

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

Thursday, March 22, 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. Call to order and recognition of traditional territories
2. Election of Chair and Recording Secretary for 2018
- 2 3. Receipt of the minutes of the February 22, 2018 Lazo North (Area B) Advisory Planning Commission meeting

NOTE: As it has been determined that quorum was not met for the February 22, 2018 Lazo North (Area B) Advisory Planning Commission meeting, the minutes will not be considered for receipt.
- 3 4. Memorandum dated February 19, 2018, regarding 3060-20/DP 3B 18 – Development Permit (form and character) – 1700 Ryan Road E (Fortis Energy BC)
- 16 5. Development Variance Permit – 1758 Astra Road (Tomlinson/Snow-Tomlinson)
6. PowerPoint Presentation – Update on the Comprehensive Zoning Bylaw Review and Proposed Changes
7. Status update on APC recommendations – Verbal update regarding Electoral Area Services Committee and board decisions related to APC recommendations
8. Next meeting date: Scheduled for Thursday, May 3, 2018

ADDENDUM

- 24 Receipt of the minutes of the October 26, 2018 Lazo North (Area B) Advisory Planning Commission meeting
- 25 Memorandum dated January 25, 2018, regarding 3360-20/RZ 1B 17– Rezoning Application – 1671, 1673 and 1675 Ryan Road East (Lenco Development Ltd., Fernco Development Ltd. and Norco Development Ltd.)

Minutes of the meeting of the Electoral Area B Lazo North Advisory Planning Commission of the Comox Valley Regional District held on Thursday, February 22, 2018 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm

PRESENT:	Chair	Stan Hartfelder
	Members	David Battle Norman Reader
ABSENT:	Members	Dean Maxwell Danielle Fortosky Janet Crockett
ALSO PRESENT:	Alternate Director	Andrew de Burgh Whyte
	Rural Planner	Brian Chow
	Proponents for RZ 1B 17	Jason Hendricks

Agenda Items

Minutes of Advisory Planning Commission Meeting

BATTLE/DE BURGH WHYTE: THAT the minutes of the Electoral Area B (Lazo North) Advisory Planning Commission meeting held on Thursday, October 26, 2017 be received.

CARRIED

Status update on APC recommendations

Brian Chow, Rural Planner, provided an update regarding Electoral Area Services Committee and board decisions related to APC recommendations.

3360-20/ RZ 1B 17 – Zoning Bylaw Amendment Application - 1671, 1673 and 1675 Ryan Road East (Lenco, Fernco, Norco)

BATTLE/ DE BURGH WHYTE: THAT the Area B Advisory Planning Commission support Zoning Bylaw Amendment Application RZ 1C 17 for 1671, 1673 and 1675 Ryan Road East /Lot 1, District Lot 114, Comox District, Plan 2280 Lenco, Fernco, Norco) as proposed.

CARRIED

Next Meeting Date

The next Electoral Area B (Lazo North) Advisory Planning Commission meeting is scheduled for Thursday, March 22, 2018 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm.

Termination

BATTLE/DE BURGH WHYTE: THAT the meeting terminate.

CARRIED

Time: 8:21 pm.

Recording Secretary:
Andrew de Burgh Whyte

Chair:
Stan Hartfelder

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

Memo

File: 3060-20/DP 3B 18

DATE: February 19, 2018

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

FROM: Planning and Development Services Branch

RE: Development Permit (form and character) – 1700 Ryan Road E (Fortis Energy BC)
That part of Lot 2 District Lots 229 and 239, Comox District, Plan VIP85435
included within Plan EPP78295, PID 030-330-327

The attached development proposal (Appendix A) is for commission members' review and comment as it relates to the development permit guidelines (Appendix B).

Fortis Energy BC recently purchased the 0.06 hectares behind their existing pressure reduction station on Ryan Road. They are proposing to construct a new station on this private property. The construction of new buildings on parcels with a commercial or industrial zone triggers the requirement for the Commercial and Industrial Development Permit (form and character). This requires the proposed development be reviewed in accordance with the development permit area guidelines and assessed on whether the objectives are being met or if additional conditions are required relating to character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

Development Permit Guidelines

The Official Community Plan directs that new development in this area maintain a rural character. The proposed building has an approximate 21 square metre footprint, single storey in height, a galvanized steel siding exterior painted grey and blue with doors on both ends. It is to be sited 17.5 metres from the front property line with the underground pipes. The building does not require electricity and no lighting is proposed. The applicant is proposing the site have an entirely gravelled surface, surrounded by a heavy duty steel wire mesh security fence topped with a 45° angle overhang.

The guidelines direct that a landscape plan should be provided that includes a landscaped treatment along the entire frontage of the building site that abuts public roads. The applicants are proposing the fence be setback 4.5 metres from the front property line with a single row of Leyland cypress hedges planted in front of the fence, with gaps in front of the gates (Appendix A).

The guidelines direct that rainwater management be considered as part of the site design. The gravel surfacing will decrease the permeability of the land and the roof area will contribute to the run-off.

To compensate, the applicant has included a rock pit in the rear which will help run-off infiltrate into the ground.

Sincerely,

A. Mullaly

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

/jm

Attachments Appendix A – “Development Proposal”
 Appendix B – “Development Permit Guidelines”

