

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

Thursday, May 3, 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
- 4 4. Memo dated April 17, 2018 regarding 3060-20/DP 5B 18 and 3090-20/DV 2B 18 Development Permit and Development Variance Permit - 1510, 1516, 1520 Ryan Road East (Base Mini Storage Inc.)
5. PowerPoint Presentation – Update on the Comprehensive Zoning Bylaw Review and Proposed Changes
6. Status update on APC recommendations – Verbal update regarding Electoral Area Services Committee and board decisions related to APC recommendations
7. Next meeting date: Scheduled for Thursday, May 31, 2018

ADDENDUM

Memorandum dated April 24, 2018, regarding 3090-20 / DV 1B 18 – Development Variance Permit – 1758 Astra Road (Tomlinson/Snow-Tomlinson)

Minutes of the meeting of the Electoral Area B Lazo North Advisory Planning Commission of the Comox Valley Regional District held on Thursday March 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 Danielle Fortosky
ABSENT:	Members	Norman Reader Janet Crockett Dean Maxwell
	Alternate Area Director	Andrew de Burgh Whyte
ALSO PRESENT:	Electoral Area Director	Rod Nichol
	Assistant Manager of Planning Services	Ton Trieu
	Proponents for File DP 3B 18	Carmen Driechel Suzan Williams
	Proponent for File DP 1B 18	Corey Tomlinson
	Proponent for File RZ 1B 17	Jason Hendricks

Agenda Items

Call to Order and Recognition of Traditional Territories

The chair called the meeting to order and acknowledged that the meeting was being held on the unceded traditional territory of the K’ómoks First Nation.

Election of Chair and Recording Secretary for 2018

The election of chair and recording secretary for 2018 was deferred to the next meeting when all committee members will be in attendance.

3060-20/DP 3B 18 – Development Permit (form and character) – 1700 Ryan Road E (Fortis Energy BC)

The applicants presented information regarding the Development Permit DP 3B 18.

BATTLE / FORTOSKY: THAT the Area B Advisory Planning Commission support the Development Permit application (form and character) for 1700 Ryan Road E (Fortis Energy BC), as proposed in the memo dated February 19, 2018, on condition that the applicant work with the regional district regarding mixed landscaping.

CARRIED

3090-20 / DV 1B 18 - Development Variance Permit – 1758 Astra Road (Tomlinson/Snow-Tomlinson)

The applicant presented information regarding the Development Variance Permit DV 1B 18.

FORTOSKY/BATTLE: THAT the Area B Advisory Planning Commission support the Development Variance Permit – 1758 Astra Road (Tomlinson/Snow-Tomlinson) as proposed in the memo dated March 9, 2018.

CARRIED

3360-20/RZ 1B 17– Rezoning Application – 1671, 1673 and 1675 Ryan Road East

BATTLE /FORTOSKY : THAT the Area B Advisory Planning Commission support the rezoning application RZ 1B 17 for 1671, 1673 and 1675 Ryan Road East (Lenco Development Ltd., Fernco Development Ltd., and Norco Development Ltd.) as proposed in the memo dated January 25, 2018.

CARRIED

Receipt of the minutes of the October 26, 2018 Lazo North (Area B) Advisory Planning Commission meeting

The commission received the minutes of the October 26, 2018 Lazo North (Area B) Advisory Planning Commission meeting.

PowerPoint Presentation – Update on the Comprehensive Zoning Bylaw Review and Proposed Changes

Ton Trieu, Assistant Manager of Planning Services, presented an update on the comprehensive zoning bylaw review and proposed changes.

Status update on APC recommendations

Ton Trieu, Assistant Manager of Planning Services, provided an update regarding Electoral Area Services Committee and board decisions related to APC recommendations.

Next Meeting Date

The next Electoral Area B (Lazo North) Advisory Planning Commission meeting is scheduled for Thursday, May 3, 2018 in the Comox Valley Regional District boardroom, located at 550B Comox Road, Courtenay, BC, commencing at 7:00 pm.

Termination

FORTOSKY / BATTE: THAT the meeting terminate.

CARRIED

Time: 8:55 pm

Recording Secretary:
David Battle

Chair:
Stan Hartfelder

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

Memo

File: 3060-20/DP 5B 18
3090-20/DV 2B 18

DATE: April 17, 2018

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

FROM: Planning and Development Services Branch

RE: Development Permit and Development Variance Permit
1510, 1516, 1520 Ryan Road East (Base Mini Storage Inc.)
Lot A, District Lot 103, Comox District, Plan 16638, PID 004-004-523
Lot 1, District Lot 103, Comox District, Plan VIP57436, PID 018-439-489
Lot 2, District Lot 103, Comox District, Plan VIP57436, PID 018-439-497

The attached development proposal (Appendix A) is for commission members' review and comment. The application is to be considered as it relates to the commercial/light industrial (form & character) development permit guidelines (Appendix B) and a requested reduction to the minimum side yard setbacks.

Base Mini Storage (1520 Ryan Road) recently purchased its neighbouring property (1516 Ryan Road) and is in the process of consolidating that lot with its existing operations. They also purchased the next lot over (1520 Ryan Road). This amounts to a total area amounts of 1.1 hectares (Figures 1 and 2). The company intends to expand its operations here by building four new mini-storage buildings (Figure 3 and Appendix A).

Development Variance Permit

Two of the properties (1520 and 1516 Ryan Road East) are zoned Commercial One (C-1) and one (1510 Ryan Road East) is zoned Industrial Light (IL). Both zones currently allow for 'warehousing', inclusive of mini-storage, as a permitted principal use. The development plan, as presented, is consistent with the zoning regulations with the exception of the minimum side yard setbacks. The IL zone requires 7.5 metre side yard setbacks. The applicant is requesting the eastern side yard setback (adjacent to the eastern side of Building E) be reduced to 3.0 metres and the western side yard setback (adjacent to the western side of Building D) be reduced to 4.0 metres. This will allow the applicant to develop one 18.3 metre wide and one 12.2 metre wide building on this IL property with an 8.2 metre wide driveway aisle between the buildings.

Building E, on the eastern side, is 5.5 metres in height with a pitched, metal roof. The eastern exterior wall is proposed to be comprised of vertical metal cladding coloured surf white and have no openings (e.g. windows or doors). The applicant proposes to landscape this 3 metre side yard with grass along the side of the building, followed by two rows of shrubs (Oregon grape holly, Red

Flowering current and Dogwood), bordered by a chain link fence at the property boundary. The property to the east is a commercial zoned lot currently used for retail sales (e.g. grocer) and a restaurant (Figure 4).

Building D, on the western side, would have numerous metal doors (18 metal overhead doors and 4 walk doors), as well as the garage (first floor) and patio (second floor) portion of a dwelling unit at the front end of the building. The other side of the property line would be additional similar mini-storage units (Building C) with the same colour and design.

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.

Development Permit

Form and Character

The guidelines (Appendix B) direct that all buildings and structures be architecturally coordinated and give consideration to the relationship between buildings and open areas, circulation systems, visual impact and design compatibility with the surrounding development. This portion of Ryan Road East, between the air force base and Anderton Road, has a mix of commercial, light industrial and residential development (Figure 5). The immediate neighbours are commercial uses (currently an indoor/outdoor storage facility and a retail/restaurant facility) and across the road are private residential lots and federal land (an uncleared area ancillary to the air force base).

The applicant intends to orient the buildings lengthwise so that the southern ends front Ryan Road. The southern ends of three of the new buildings are intended to be composed of vertical metal cladding with surf white colouring. The roof trim and metal man doors are to be shaded regent grey. The southern end of the fourth new building, located adjacent to the main gate entrance, is intended to contain an office and a dwelling unit fronting the road. Its exterior material is intended to be horizontal fibre cement planks (i.e. Hardieplank) colored “boothbay blue” with numerous windows and doors, as well as a fascia sign (measuring approximately 1.1 metre by 4.4 metres). Circulation is intended to be accomplished with paved aisles between buildings and along the rear.

Screening and Landscaping

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. At the front the applicant is proposing to install a black-coated chain link fence followed by one row of new shrubs, predominately emerald green (smaragd) cedar and Oregon grape holly. Two new Red Sunset maple trees and several grass areas are also proposed for the front.

Rainwater Management

The new buildings and drive aisles will significantly increase the amount of impervious surface covering the property. Since there is no public drainage service in this area, the drainage must be accommodated on-site. The applicant provided a drainage plan prepared by Matt Sanderson, ASC^T, and Bob Hudson, P.Eng., of McElhanney Consulting Services Ltd. The plan assumes the drive aisles will be paved and recommends the use of rock trench infiltration galleries under the drive aisle. This involves using roof leaders and catch basins, with sumps and trapping hoods to collect grit and oil,

that direct water through a perforated pipe through the drain rock filled galleries. In addition, some surface drainage can be directed to the landscaped areas.

Sincerely,

T. Trieu

Ton Trieu, MCIP, RPP
Assistant Manager of Planning Services
Planning and Development Services Branch

/jm

Attachments Appendix A – “Site Plans and Building Elevations”
Appendix B – “Commercial and Industrial Development Permit Area (form and character”

