



RZ2A17

Property information (Refer to your tax assessment notice or certificate of title.)

Legal description	LOT 1, DISTRICT LOT 13, NELSON DISTRICT, PLAN..... (currently part of Lot B, DL 13, Nelson District, Plan VIP 60017)	
Civic address	5819 TIPTON ROAD, Union Bay, BC	
PID for Lot B parent: 019-045-964	BC Assessment roll No.	

Application type (If more than one application is needed, check the additional applicable boxes.)

Bylaw amendment		
<input type="checkbox"/> Official community plan	<input checked="" type="checkbox"/> Zoning bylaw (i.e., rezoning)	
Development permit		
<input type="checkbox"/> DPA #1: Aquatic (watercourse / foreshore)	<input type="checkbox"/> DPA #2: Eagles Drive	<input type="checkbox"/> DPA #3: Eagle nest trees
<input type="checkbox"/> DPA #4: Heron nest sites	<input type="checkbox"/> DPA #5: Back Road	<input type="checkbox"/> DPA #6: Commercial / industrial development
<input type="checkbox"/> DPA #7: Resort tourism	<input type="checkbox"/> DPA #8: Steep slopes	<input type="checkbox"/> DPA #9: Buffer for agricultural land
<input type="checkbox"/> DPA #10: Union Bay: tourist highway commercial	<input type="checkbox"/> DPA #11: Royston: village core	<input type="checkbox"/> DPA #12: Royston: residential conservation design
<input type="checkbox"/> Mount Washington mixed use	<input type="checkbox"/> DPA #17: Kensington comp. development	<input type="checkbox"/> DPA #18: Shoreline protection devices
Variance		
<input type="checkbox"/> Development variance permit	<input type="checkbox"/> Board of variance	
Others		
<input type="checkbox"/> Temporary use permit	<input type="checkbox"/> Site specific amendment to floodplain	<input type="checkbox"/> Strata conversion
<input type="checkbox"/> Home occupation, bed and breakfast...	<input type="checkbox"/> Temporary occup. of additional dwelling	<input type="checkbox"/> Property information request

Owner information

Name(s)	ANDREW SAXTON	Company	UPPER ISLAND DEVELOPMENT LTD.
Mailing address		City
		Province	BC
		Postal code	
Phone(s)		Email	

Applicant information (If the applicant is not the owner(s), complete this and the agent authorization sections. All communication will be forwarded to the applicant only.)

Name(s)	H.A. MARTYN, P.Eng.	Company	N/A
Mailing address		City	
		Province	BC
		Postal code	
Phone(s)		Email	

Agent authorization (Complete only if the applicant is not the owner(s).)

I/we, (owner's name) Upper Island Development Ltd.

declare that I am/we are the property owner(s) noted on this form, and hereby authorize

(agent's name) H.A. Martyn, P.Eng. to act as agent in the matter of this/these application(s).

Owner's name 1	UPPER ISLAND DEVELOPMENT LTD.	Signature	
Owner's name 2		Signature	

All owners shown on the certificate of title must sign. Attach a separate page with additional signatures.

Development proposal (Describe the present and intended uses, and reasons for proposal. Attach additional pages if needed.)

A subdivision application is currently in process to sever existing Lot B into two lots, split by the E & N Railway R.O.W. Proposed Lot 1 on the east side of the E & N is currently vacant land fronting on Lijston Road and zoned CR-1. Proposal is to rezone proposed Lot 1 to R-1 zoning, to permit further subdivision into two 0.4 ha lots, similar to adjacent lots and overlooking Baynes Sound. The property is located within the Union Bay Settlement Node. See attached sketch.

Provincial site profile

Section 40(1) of the *Environmental Management Act* requires a site profile to be completed with an application when the applicant knows, or reasonably should know, that a site has been used or is being used for commercial or industrial purposes. If any activities found in Schedule 2 of the *Contaminated Sites Regulation* apply to the subject property, the applicant is required to complete a site profile. Schedule 2 and the site profile application form are available in the "land remediation" section of the BC Government web site (www.gov.bc.ca), as well as at the Comox Valley Regional District (CVRD). If any of the listed activities in Schedule 2 applies, contact the CVRD. If any of the listed activities in Schedule 2 does not apply, complete the following declaration:

I hereby declare that, based upon my current knowledge of the subject property, no Schedule 2 activities have been carried out.

Signature *See attached Site Declaration* Date

Notice of collection of personal information

Personal information on this application form is collected for the administration, enforcement and processing of this application. The personal information is collected under the authority of the *Freedom of Information and Protection of Privacy Act* (FIPPA), *Local Government Act* and CVRD bylaws. All documentation, drawings, plans and information submitted in support of this application can be made available for public inspection pursuant to the FIPPA. For questions about the collection of personal information, please contact the corporate legislative officer at 600 Comox Road, Courtenay, BC or at 250-334-6007.

Declaration

I, the undersigned, have attached the required documentation, as noted on the submission checklist, along with the required application fee and hereby agree to submit further information deemed necessary for processing this application. I hereby certify that the documentation and information provided with respect to this application is full and complete¹ and is, to the best of my knowledge, a true statement of the facts related to this application. Lastly, I hereby acknowledge that an incomplete application will not be processed and will be returned to me, and that any fees paid are non-refundable except as noted in the Planning Procedures and Fees Bylaw.

Signature *S.A. Warty* Date *2017/07/28*

¹ A complete application includes: application form properly filled out and all fees paid; plans and supporting information compiled by applicant into a complete, required set; compliance with existing development agreements on certificates of title and conditions of previous planning approvals; identification of existing easements and rights-of-way. Incomplete applications will not be processed and will be returned.