Comox Valley Regional District

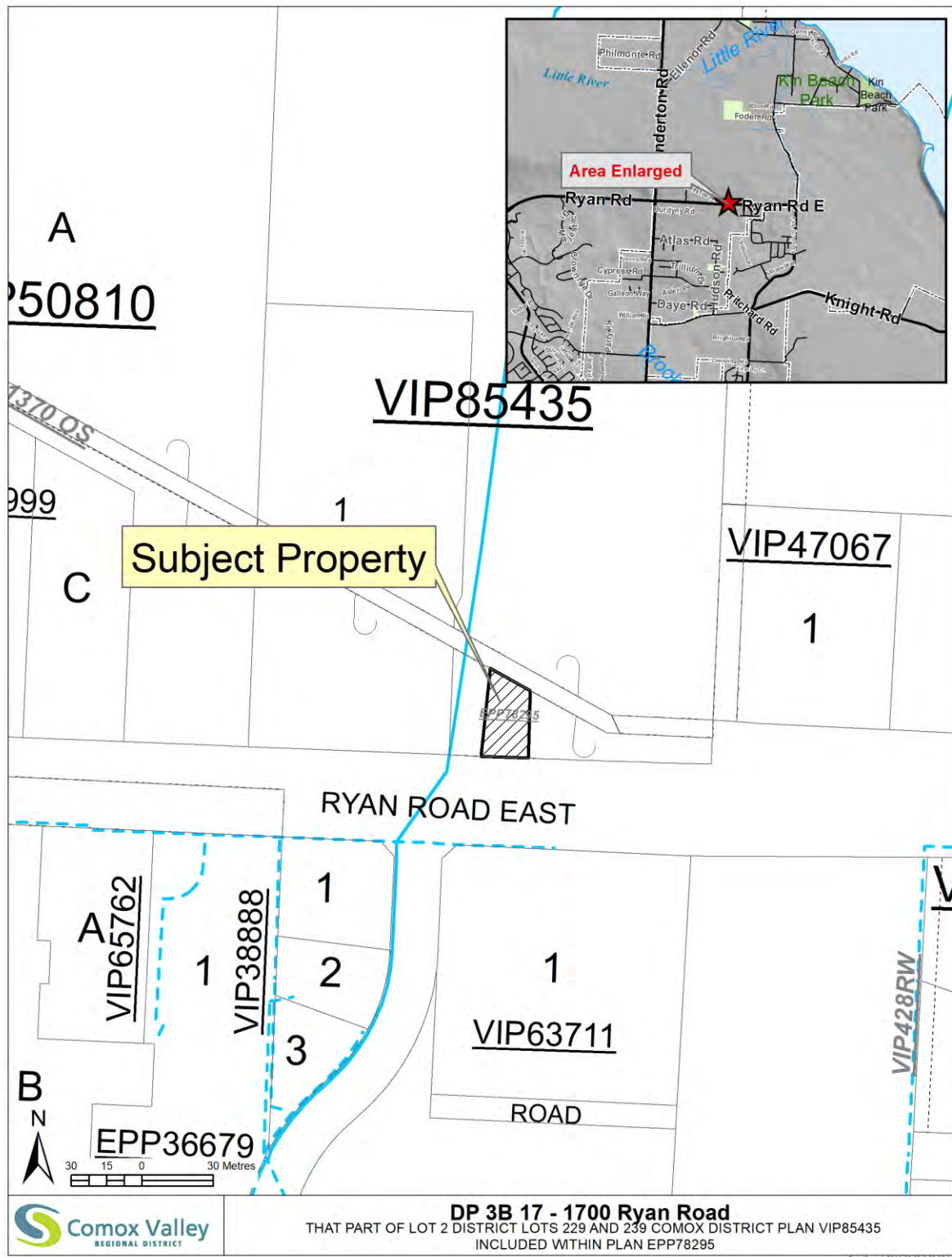


Figure 1: Subject Property

Comox Valley Regional District



Figure 2: Air Photo (2016)

Comox Valley Regional District



**Figure 3: Examples of similar facilities by Fortis BC;
Campbell River Site top; Nanaimo bottom**

Comox Valley Regional District

FortisBC Energy Inc.
Ryan Rd Station Replacement Project
1700 Ryan Rd, Comox

FortisBC Energy Inc. (FBC) brought natural gas to Vancouver Island in the early 1990's, setting up a network of Intermediate Pressure (IP) pipelines to service the island. To further drop the pressure from Intermediate to Distribution Pressure (DP) which is needed to service individual customers, FBC installed small pressure reducing stations, quite often in municipal boulevards.

Current Ryan Rd Station:



FortisBC Energy Inc. has purchased the land directly behind our current station and is proposing to construct a new regulating station within our property at 1700 Ryan Road, Comox. The new, upgraded station will improve reliability of service to our customers and meet WorkSafeBC confined space standards. Construction is proposed to begin in May 2018, and take approximately three months to complete. Upon completion of the new regulating station, the existing station located within the 1700 block of Ryan Road will be abandoned and removed. The abandonment and removal is projected to occur concurrently with the construction of the new station.

FBC is requesting Development Permits in order to:

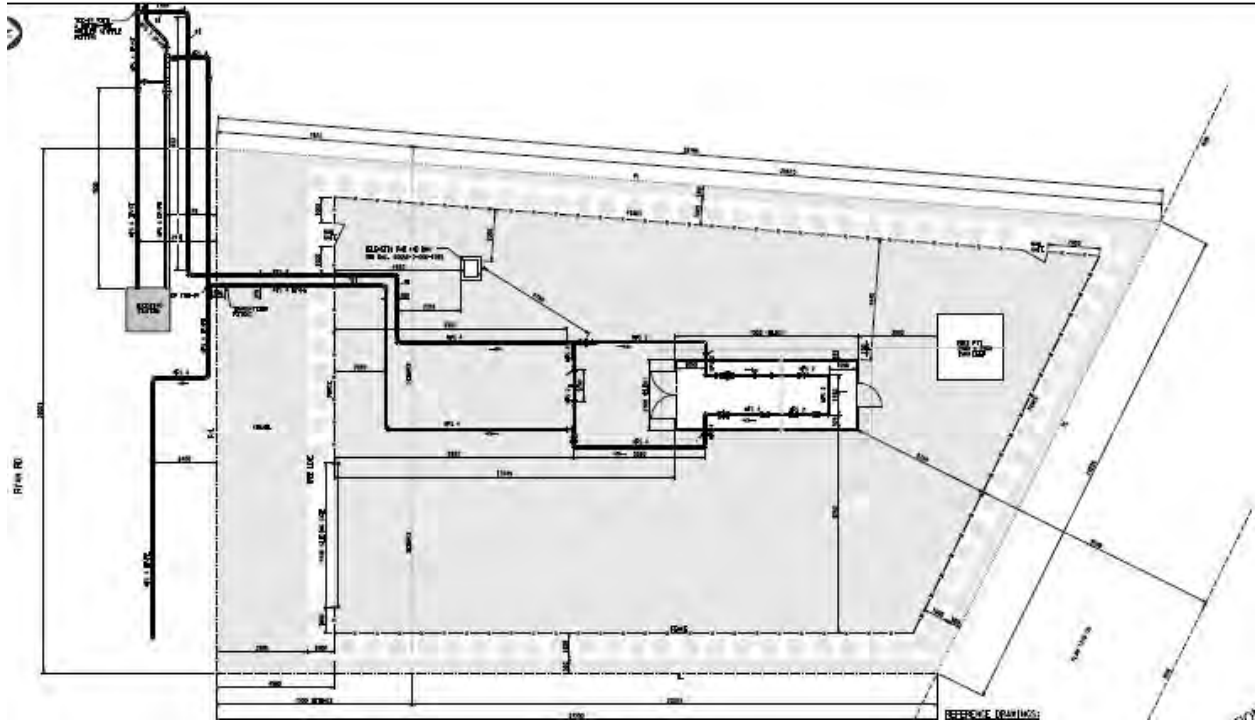
1. Change the riparian area to 10m (as per the Riparian Areas Regulation Report submission by Cindy Hannah, Qualified Environmental Professional)
2. Clear the land and perform a geo-technical assessment,
3. Gravel the whole site,
4. Install a small (3m by 7m) slab and metal building,
5. Install pipe and tie into the existing pipe in the boulevard,
6. Hedge the entire property, (with the exception of the gates) as per CVRD Development Permit requirements
7. Fence, and then
8. Remove the current building

Nanaimo station installed in 2016 (same building and piping, different fencing and tall hedges proposed):



The riparian area to the west along the ditch has been assessed by a Qualified Environmental Professional and application has been made to change the area to 10m. The purchased land will be cleared of the existing brush and covered with gravel which will permeate rain water. There will be a rock pit at the back of the property to deal with the rain water runoff. The portion along the east side of the property is being left clear for future equipment additions. The hedges will be serviced by a water truck for the first two summers to ensure the hedges are established. No utility services will be required to the site.

Mechanical Landscape Plan



Commercial and industrial development permit area (Form and character)**85. *Justification***

This type of development occurs primarily along main roads and highways in the Comox Valley such as Ryan, Royston and Cumberland Roads and the Island Highway. As such, the

development along these corridors offers many visitors their first impression of the Comox Valley.

This land use also tends to occur as infill development in areas traditionally used as rural residential. As such, it is important that the potential for conflict with established residential properties be minimized.

The permit process will be used to ensure that adequate buffers are provided and to ensure that the development is attractive and coordinated with respect to form and character of the neighborhood.

Area

Those parcels zoned for commercial and/or industrial use under part 900 pursuant to the Comox Valley zoning bylaw, 2005 being bylaw no. 2781 as amended from time to time by the CVRD board.

Guidelines

Development permits shall be issued in accordance with the following guidelines.

Form and character

- (a) All buildings and structures shall be architecturally coordinated and shall give consideration to the relationship between buildings and open areas, circulation systems, visual impact and design compatibility with the surrounding development. Blank unarticulated walls will not be permitted.
- (b) The design and introduction of a new building type to a residential neighbourhood should provide harmony and lend continuity to the neighbourhood and should not create excessive disruption of the visual character of the neighbourhood.
- (c) Landscaping, awnings, lighting fixtures, and other structures shall be architecturally integrated with the design of the buildings.
- (d) Any end wall of a building that is visible from the street should be finished to the same standard as the front of the building to provide an attractive appearance.
- (e) The roof slope and siting of any buildings shall be such as to minimize any obstruction of direct sunlight falling onto adjacent properties and residences.

