at 7:00 pm

PAGE

1. Election of chair and recording secretary for 2018
2. PowerPoint Presentation - Proposed Changes to Carriage House Regulations as Part of the Comprehensive Zoning Bylaw Review
3. Status update on APC's fall 2017 recommendations – Verbal overview of Electoral Areas Services Committee and board decisions relating to APC recommendations
- 2 4. Receipt of the minutes of the Wednesday, November 29, 2017 Puntledge-Black Creek (Electoral Area C) Advisory Planning Commission meeting
- 4 5. Memorandum dated January 9, 2018 regarding 3090-20/DV 5C 17 – Development Variance Permit Application – 2485 England Road (Landry)
- 11 6. Memorandum dated January 9, 2018 regarding 3090-20/DV 4C 17 – Development Variance Permit Application – 1422 Seaview Road (Oldale)
- 18 7. Memorandum dated January 11, 2018 regarding 3090-20/DV 6C 17 - Development Variance Permit Application – 8922 & 8926 Clarkson Avenue (Sea Esta Private Resort Corporation)
8. Next meeting date: Scheduled for Wednesday, February 21, 2018

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, November 29, 2017 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm.

| | | |
|---------------|-------------------------|--|
| PRESENT: | Chair | Pearl McKenzie |
| | Members | Grant Gordon David Pacholuk James Derry John Milne Dan Thran |
| ABSENT | Members | Jim Langridge Brad Chappell George Trousdell |
| ALSO PRESENT: | Electoral Area Director | Edwin Grieve |
| | Rural Planner | Jodi MacLean |
| | Proponent for DP 20C 17 | Russ Sheriff |
| | Proponent for DV 3C 17 | Phil Ludwig |

Agenda Items

Minutes of Advisory Planning Commission Meeting

THRAN/MILNE: THAT the minutes of the Electoral Area C (Puntledge-Black Creek) Advisory Planning Commission meeting held on Wednesday, October 25, 2017 be received.

CARRIED

3060-20/DP 20C 17 – Development Permit Application - 2066 Endall Road (Sheriff)

MILNE/PACHOLUK: THAT the Area C Advisory Planning Commission support the requested industrial Development Permit Application, DP 20C 17 for 2066 Endall Road (Sheriff).

CARRIED

3090-20/DV 3C 17 - Development Variance Permit – 2186 Endall Road (Ludwig)

THRAN/MILNE: THAT the Area C Advisory Planning Commission not support the Development Variance Application DV 3C 17 as presented and recommend the board refer back to the minutes of the October 28, 2015 Area C Advisory Planning Commission meeting for further information regarding the Agricultural Land Reserve non-farm use application 3110-20/ALR 4C 15 for this property.

CARRIED

Next Meeting Date

Tentatively scheduled for January 24, 2018

Termination

PACHOLUK: THAT the meeting terminate.

CARRIED

Time: 8:10 pm.

| |
|----------------------|
| Recording Secretary: |
| Pearl McKenzie |

| |
|----------------|
| Chair: |
| Pearl McKenzie |

Received by the Electoral Areas Services Committee on _____ day of _____, 20__

Memo

File: 3090-20/ DV 5C 17

DATE: January 9, 2018

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

FROM: Planning and Development Services Branch

RE: Development Variance Permit – 2485 England Road (Landry)
Lot 2, District Lot 135, Comox District, Plan 24918, PID 002-836-203

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

An application has been received to consider a Development Variance Permit for a 0.9 hectare property in the Baynes Sound – Denman/Hornby Islands area (Electoral Area A) (Figure 1 & 2). The property contains a two storey building built in 1980 with a garage below and dwelling unit above. The footprint of the building is 77 m² (Figure 3). The applicants would like to build a principal dwelling, however, the existing building does not meet the Zoning Bylaw, Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”, provisions for a carriage house. To have the existing building considered as a carriage house, the applicants require a variance to allow access via an internal staircase and access to the accessory use below.

The ground level of the existing building has a larger floor area than the second storey due to a small enclosed entryway. Section 313 (6) vi. of the zoning bylaw states that the ground level of the structure must not exceed the floor area of the second storey. To address this, the applicants propose to remove the walls of the entryway.

Regional Growth Strategy and Official Community Plan Analysis

The subject property is designated Settlement Expansion 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 dwelling and existing carriage house do not conflict with residential policies established in either of these documents.