Office use

PSR	Date received <i>July 28, 2017</i>	Received by <i>Briane Lwite</i>
	Fee \$ <i>---</i>	Security deposit \$ <i>---</i>
Planning staff	Date assigned	Assigned to



Section 40.1 of the *Environmental Management Act*, requires a site profile to be completed with an application when the applicant knows, or reasonably should know, that a site has been used or is being used for commercial or industrial purposes. If any activities found in Schedule 2 (see link below) of the Contaminated Sites Regulation apply to your property, you are required to complete a site profile.

If any of the listed activities does not apply, simply complete the following declaration:

Property Information

Civic Address:	5819 TIPTON ROAD, ULVON BAY, BC
Legal Description of Property:	Proposed Lot 1, District Lot 13, Nelson District, Plan. ... (currently part of Lot B, D. L 13, Nelson District, Plan. VIP 60017 - PID: 019-045-964)

Name of Property Owner / Agent

Surname:	Saxton	Given Names:	Andrew, Jr.
Company (if applicable):	Upper Island Development Ltd.		
Mailing Address:			
City:	Vancouver	Province:	BC
Tel:			
Email:		Fax:	

Declaration

I declare that, based upon my current knowledge of the subject property, no Schedule 2 activities have been carried out.	
Signature:	Date: 27 JUL 17

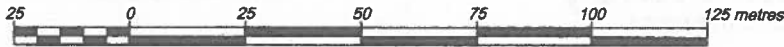
Link to Schedule 2 Activities: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/375_96_04

Link to Province of BC Guidance on Schedule 2 Purposes and Activities:
<http://www2.gov.bc.ca/assets/gov/environment/air-land-water/site-remediation/docs/administrative-guidance/ag13.pdf>

Date Rec'd:	Rec'd by:	File No.:
PID:	Folio:	

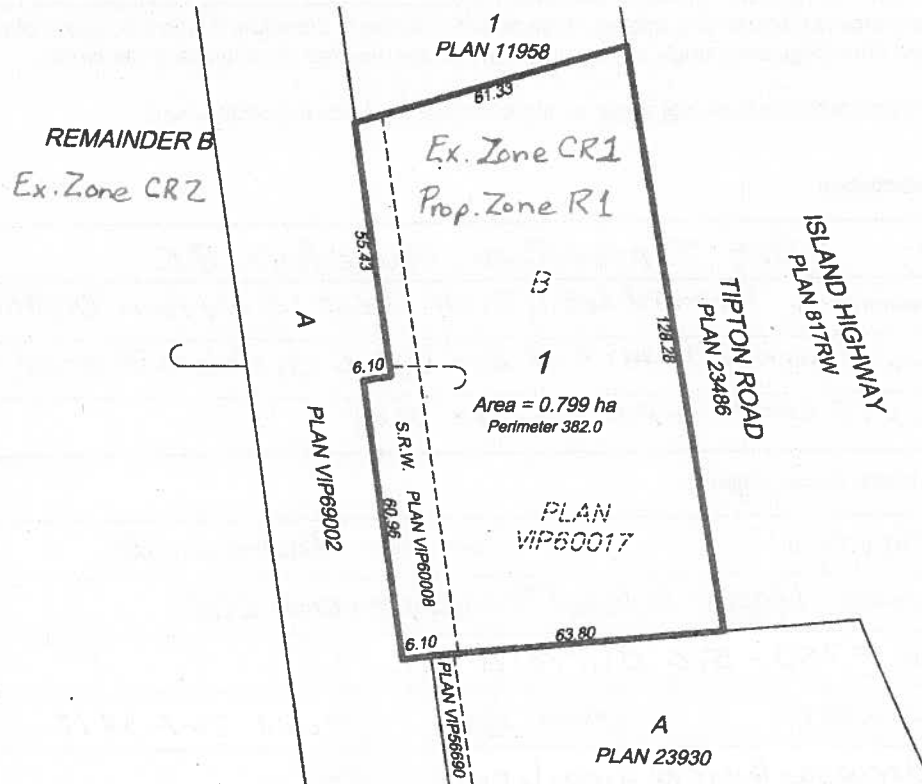
PROPOSED SUBDIVISION PLAN OF LOT B, DISTRICT LOT 13, NELSON DISTRICT, PLAN VIP60017

Parcel Identifier: 019-045-964

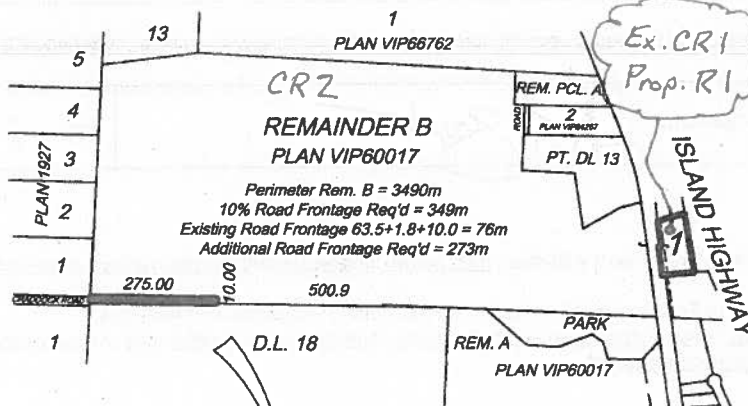


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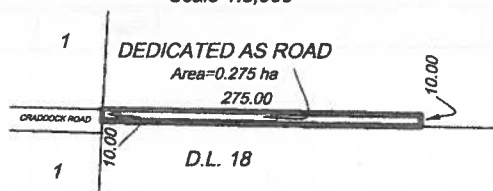
All dimensions are in metres and decimals thereof.