Landscaping

- (a) A landscape plan shall be required. The landscape plan shall be professionally prepared and shall:
 - i. include supporting documentary evidence pertaining to landscape specifications, irrigation requirements, detailed planting lists, cost estimates, and the total value of the work;
 - ii. identify existing vegetation by type and identify areas which are to be cleared; and
 - iii. provide for the landscape treatment of the entire frontage of the building site abutting onto existing or future public roads. Street specimen tree and grassed boulevard landscape provisions are to be identified to soften the

character and scale of the area. All proposed plant materials shall be suitable for local environmental conditions. All landscaping and screening shall be completed within 12 months of an occupancy permit being issued and shall meet or exceed the British Columbia Society of Landscape Architects and British Columbia Nursery Trades Association standards.

Construction phase

- (a) All construction must be completed according to a site/building plan and an erosion and sediment control plan.
- (b) Construction of developments within or adjacent to residential areas shall take place during the working hours of 7:00 a.m. to 7:00 p.m.
- (c) There shall be no dumping of any material or debris on any roads before, during or after site development.

Outside storage

- (a) The area of any building site bounded by the front lot line, the exterior or interior side lot lines, as the case may be, and the front building line of the structure nearest the front lot line, shall not be used as an outside storage area.
- (b) Any portion of a building site which may be used as an outside storage area shall only be used as such if:
 - i. the area is enclosed within a 2.5 metre high solid fence having a suitable security gate;
 - ii. none of the goods or materials stored therein exceed the height of the 2.5 metre high fence;
 - iii. the area is not directly adjacent to any residential development; and
 - iv. cases where the area lies between a structure and any public road, it is screened by an adequately landscaped buffer strip so that such storage areas are not readily visible from such public road.
- (c) Centrally located recycling facilities shall be provided for the use of all businesses with a development.

Screening

- (a) The character of developments shall be enhanced by landscaping of substantial proportions along property lines adjacent to residential developments. The developers shall provide a three metre buffer – incorporating existing native vegetation, supplemented by landscaping of substantial proportions utilizing approved specimen tree species. The required plantings shall recognize the need to protect adequate sight distances at intersecting streets.
- (b) Buildings shall be sited to ensure that any adjacent residential properties have visual privacy, as well as protection from site illumination and noise. Security and other lighting shall not be placed so as to shine directly into residential properties or to reduce the separation effectiveness of any landscaped buffer.

- (c) Such elements as roof top mechanical equipment, shipping and loading areas, transformers, and meters shall be screened from public view as effectively as possible through the use of evergreen landscaping materials, solid fencing, and building design.
- (d) All waste disposal bins shall be completely screened within a solid walled enclosure not less than two metres in height.
- (e) Loading and receiving areas shall be located so as to cause minimum disturbance to adjacent residential areas.

Parking

- (a) Large surface parking areas shall be broken down into smaller parking lots evenly dispersed throughout the development and integrated with planted landscaped areas. Visitor parking spaces should be clearly identified and provided within the development. Tree planting is encouraged in parking areas.
- (b) Parking areas should clearly identify pedestrian circulation areas, preferably with different paving and landscaping treatment.
- (c) All paved parking areas shall be included within the context of the required rainwater water plan and shall incorporate oil/water separators.
- (d) The use of any property within the development permit area shall not produce any off-site parking.
- (e) Developers are encouraged to incorporate site-parking requirements within the principal structures of their development.
- (f) Automobile parking areas shall be covered with a select granular base approved by MoTI and provide storm water controls by means of perimeter curtain drains. Access and egress points shall be paved for a minimum distance of 15 metres from the edge of the existing pavement into the subject property and be designed and constructed to MoTI standards. The shared use of a common access between businesses is encouraged.
- (g) Commercial and industrial buildings shall be located in close proximity to the front property line with the majority of parking spaces being situated at the rear and side of buildings.
- (h) Commercial and industrial buildings fronting shall be allowed to share one common interior wall (0.0 metre side yard setback) with an adjacent building.

Rainwater management

- (a) It is recognized that the clearing, grading and servicing of sites alters their natural hydrology patterns. In recognition of this fact, it shall be required that each development shall prepare a rainwater management plan that strives to protect water quality, and to maintain post-development peak flows to those of pre-development flow patterns and volumes over the entire water season. This rainwater plan shall be prepared by a professional engineer and should make use of such devices as permeable surface treatments, wet or dry detention ponds, constructed wetlands or

other devices as deemed suitable and consistent with best management practices.
rainwater runoff from storage areas shall be controlled to prevent contamination of watercourses.

- (b) The discharge of rainwater runoff from storage areas shall be accomplished with appropriate structures and flow control mechanisms to prevent contamination of receiving water bodies.

Memo

File: 3090-20 / DV 1B 18

DATE: March 9, 2018

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

FROM: Planning and Development Services Branch

RE: Development Variance Permit – 1758 Astra Road (Tomlinson/Snow-Tomlinson)
Lot B, District Lot 172, Comox District, Plan 32341, PID 000-103-489

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

An application has been received to consider a development variance permit for a 0.15 hectare waterfront lot located on Astra Road (Figure 1 and 2). The property is surrounded by residential properties. The property currently contains a single detached dwelling and a small utility shed. The applicants would like to build an 84 m² accessory building for a shop and personal storage (Figure 3 and 4). The siting of the proposed building is affected by the location of the existing septic system. As such, the applicants are requesting a minimum 1.5 metre front yard setback. The applicants have obtained a setback permit from the Ministry of Transportation and Infrastructure.

Regional Growth Strategy and Official Community Plan

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". Development in the Settlement Expansion Area designation must generally maintain a rural character and must not detract from future municipal compact growth until such time as the adjacent municipal area has obtained an approved boundary expansion.

Zoning Bylaw Analysis

The property is zoned Residential One (R-1) in Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005" (Appendix A). The R-1 zone permits an accessory building. The application seeks relief from the minimum 4.5 metre front yard setback and is requesting a minimum setback of 1.5 metres. All other zoning requirements are met.

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

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Attachments Appendix A – “Residential One Zone”