Zoning Bylaw Analysis

The property is zoned Country Residential One (CR-1) in Bylaw No. 2781 (Appendix A). The CR-1 zone permits a principal dwelling and a carriage house. The application seeks relief from the following zoning bylaw requirements for a carriage house:

Section 313 (6)

- iii) *“The second storey floor area occupied by the residential use must have no interior access to any part of the accessory use below.”*
- iv) *“The means of access and egress to the second storey residential use must be external to the structure and must not be enclosed by walls.”*

Please be advised that all adjacent properties within 100 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

/bl

Attachments Appendix A – “CR-1 Zone, Bylaw No, 2781”

Comox Valley Regional District

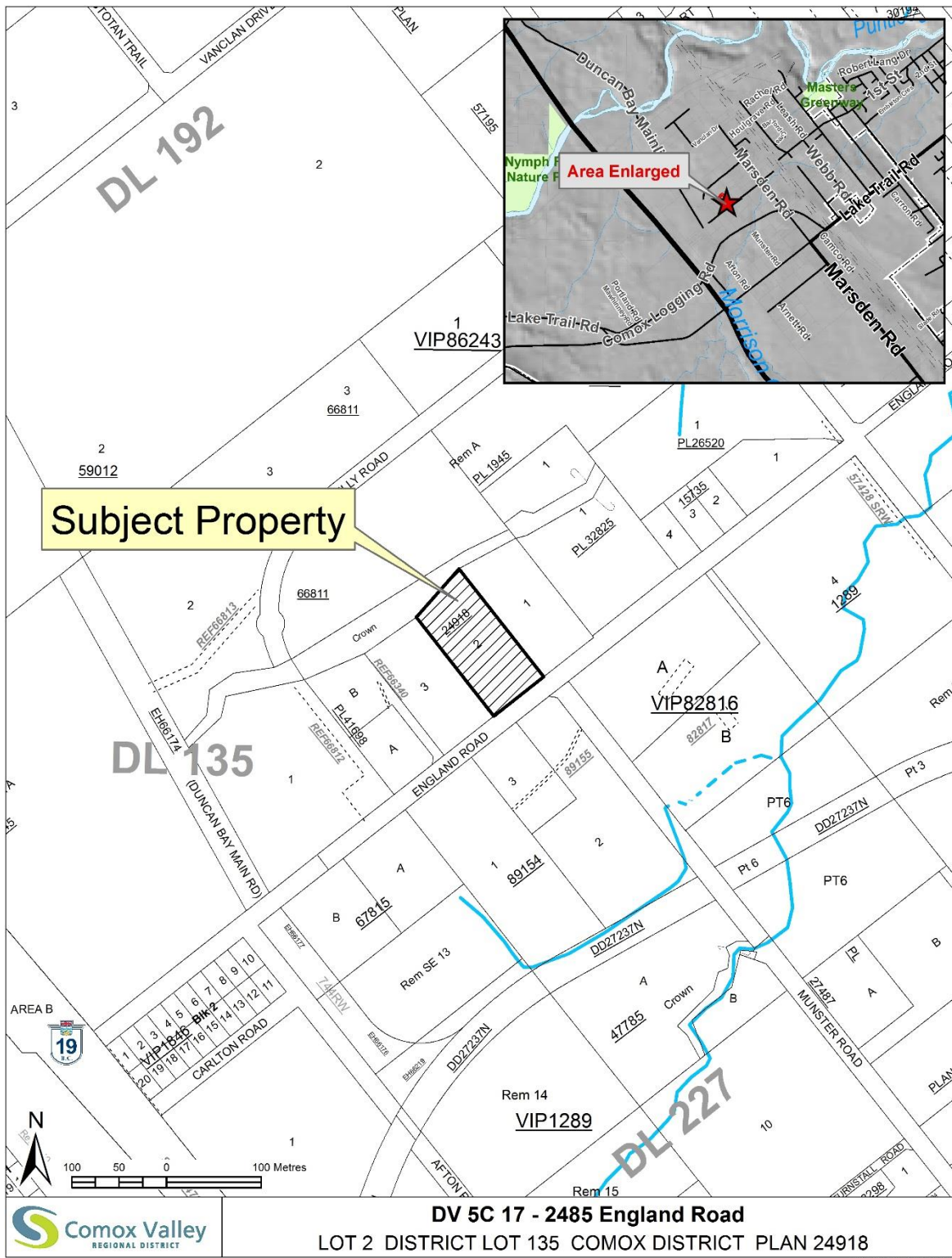


Figure 1: Subject Property Map

Comox Valley Regional District



Figure 2: Aerial Photo

Comox Valley Regional District

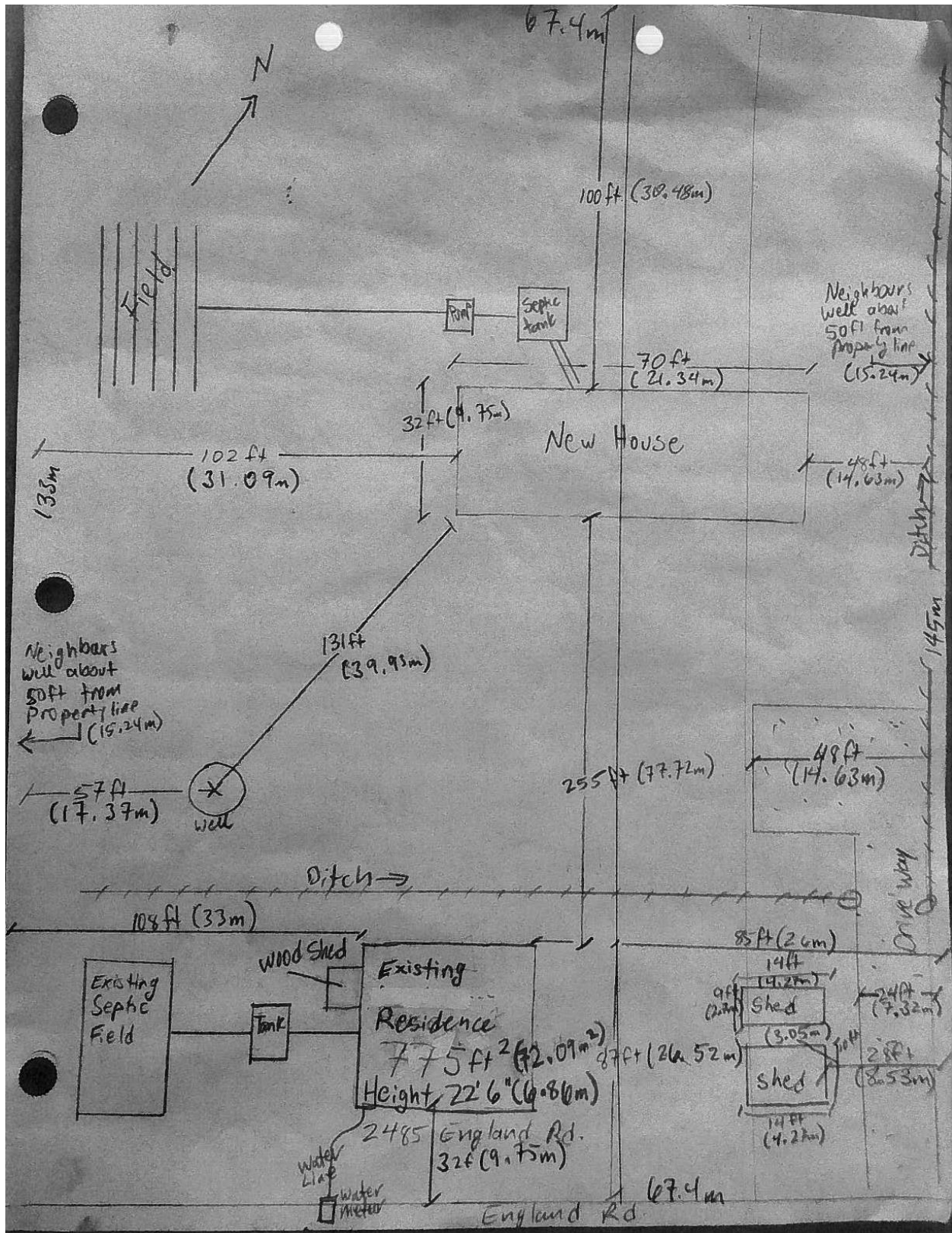


Figure 3: Site Plan, as Submitted by Applicants

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

Memo

File: 3090-20 / DV 4C 17

DATE: January 9, 2018

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

FROM: Planning and Development Services Branch

RE: Development Variance Permit – 1422 Seaview Road (Oldale)
Lot K, Section 9, Township 5, Comox District, Plan 11119, PID 000-011-649

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

An application has been received to consider a Development Variance Permit to allow access to a carriage house via an internal staircase, to allow internal access to the garage and to increase the height from 7 to 7.5 metres. The 0.2 hectare waterfront property is bound by residential properties to the northwest and southeast, Seaview Road to the southwest and Georgia Strait to the northeast (Figures 1 & 2). The property contains a single detached dwelling, garage and boat shed. The applicants plan to remove the existing garage and build a carriage house (Figures 3). The carriage house will be built outside of the Aquatic and Riparian Habitat Development Permit Area.