KEY PLAN
Scale 1:12,500



DETAIL
Scale 1:5,000



Civic Address
5819 Tipton Road
Union Bay, BC



GRANT LAND SURVEYING INC.
1-1841 COMOX AVENUE
COMOX, B.C. V9M 3M3
WWW.GRANTGEOMATICS.COM

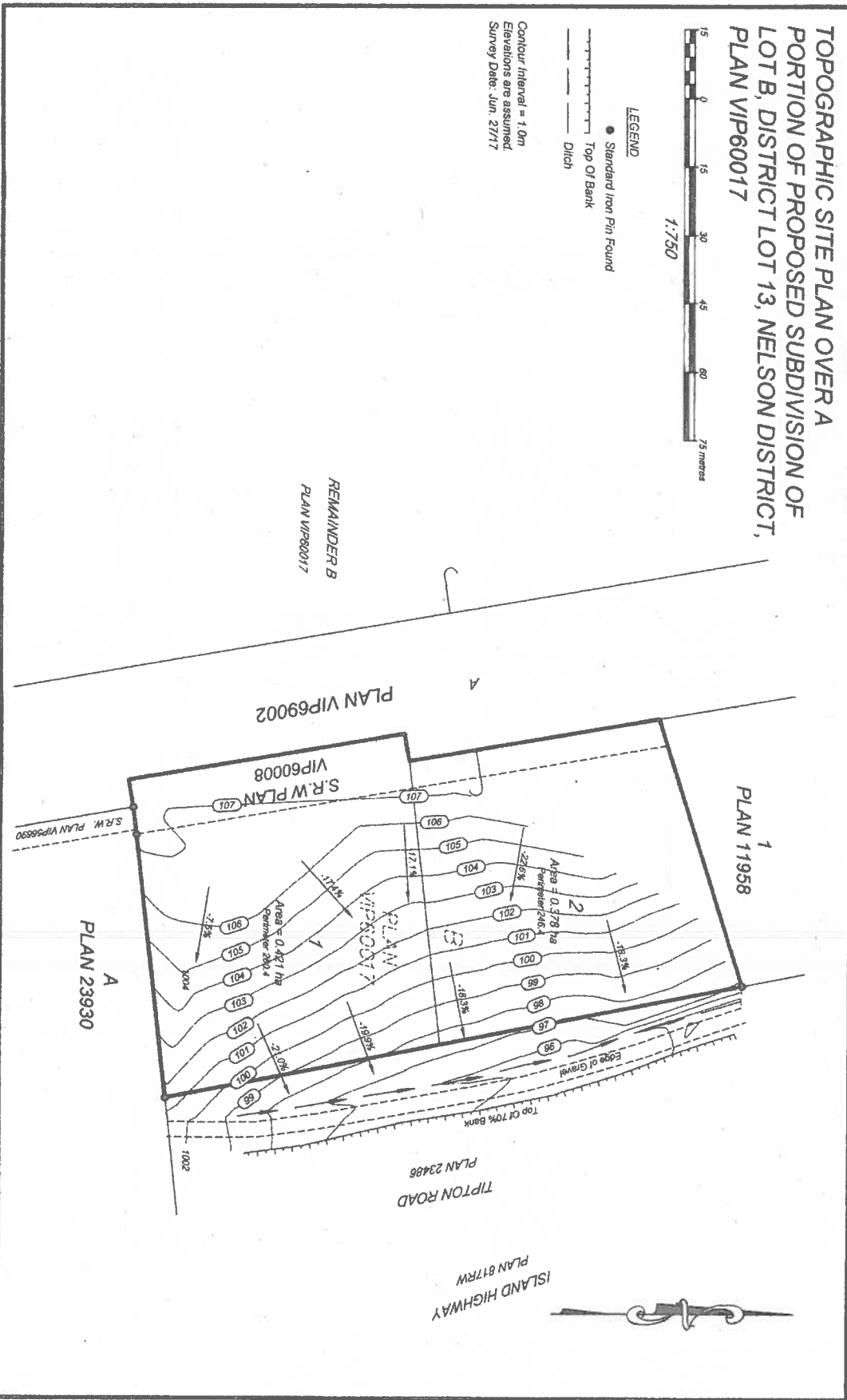
**TOPOGRAPHIC SITE PLAN OVER A
PORTION OF PROPOSED SUBDIVISION OF
LOT B, DISTRICT LOT 13, NELSON DISTRICT,
PLAN VIP60017**