Comox Valley Regional District

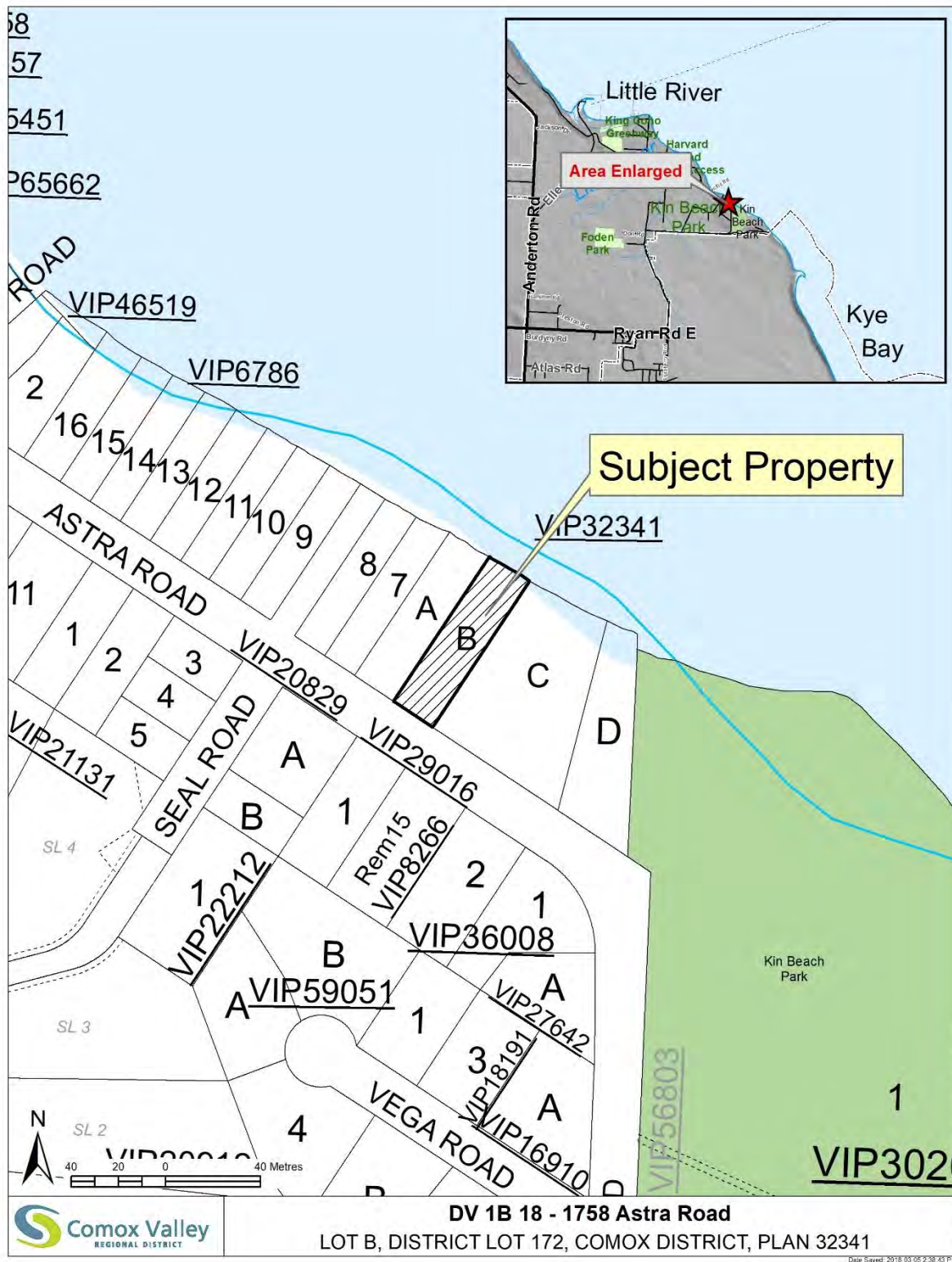


Figure 1: Subject Property Map

Comox Valley Regional District



Figure 2: Aerial Photo

Comox Valley Regional District

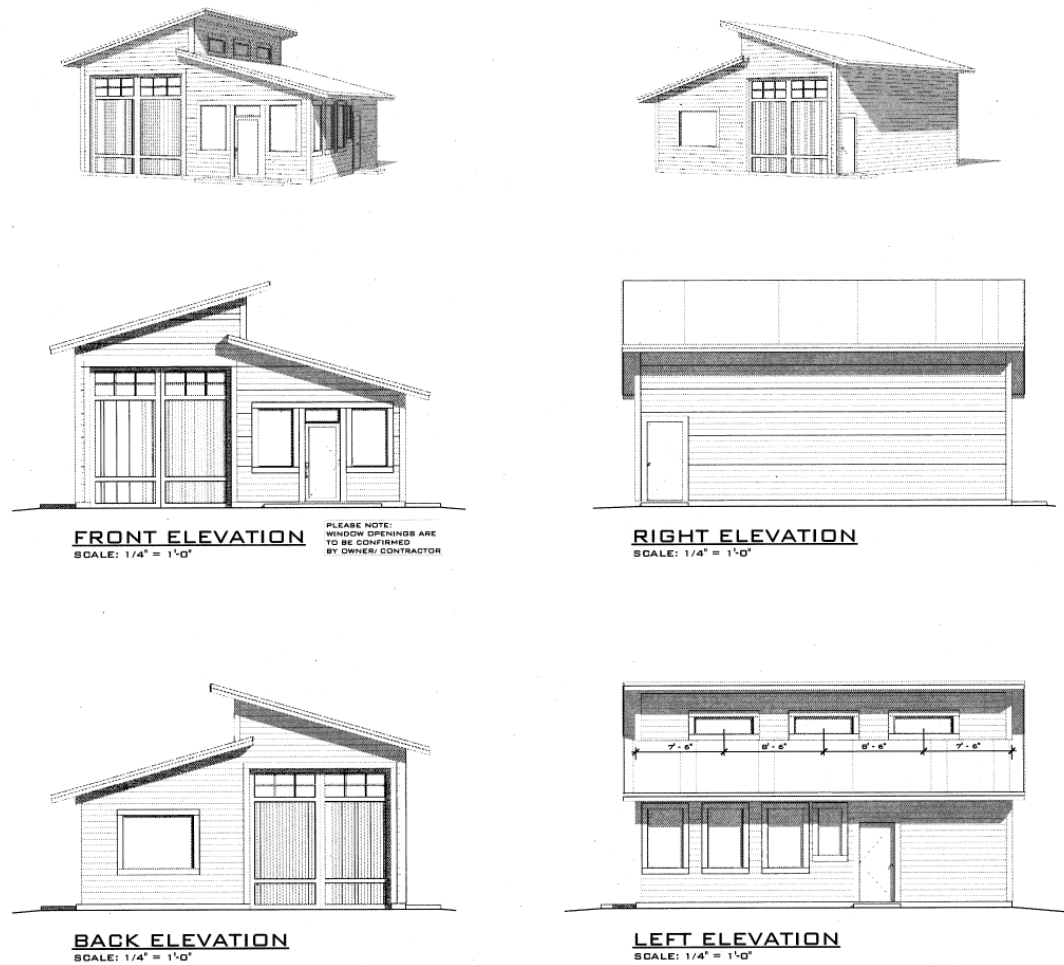


Figure 4: Building Elevations

PART 700

RESIDENTIAL ZONES

701

Residential One (R-1)

1. PRINCIPAL USE

On any lot:

- i) Residential 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 One zone are as set out in the table below.

Type of Structure	Height	Required Setback		
		Front yard	Rear yard	Side yard
Principal	10.0m (32.8ft)	4.5m (14.8 ft)	4.5m (14.8 ft)	1.75m (5.8 ft)
Accessory	4.5m-or less (14.7 ft or less)	4.5m (14.8 ft)	1.0m (3.3 ft)	1.0m (3.3 ft)
Accessory	6.0m-4.6m (19.68ft)	4.5m (14.8 ft)	4.5m (14.8 ft)	1.75m (5.8 ft)

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. 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.
- 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).

#200

iii) **Lot Area**

The minimum lot area permitted shall be:

- a) When connected to community water and sewer: 600 metres² (6458.6 feet²)
- b) When connected to either community water or sewer: 4000 metres² (1.0 acre)
- c) When serviced by well and approved septic system: 1.0 hectare (2.5 acre)

Despite (iii), a subdivision with lots smaller than identified in (a), (b), and (c) above may be created by subdivision provided that the average lot area within the subdivision is equal to the minimum lot areas permitted based upon the available servicing.

End • R-1

Minutes of the meeting of the Electoral Area B Lazo North Advisory Planning Commission of the Comox Valley Regional District held on Thursday, October 26, 2017 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:05 pm.

PRESENT:	Chair	Stan Hartfelder
	Members	Norman Reader
		Dean Maxwell
	Absent Members	Janet Crockett
		David Battle
		Danielle Fortosky
	Electoral Area Director	Rod Nichol
	Alternate Director	Andrew de Burgh Whyte
ALSO PRESENT	Rural Planner	Brian Chow

Agenda Items

Minutes of Advisory Planning Commission Meeting

MAXWELL/READER: THAT the minutes of the Electoral Area B (Lazo North) Advisory Planning Commission meeting held on Thursday, August 31, 2017 be received.