Comox Valley Regional District

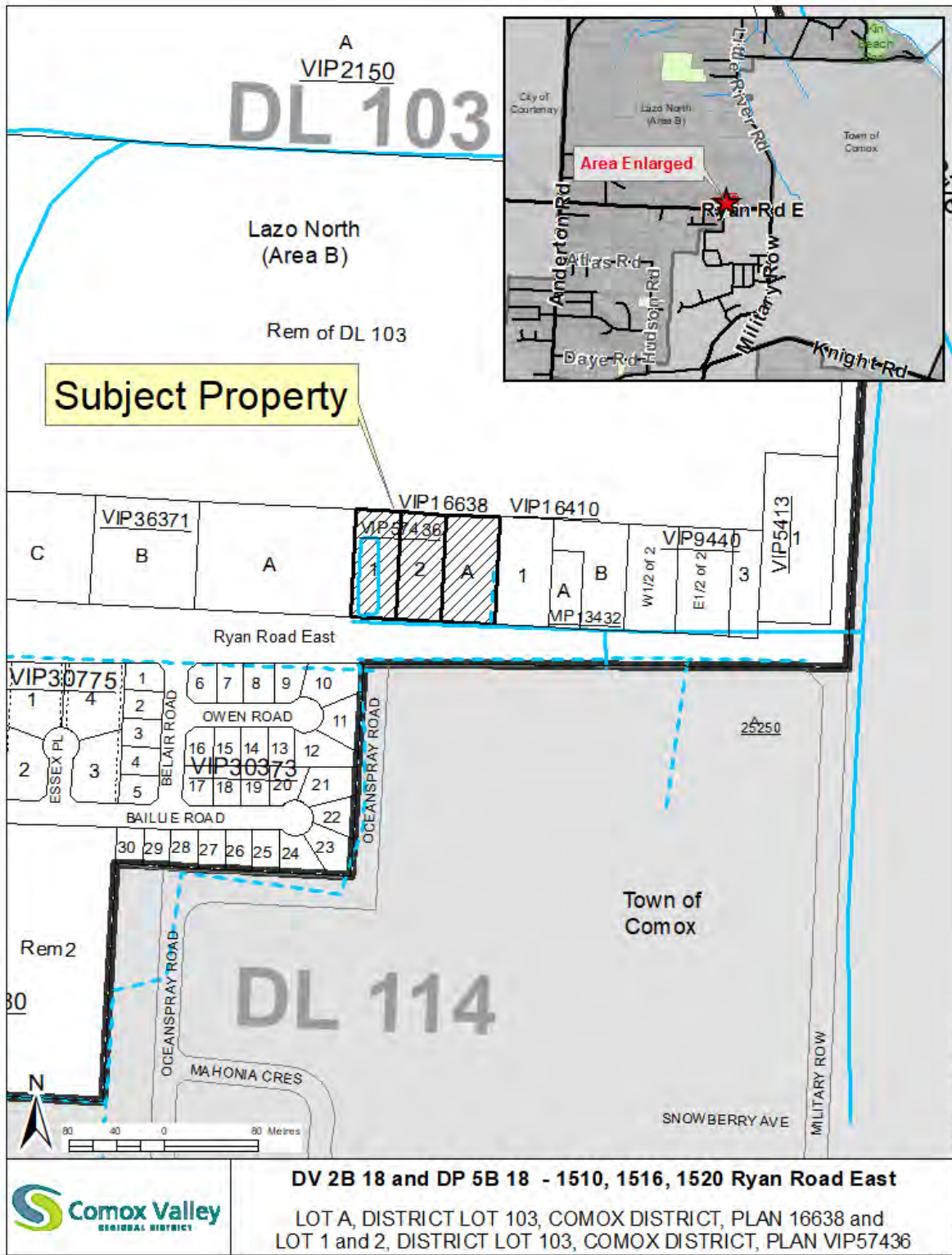


Figure 1: Subject Property

Comox Valley Regional District



Figure 2: Air Photo (2016)

Comox Valley Regional District



Figure 3: Conceptual Illustration of Proposed Development, as Submitted by Applicant



Figure 4: Side Boundary Subject to Variance Request

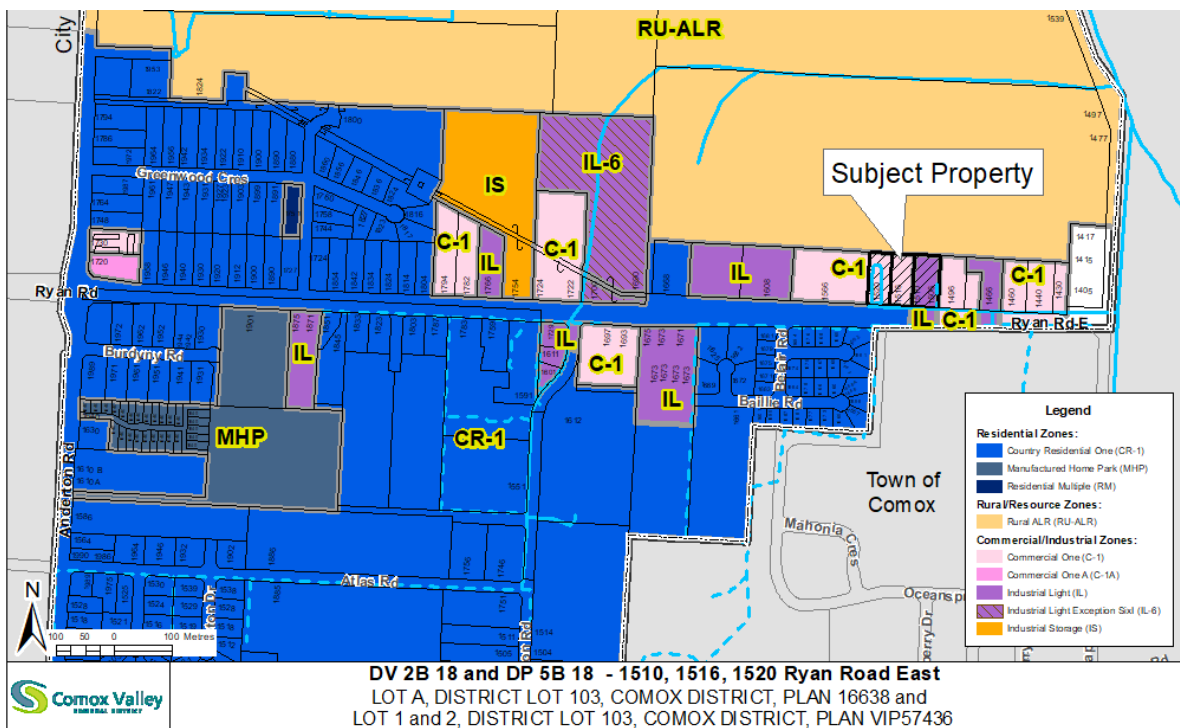
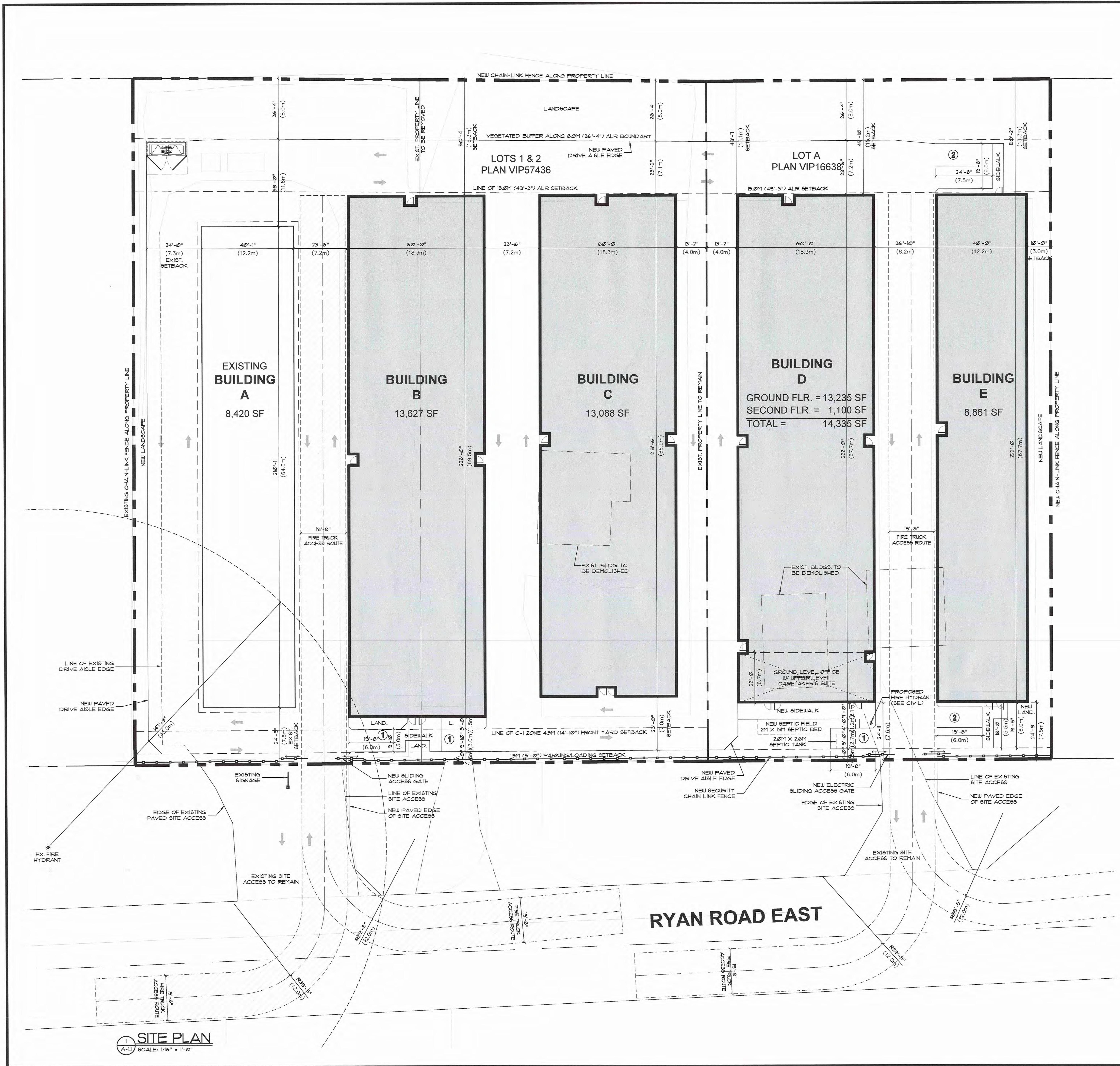


Figure 5: Zoning

Comox Valley Regional District



SITE INFORMATION

LEGAL DESCRIPTION:	LOTS 1 & 2, PLAN VIP57436 AND LOT A, PLAN VIP16638
CIVIC ADDRESS:	1506, 1510, 1516 & 1520 RYAN ROAD EAST, LAZO, COMOX VALLEY REGIONAL DISTRICT, BC
ZONING (LOTS 1 & 2):	COMMERCIAL ONE (C-1)
ZONING (LOT A):	INDUSTRIAL LIGHT (IL)
LOTS 1 & 2 SITE AREA:	74,615 SF (6,932 SM)
LOT A SITE AREA:	44,520 SF (4,135 SM)
TOTAL SITE AREA:	119,135 SF (11,036 SM)
EXISTING BUILDING AREA:	8,420 SF (782 SM)
PROPOSED ADDL BUILDING AREA:	48,911 SF (4,534 SM)
TOTAL PROPOSED BUILDING AREA:	57,331 SF (5,317 SM)
LOTS 1 & 2 COVERAGE (MAX 50%):	35,135 SF / 74,615 SF x 100 = 47.1%
LOT A COVERAGE (MAX 50%):	22,096 SF / 44,520 SF x 100 = 49.6%

SETBACKS

	MIN. REQUIRED:	MIN. PROPOSED:
COMMERCIAL ONE (C-1)		
FRONT YARD:	14'-10" (4.5M)	19'-9" (6.0M)
REAR YARD:	14'-10" (4.5M)	49'-6" (15.1M)
SIDE YARD:	5'-10" (1.75M)	13'-2" (4.0M)
SIDE ABUTTING ROAD:	14'-10" (4.5M)	N/A
INDUSTRIAL LIGHT (IL)		
FRONT YARD:	24'-8" (7.5M)	24'-8" (7.5M)
REAR YARD:	24'-8" (7.5M)	49'-10" (15.2M)
SIDE YARD:	24'-8" (7.5M)	10'-0" (3.0M) VARIANCE REQ'D
SIDE ABUTTING ROAD:	24'-8" (7.5M)	N/A
ALONG ALR BOUNDARY:		
NON-RESIDENTIAL:	49'-3" (15.0M)	49'-6" (15.1M)

GROSS FLOOR AREAS

PROPOSED BUILDING B	= 13,627 SF
PROPOSED BUILDING C	= 13,088 SF
PROPOSED BUILDING D GROUND FLOOR	= 13,235 SF
PROPOSED BUILDING D SECOND FLOOR	= 1,100 SF
PROPOSED BUILDING E	= 8,861 SF
PROPOSED ADDITIONAL GROSS FLOOR AREA	= 49,911 SF
EXISTING BUILDING A	= 8,420 SF
TOTAL PROPOSED GROSS FLOOR AREA	= 58,331 SF

PARKING CALCULATIONS

TOTAL PARKING PROVIDED:	7 SPACES
PARKING RATIO:	0.12 SPACES / 1,000 SF

GENERAL NOTE:
BOUNDARIES SHOWN HEREON ARE DERIVED FROM EXISTING RECORDS AND MUST BE CONFIRMED BY SURVEY PRIOR TO THE DETERMINATION OF DIMENSIONS OR AREAS FOR DEVELOPMENT PURPOSES.