Regional Growth Strategy and Official Community Plan Analysis

The subject property is designated Rural Settlement 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 No. 337, 2014". The proposed carriage house does not conflict with residential policies established in either of these documents.

Zoning Bylaw Analysis

The property is zoned Residential Rural (R-RU) in Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005" (Appendix A). The R-RU zone permits a principal dwelling and a carriage house. The application seeks relief from the following zoning bylaw requirements in order to have access to the carriage house by means of an internal staircase, internal access to the garage and an increased height of 7.5 metres:

Section 309 (3):

"The maximum height of all accessory buildings is 6.0 metres (19.7 feet) except for structures containing residential use, such as carriage houses, which have a maximum permitted height of 7.0 metres"

Section 313 (6):

iii) *"The second storey floor area occupied by the residential use must have no interior access to any part of the accessory use below."*

- iv) *The means of access and egress to the second storey residential use must be external to the structure and must not be enclosed by walls.”*

Floodplain Bylaw Analysis

According to Bylaw No. 2780, being the “Floodplain Management Bylaw, No. 2780, 2005” the subject property is within the floodplain. The Bylaw requires the underside of the habitable area to meet the flood construction level of 1.5 metres above the present natural boundary of the Georgia Strait. The accessory use portion (bottom floor) can be below the flood construction level provided it does not contain goods damageable by floodwaters. The carriage house will be sited outside of the required 15 metre floodplain setback.