LEGEND

- Standard Iron Pin Found
- Top Of Bank
- - - - - Ditch

Contour Interval = 1.0m
Elevations are assumed
Survey Date: Jun. 21/17



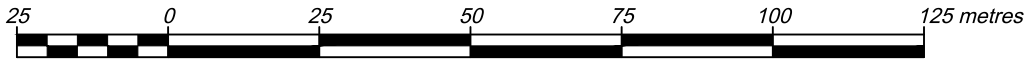
1:750
1:750

GRANT LAND SURVEYING INC.
144 GORDON AVENUE
COMOX, B.C. V9W 3A3
WWW.GRANTTECHNICALS.COM

FILE: 154

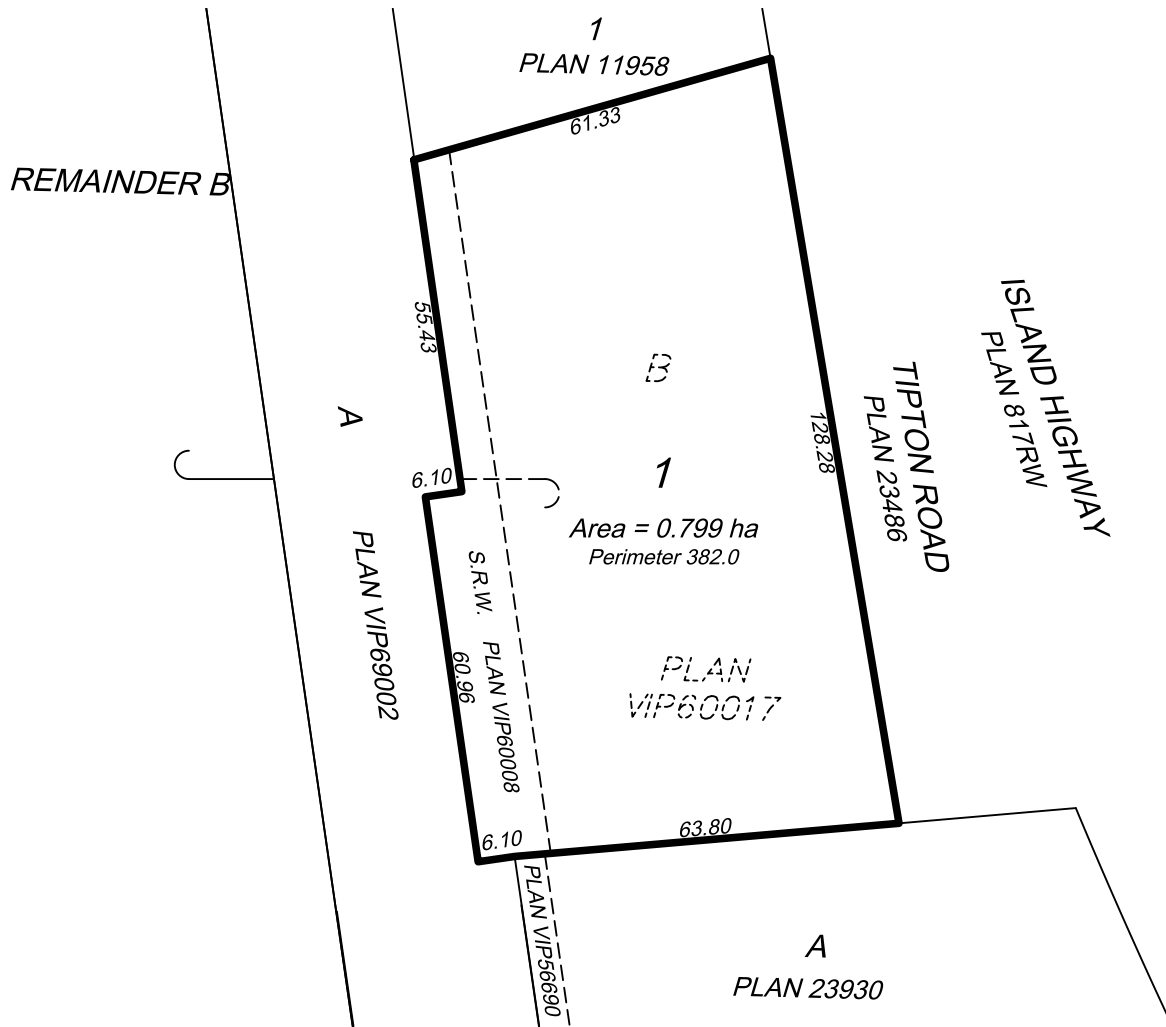
PROPOSED SUBDIVISION PLAN OF LOT B, DISTRICT LOT 13, NELSON DISTRICT, PLAN VIP60017

Parcel Identifier: 019-045-964

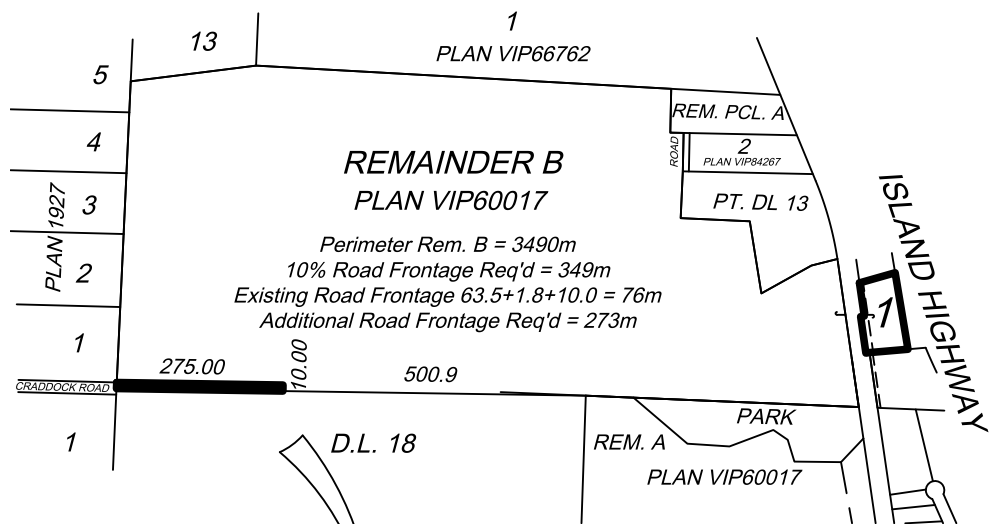


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All dimensions are in metres and decimals thereof.