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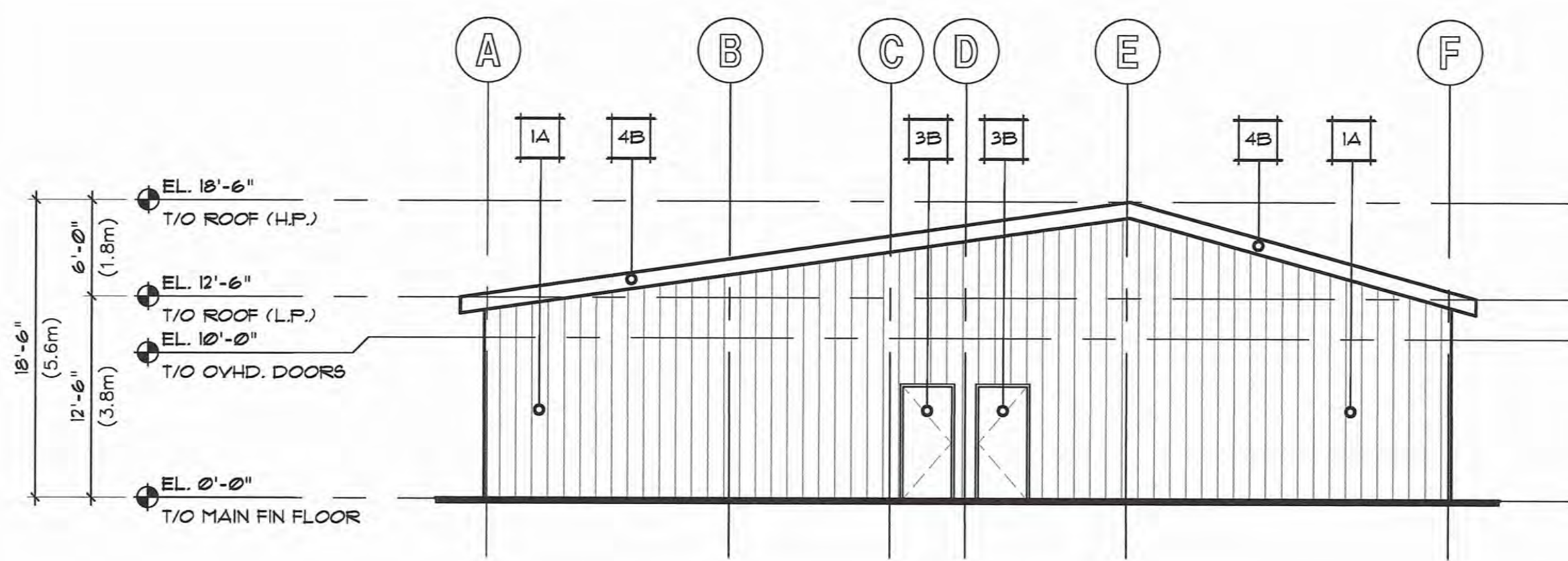
consultant

BASE MINI STORAGE EXPANSION
1506, 1510, 1516 & 1520 RYAN ROAD EAST, LAZO B.C.
For BASE MINI STORAGE LTD.



Urban Design Group
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TELEPHONE 604-687-2324

project number **4775**
sheet title **SITE PLAN**
date 2018-01-25 sheet number
scale AS NOTED
drawn DC
checked DC



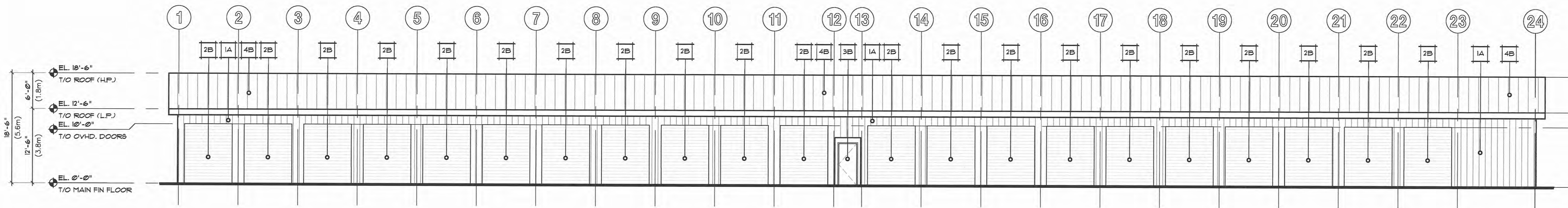
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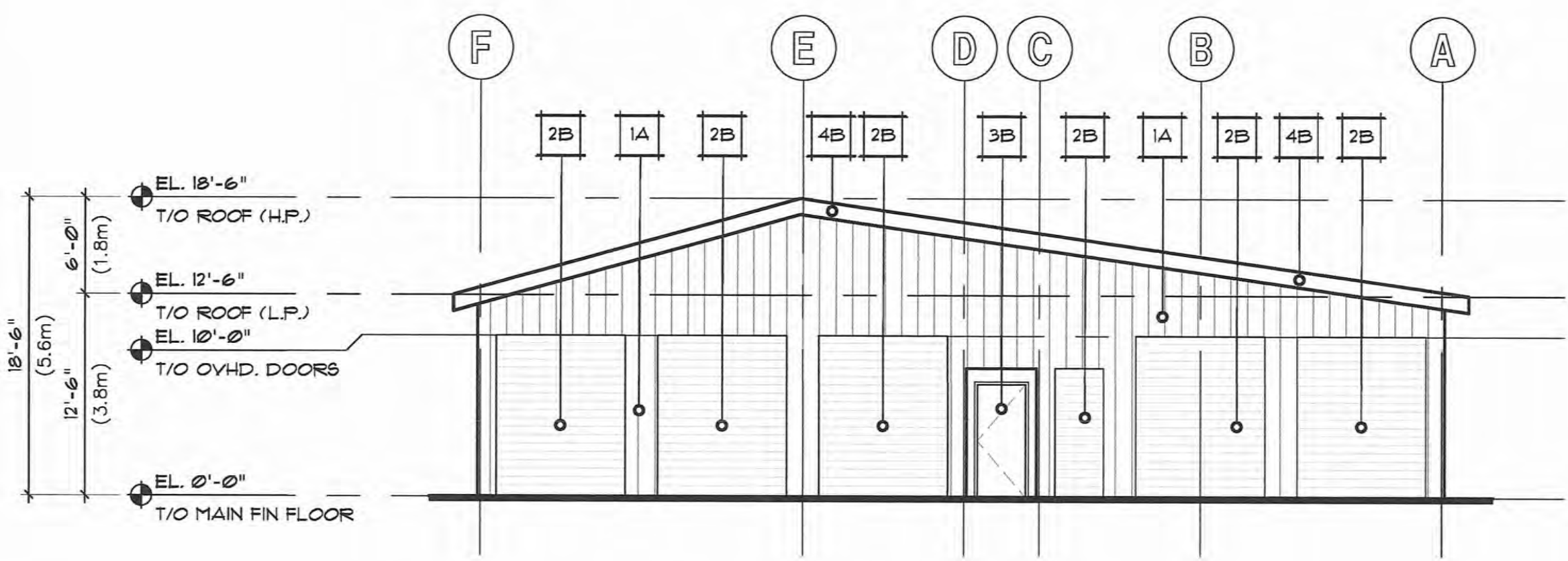
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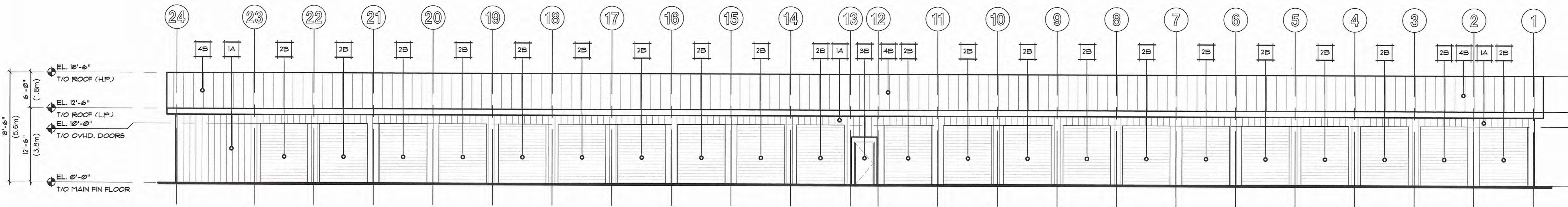
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3 NORTH ELEVATION
A-B3 SCALE: 1/8" = 1'-0"



3 WEST ELEVATION
A-B3 SCALE: 1/8" = 1'-0"

1 18/03/18 ISSUED FOR AP
no in/rev/description
revisions

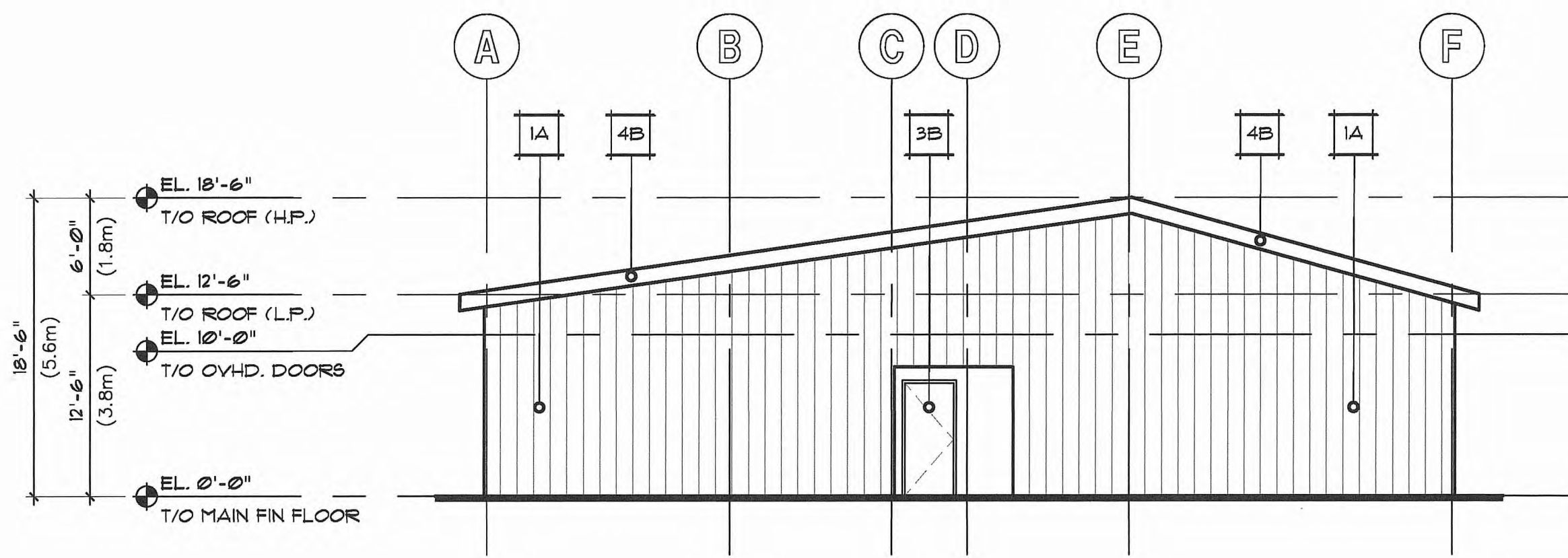
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project number **4776**
sheet title
BUILDING B ELEVATIONS
date 2018-02-16 sheet number
scale AS NOTED
drawn YC
checked EC



