

Notice of meeting of the
Puntledge-Black Creek (Area C)
Advisory Planning Commission
Wednesday, February 21, 2018
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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| 2 | 1. Receipt of the minutes of the Wednesday, January 24, 2018, Puntledge-Black Creek (Electoral Area C) Advisory Planning Commission meeting. |
| | 2. Status update on APC recommendations – Verbal update regarding Electoral Area Services Committee and board decisions related to APC recommendations |
| 4 | 3. Memorandum dated February 1, 2018, regarding 3090-20/DV 2C 18 – Development Variance Permit Application - 542 and 544 Williams Beach Road (Mavronicolas & Barbera) |
| 11 | 4. Memorandum dated February 6, 2018, regarding 3090-20/DV 1C 18 – Development Variance Permit Application - 2422 and 2424 Catherwood Road (Walker/Bruton) |
| | 5. Next meeting date: Scheduled for Wednesday, March 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, January 24, 2018 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
	Assistant Manager of Planning Services	Ton Trieu
	Planner	Brianne LaBute
	Proponent for DV 6C 17	Pat O'Gorman
	Proponent for DV 5C 17	Jordan Landry
	Proponent for DV 4C 17	Scott Oldale

Agenda Items

3090-20/DV 6C 17 – Development Variance Permit Application - 8922 & 8926 Clarkson Avenue (Sea Esta Private Resort Corporation)

DERRY/PACHOLUK: THAT the Area C Advisory Planning Commission support Development Variance Permit Application DV 6C 17 for 8922 & 8926 Clarkson Avenue /Lot 1, District Lot 221, Comox District, and of part of the bed of the Strait of Georgia, Plan 35057 (Sea Esta Private Resort Corporation) as proposed.

CARRIED

Proposed Changes to Carriage House Regulations as Part of the Comprehensive Zoning Bylaw Review

Ton Trieu, Assistant Manager of Planning Services, presented a PowerPoint presentation regarding changes to carriage house regulations as part of the comprehensive Zoning Bylaw review.

3090-20/DV 5C 17 – Development Variance Permit Application – 2485 England Road (Landry)

GORDON/THRAN: THAT the Area C Advisory Planning Commission support Development Variance Permit Application DV 5C 17 for 2485 England Road/ Lot 2, District Lot 135, Comox District, Plan 24918 (Landry) as proposed.

CARRIED

3090-20/DV 4C 17 – Development Variance Permit Application – 1422 Seaview Road (Oldale)

MILNE/PACHOLUK: THAT the Area C Advisory Planning Commission support Development Variance Permit Application DV 4C 17 for 1422 Seaview Road/Lot K, Section 9, Township 5, Comox District, Plan 11119 (Oldale) as proposed.

CARRIED

Appointment of chair and recording secretary

MILNE/THRAN: THAT Pearl McKenzie be appointed as Chair of the Area C Advisory Planning Commission for 2018.

CARRIED

THRAN/PACHOLUK: THAT Jim Langridge be appointed as Recording Secretary of the Area C Advisory Planning Commission for 2018.

CARRIED

Minutes of Advisory Planning Commission Meeting

MILNE/THRAN: THAT the minutes of the Electoral Area C (Puntledge-Black Creek) Advisory Planning Commission meeting held on Wednesday, November 29, 2018 be received

Status update on APC Recommendations

Ton Trieu, Assistant Manager of Planning Services, provided an update on Electoral Areas Services Committee and Board decisions relating to APC recommendations

Next Meeting Date

The next Electoral Area C (Puntledge-Black Creek) Advisory Planning Commission meeting is scheduled for Wednesday, February 21, 2018 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm.

Termination

The meeting terminated at 8:45 pm.

Recording Secretary:
John Milne

Chair:
Pearl McKenzie

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

Memo

File: 3090-20/DV 2C 18

DATE: February 1, 2018

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

FROM: Planning and Development Services Branch

RE: Development Variance Permit Application – 542 & 544 Williams Beach Road
Mavronicolas & Barbera
Fractional East 1/2 of the North East 1/4 of Section 34, Township 6, Comox
District, Plan 552-E, Except Part in Plans 24264, 27876 and 45386,
PID 007-991-908

The subject property, located at 542 & 544 Williams Beach Road, is bound by Agricultural Land Reserve land to the west, Williams Beach Road to the north and east, and a rural lot to the south (Figure 1). The size of the property is approximately 3.7 hectares, and the property currently has a single detached dwelling and two accessory buildings (Figures 2 and 3). There is a second dwelling under construction. Due to financial reasons, the applicants wish to stop its construction and sell the subject property. In order to resolve the unfinished building permit and give the next owner a choice, the applicants wish to reclassify the unfinished dwelling into an accessory building. However, as an accessory building, the building height is higher than the maximum permitted limit of 6.0 metres. The height of the subject building is surveyed to be 6.8 metres (Appendix A). Therefore, the variance is to increase the maximum permitted building height by 0.8 metres.