Please be advised that all adjacent properties within 100 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

/bl

Attachments Appendix A – “R-RU Zone, Bylaw No, 2781”

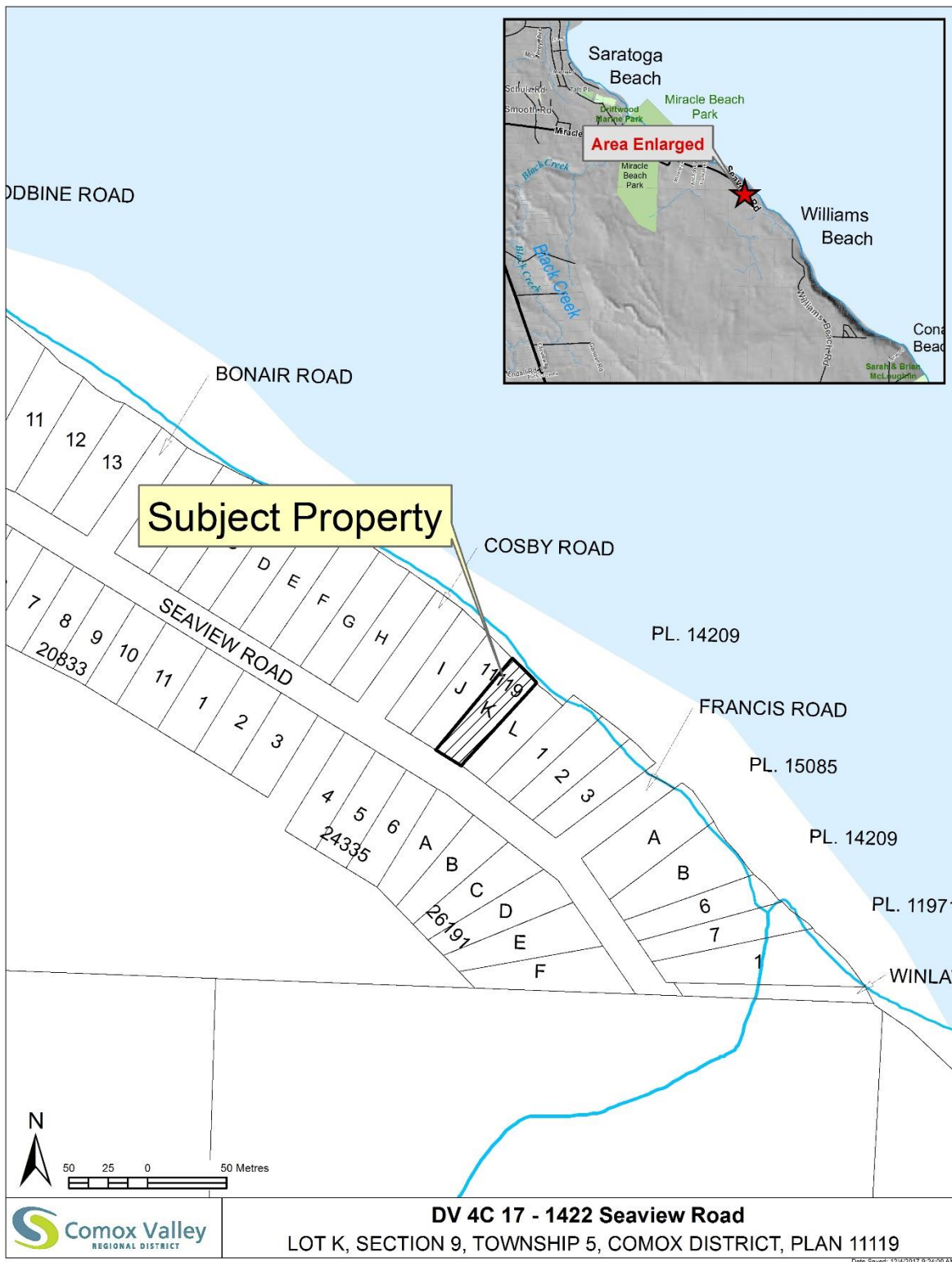


Figure 1: Subject Property Map

Comox Valley Regional District



Figure 2: Air Photo

Comox Valley Regional District

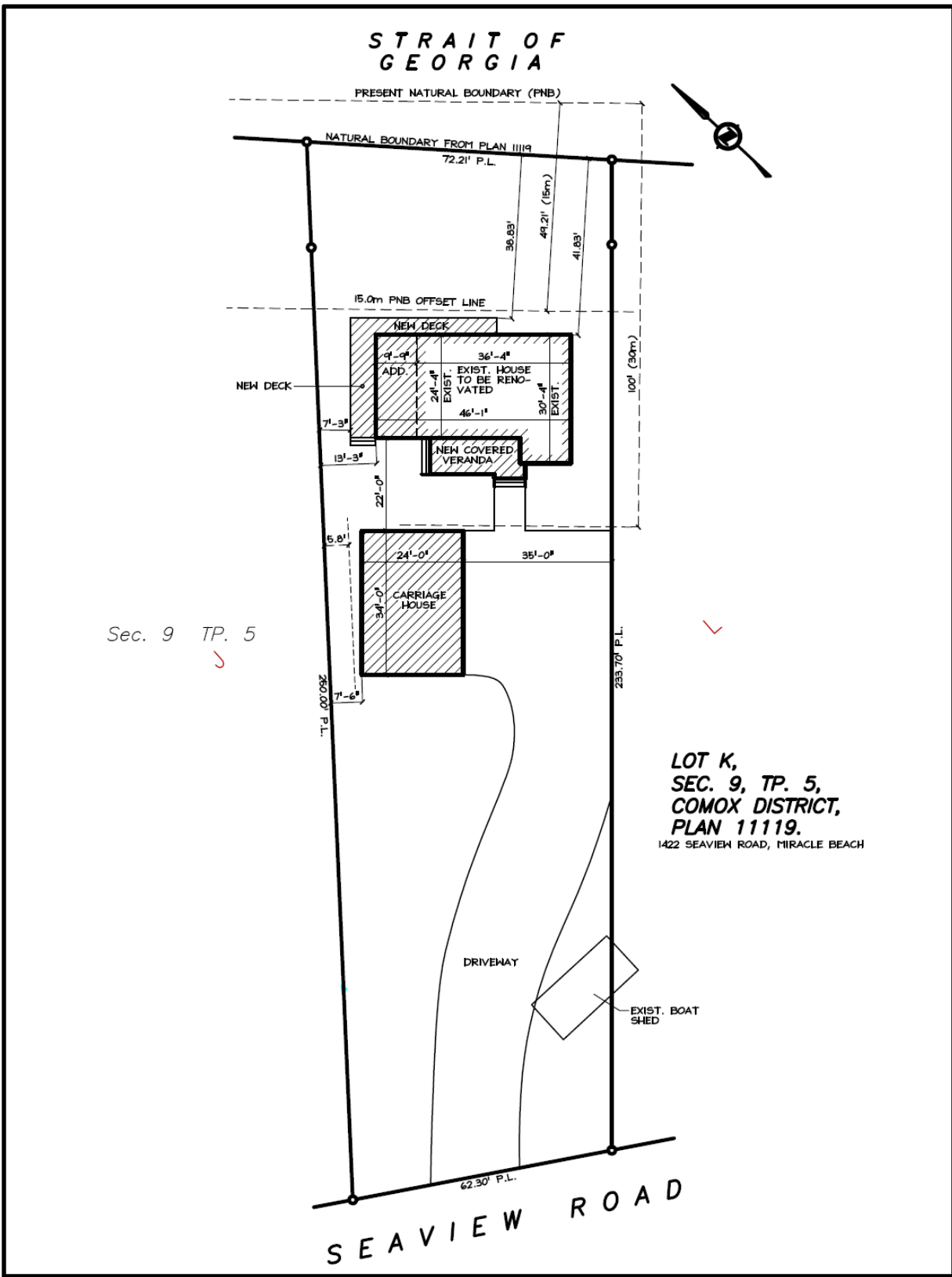


Figure 3: Site Plan

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

Memo

File: 3090-20/DV 6C 17

DATE: January 11, 2018

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

FROM: Planning and Development Services Branch

RE: Development Variance Permit – 8922 & 8926 Clarkson Avenue
 (Sea Esta Private Resort Corporation)
 Lot 1, District Lot 221, Comox District, and of part of the bed of the Strait of
 Georgia, Plan 35057, 000-318-434

The attached development proposal is for commission members' review and comment. An application has been received to consider variances for existing sheds at Sea-Esta Private Resort, located at 8922 & 8926 Clarkson Avenue (Figures 1 and 2). The subject property currently has 19 Recreational Vehicle (RV) sites, a single detached dwelling, an office, a washroom building and nine sheds (Figure 3). The single detached dwelling, office building, washroom building and two sheds (labelled as A and B) existed prior to the first zoning bylaw was in effect on June 28, 1976 (Bylaw No. 202). The remaining seven sheds (labelled as C to I) do not meet the minimum lot line setbacks (Figures 4 to 17). The applicant would like to request the following variances for these seven sheds:

| Shed | Current Setback | Minimum Setback Requirement | Difference |
|------|-----------------|-----------------------------|------------|
| C | 0.61m | 4.5m (road frontage) | 3.89m |
| D | 0.57m | | 3.93m |
| E | 0.28m | | 4.22m |
| F | 0.60m | 3.5m | 2.90m |
| G | 1.15m | | 2.35m |
| H | 1.09m | | 2.41m |
| I | 0.52m | | 2.98m |

Regional Growth Strategy Analysis

The Comox Valley Regional Growth Strategy designates the subject property within the Saratoga and Miracle Beach Settlement Node. The growth management framework is to direct 90 per cent of growth in core settlement areas, which includes this settlement node.