CARRIED

Official Community Plan Amendment – Shoreline Protection Device Review Process

A comprehensive overview of the Official Community Plan amendment – shoreline protection device review prepared by Alana Mullaly, Manager of Planning Services, was presented by Brian Chow, Rural Planner, and discussed by the APC membership. The Area B APC members provided the following motion:

MAXWELL/READER: That the Area B Advisory Planning Commission (APC) support the proposed content of Official Community Plan amendment – shoreline protection device review, and the concept of hard and soft shoreline protect devices; however, the APC recommends that adjacent residents within 200 meters of the proposed site be advised of the permit application to construct such a device.

CARRIED

Next Meeting Date

The next Electoral Area B (Lazo North) Advisory Planning Commission meeting is scheduled for Thursday, November 30, 2017 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm.

Termination

READER/DE BURGH WHYTE: THAT the meeting terminate.

CARRIED

Time: 8:20 pm.

Recording Secretary:
Dean Maxwell

Chair:
Stan Hartfelder

Memo

File: 3360-20/RZ 1B 17

DATE: January 25, 2018

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

FROM: Planning and Development Services Branch

RE: Rezoning Application – 1671, 1673 and 1675 Ryan Road East
Lenco Development Ltd., Fernco Development Ltd. and Norco Development Ltd.
Lot 1, District Lot 114, Comox District, Plan 2280, PID 006-412-335

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

An application has been received to consider a Zoning Bylaw amendment for a property at 1671, 1673 and 1675 Ryan Road East. The property is currently split zoned: Industrial Light (IL) zone in the northern half and Country Residential One (CR-1) zone in the southern half. The application is to rezone the southern half of the property to the IL zone in order to add more mini-storage buildings (i.e., warehouse use) and to resolve the split zoned situation.

For more information, please refer to the attached staff report dated December 19, 2017, which was presented to the Electoral Areas Services Committee on January 5, 2018, and to the board on January 23, 2018.

Thank you for your review.

Sincerely,

A. Mullaly

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

/bc

Enclosure

DATE: December 19, 2017**FILE:** 3360-20/RZ 1B 17**TO:** Chair and Directors
Electoral Areas Services Committee**FROM:** Russell Dyson
Chief Administrative OfficerSupported by Russell Dyson
Chief Administrative Officer**R. Dyson****RE: Zoning Bylaw Amendment – Lazo North (Electoral Area B)
Lenco Development Ltd., Fernco Development Ltd., and Norco
Development Ltd.
1671, 1673 and 1675 Ryan Road East
Lot 1, District Lot 114, Comox District, Plan 2280, PID 006-412-335****Purpose**

To seek Comox Valley Regional District (CVRD) Board support on external agency and First Nations referrals for a proposed rezoning from Country Residential One (CR-1) to Industrial Light (IL) in order to resolve the split zoned situation and to expand an existing warehousing (mini-storage) use.

Recommendation from the Chief Administrative Officer:

THAT the Comox Valley Regional District Board endorse the agency referral list as outlined in Appendix A of staff report dated December 19, 2017, and direct staff to start the external agency referral process for Lot 1, District Lot 114, Comox District, Plan 2280, PID 006-412-335 (Lenco, Fernco, Norco) as part of a proposed amendment (RZ 1B 17) of Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”;

AND FINALLY THAT Comox Valley Regional District staff consult with First Nations in accordance with the referrals management program dated September 25, 2012.”

Executive Summary

- The subject property is developed with two industrial spec buildings and three mini-storage buildings, and is split zoned: IL zone in the northern half and CR-1 zone in the southern half (Figures 1 and 4).
- The applicant wishes to rezone the southern half to IL in order to resolve the split zone situation, and to expand the current mini-storage use.
- An industrial zone is consistent with similar properties on Ryan Road.
- The property is located in a Settlement Expansion Area (SEA), which limits development “to ensure the phased and timely development of lands that is consistent with the goals and objectives of the member municipalities.”
- Consultation with external agencies including the City of Courtenay and the Town of Comox will provide better information whether this application for rezoning would preclude future redevelopment in the area once a municipal boundary is extended and sewer service provided.
- Staff recommends that the First Nations and agency referral process for this rezoning application be initiated. Once this process is completed, comments from these parties will be presented to the board for consideration of next steps.

Prepared by:

Concurrence:

Concurrence:

B. Chow***A. Mullaly******A. MacDonald***

 Brian Chow, MCIP, RPP
 Rural Planner

 Alana Mullaly, M. Pl., MCIP, RPP
 Manager of Planning Services

 Ann MacDonald, MCIP, RPP
 General Manager of Planning
 and Development Services
 Branch

Background/Current Situation

The subject property, located at 1671, 1673 and 1675 Ryan Road East, is a 3.7 hectare lot located in the Lazo North area (Electoral Area B) (Figures 1 to 3). The property is bound by residential lots to the east, Town of Comox to the south, commercial and residential lots to the west, and commercial and industrial lots across Ryan Road East to the north. This lot is in the Comox Valley Water Local Service Area and Comox Fire Protection District. The property is currently split zoned: IL zone in the northern half and CR-1 in the southern half (Appendices B and C, and Figure 2).

Currently, the property has two industrial light spec buildings and three mini-storage buildings in the IL zoned portion (Figure 3). The applicant would like to rezone the southern portion to IL, so that they can develop more warehousing units (*e.g.*, mini-storage buildings).

Official Community Plan Analysis

“Rural Comox Valley Regional District Official Community Plan, Bylaw No. 337, 2014” (OCP) designates the subject property within SEAs. The policies for industrial development provide for the continuation of existing industrial uses. Section 39(2) of the OCP permits expansion of an existing industrial development provided that it meets the following criteria:

1. It is compatible with the OCP and applicable local area plan of the adjacent municipality;
2. It is compatible with land uses in the adjacent municipality, and does not preclude future redevelopment of the site in a manner that is consistent with the municipal local area plan; and
3. It does not trigger an expansion of adjacent public servicing that was not otherwise planned.

The Town of Comox OCP designates adjacent properties as “19 Wing Comox” (not in the Town’s jurisdiction), and the adjacent properties are used for residential housing for the military. With sufficient screening and vegetative buffering, the proposed mini-storage units, with low traffic and noise impacts, would be compatible with the nearby residential uses. The proposal does not preclude future redevelopment of industrial uses in the neighbourhood. Additionally, the proposed mini-storage units does not trigger an expansion of public servicing, as they consume less water, produce less wastewater, and generate less traffic than other light industrial uses.

The Town’s OCP identifies three priority order areas in the SEAs to be incorporated through boundary expansion. The subject property is shown to be in the last priority order area; therefore, it would take some time for the subject property to be incorporated into the Town.

Zoning Bylaw Analysis

The expansion of the IL zone on the property would permit more warehousing buildings, as well as enable additional industrial uses including wood processing; retail and wholesale use; industrial equipment, sales and service; automobile body shop; water and beverage bottling; nursery and greenhouse; and veterinary establishment. Appendix B lists other principal and accessory permitted uses.

Development Permit Area

This property is within two development permit (DP) areas. This property has a watercourse (ditch) running along the eastern lot line from south to north, and therefore, an Aquatic and Riparian Habitat DP is required prior to construction in the DP area (Figure 5). The applicant has provided a *Riparian Areas Regulation* assessment prepared by Justin Lange, R.P.Bio., of Madrone Environmental Services Ltd. This assessment identifies a 2 metre streamside protection and enhancement area from the ditch. In addition, if this property were to be rezoned to I2, a Commercial and Industrial DP will be required prior to any development activities for form and character.