The intent of the maximum building height regulation is to provide a hierarchy of building sizes and relative scale between dwellings and accessory buildings. The subject property is zoned Rural Twenty (RU-20) (Appendix B). In this zone, the maximum building height for a single detached dwelling is 10.0 metres and the maximum height for an accessory building is 6.0 metres.

Please note that adjacent properties within 100.0 metres of the subject property 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

Attachments Appendix A – “Building Height Confirmation”
Appendix B – “RU-20 Zone”

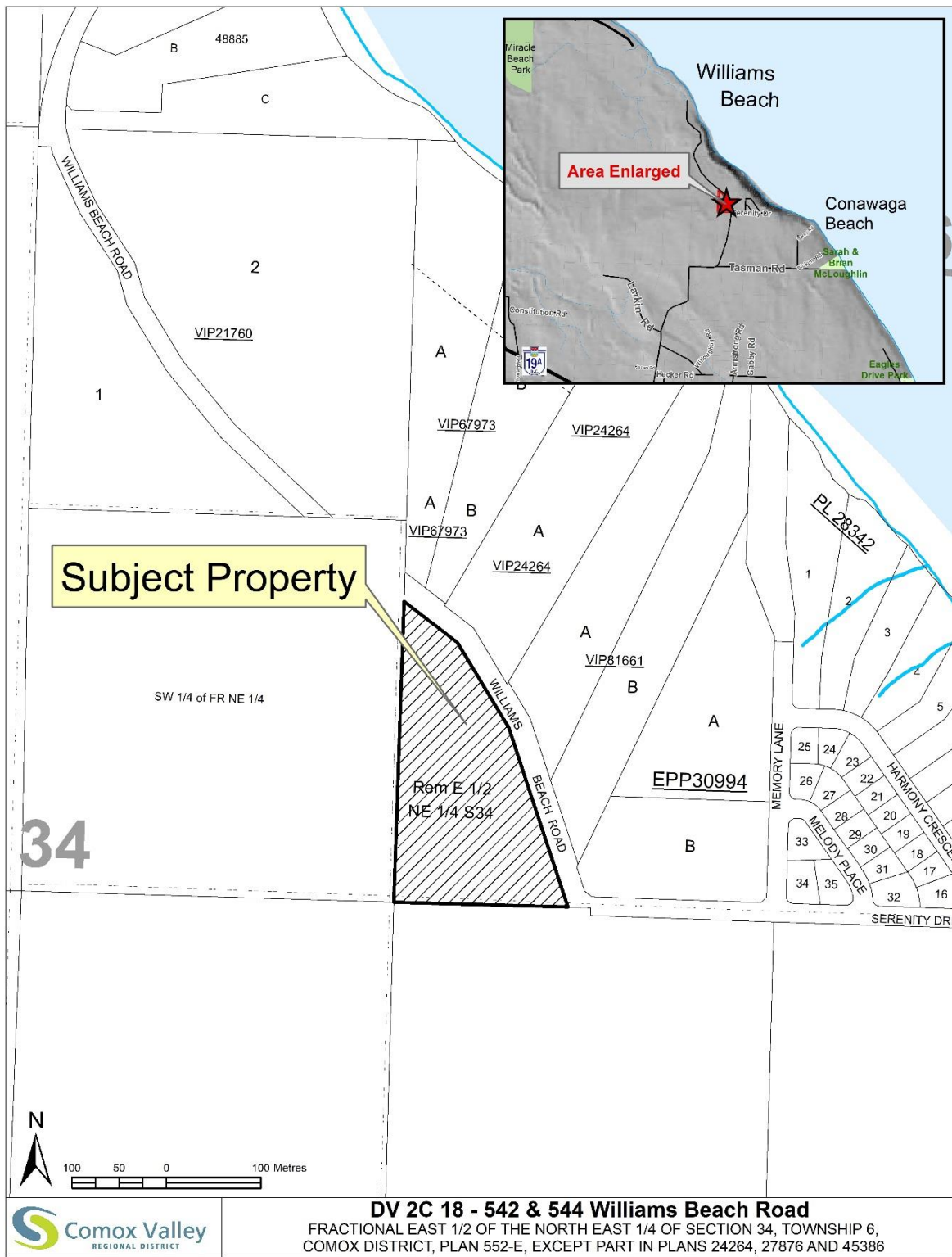


Figure 1: Subject Property Map

Comox Valley Regional District

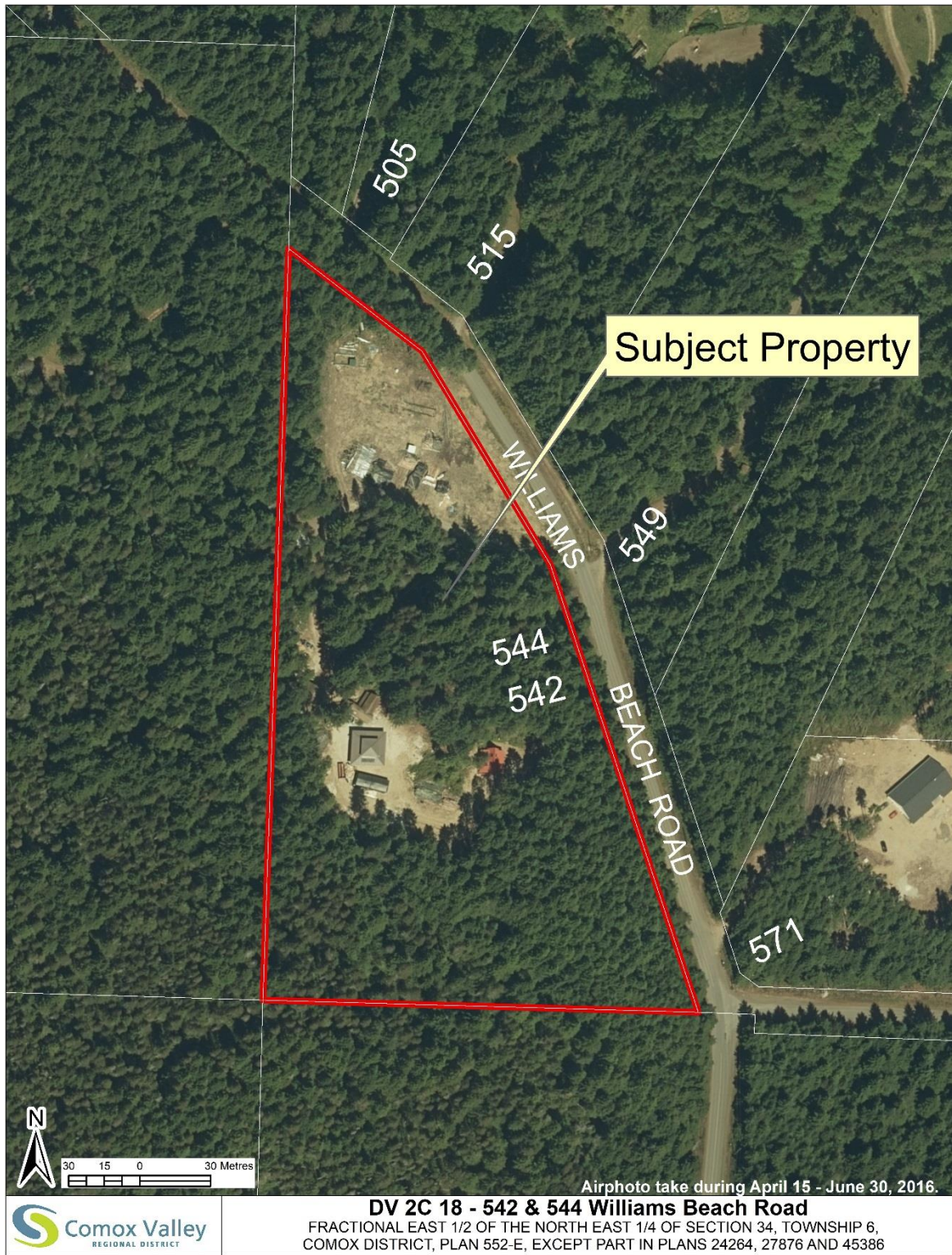


Figure 2: Air Photo

Comox Valley Regional District

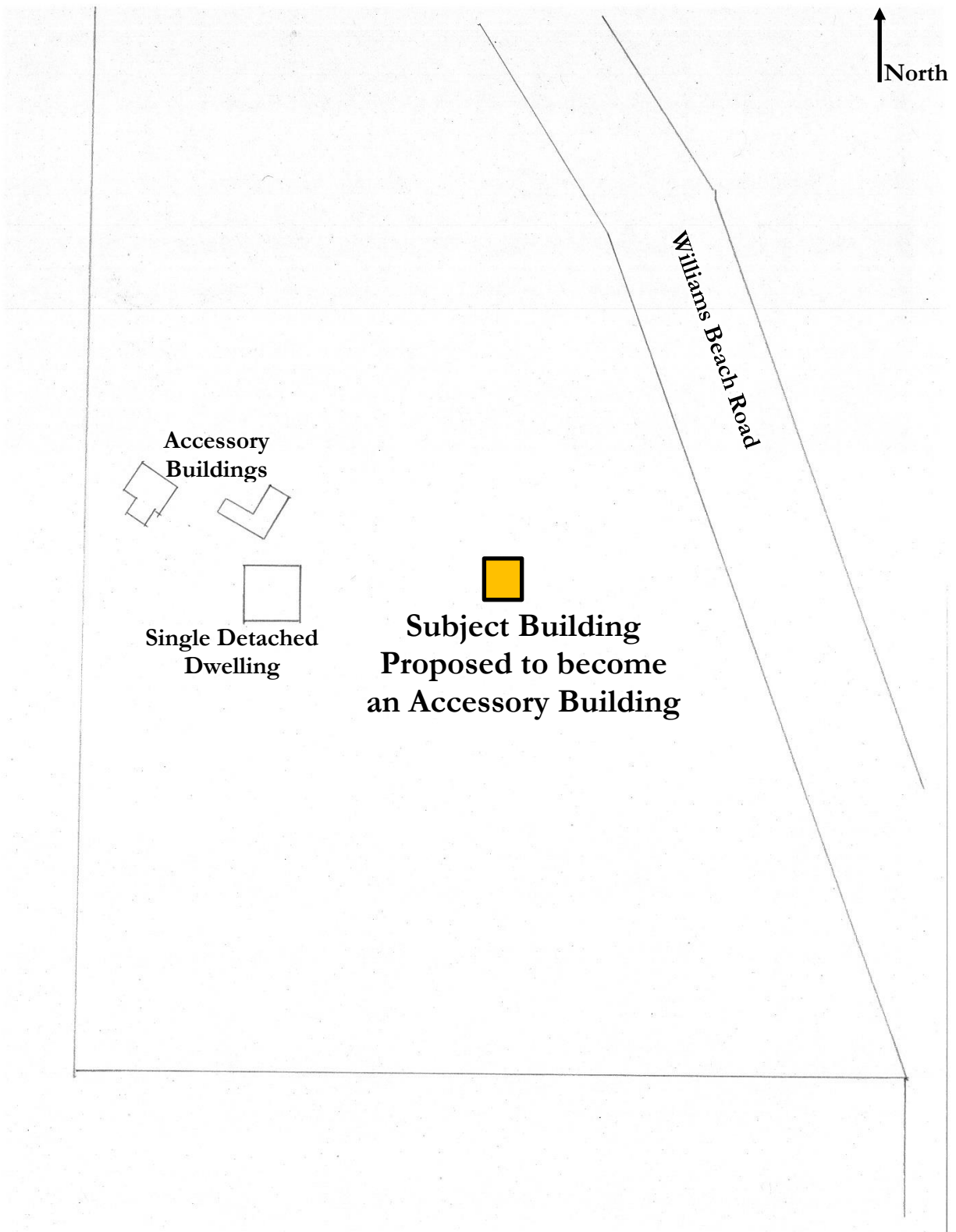


Figure 3: Site Plan

BRUCE LEWIS LAND SURVEYING INC.

811 Highridge Court
Comox, B.C. V9M 3R4
Tel: 250-890-0334
Fax: 250-890-0428

HEIGHT CONFIRMATION

COMOX VALLEY REGIONAL DISTRICT
600 Comox Road
Courtenay, B.C. V9N 3P6

January 23, 2018
File: 1949

Attention: Building Department

Re: Letter of Height Confirmation - Accessory Building (Red Roof A-Frame)
Legal: Fractional East 1/2 of the North East 1/4 of Section 34, Township 6, Comox District, Plan 552-E, Except Part in Plans 24264, 27876 and 45386
Civic: 544 Williams Beach Road, Courtenay, B.C.