Official Community Plan Analysis

The Rural Comox Valley Official Community Plan designates the subject property within Settlement Nodes. An objective of this designation is to implement the RGS by directing most growth in the electoral areas to the settlement nodes. One of the policies is to refer to the approved local area plans, which have goals and objectives for different land uses.

The draft local area plan designates the subject property within the “tourist commercial” designation, which provides for coastal tourism activities including medium density tourist accommodations and related commercial activities. The RV campground use is consistent with this designation.

Zoning bylaw Analysis

The subject property is zoned Tourist Commercial One (TC-1) (Appendix A). As mentioned earlier, seven of the nine sheds do not meet lot line setbacks. The table above indicates the various setback reduction requests. The intent of lot line setbacks for structures is to provide uniform streetscape appearance, to provide sufficient separation between buildings on adjacent lots, to offer visual privacy, to reduce noise, to minimize shadowing, and to provide enough room to maintain and repair buildings.

Please be advised that all adjacent properties within 50.0 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. Please also note that the Board can assign conditions in a Development Variance Permit.

Sincerely,

A. Muallay

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

/bc

Attachment Appendix A – “Tourist Commercial One (TC-1) zone”

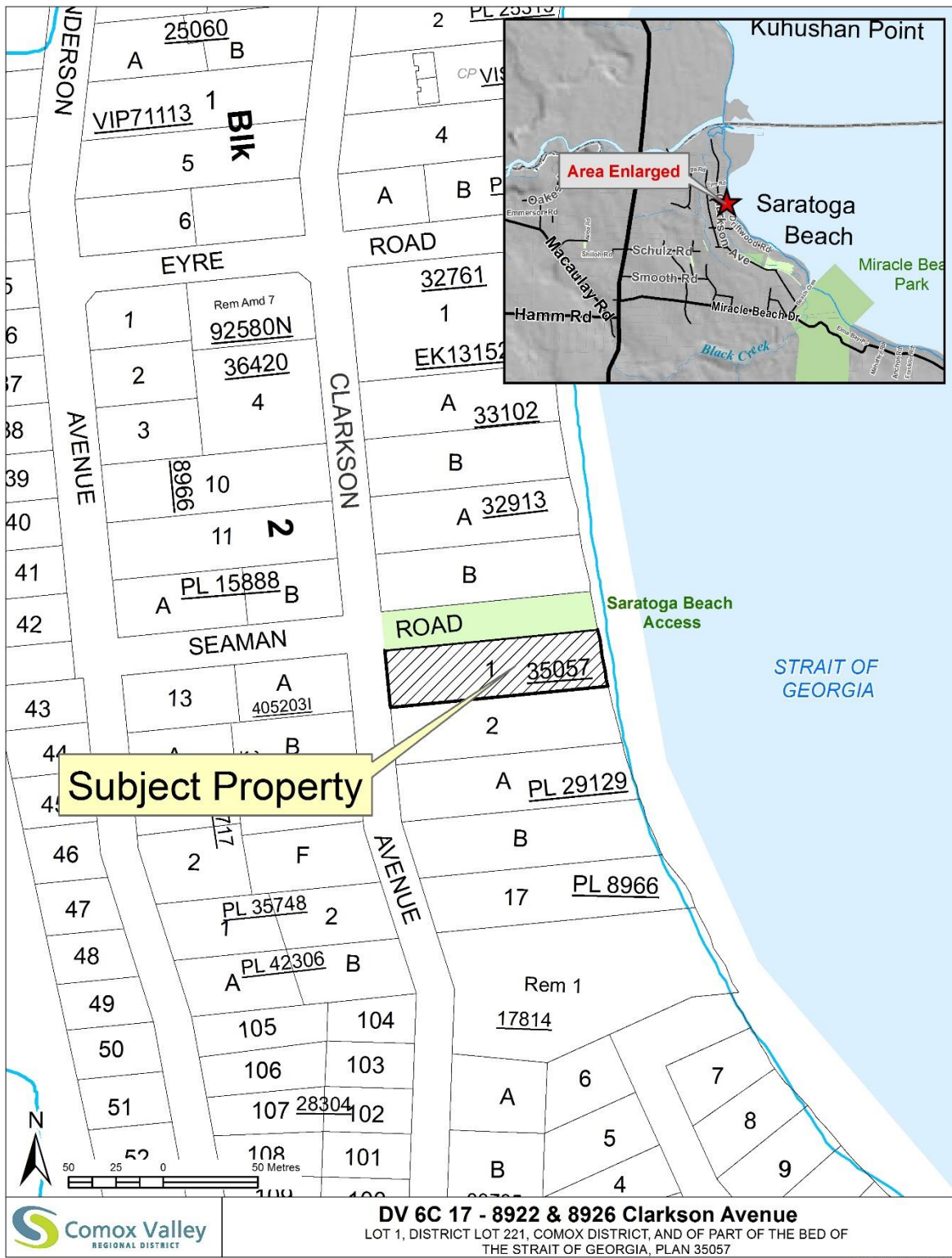


Figure 1: Subject Property Map

Comox Valley Regional District



Figure 2: Air Photo

Comox Valley Regional District

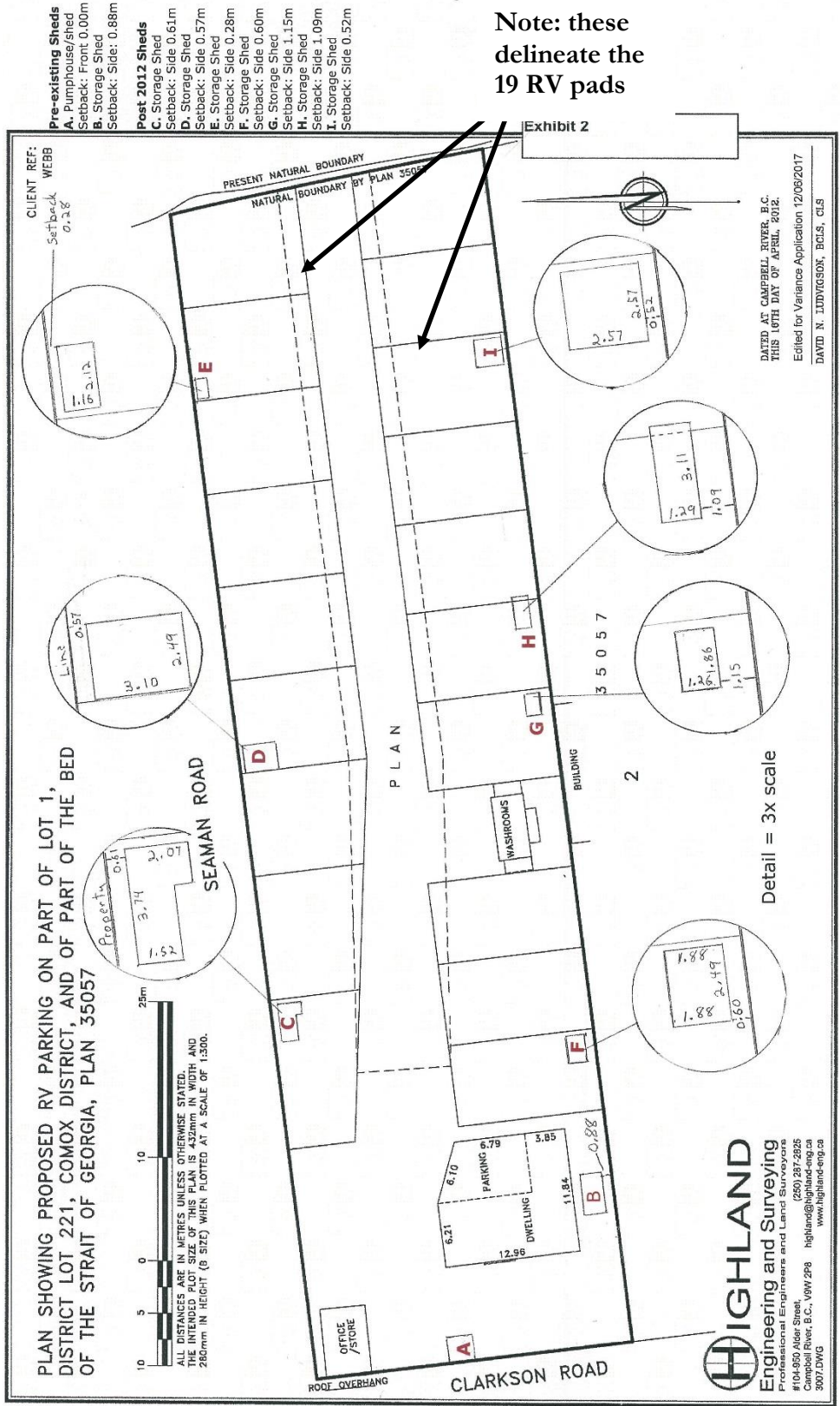


Figure 3: Site Plan

Comox Valley Regional District



Figure 4: Shed C



Figure 5: Shed C



Figure 6: Shed D



Figure 7: Shed D



Figure 8: Shed E



Figure 9: Shed E

Comox Valley Regional District



Figure 10: Shed F



Figure 11: Shed F



Figure 12: Shed G



Figure 13: Shed G



Figure 14: Shed H



Figure 15: Shed H

Comox Valley Regional District



Figure 16: Shed I



Figure 17: Shed I

903

Tourist Commercial One (TC-1)

1. PRINCIPAL USES

On any lot:

- i) Campgrounds (including RV park);
- ii) Tourist accommodation;
- iii) Recreational facilities;
- iv) Marina;
- v) Bed and Breakfast.