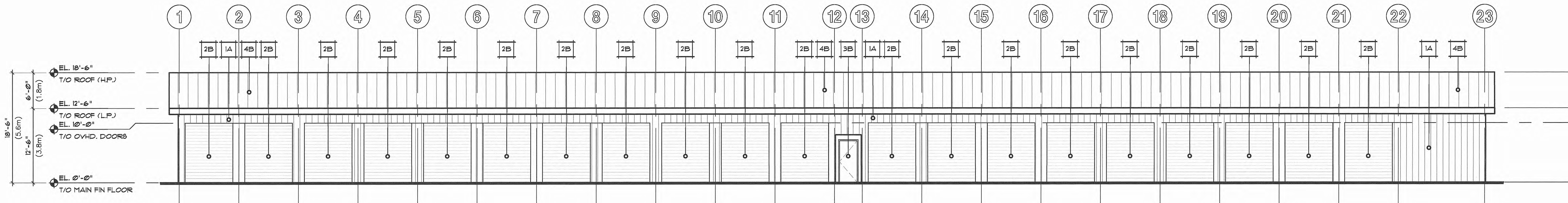
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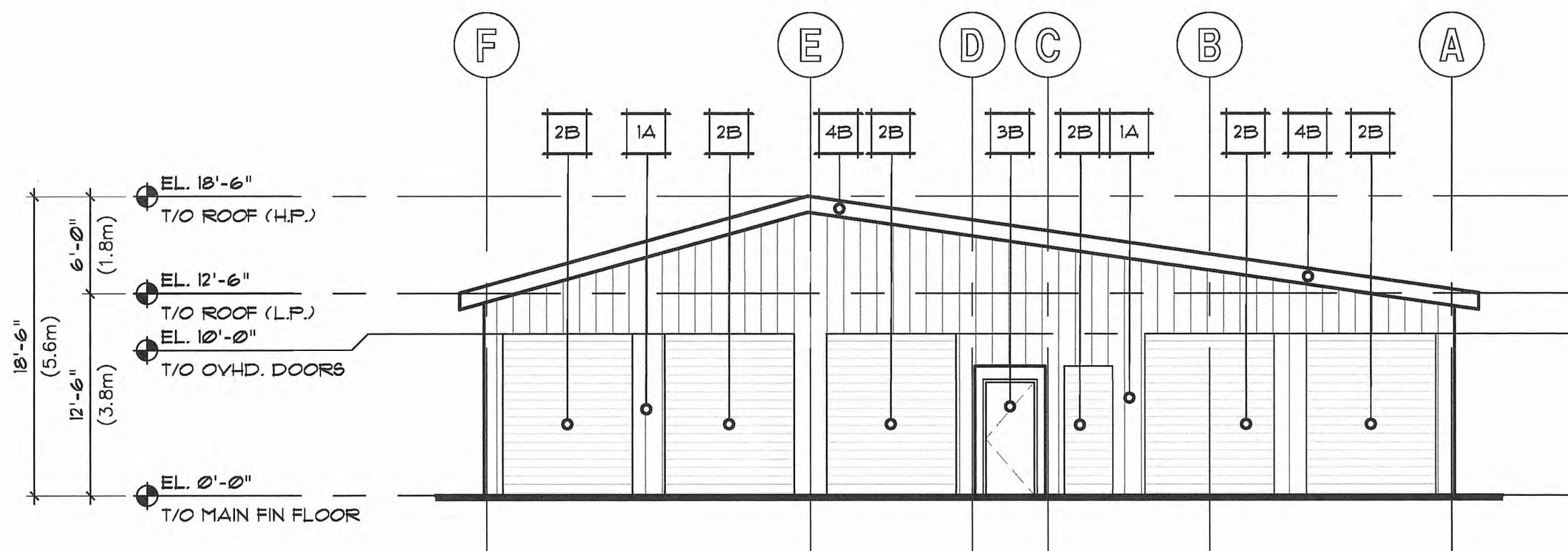
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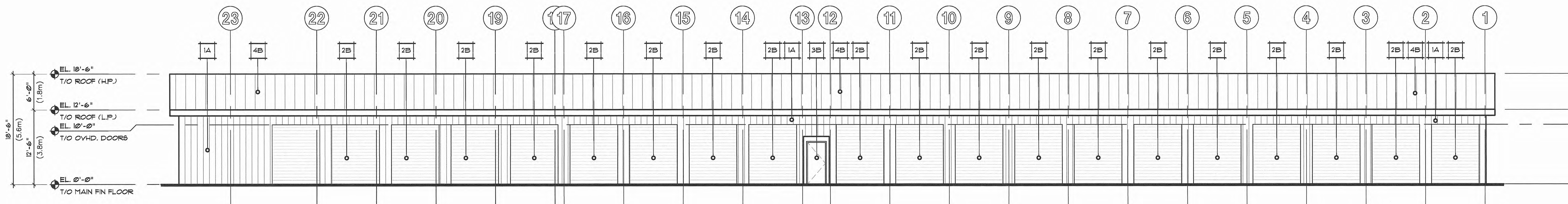
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A-C3 SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
A-C3 SCALE: 1/8" = 1'-0"



3 WEST ELEVATION
A-C3 SCALE: 1/8" = 1'-0"

1 15/03/18 ISSUED FOR AP
no/mm/td description
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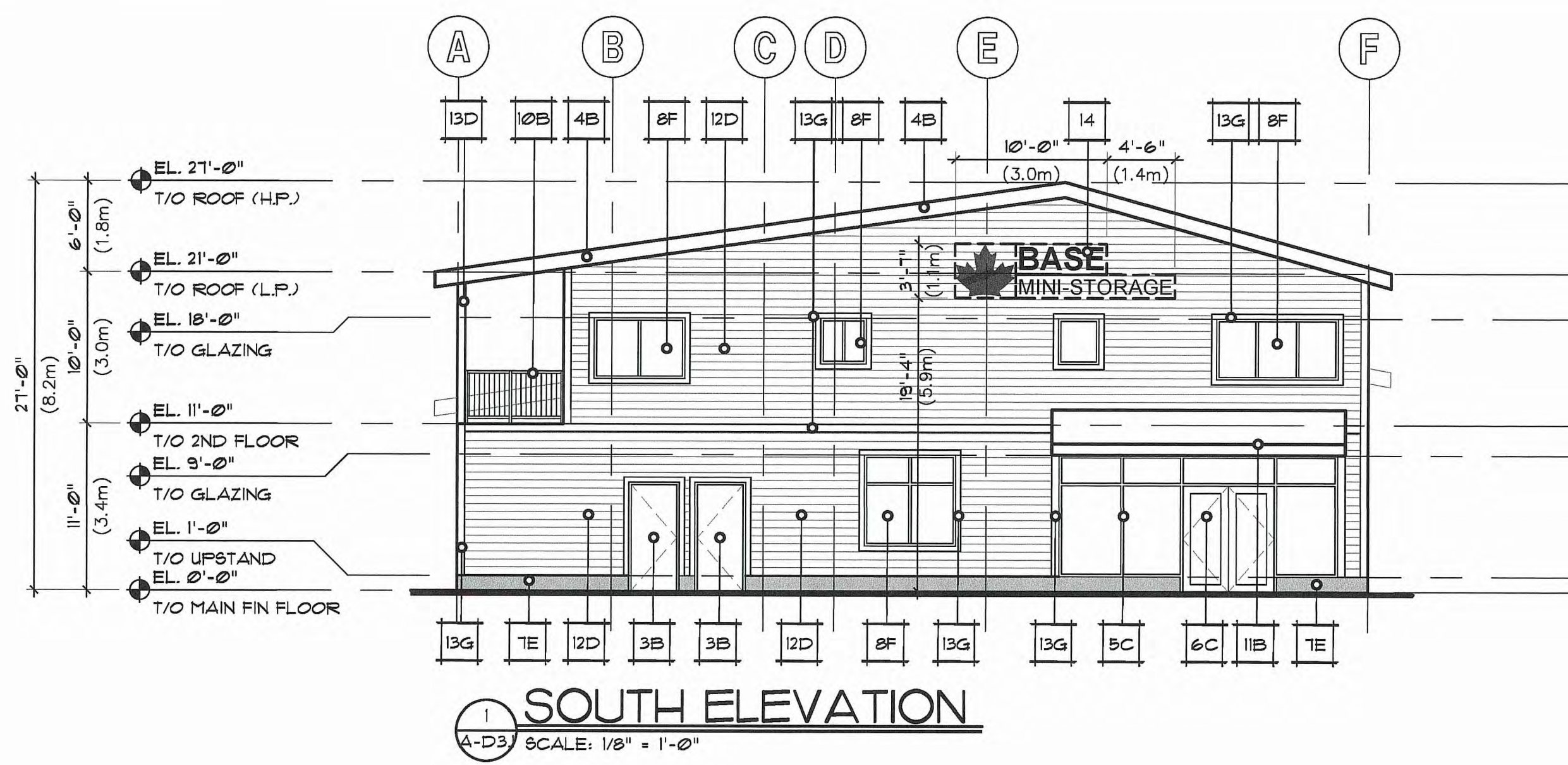
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sheet title **BUILDING C ELEVATIONS**