From field observations on January 23, 2018, I found the accessory building under construction to be:

Height Confirmation:

Main Floor Elevation Accessory Building (A-Frame)	30.00 metres
Peak Elevation of Accessory Building	36.53 metres
Average Natural Grade for Accessory Building	29.73 metres ***
Peak Elevation above Average Natural Grade = (36.53-29.73)	6.80 metres

From field observations, the elevation difference between the Peak of the Accessory Building and Average Natural Grade is **6.80 metres**. Elevations are on an assumed datum and are referenced to the Accessory Building's main floor with an elevation of 30.00 metres.

*** Average Natural Grade - grade shots were taken at the nearest undisturbed soils and extrapolated to establish elevations at the four building corners. The four building corner elevations were then averaged to derive Average Natural Grade.

If you require any additional information or have any questions please call, thank you.

Bruce Lewis Land Surveying Inc.
Yours truly,

Bruce Lewis
BQLTHV

Digitally signed by Bruce Lewis
BQLTHV
DN: c=CA, cn=Bruce Lewis BQLTHV,
o=BC Land Surveying Inc., ou=verify, id=
at www.juricert.com/LKUP.cfm?
id=BQLTHV
Date: 2018.01.23 16:20:51 -0800

Bruce Lewis, BCLS

802

Rural Twenty (RU-20)

1. PRINCIPAL USE

- i) On any lot or portion of any lot zoned Rural Twenty (RU-20) only the following principal uses are permitted:**
 - a) Agricultural use;
 - b) Fish Hatcheries;
 - c) Residential use;
 - d) Garden nurseries;
 - e) Vet clinics;
 - f) Silviculture.
- ii) On any lot 2.0 hectares (4.9 acres) or larger:**
 - a) Animal kennels;
 - b) Riding academy.
- iii) On any lot 4.0 hectares (9.9 acres) or larger:**
 - a) Wood processing;
 - b) Sawmills including portable sawmills;
 - c) Gravel, mineral or peat extractions, gravel crushing and screening, but no manufacturing or sales of concrete or concrete products.
- iv) On any lot 4.0 hectares or larger and which is classified as private managed forest land or farm pursuant to the *Assessment Act* or is within a licensed area under the *Forest Act*:**
 - a) Research and teaching facility;
 - b) Rural resource centre to a maximum floor area of 300.0 square metres.

2. ACCESSORY USES

On any lot or portion of any lot zoned RU-20 only the following accessory uses are permitted:

- i) Accessory buildings;
- ii) Bed and breakfast;
- iii) Home occupations;
- iv) Domestic business;
- v) Domestic industrial use; and
- vi) Retail and wholesale sales of agricultural and forestry products to a maximum floor area of 100.0 square metres (1076.4 square feet).

3. CONDITIONS OF USE

Wood processing, gravel, sand and mineral extraction (including crushing and screening of aggregate extracted onsite), research and teaching facilities, and rural resource centres shall be subject to the following conditions:

- i) A minimum setback of 15.0 metres (49.2 feet) along all lot lines.

- ii) A minimum setback of 30.0 metres (98.4 feet) from any lot line abutting a lot zoned Residential or Country Residential.
- iii) No loading or storage areas shall be located in any required yards.
- iv) Screening of not less than 2.0 metres (6.6 feet) in height shall be provided for wood processing uses and a rural resource centre abutting a lot zoned Residential.
- v) Screening of not less than 1.5 metres (4.9 feet) in height shall be provided for wood processing uses and a rural resource centre abutting a lot zoned Country Residential.
- vi) Fences of 3.0 metres (9.8 feet) shall be permitted for agricultural, forestry, silviculture and wood processing uses.

4. **DENSITY**

Residential use is limited to:

- i) **On any lot:** One single detached dwellings 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).
- ii) **On any lot 1.0 hectare (2.5 acres) and over:** Two single detached dwellings.

5. **SITING OF BUILDINGS AND STRUCTURES**

The setbacks required for buildings and structures within the Rural Twenty zone shall be as set out in the table below.

Type of Structure	Height	Required Setback				
		Front yard	Rear yard	Side yard		Side yard abutting road
				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)	7.5m (24.6ft)
Accessory	4.5m-or less (14.8ft)	7.5m (24.6ft)	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 (24.6ft)	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. **FLOOR AREA REQUIREMENTS**

- i) The maximum combined gross floor area of all buildings shall not exceed 15% of lot area.