Policy Analysis

Section 460 of the *Local Government Act* (RSBC, 2015, c. 1) (LGA) states that a local government must define procedures by which a property owner may apply for a bylaw amendment. Section 479 of the LGA authorizes a local government to regulate the use, density, the size and shape of land, buildings and structures. Section 464 states that a local government must hold a public hearing before adopting a zoning bylaw.

Options

The board could accept the recommendation to proceed to the First Nations and external agency referral or deny the application. Given that the proposal resolves a split zone situation, as well as maintaining the objectives of the RGS and OCP, it is recommended that First Nations and agency referral processes be started.

Financial Factors

A \$3,000 rezoning application fee has been collected for the application under “Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014.” If the application proceeds, the applicant will incur a statutory public hearing fee of \$1,500. Future development of the site will trigger the need for DPs which will require additional fees.

Legal Factors

This report and the recommendations contained herein are in compliance with the LGA and CVRD bylaws. The LGA authorizes a local government to regulate the use of land and buildings.

Regional Growth Strategy Implications

“Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010” designates the subject property within SEAs. The proposed expansion of the existing warehousing use supports business retention (Objective 3-A), and is orderly growth at a property scale. The proposal will expand the industrial land base in the Comox Valley. This use generates low impact, does not require the need for expanded public servicing and should not preclude future redevelopment in the area when the property is incorporated into a municipality.

Intergovernmental Factors

Appendix A contains a list of First Nations and external agencies to which this proposed amendment is recommended to be forwarded. Feedback from the referral process will be provided at a future Electoral Areas Services Committee meeting.

Interdepartmental Involvement

Planning staff is leading the review of this application. Input from the following departments will be collected as the application progresses.

- Building services
- Bylaw compliance
- Engineering services

- Fire protection
- Transit and sustainability

Citizen/Public Relations

If the board endorses staff's recommendation, staff will forward this proposal to the Electoral Area B Advisory Planning Commission for review and comment. Statutory notice requirements (i.e., statutory mailing and public hearing) will be addressed according to Bylaw No. 328.

Attachments: Appendix A – “External Agency Referral List”
Appendix B – “IL Zone”
Appendix C – “CR-1 Zone”