date 2018-03-02 sheet number

scale **AS NOTED**

drawn **DC** checked **DC**

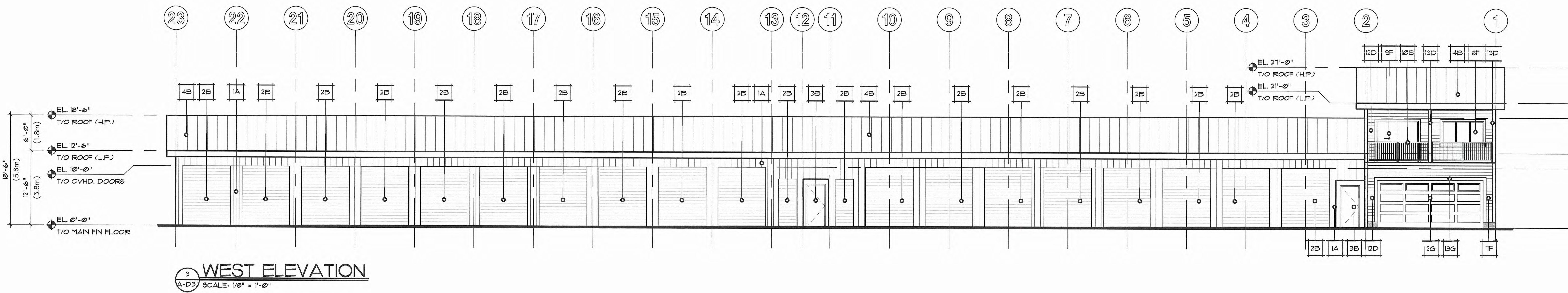
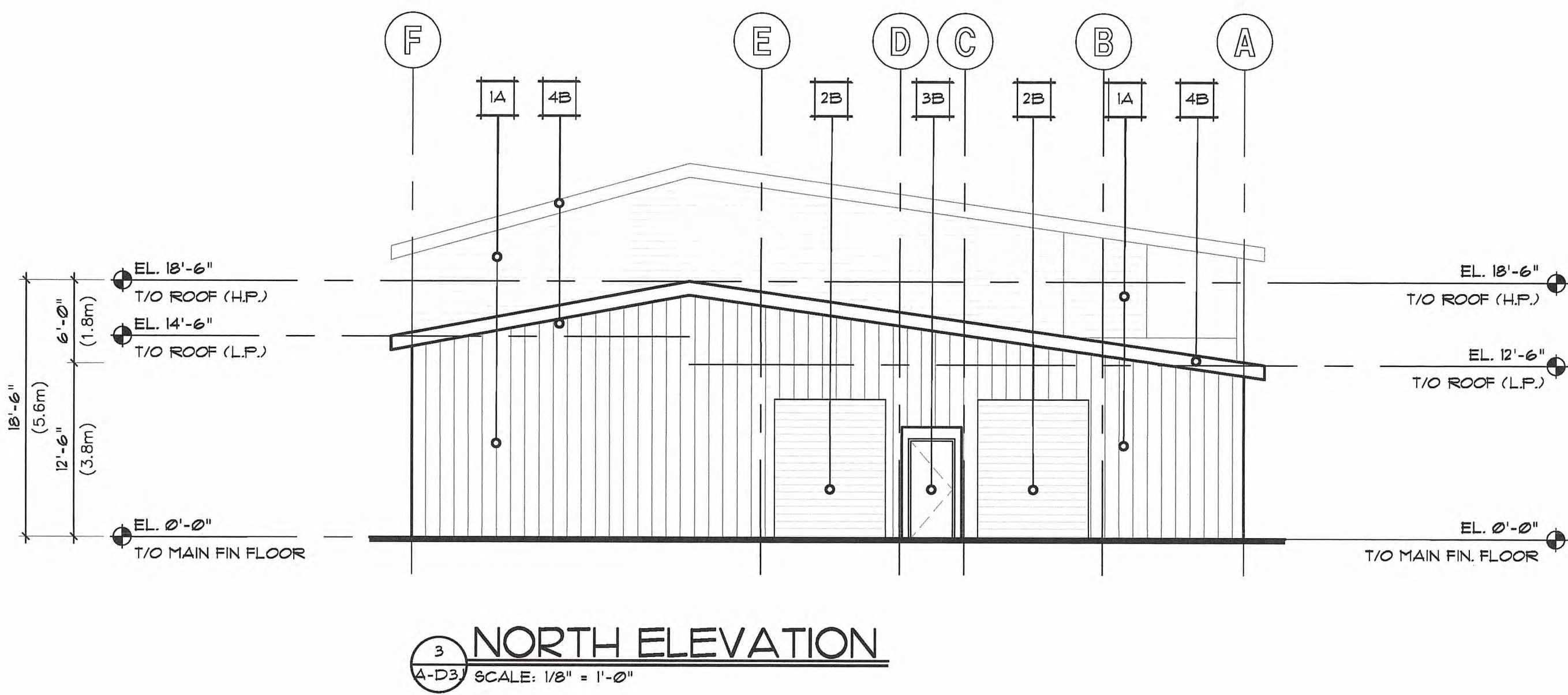
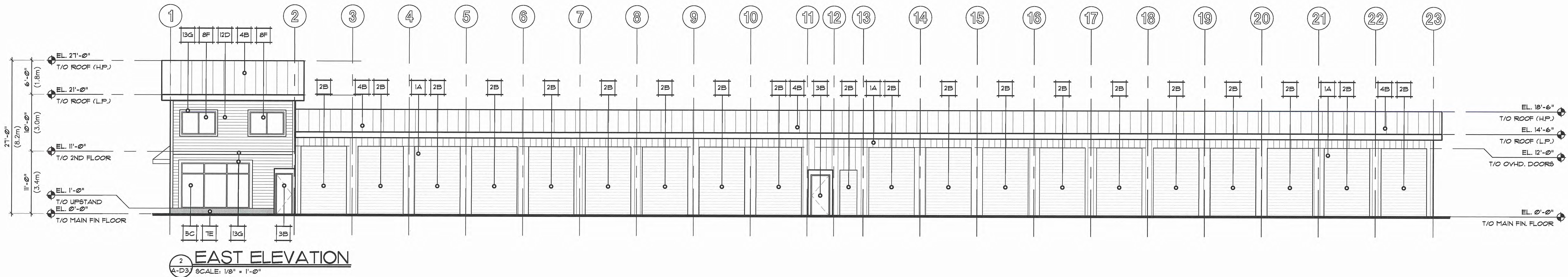


EXTERIOR MATERIALS:

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2	METAL OVERHEAD DOOR	9	PRE-FINISHED, LOW-E, CLEAR DOUBLE-GLAZED THERMALLY-BROKEN SLIDING DOOR W/GLASS INSERT
3	METAL MAN DOOR	10	METAL GUARDRAIL
4	STANDING SEAM METAL ROOF	11	FABRIC AWNING
5	PRE-FINISHED, LOW-E, CLEAR DOUBLE-GLAZED, THERMALLY BROKEN ALUMINUM STOREFRONT	12	HARDIPLANK FIBRE CEMENT HORIZONTAL LAP SIDING, SELECT CEDARMILL
6	PRE-FINISHED, LOW-E, CLEAR DOUBLE-GLAZED, THERMALLY BROKEN ALUMINUM STOREFRONT DOORS	13	HARDIETRM FIBRE CEMENT CASINGS AND TRIMS
7	CONCRETE UPSTAND	14	ILLUMINATED CHANNEL LETTER SIGNAGE

EXTERIOR COLOURS:

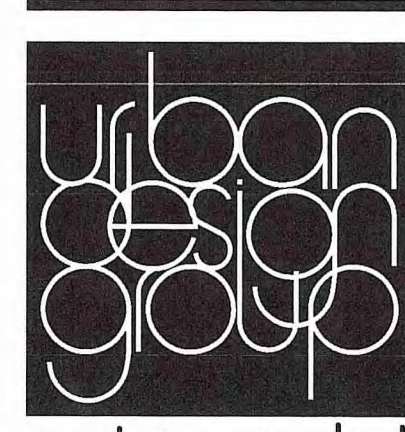
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B	REGENT GREY GC-18130
C	CLEAR ANODIZED
D	BOOTHBAY BLUE JAMES HARDIE
E	BLACK RUB FINISH
F	WHITE VINYL FRAME
G	ARCTIC WHITE, JAMES HARDIE



1 16/03/18 ISSUED FOR RF
 no 1/1/18/18 description
 revisions

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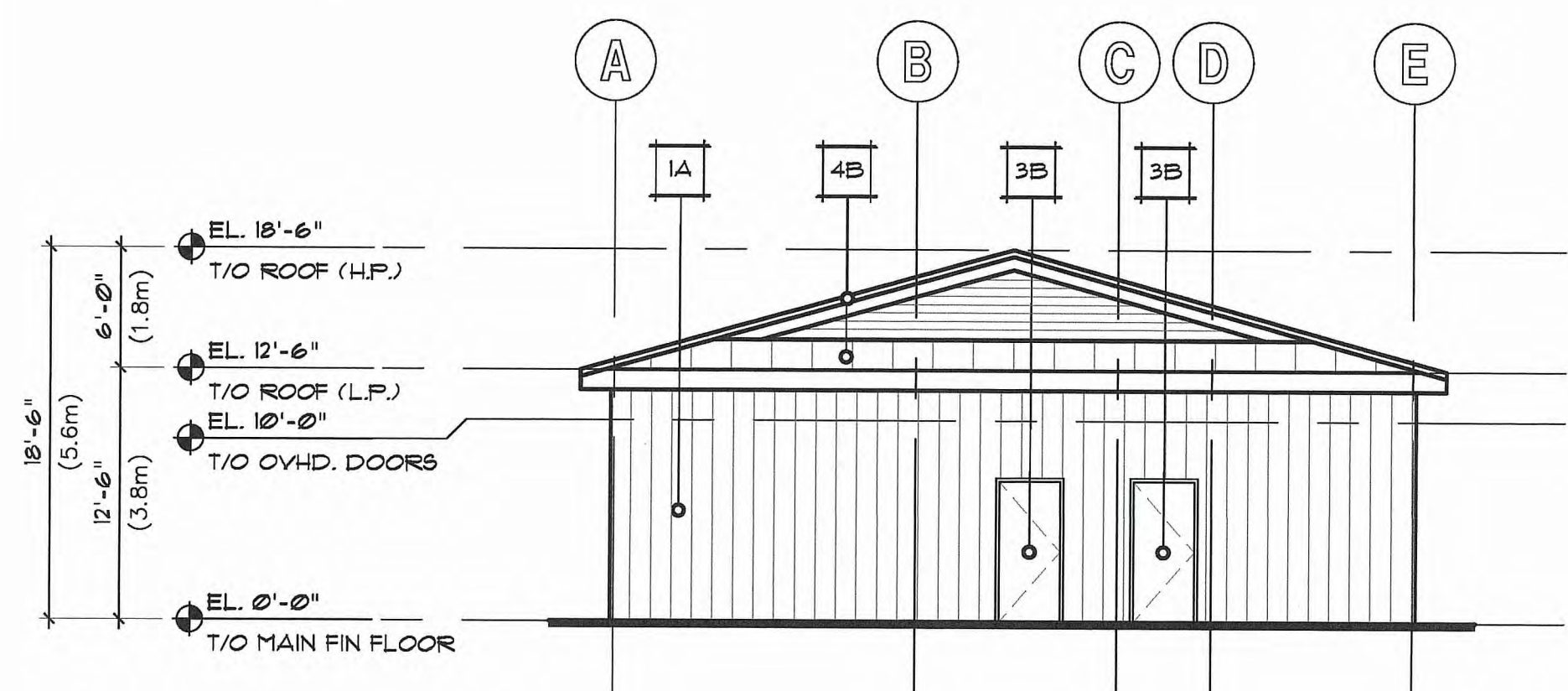