7. **SUBDIVISION REQUIREMENTS**

- i) Minimum lot area: 20 hectares (49.4 acres)

End • RU-20

Memo

File: 3090-20 / DV 1C 18

DATE: February 6, 2018

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

FROM: Planning and Development Services Branch

RE: Development Variance Permit – 2422 and 2424 Catherwood Road (Walker/Bruton)
Lot 1, Block 29, Comox District, Plan 25378, PID 002-913-623

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

An application has been received to consider a Development Variance Permit (DVP) for a 0.35 hectare property located in the Puntledge – Black Creek area (Electoral Area C). The property has frontage onto Oakes and Catherwood Road and is surrounded by residential properties (Figure 1 and 2).

The property contains a principal dwelling (subject to this application) and a secondary dwelling that is less than 90m² (Figure 3). The applicant advises that the construction company made an error when moving the principal dwelling onto the property triggering the need for a variance. The required minimum front yard setback is 7.5 metres and the principal dwelling is setback 7.1 metres (Figure 4). All other setback requirements are met.

Regional Growth Strategy and Official Community Plan

The subject property is designated Settlement Node 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 variance does 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, being the "Comox Valley Zoning Bylaw, 2005" (Appendix A). The CR-1 zone permits a principal dwelling and secondary dwelling. The application seeks relief from the 7.5 metre front yard setback and is requesting a setback of 7.1 metres.

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.

Sincerely,

A. Mullaly

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

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Attachments Appendix A – “Country Residential One Zone”