KEY PLAN
Scale 1:12,500

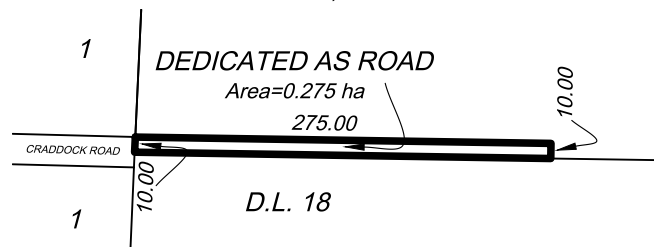


DETAIL
Scale 1:5,000

Civic Address
5819 Tipton Road
Union Bay, BC



GRANT LAND SURVEYING INC.
1-1841 COMOX AVENUE
COMOX, B.C. V9M 3M3
WWW.GRANTGEOMATICS.COM



Notice of rescheduling of Public Hearing

The Public Hearing originally scheduled for March 13, 2018 for Bylaw No. 505 has been **CANCELLED** and **RESCHEDULED** to March 22, 2018 at 6:15 pm in the CVRD boardroom, 550B Comox Road, Courtenay

We Want to Hear From You

Anyone who believes the proposed bylaw will affect their interest will be given an opportunity to be heard at the public hearing.

Bylaw 505 “Comox Valley Zoning Bylaw 2005, Amendment No. 72”

This bylaw, if adopted, would rezone the newly subdivided Lot 1, District Lot 13, Nelson District, Plan EPP76949 (formerly a portion of 5819 Tipton Road and PID 019-045-964) from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential lots fronting onto Tipton Road.

A copy of the proposed bylaw and related information may be viewed at the CVRD office, 600 Comox Road, Courtenay, BC between 8:00 am and 4:30 pm Monday through Friday, excluding holidays from March 9, 2018 until March 22, 2018 or at

www.comoxvalleyrd.ca/publichearings

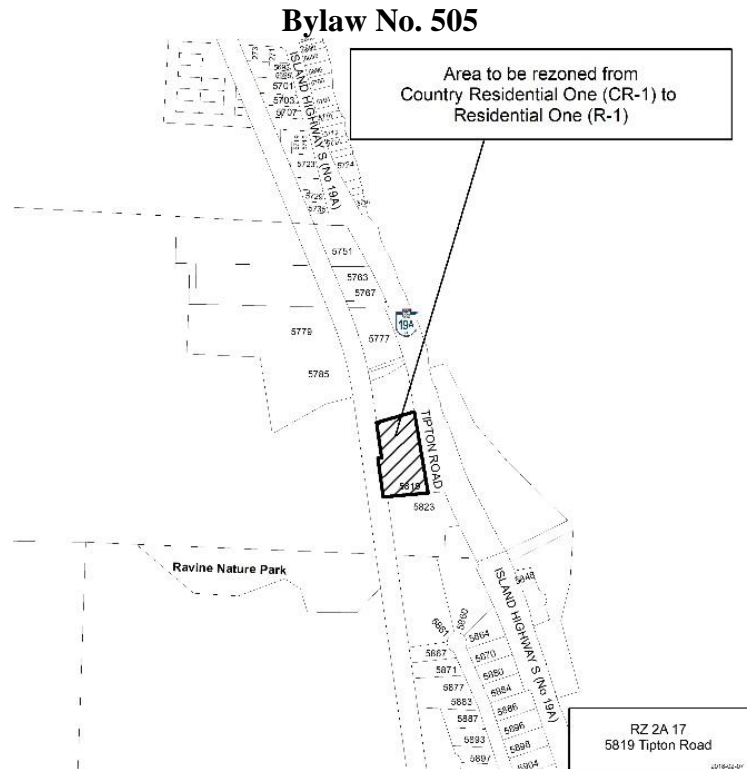
If you cannot attend the public hearing, all written submissions, mailed or electronic, must be received by this office no later than 4:30 pm March 22, 2018.

Please be advised that the public hearing minutes and written submissions include your name and residential address and are subject to public disclosure.

**Enquiries to: Brianne Labute
Planner**

**600 Comox Road, Courtenay, BC
V9N 3P6/250-334-6000**

planningdevelopment@comoxvalleyrd.ca



Monday, September 11, 2017

Minutes of the meeting of the Electoral Areas Services Committee held on Monday, September 11, 2017 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 10:00 am.

MINUTES

Present:

Chair:	E. Grieve	Puntledge/Black Creek (Area 'C')
Vice-Chair:	R. Nichol	Lazo North (Area 'B')
Directors:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Staff:	R. Dyson	Chief Administrative Officer
	A. MacDonald	General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	J. Warren	General Manager of Corporate Services
	J. Martens	Manager of Legislative Services
	L. Dennis	Legislative Services Assistant

MANAGEMENT REPORT:

B. Jolliffe/R. Nichol: THAT the Electoral Areas Services Committee management report dated September 2017 be received.

208

Carried

REPORTS:

ADVISORY PLANNING COMMISSION MINUTES

B. Jolliffe/R. Nichol: THAT the minutes of the Electoral Area B Advisory Planning Commission meeting held August 31, 2017 be received.

208 and 213

Carried

ELECTORAL AREA B – DEVELOPMENT VARIANCE PERMIT DV 5B 17 – 2029 STEVEDOR ROAD (VUORELA)

R. Nichol/B. Jolliffe: THAT the following items be received:

- Report dated August 15, 2017 regarding Development Variance Permit Application DV 5B 17 to decrease the minimum side yard setback from 7.5 metres to 3.5 metres to allow the construction of an accessory building at 2029 Stevedor Road (Vuorela).

- Correspondence dated September 5, 2017 relating to Development Variance Permit DV 5B 17 - 2029 Stevedor Road (Vuorela).