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project number **4775**

sheet title **BUILDING D ELEVATIONS**

date 2018-03-02 sheet number
 scale AS NOTED A-D3.1
 drawn DC
 checked EJC



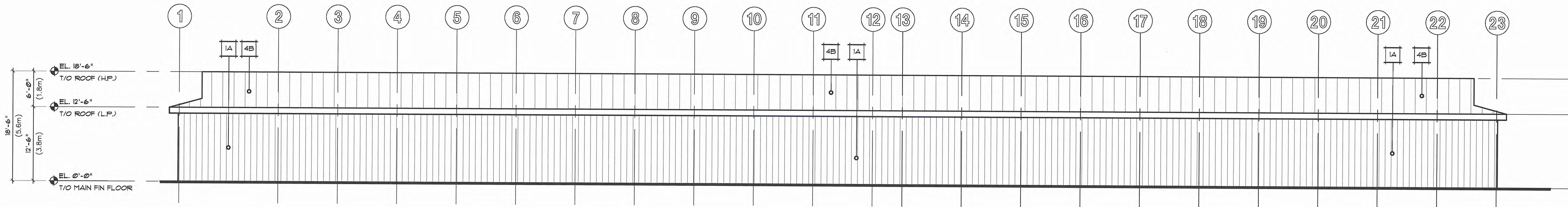
1 SOUTH ELEVATION
A-E3 SCALE: 1/8" = 1'-0"

EXTERIOR MATERIALS:

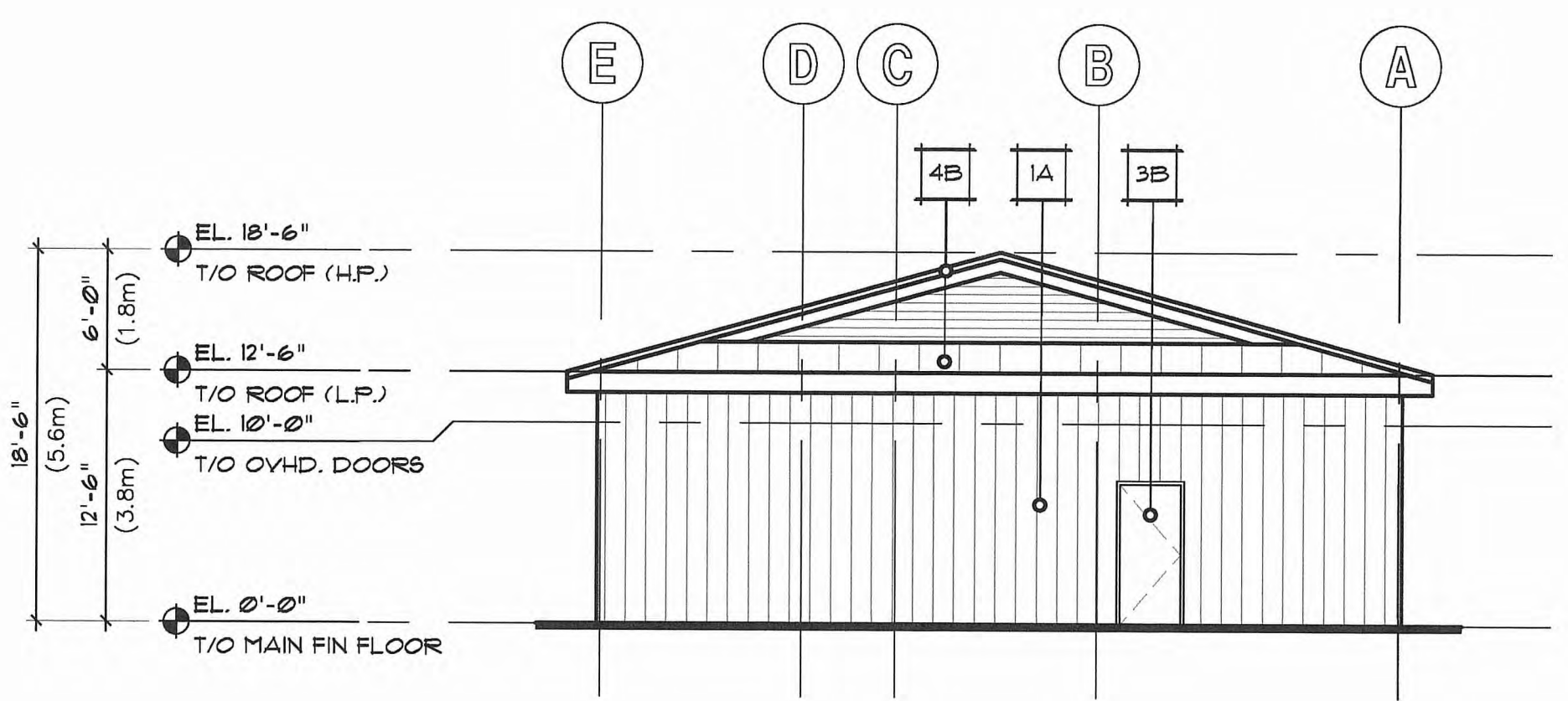
1	VERTICAL METAL CLADDING
2	METAL OVER-HEAD DOOR
3	METAL MAN DOOR
4	STANDING BEAM METAL ROOF

EXTERIOR COLOURS:

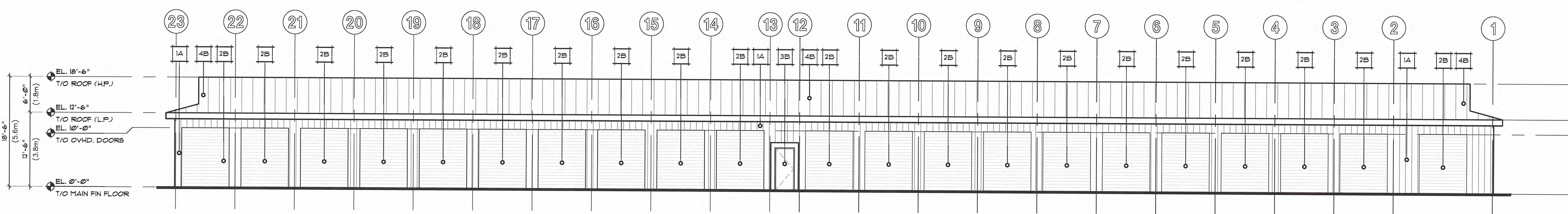
A	BUFF WHITE GC-316
B	REGENT GREY GC-18130



2 EAST ELEVATION
A-E3 SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
A-E3 SCALE: 1/8" = 1'-0"



3 WEST ELEVATION
A-E3 SCALE: 1/8" = 1'-0"

1	18/03/16	ISSUED FOR DP
2	20/07/16	DESCRIPTION
3		REVISIONS

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consultant

BASE MINI STORAGE EXPANSION
1506, 1510, 1516 & 1520 RYAN ROAD EAST, LAZO B.C.
For BASE MINI STORAGE LTD.



420 - 745 THURLOW ST
VANCOUVER, BC V6E 0G5
TELEPHONE 604 687 2334

project number **4775**

BUILDING E ELEVATIONS

date: 2018-03-02 sheet number
scale: AS NOTED
drawn: DC
checked: EAC

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Suite C100 - 4185 Still Creek Drive
Burnaby, British Columbia, V5C 6G9
p: 604 294-0011 ; f: 604 294-0022

SEAL:



NO.	DATE	REVISION DESCRIPTION	DR.
18.MAR.15		ISSUED FOR DP	BA
1	18.FEB.28	REV. PER ARCH COMMENTS	BA

CLIENT:

PROJECT:

SELF-STORAGE

1506, 1510, 1516, 1520
RYAN ROAD
COMOX, BC

DRAWING TITLE:

LANDSCAPE PLAN

DATE: 17.NOV.07 DRAWING NUMBER:

SCALE: 1"=60'-0"

DRAWN: DD

DESIGN: L1

CHKD: PCM OF 2

PMG PROJECT NUMBER:

18-023

KEY	QTY	BOTANICAL NAME	COMMON NAME	PLANTED SIZE / REMARKS
TREE	2	ACER RUBRUM 'RED SUNSET'	RED SUNSET MAPLE	6CM CAL. 2M STD. B&B
TREE	48	THUJA PLICATA	WESTERN RED CEDAR	3M HT. B&B
SHRUB	59	CORNUS ALBA 'SIBIRICA'	SIBERIAN DOGWOOD	#3 POT, 80CM
SHRUB	110	CORNUS STOLONIFERA	RED OSIER DOGWOOD	#2 POT, 50CM
SHRUB	63	MAHONIA AQUIFOLIUM	OREGON GRAPE HOLLY	#3 POT, 50CM
SHRUB	97	MANDINA DOMESTICA 'HARBOUR DWARF'	HEAVENLY BAMBOO, LOW SPREADING	#2 POT, 40CM
SHRUB	37	RIBES ALPINUM	ALPINE CURRANT	#3 POT, 80CM
SHRUB	99	RIBES SANGUINEUM	RED FLOWERING CURRANT	#2 POT, 60CM
SHRUB	337	ROSA NUTKANA	NOOTKA ROSE	#2 POT, 40CM
SHRUB	202	THUJA OCCIDENTALIS 'SMARAGD'	EMERALD GREEN CEDAR	1.2M HT; B&B

GRASS	A	830	STIPA TENUISSIMA	MEXICAN FEATHER GRASS	#1 POT
GC	508	GAULTHERIA SHALLON	SALAL	#1 POT, 20CM	
LO	42	LONICERA PILEATA	PRIVET HONEYSUCKLE	#1 POT, 25CM	

NOTES: * PLANT SIZES IN THIS LIST ARE SPECIFIED ACCORDING TO THE BC LANDSCAPE STANDARD AND CANADIAN LANDSCAPE STANDARD, LATEST EDITION. CONTAINER SIZES SPECIFIED AS PER CNLA STANDARD. BOTH PLANT SIZE AND CONTAINER SIZE ARE THE MINIMUM ACCEPTABLE SIZES. * REFER TO SPECIFICATIONS FOR DEFINED CONTAINER MEASUREMENTS AND OTHER PLANT MATERIAL REQUIREMENTS. * SEARCH AND REVIEW MAKE PLANT MATERIAL AVAILABLE FOR OPTIONAL REVIEW BY LANDSCAPE ARCHITECT AT SOURCE OF SUPPLY. AREA OF SEARCH TO INCLUDE LOWER MAINLAND AND FRASER VALLEY. * SUBSTITUTIONS: OBTAIN WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO MAKING ANY SUBSTITUTIONS TO THE SPECIFIED MATERIAL. UNAPPROVED SUBSTITUTIONS WILL BE REJECTED. ALLOW A MINIMUM OF FIVE DAYS PRIOR TO DELIVERY FOR REQUEST TO SUBSTITUTE. SUBSTITUTIONS ARE SUBJECT TO BC LANDSCAPE STANDARD AND CANADIAN LANDSCAPE STANDARD - DEFINITION OF CONDITIONS OF AVAILABILITY. ALL LANDSCAPE MATERIAL AND WORKMANSHIP MUST MEET OR EXCEED BC LANDSCAPE STANDARD AND CANADIAN LANDSCAPE STANDARD LATEST EDITION. ALL PLANT MATERIAL MUST BE PROVIDED FROM CERTIFIED DISEASE FREE NURSERY

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: April 24, 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 above noted file was discussed the Advisory Planning Commission (APC) meeting on March 22, 2018. The applicant originally proposed to reduce the front yard setback from 4.5 metres to 1.5 metres for the construction of an accessory building. The application was heard by the Electoral Area Services Committee (EASC) on April 9, 2018 (staff report attached). The EASC passed a motion to defer the application to the next EASC meeting and directed staff to work with the applicant and neighbouring property owners on alternative options. The applicant has proposed to amend his variance application and is requesting to reduce the front yard setback from 4.5 metres to 3.0 metres (Figure 1).