Comox Valley Regional District

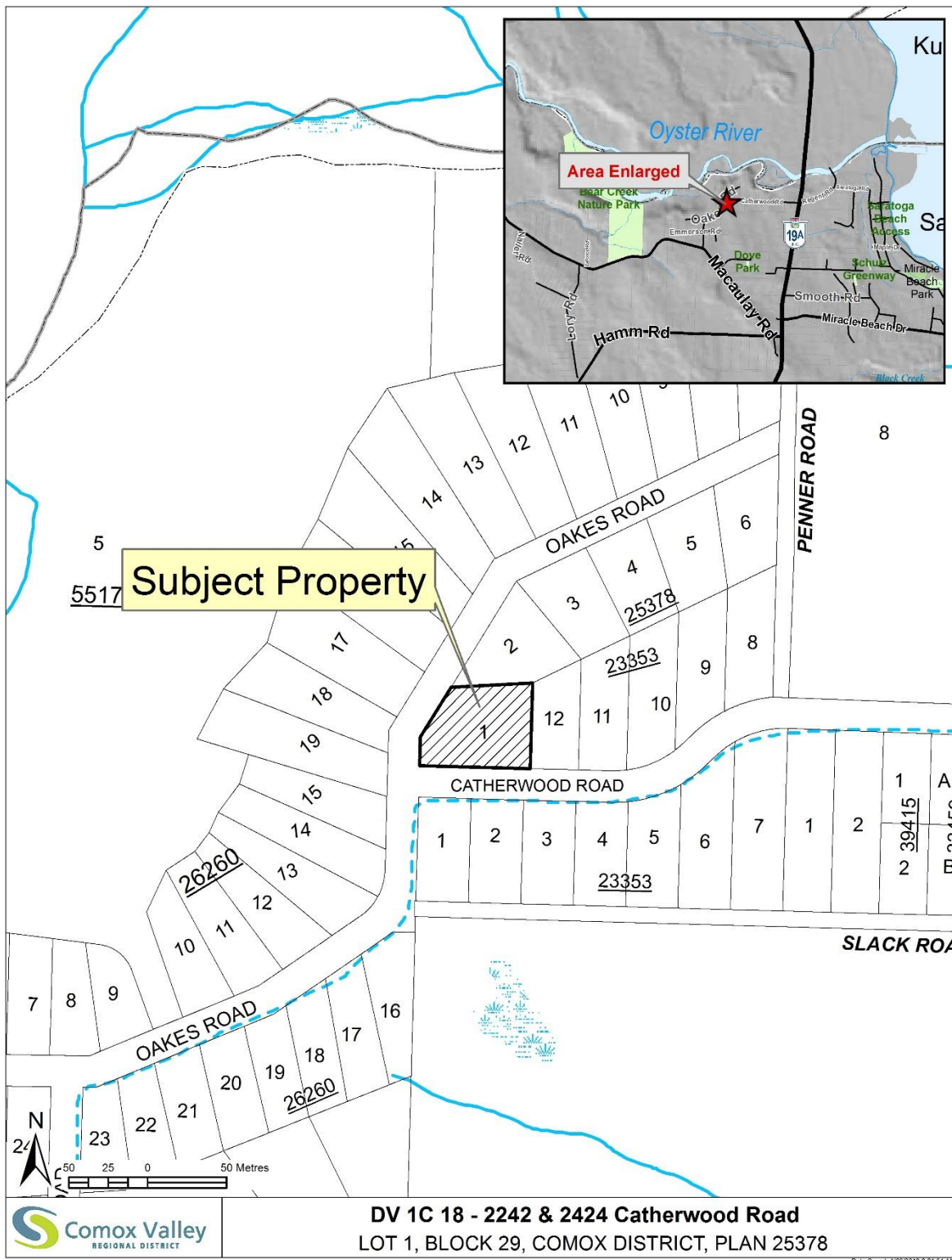


Figure 1: Subject Property Map

Comox Valley Regional District



Figure 2: Aerial Photo

Comox Valley Regional District