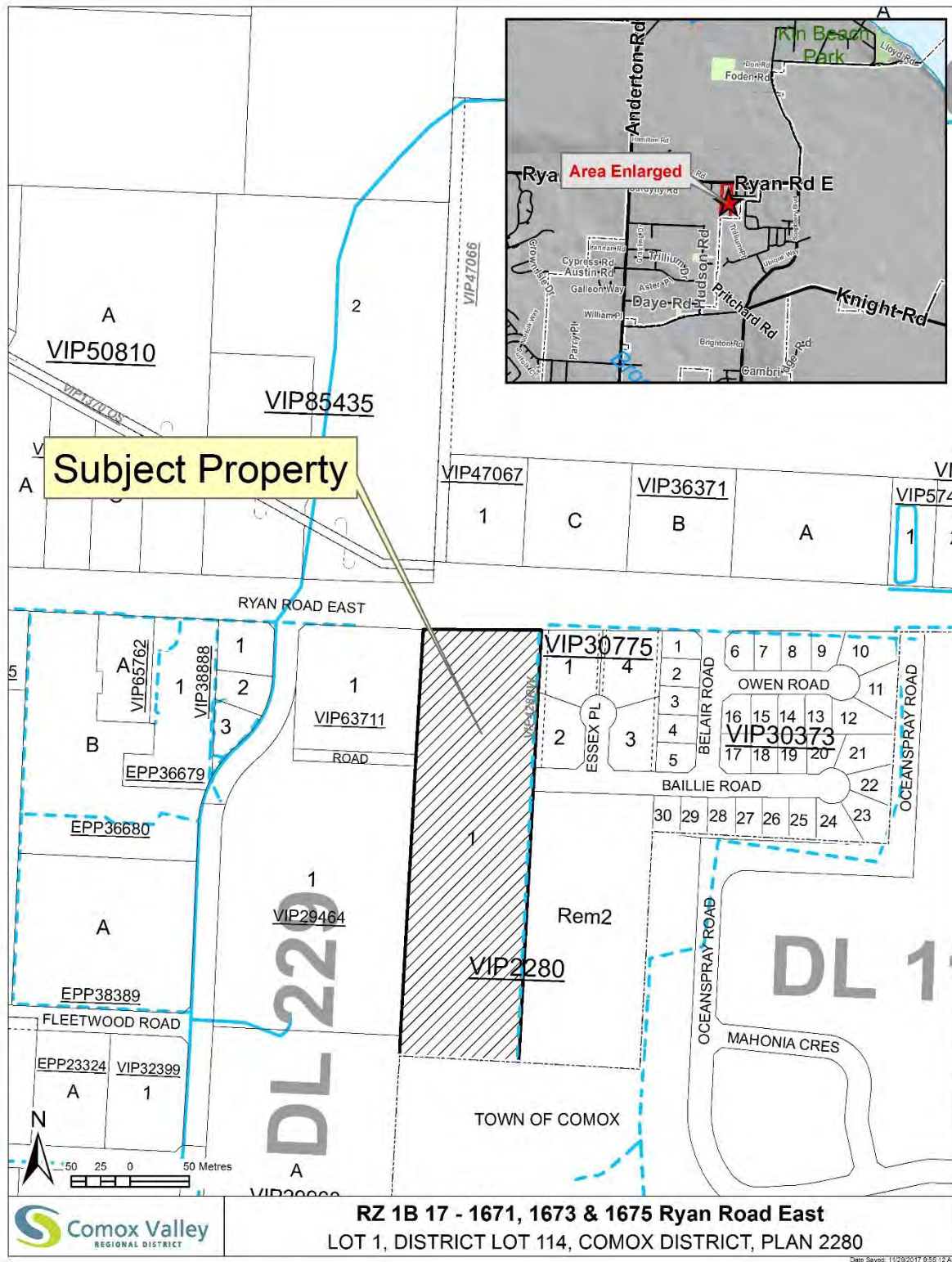


Figure 1: Subject Property Map

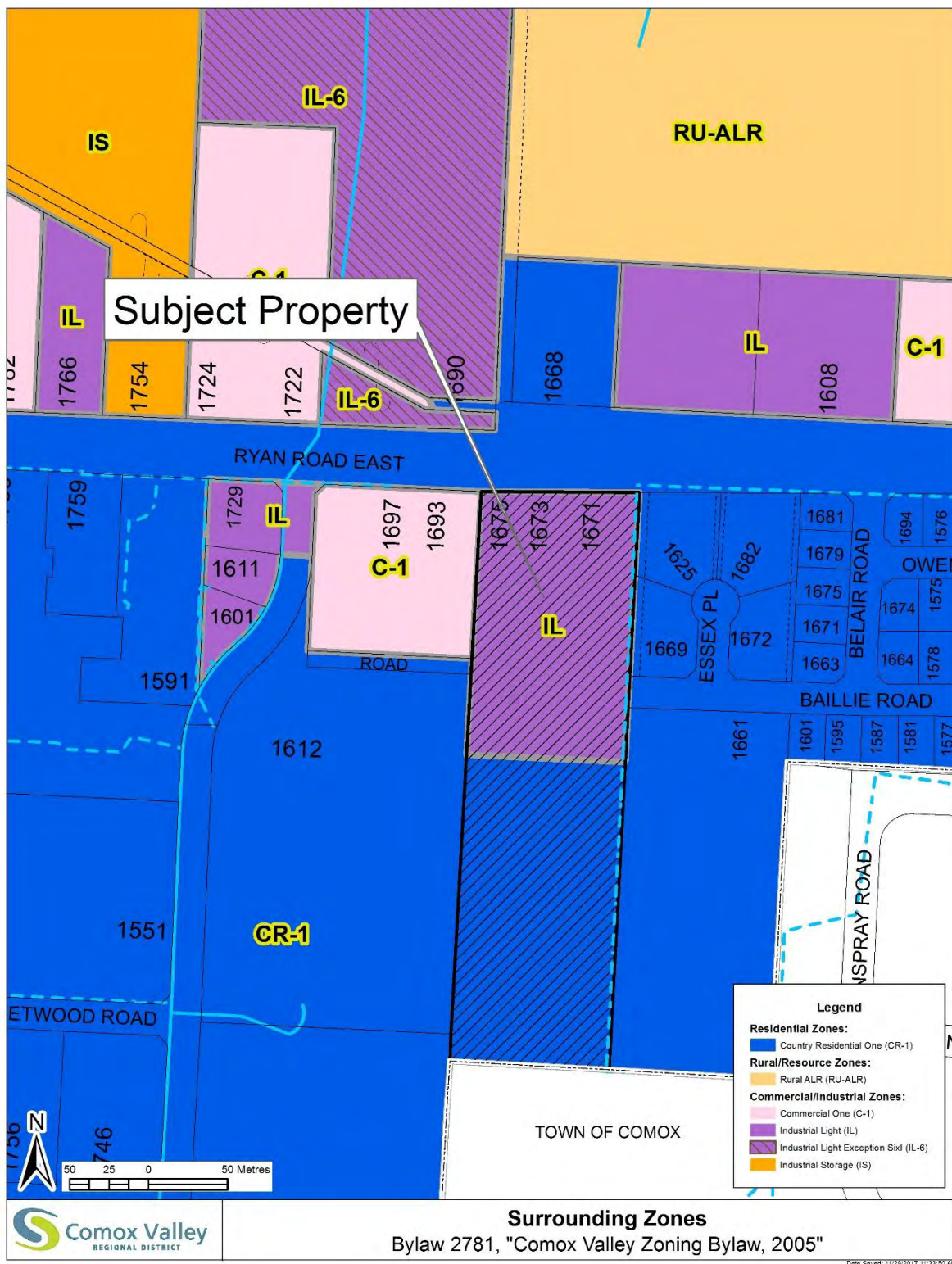


Figure 2: Zoning Map



Figure 3: Air Photo

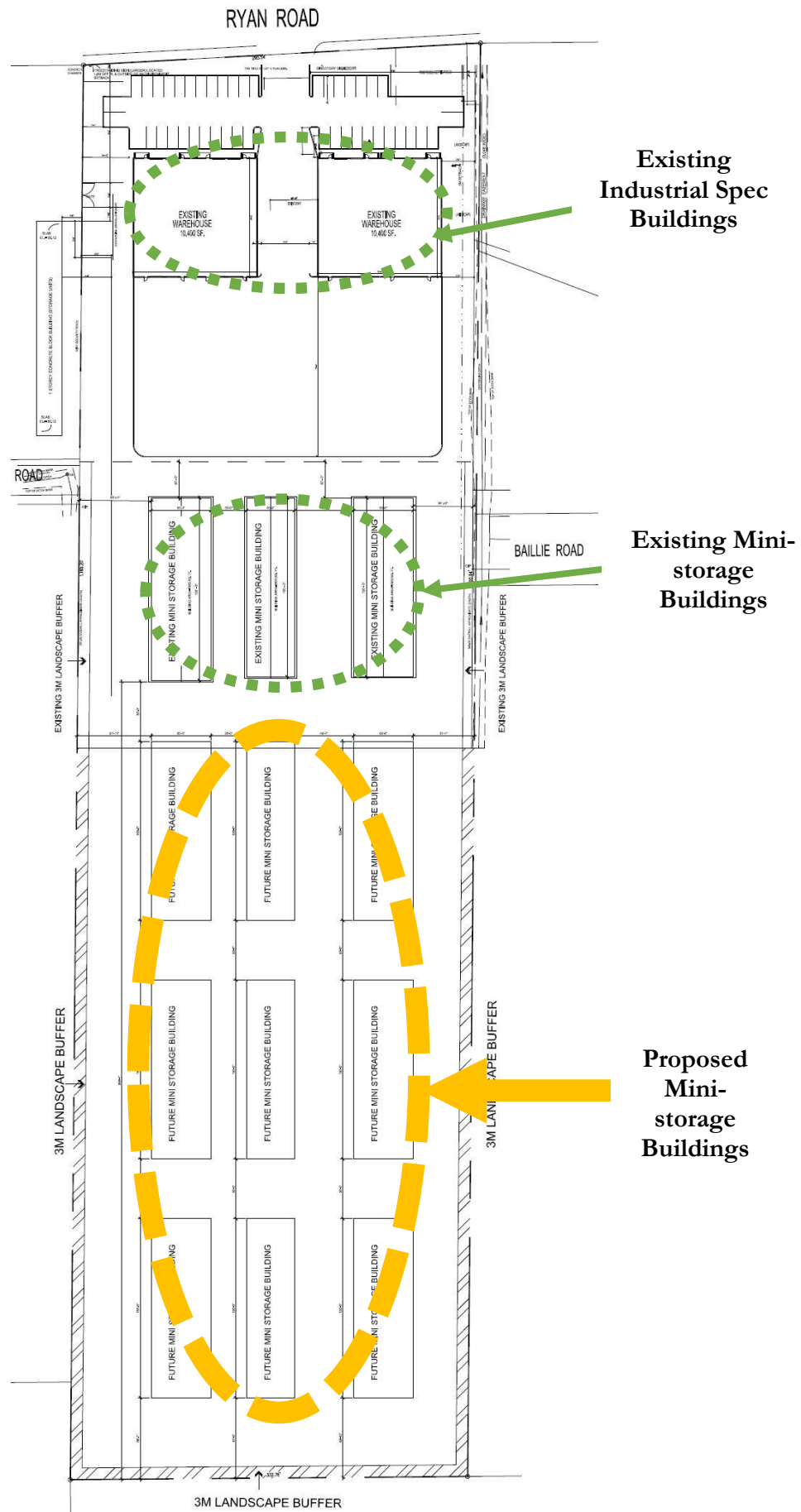


Figure 4: Site Plan

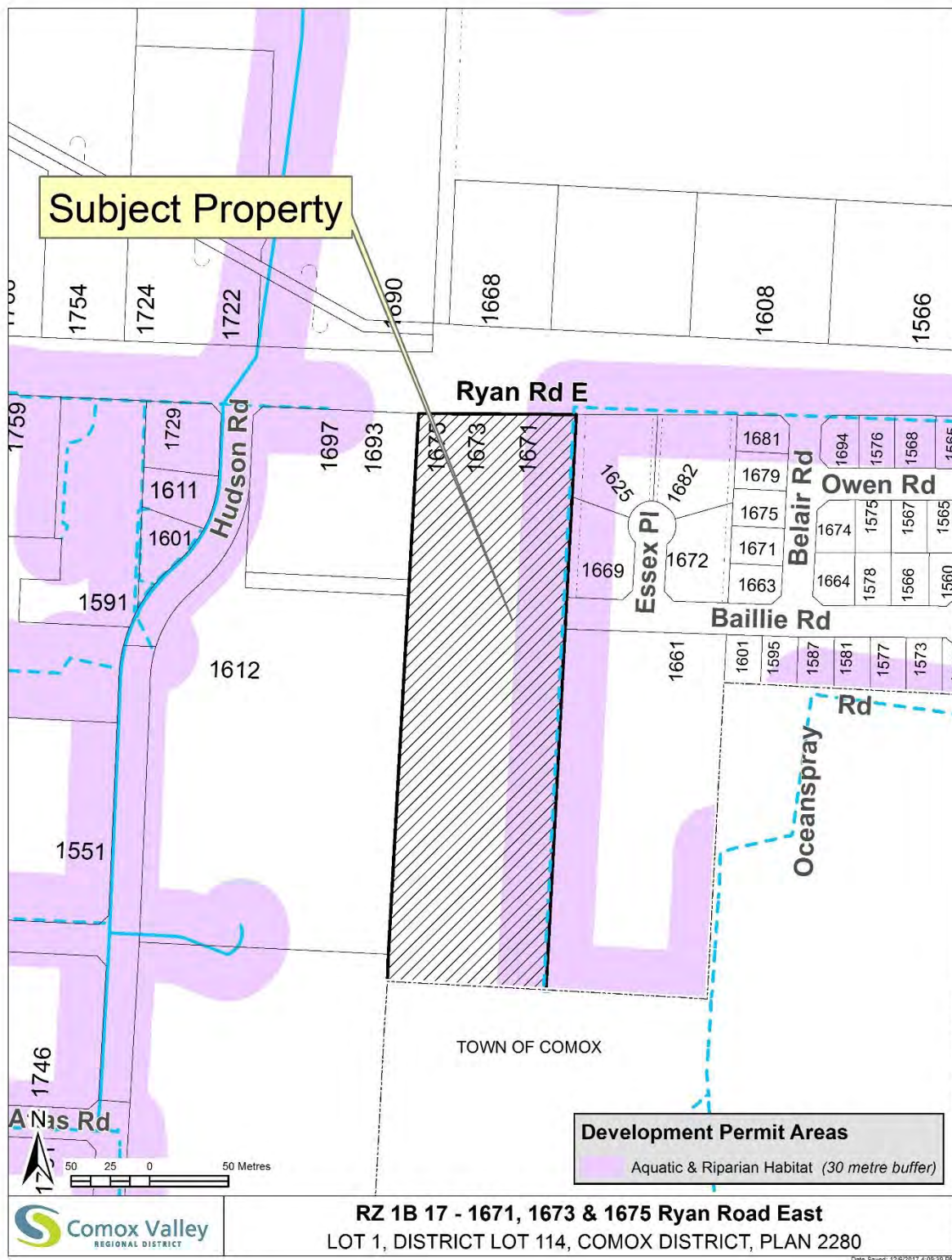


Figure 5: Environmentally Sensitive Areas Map

First Nations and External Agency Referral List

First Nations

<input checked="" type="checkbox"/>	K'ómoks First Nation	<input checked="" type="checkbox"/>	Homalco Indian Band
<input checked="" type="checkbox"/>	We Wai Kai Nation of the Laich-Kwil-Tach Treaty Society	<input checked="" type="checkbox"/>	Wei Wai Kum
<input checked="" type="checkbox"/>	Kwiakah First Nations		

Federal Departments and Agencies

<input type="checkbox"/>	Canadian Coast Guard	<input type="checkbox"/>	Public Services and Procurement Canada
<input checked="" type="checkbox"/>	Department of National Defence (CFB Comox)	<input type="checkbox"/>	RCMP
<input type="checkbox"/>	Fisheries and Oceans Canada	<input type="checkbox"/>	Transport Canada Navigable Waters
<input type="checkbox"/>	Indigenous and Northern Affairs Canada		

Provincial Ministries and Agencies

<input type="checkbox"/>	Agricultural Land Commission	<input type="checkbox"/>	Ministry of Municipal Affairs & Housing
<input checked="" type="checkbox"/>	BC Assessment Authority	<input type="checkbox"/>	Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Ministry of Energy, Mines, and Petroleum Resources
<input type="checkbox"/>	BC Ferry Services Inc.	<input type="checkbox"/>	Ministry of Environment and Climate Change Strategy
<input type="checkbox"/>	BC Transit	<input type="checkbox"/>	Ministry of Tourism, Arts, and Culture
<input type="checkbox"/>	Ministry of Indigenous Relations and Reconciliation	<input checked="" type="checkbox"/>	Ministry of Transportation and Infrastructure
<input type="checkbox"/>	Ministry of Agriculture		

Local Government

<input checked="" type="checkbox"/>	Comox (Town of)	<input type="checkbox"/>	Alberni-Clayoquot Regional District
<input checked="" type="checkbox"/>	Courtenay (City of)	<input type="checkbox"/>	Strathcona Regional District
<input type="checkbox"/>	Cumberland (Village of)	<input type="checkbox"/>	Regional District of Mount Waddington
<input type="checkbox"/>	Islands Trust	<input type="checkbox"/>	Regional District of Nanaimo

Other

<input type="checkbox"/>	Agricultural Community Advisory Panel	<input type="checkbox"/>	Comox Valley Economic Development Society
<input type="checkbox"/>	School District #71 (Comox Valley)	<input checked="" type="checkbox"/>	Vancouver Island Health Authority (Environmental Health)
<input type="checkbox"/>	School District #72 (Campbell River)	<input checked="" type="checkbox"/>	Advisory Planning Commission – Lazo North (Electoral Area B)

906**Industrial Light (IL)****1. PRINCIPAL USES****On any lot:**

- i) Light industrial;
- ii) Wood processing;