Sincerely,

T. Trieu

Ton Trieu, MCIP, RPP
Assistant Manager of Planning Services
Planning and Development Services Branch

/bl

Enclosure

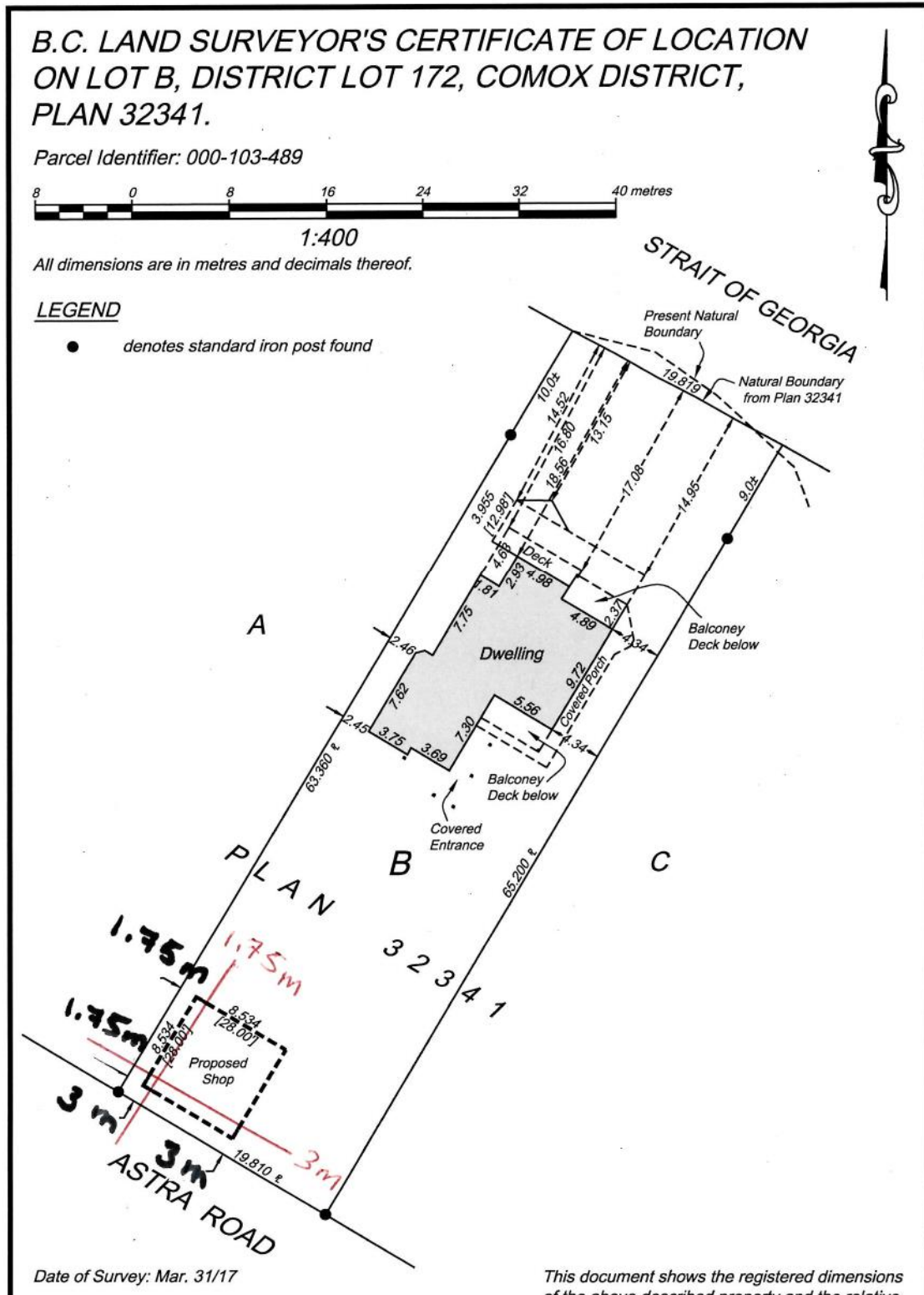


Figure 1: Revised Site Plan, as Submitted by Applicant

Comox Valley Regional District

DATE: March 27, 2018

FILE: 3090-20 / DV 1B 18

TO: Chair and Directors
Electoral Areas Services Committee

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

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

Purpose

To recommend refusal of a Development Variance Permit (DVP) to decrease the minimum front yard setback from 4.5 metres to 1.5 metres to allow for the construction of an accessory building.

Recommendation from the Chief Administrative Officer

THAT the board deny the Development Variance Permit DV 1B 18 (Tomlinson/Snow-Tomlinson) to decrease the minimum front yard setback from 4.5 metres to 1.5 metres for the construction of an accessory building on a property described as Lot B, District Lot 172, Comox District, Plan 32341, PID 000-103-489 (1758 Astra Road).

Executive Summary

- The subject property is a 0.15 hectare waterfront lot located on Astra Road.
- The applicants would like to build an 84 m² accessory building for a shop and storage of personal possessions.
- The location of the septic system and existing infrastructure limit the available space for such a building. The applicants are requesting a reduced minimum front yard setback from 4.5 metres to 1.5 metres for the accessory building.
- Planning staff have concerns with the proposed building and its proximity to the road right-of-way. Increasing impermeable area near the road could exacerbate existing drainage issues in the area and there is greater potential for vehicle encroachment onto the public road. The property is within the settlement expansion area and may be annexed into the Town of Comox in the future. A building in such close proximity to the road right-of-way could impact future activities within the road right-of-way (e.g. installation of municipal services). As the proposal does not meet the intent of the front yard setback, it is recommended that the board deny the application.

Prepared by:

Concurrence:

Concurrence:

B. Labute

A. Mullaly

A. MacDonald

Brianne Labute
Planner

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

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

Stakeholder Distribution (Upon Agenda Publication)

Applicants	✓
------------	---

Background/Current Situation

An application has been received to consider a DVP for a 0.15 hectare waterfront lot located on Astra Road (Figure 1 and 2). The property is surrounded by residential properties to the northwest and southeast. The property currently contains a single detached dwelling with an attached garage, chicken coop, greenhouse 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 buildings and septic system. As such, the applicants are requesting a minimum 1.5 metre front yard setback for the accessory building. The applicants have obtained a setback permit from the Ministry of Transportation and Infrastructure for a decreased road setback (Appendix A).

Official Community Plan Analysis

The subject property is designated Settlement Expansion Area in the Official Community Plan, being the Rural Comox Valley Official Community Plan Bylaw, No. 337, 2014. The settlement expansion areas have been identified as future growth areas for the adjacent urban municipalities. Significant change to the existing land use that increases the density, impact or intensity of use of land is not envisioned until these areas have been amalgamated with the adjacent municipality.

Zoning Bylaw Analysis

The property is zoned Residential One (R-1) in Bylaw No. 2781, being the Comox Valley Zoning Bylaw, 2005 (Appendix B). The R-1 zone permits an accessory building. The requested setback reduction is detailed below.

Table 1: Variance Summary

Zoning Bylaw	Variance	Existing	Proposed	Difference
Section 701 (4)	Front yard setback	4.5 metres	1.5 metres	3.0 metres

Planning staff have concerns with the proposed building and its proximity to the road right-of-way. Increasing impermeable area near the road could exacerbate existing drainage issues in the area. The building elevation drawings (Figure 4) indicate there will be a garage door on the southwest side of the accessory building, which leaves limited space to navigate in front of the building without relying on the use of the public road right-of-way. The property is within the settlement expansion area, which is an area identified as a future growth area for adjacent urban municipalities. In the interim, development should only occur in a controlled matter that would not impact the future potential of the area. A building in such close proximity to the road right-of-way could impact future activities within the road right-of-way (e.g. installation of municipal services). As the proposal does not meet the intent of the front yard setback, it is recommended that the board deny the application.

Policy Analysis

Section 498 of the *Local Government Act* (RSBC, 2015, c.1) (LGA) authorizes a local government to consider issuance of a DVP that varies the provision of a bylaw, provided that the use or density of the land is not being varied, the land is not designated floodplain or the development is not part of a phased development agreement.

Options

Based on the analysis above, staff recommends that the board deny the application. Alternatively, the board could support the proposed variance and direct staff to prepare a development variance permit.

Financial Factors

Applicable fees have been collected for this application under the Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014.

Legal Factors

The report and recommendations contained herein are in compliance with the LGA and the Comox Valley Regional District (CVRD) bylaws. DVPs are permitted in certain circumstances under Section 498 of the LGA.

Regional Growth Strategy Implications

The subject property is designated Settlement Expansion Area in the Regional Growth Strategy, being the Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010. 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.

Intergovernmental Factors

As the property is within the Settlement Expansion Area, a referral was sent to the Town of Comox on March 12, 2018 for their comment. At the time of writing this report, no comments had been received.

Interdepartmental Involvement

This DVP application was circulated to relevant departments within the CVRD for comment. The Bylaw Compliance department noted there could be concerns with the reduction relative to the future use of the building (e.g. home occupation) as the setback may not be sufficient for these uses.

Citizen/Public Relations

The Advisory Planning Commission (APC) reviewed the application at their meeting on March 22, 2018. The APC supported the proposal to reduce the front yard setback. The minutes from the meeting will be forwarded to the Electoral Areas Services Committee (EASC).

Notice of the requested variance will be mailed to adjacent property owners within 100 metres of the subject property at least 10 days prior to the EASC meeting. The notice informs these property owners/tenants as to the purpose of the permit, the land that is the subject of the permit and that further information of the proposed permit is available at the CVRD office. It also provides the date and time of the EASC meeting where the permit will be considered. Consultation with these property owners/tenants is through their written comments received prior to the EASC meeting or their attendance at the EASC meeting.