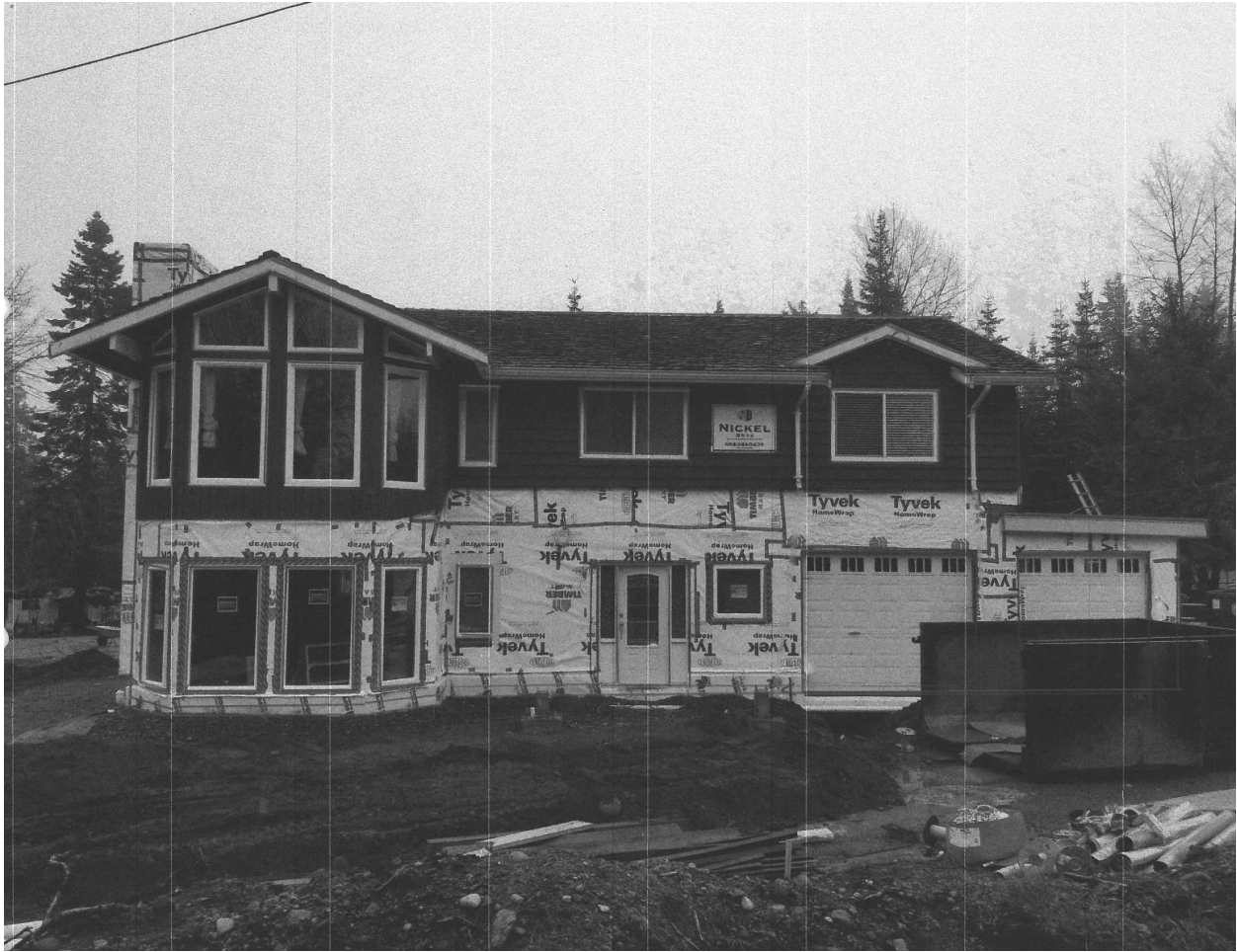


Figure 3: Moved On House

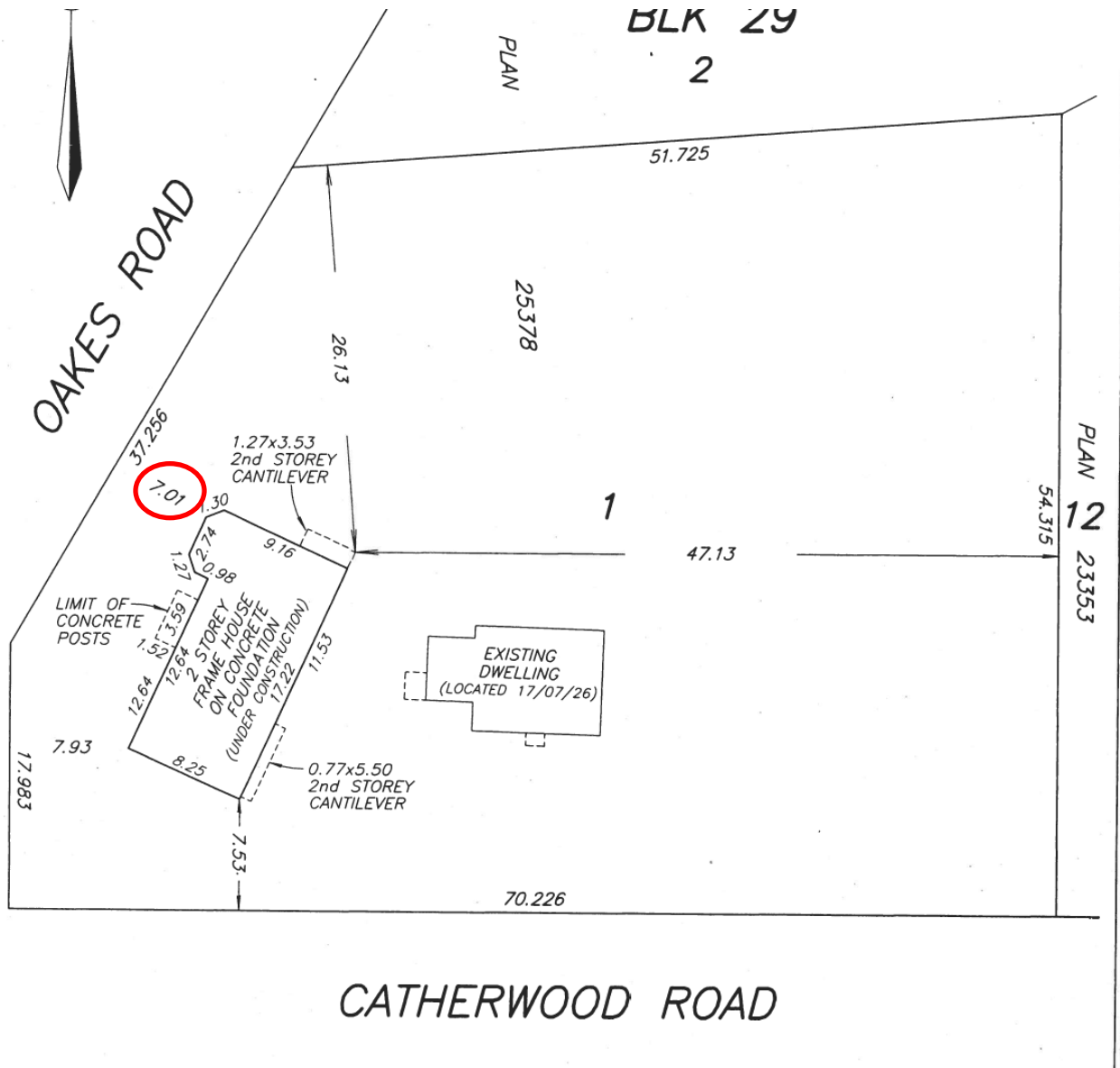


Figure 4: Site Plan, Prepared by BC Land Surveyor

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