208 and 213

Carried

A. Mullaly, Manager of Planning Services, provided an overview of the staff report regarding Development Variance Permit Application DV 5B 17 for 2029 Stevedor Road (Vuorela).

Rodney and Crystal Vuorela, applicants, were in attendance at the meeting.

The chair called for any members of the public that may wish to speak regarding Development Variance Permit Application DV 5B 17. There were no speakers.

R. Nichol/B. Jolliffe: THAT the board approve the Development Variance Permit DV 5B 17 (Vuorela) to decrease the minimum north side yard setback from 7.5 metres to 3.5 metres to allow the construction of an accessory building on a property described as Lot A, District Lot 177, Comox District, Plan VIP78574, PID 026-236-753 (2029 Stevedor Road);

AND FINALLY THAT once the Comox Valley Regional District has received the Ministry of Transportation and Infrastructure permit to reduce building setback, then the Corporate Legislative Officer be authorized to execute the permit.

208 and 213

Carried

ELECTORAL AREA B – DEVELOPMENT VARIANCE PERMIT DV 6B 17 - 2120 LANNAN ROAD (BARROW)

R. Nichol/R. Nichol: THAT the report dated August 23, 2017 regarding Development Variance Permit Application DV 6B 17 to increase the maximum height for a carriage house from 7.0 metres to 7.82 metres at 2120 Lannan Road (Barrow) be received.

208 and 213

Carried

A. Mullaly, Manager of Planning Services, provided an overview of the staff report regarding Development Variance Permit Application DV 6B 17 for 2120 Lannan Road (Barrow).

Destinee Barrow, applicant, was in attendance at the meeting.

The chair called for any members of the public that may wish to speak regarding Development Variance Permit Application DV 6B 17. There were no speakers.

R. Nichol/B. Jolliffe: THAT the board approve the Development Variance Permit DV 6B 17 (Barrow) to increase the height for a carriage house from 7.0 metres to 7.82 metres for a property described as Lot A, District Lot 206, Comox District, Plan 40190, PID 000-097-179 (2120 Lannan Road);

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.

208 and 213

Carried

ELECTORAL AREA A - ZONING BYLAW AMENDMENT RZ 2A 17 - 5819 TIPTON ROAD (UPPER ISLAND DEVELOPMENT)

B. Jolliffe/R. Nichol: THAT the report dated August 18, 2017 regarding Zoning Bylaw Amendment Application RZ 2A 17 to rezone a portion of 5819 Tipton Road from Country Residential One (CR-1) to

Residential One (R-1) to enable further subdivision and to recommend that the application be externally referred be received.

208 and 213

Carried

A. Mullaly, Manager of Planning Services, provided an overview of the staff report regarding Zoning Bylaw Amendment Application RZ 2A 17 for 5819 Tipton Road (Upper Island Development).

Hal Martyn, applicant, was in attendance at the meeting.

B. Jolliffe/R. Nichol: THAT the board endorse the agency referral list as outlined in Appendix A of staff report dated August 18, 2017, and direct staff to commence the external agency referral process for Lot B, District Lot 13, Nelson District, Plan VIP60017, as part of a proposed amendment (RZ 2A 17) to 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, for Lot B, District Lot 13, Nelson District, Plan VIP60017, as part of a proposed amendment (RZ 2A 17) to Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005".

208 and 213

Carried

ELECTORAL AREA B - SUBDIVISION WITHIN THE AGRICULTURAL LAND RESERVE (HILDRETH/ALLEN)

R. Nichol/B. Jolliffe: THAT the report dated August 5, 2017 regarding an application for a lot line adjustment to the Agricultural Land Commission be received.

208 and 213

Carried

A. Mullaly, Manager of Planning Services, provided an overview of the staff report regarding an application for a lot line adjustment to the Agricultural Land Commission.

R. Nichol/B. Jolliffe: THAT the Agricultural Land Commission be advised that the Comox Valley Regional District supports Agricultural Land Reserve application ALR 1B 17 (Hildreth/Allen), as proposed, regarding Comox Valley Regional District the lot line adjustment of parcels from lands known as Lot A, District Lot 173, Comox District, Plan 2374 (PID 006-521-801) and Lot 1, District Lot 224, Comox District, Plan 20499 (PID 002-901-340);

AND FINALLY THAT the application be forwarded to the Agricultural Land Commission for final consideration.

208 and 213

Carried

ELECTORAL AREA C - ZONING BYLAW AMENDMENT RZ 2C 17 - 3780 COLAKE ROAD (COURTENAY AND DISTRICT FISH AND GAME PROTECTIVE ASSOCIATION)

B. Jolliffe/R. Nichol: THAT the following items be received:

- Report dated August 28, 2017 regarding a draft zone for use at the Courtenay and District's Fish and Game Protective Association's properties at Comox Lake.

- The full Courtenay and District’s Fish and Game Protective Association application provided for information.

208 and 213

Carried

A. Mullaly, Manager of Planning Services, provided an overview of the staff report regarding a draft zone for use at the Courtenay and District’s Fish and Game Protective Association’s properties at Comox Lake.

R. Nichol/B. Jolliffe: THAT Zoning Bylaw Amendment Application RZ 2C 17 for 3780 Colake Road (Courtenay and District’s Fish and Game Protective Association) be referred to staff to report back on the status of the application and proposed amendments to the October 16, 2017, Electoral Areas Services Committee meeting.

208 and 213

Carried

SHORELINE PROTECTION DEVICE REVIEW PROCESS - OFFICIAL COMMUNITY PLAN AMENDMENT

B. Jolliffe/R. Nichol: THAT the report dated August 30, 2017 regarding an amendment to the Official Community Plan to change the process for property owners seeking to install shoreline protection devices, both “hard” and “soft” approaches from rezoning to development permit be received.