2. ACCESSORY USES

On any lot:

- i) Restaurants;
- ii) A licensed establishment;
- iii) Gift shop;
- iv) Accessory buildings;
- v) Offices;
- vi) Outdoor recreation use;
- vii) Wharves and moorage use excluding: permanent or indefinite berthing, or berthing of vessels occupied as a dwelling unit or as visitor accommodation;
- viii) Residential use limited to one dwelling unit.

3. CONDITIONS OF USE

- i) **All permitted uses listed in Section (1), “PRINCIPAL USES”, shall be subject to the following conditions:**
 - a) Landscaping shall be in accordance with the conditions of the required Development Permit.
- ii) **All permitted uses listed in Section (1)(i), "Campgrounds", shall be subject to the following conditions:**
 - a) Every camping space shall have a minimum area of not less than 110.0 metres² (1184.1 feet²).
 - b) No camping space shall be located within 3.0 metres (9.8 feet) of an internal access road.
 - c) Washrooms shall be provided for in accordance with Ministry of Health requirements.
 - d) A minimum of one container for every two camping spaces shall be provided for purposes of garbage disposal or a centralized collection centre of suitable capacity. Each container must be durable, insect-tight, water-tight, and rodent proof.

- e) Occupancy shall be temporary in nature with 50% of the total possible occupancy limited to a maximum stay of 6 months per visitor for any 12 month period within any RV site on the lot, concurrent or non-consecutive. The remaining 50% of the total possible occupancy is to be limited to stays with durations shorter than 6 months. The relocation of RV's to other RV sites within the lot does not constitute the start of a new stay.
- iii) “Tourist Accommodation” use, listed in Section (1)(ii) of “PRINCIPAL USES”, shall be subject to the following conditions.
- a) Floor Area Ratio (F.A.R.), (see also Part 2, Interpretation), shall be defined as: “The gross floor area of all buildings divided by the gross area of the subject lot.”
- 1) Permitted F.A.R. = 0.5
 For each 10% increase in "Open Space", to a maximum of 60%, F.A.R. is increased by 0.05.
- b) Permitted Density:
- 1) Minimum tourist accommodation unit area: 40.0 metres² (430.6 feet²).
- 2) Residential unit allocation ration: 0.75
- 3) Permitted density of development:
- $$\frac{\text{Gross Lot Area (F.A.R. X 0.75)}}{\text{Minimum Tourist Accommodation Unit Area}} = \text{Number of Units Permitted}$$
- c) A minimum of 40% of the lot area shall be retained as open space.
- d) Occupancy shall be temporary in nature with 50% of the total possible occupancy limited to a maximum stay of 6 months per visitor for any 12 month period. The remaining 50% of total possible occupancy is to be limited to stays of shorter duration.
- e) Permanent residential use of up to 50% of the total tourist accommodation sleeping units may be permitted where:
- 1) a site plan of the entire site identifying all campsites and other forms of tourist accommodation (units) is provided in the form of a survey certificate to be attached as a schedule of a Development Permit.
- 2) the minimum unit area for permanent residential use is 93.0 metres² (1001.0 feet²); and
- 3) three of the following uses are in place on the site of the tourist accommodation operation:
- i) campground;
 - ii) hotel;
 - iii) resort condominium;
 - iv) restaurant;
 - v) licensed facility;
 - vi) marina;

- vii) wharves and moorage; and
- viii) outdoor recreation use.

4. **SITING OF BUILDINGS AND STRUCTURES**

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

| Type of Structure | Required Setback | | | |
|-------------------|------------------|---------------|---------------|-------------------------|
| | Front yard | Rear yard | Side yard | Side yard abutting road |
| Principal | 4.5m (14.8ft) | 4.5m (14.8ft) | 3.5m (11.5ft) | 4.5m (14.8ft) |
| Accessory | 4.5m (14.8ft) | 1.0m (3.3ft) | 3.5m (11.5ft) | 4.5m (14.8ft) |

Except that when the property abuts a lake or sea or where the area is a foreshore lease, no yard minimum applies to the area abutting or within a water area, except for buildings used for habitation or storage of goods damageable by flood waters.

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

The maximum permitted height of principal structures shall be:

- i) At required side yard setback: 8.0 metres (26.3 feet)
- ii) At 7.5 metres (24.6 feet) from any lot line: 10.0 metres (32.8 feet)
- iii) At 12.0 metres (39.8 feet) from any lot line: 12.0 metres (39.4 feet)

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 average lot area permitted shall be 4000 metres² (1.0 acre) with the exception that no minimum lot area shall apply when a structure is proposed for a strata title subdivision plan pursuant to the *Strata Property Act*, subject to the parent lot before strata having a minimum lot area of 4000 metres² (1.0 acre).

End • TC—1