- iii) Retail and wholesale use;
- iv) Offices;
- v) Restaurants;
- vi) Warehousing;
- vii) Industrial equipment, sales and service;
- viii) Automobile body shop;
- ix) Water and beverage bottling;
- x) Garden nursery and commercial greenhouse use including processing;
- xi) Veterinary clinics;
- xii) Animal hospital.

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

- i) Residential use;
- ii) Home occupation;
- iii) Bed and breakfast;
- iv) Accessory buildings;
- v) Pet crematorium.

3. CONDITIONS OF USE

- i) **All 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.
 - b) No parking, loading or storage areas shall be located within 1.5 metres (4.9 feet) to any property line.
 - c) All outdoor storage or supply yards shall be screened from any abutting property zoned under Part 700 Residential Zones.
 - d) Fuel service pumps or pump islands shall be located a minimum of 4.5 metres (14.8 feet) from any lot line.
 - e) Retail floor space shall not exceed 1000 metres² (10,764.3 feet²).
 - f) Floor Area Ratio (F.A.R.) (see also Part 2, Interpretation) shall be defined as: “The gross floor area of all buildings on a lot divided by the gross area of the subject lot.”

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.

- g) A minimum of 25% of the lot areas shall be retained as open space.

4. SITING AND HEIGHT OF STRUCTURES

The setbacks required for buildings and structures within the Industrial Light 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
Principal	10.0m (32.8ft)	7.5m (24.6ft)	7.5m (24.6ft)	7.5m (24.6ft)	7.5m (24.6ft)
Accessory	4.5m-or less (14.8ft)	7.5m (24.6ft)	7.5m (24.6ft)	7.5m (24.6ft)	7.5m (24.6ft)
Accessory	6.0m-4.6m (19.7ft)	7.5m (24.6ft)	7.5m (24.6ft)	7.5m (24.6ft)	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 area. [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 50% of the lot area.

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.
- 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”:
- Section 503 Subdivision Standards 1. AREA AND FRONTAGE REQUIREMENTS i);
 - Section 503 Subdivision Standards 2. LOT SIZE EXCEPTIONS i) a); and
 - Section 503 Subdivision Standards 2. LOT SIZE EXCEPTIONS iii).

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- iii) **Minimum Lot Area**
 - i) The minimum lot area permitted shall be:
 - a) When connected to community water and sewer: 2000 metres² (0.45 acre)
 - b) When connected to either community water or sewer: 4000 metres²(1.0 acre)
 - c) When serviced by well and approved septic disposal 1.0 hectare (2.5 acres)
 - ii) No minimum lot area shall apply to foreshore leases within this zone.

End • IL

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.

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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.

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- 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