Attachments: Appendix A – “Ministry of Transportation of Infrastructure Setback Permit”
Appendix B – “Copy of Residential One (R-1) Zone”

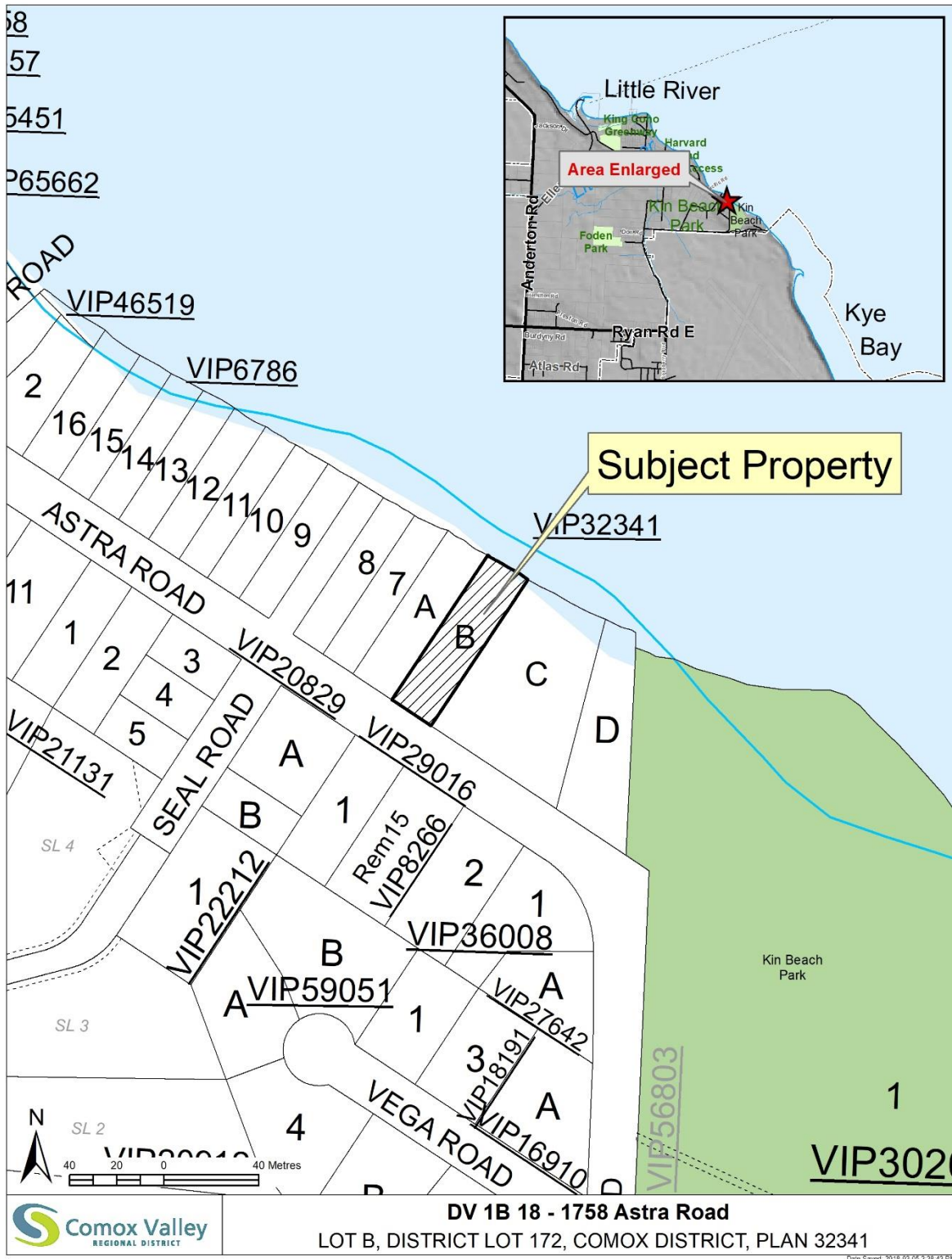


Figure 1: Subject Property Map



Figure 2: Aerial Photo

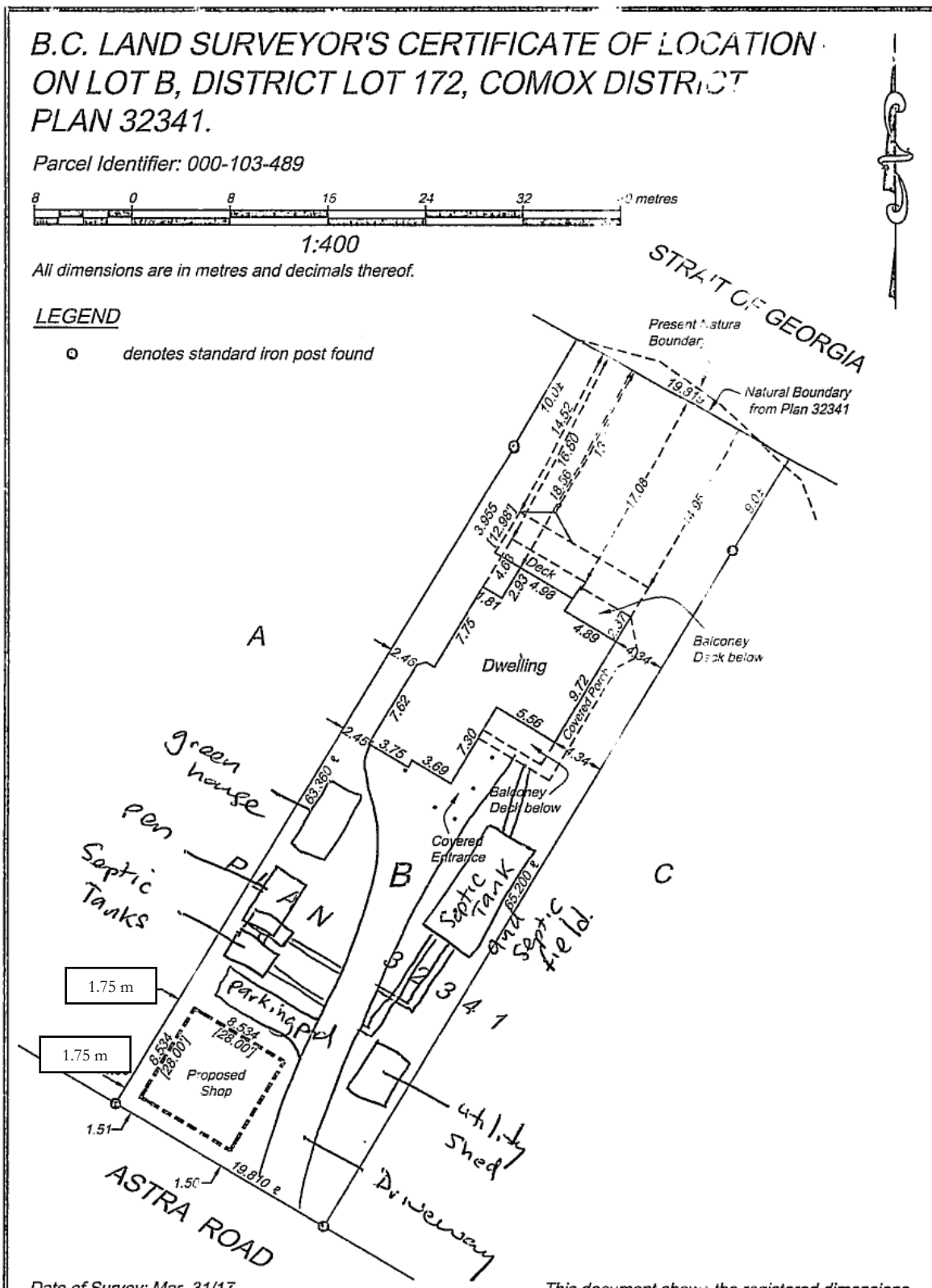


Figure 3: Site Survey

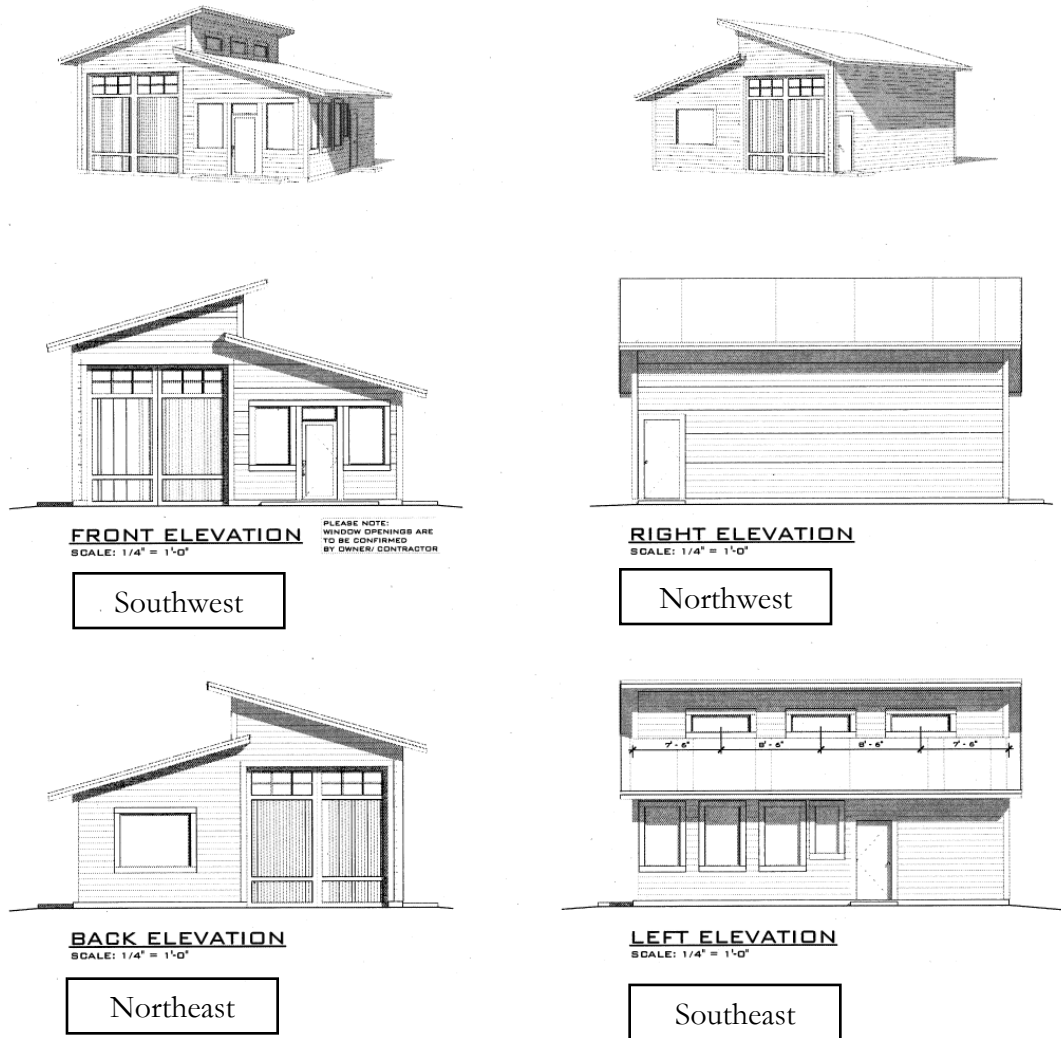


Figure 4: Building Elevations



**PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE
PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY**

**PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE
MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE
NISGA'A FINAL AGREEMENT ACT.**

BETWEEN:

The Minister of Transportation and Infrastructure

Courtenay Area Office
550 Comox Road
Courtenay, British Columbia V9N 3P6
Canada

("The Minister")

AND:

Corey Tomlinson
Jennifer Snow-Tomlinson
1758 Astra Road
Comox, British Columbia V9M 4B7
Canada

("The Permittee")

WHEREAS:

A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;

B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

The construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely; to allow construction of 8.5m X 8.5m Building at 1.5. setback from Astra Rd, located at Lot B, District Lot 172, Comox District, Plan 32341, as shown on BC Land Surveyors Certificate of Location dated March 31, 2017, prepared by Sandy Grant.

C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.
2. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.



BRITISH COLUMBIA

Ministry of Transportation and Infrastructure

Permit/File Number: 2017-04305

Office: Courtenay Area Office

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Courtenay, British Columbia, this 7 day of September, 2017

On Behalf of the Minister

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. #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:

- 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