208 and 213

Carried

A. Mullaly, Manager of Planning Services, provided an overview of the staff report regarding an amendment to the Official Community Plan to change the process for property owners seeking to install shoreline protection devices, both “hard” and “soft” approaches from rezoning to development permit.

R. Nichol/B. Jolliffe: THAT proposed Bylaw No. 489, being Amendment No. 1 to Bylaw No. 337, the “Rural Comox Valley Official Community Plan”, be granted first and second readings;

AND THAT proposed Bylaw No. 489, be referred to the external agencies identified in Appendix C of staff report dated August 30, 2017 for review and comment;

AND FINALLY THAT Comox Valley Regional District staff consult with First Nations on proposed Bylaw No. 489 in accordance with the referrals management program dated September 25, 2012.

208 and 213

Carried

DENMAN ISLAND BYLAW NO. 225 REFERRAL (LAND USE BYLAW AMENDMENT TO GENERALLY PROHIBIT VEHICLES AND GROUND-BASED MACHINERY IN WATER ZONES)

B. Jolliffe/R. Nichol: THAT the report dated August 28, 2017 regarding a bylaw proposed by the Denman Island Local Trust Committee that prohibits vehicles and ground-based machinery in the Island’s water zones be received.

208 and 213

Carried

VARY THE AGENDA

B. Jolliffe/R. Nichol: THAT the agenda be varied to bring agenda items 11 and 12 forward on the agenda

208

Carried

SERVICE AGREEMENT RENEWAL - RURAL CUMBERLAND FIRE PROTECTION SERVICE

B. Jolliffe/R. Nichol: THAT the report dated September 7, 2017 regarding renewal of the agreement with the Village of Cumberland for the provision of fire protection services to the rural Cumberland fire protection local service area be received.

207

Carried

J. Bast, Manager of Fire Services, provided an overview of the staff report regarding renewal of the agreement with the Village of Cumberland for the provision of fire protection services to the rural Cumberland fire protection local service area.

B. Jolliffe/R. Nichol: THAT the board approve renewing the agreement with the Village of Cumberland for the provision of fire protection services for the rural Cumberland fire protection local service area for five years.

AND FURTHER THAT the Chair and Corporate Legislative Officer be authorized to execute the agreement.

210

Carried

AGREEMENT RENEWAL - TSOLUM FARNHAM FIRE PROTECTION SERVICE

B. Jolliffe/R. Nichol: THAT the report dated September 7, 2017 regarding the renewal of the agreement with the City of Courtenay for the provision of fire protection services to the Tsolum-Farnham fire protection local service area be received.

207

Carried

J. Bast, Manager of Fire Services, provided an overview of the staff report regarding the renewal of the agreement with the City of Courtenay for the provision of fire protection services to the Tsolum-Farnham fire protection local service area.

R. Nichol/B. Jolliffe: THAT the board approve renewing the agreement with the City of Courtenay for the provision of fire protection services for the Tsolum Farnham fire protection local service area for five years.

AND FURTHER THAT the Chair and Corporate Legislative Officer be authorized to execute the agreement.

210

Carried

BUILDING PERMIT FEE UPDATES

R. Nichol/B. Jolliffe: THAT the report dated August 30, 2017 regarding an update to building permit fees be received.

209

Carried

B. Chow, Long-Range Planner, provided an overview of the staff report regarding an update to building permit fees.

R. Nichol/B. Jolliffe: THAT the board give first, second and third readings to Bylaw No. XX, being Comox Valley Regional District Building Bylaw No. 142, 2011, Amendment No. XX, attached to this staff report dated August 30, 2017, as Appendix A.

209

Carried

BOARD POLICY TO REBATE PLANNING AND BUILDING PERMIT FEES

B. Jolliffe/R. Nichol: THAT the report dated August 30, 2017 regarding establishing a consistent, equitable and transparent approach on the rebate of planning and building permit fees be received.

209

Carried

B. Chow, Long-Range Planner, provided an overview of the staff report regarding establishing a consistent, equitable and transparent approach on the rebate of planning and building permit fees.

B. Jolliffe/R. Nichol: THAT the board approve the board policy on planning and building application fee rebates, attached to the staff report dated August 30, 2017, as Appendix A.

209

Carried

IN-CAMERA:

B. Jolliffe/R. Nichol: THAT the committee adjourn to an in-camera session pursuant to the following subsection of section 90 of the Community Charter:

90(1)(e) The acquisition, disposition or expropriation of land or improvements, if the committee/board considers that disclosure might reasonably be expected to harm the interests of the municipality.

208

Carried

Time: 11:05 am.

RISE AND REPORT:

The committee rose from its in-camera meeting at 11:40 am.

TERMINATION:

B. Jolliffe/R. Nichol: THAT the meeting terminate.

208

Carried

Time: 11:40 am.

Confirmed by:

Edwin Grieve
Chair

Certified Correct:

Jake Martens
Manager of Legislative Services

Recorded By:

Lisa Dennis
Recording Secretary

These minutes were received by the Comox Valley Regional District board on the _____ day of _____, 20____.

Minutes of the meeting of the Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission of the Comox Valley Regional District held on Monday, October 23, 2017 in the Bill Wood Room of the Union Bay Hall, located at 5401 South Island Hwy, Union Bay, BC, commencing at 7:00 pm

PRESENT:	Chair	Rodney Jones
	Members	Margaret McKenzie
		Karen Fouracre
		Bill Trussler
		Bruce Livesey
		Janet Thomas
		David Stapley
ABSENT:	Members	Pieter Rutgers
ALSO PRESENT:	Electoral Area Director	Bruce Jolliffe
	Alternate Director	Jim Argue
	Manager of Planning Services	Alana Mullaly
	Proponent for DV 4A 17	Sandy Grant
	Proponent for DV 4A 17	Kimberly Zaborniak

Agenda Items

Minutes of Advisory Planning Commission Meeting

THOMAS/MCKENZIE: THAT the minutes of the Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission meeting held on Monday, September 25, 2017 be received.

CARRIED

3090-20/DV 4A 17 – Development Variance Permit Application – 4014 Haas Road (Zaborniak)

STAPLEY/THOMAS: THAT the Area A Advisory Planning Commission support Development Variance Permit Application DV 4A 17 for 4014 Haas Road / Lot 2, District Lot 86, Comox District, Plan 18006, PID 002-174-821 (Zaborniak) as proposed.

CARRIED

3360-20/RZ 2A 17 – Zoning Bylaw Amendment Application – 5819 Tipton Road (Upper Island Development)

LIVESEY/THOMAS: THAT the Area A Advisory Planning Commission support Zoning Bylaw Amendment Application RZ 2A 17 5819 Tipton Road / Lot B, District Lot 13, Nelson District, Plan VIP60017 (Upper Island Development) as proposed.

CARRIED

Official Community Plan Amendment – Shoreline Protection Device Review Process

THOMAS/MCKENZIE: THAT the Area A Advisory Planning Commission support the proposed Official Community Plan amendment – shoreline protection device review as presented, with the qualifier that Schedule A, Section One, Part Two “70(8) Coastal Areas – policies” be amended to include [as shown in italics] “...Subject to receipt of development approval information from *an appropriately* qualified professional, *i.e. in the disciplines of engineering, limnology, aquatic diversity, oceanography and/or others deemed necessary by staff*, that demonstrates that shoreline.....” The rationale is that because someone is a qualified engineer, it doesn’t necessarily mean they are competent in all foreshore requirements needed for any particular application.

CARRIED

Next Meeting Date

The next Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission meeting is scheduled for Monday, November 27, 2017 in the Bill Wood Room of the Union Bay Hall, located at 5401 South Island Hwy, Union Bay, BC, commencing at 7:00 pm.

Termination

THOMAS/MCKENZIE: THAT the meeting terminate.

CARRIED

Time: 8:21 pm.

Recording Secretary:
Karen Fouracre

Chair:
Rodney Jones

Received by the Electoral Areas Services Committee on November 20, 2017

Monday, November 20, 2017

Minutes of the meeting of the Electoral Areas Services Committee held on November 20, 2017 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 10:00 am.

MINUTES

Present:

Chair:	E. Grieve	Puntledge/Black Creek (Area 'C')
Vice-Chair:	R. Nichol	Lazo North (Area 'B')
Directors:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	A. MacDonald	General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	I. Smith	General Manager of Community Services
	J. Warren	General Manager of Corporate Services
	J. Martens	Manager of Legislative Services
	A. Baldwin	Legislative Services Assistant

MANAGEMENT REPORT:

B. Jolliffe/R. Nichol: THAT the Electoral Areas Services Committee management report dated November 2017 be received.

208

Carried

REPORTS:

ADVISORY PLANNING COMMISSION MINUTES

B. Jolliffe/R. Nichol: THAT the minutes of the Area A Advisory Planning Commission meeting held October 23, 2017 be received.

208

Carried

B. Jolliffe/R. Nichol: THAT the minutes of the Area C Advisory Planning Commission meeting held October 25, 2017 be received.

208

Carried

B. Jolliffe/R. Nichol: THAT the minutes of the Area B Advisory Planning Commission meeting held October 26, 2017 be received.

208

Carried

ELECTORAL AREA A - DEVELOPMENT VARIANCE PERMIT DV 4A 17 - 4014 HAAS ROAD (ZABORNIAK)

B. Jolliffe/R. Nichol: THAT the report dated October 31, 2017 regarding a Development Variance Permit

(DVP) to increase the maximum height for a recently built accessory building from 6.0 metres to 6.4 metres be received.

208 and 213

Carried

B. Jolliffe/R. Nichol: THAT the email correspondence dated November 16, 2017 regarding DV 4A 17, 4014 Haas Road (Zaborniak) be received.

208 and 213

Carried

Alana Mullaly, Manager of Planning Services, provided information regarding Development Variance Permit DV 4A 17, 4014 Haas Road (Zaborniak).

The applicant, Kim Zaborniak, was in attendance.

The public was invited to speak regarding Development Variance Permit DV 4A 17, 4014 Haas Road (Zaborniak). There were no speakers.

B. Jolliffe/R. Nichol: THAT the board approve the Development Variance Permit DV 4A 17 (Zaborniak) to increase the height for an accessory building from 6.0 metres to 6.4 metres for a property described as Lot 2, District Lot 86, Comox District, Plan 18006, PID 002-174-821 (4014 Haas Road);

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.

208 and 213

Carried

ELECTORAL AREA C - DEVELOPMENT PERMIT APPLICATION – 8655 ISLAND HIGHWAY NORTH (ZIMMERMAN)

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding a Development Permit (commercial and industrial form and character) to enable the development of a light industrial workshop be received.

208 and 213

Carried

Alana Mullaly, Manager of Planning Services, provided an overview of the report regarding a Development Permit (commercial and industrial form and character) to enable the development of a light industrial workshop.

The applicant, Nevin Zimmerman, was in attendance.

B. Jolliffe/R. Nichol: THAT the board approve the Development Permit DP 19C 17 on the property described as Parcel A (DD41465W) of Lot A, Block 29, Comox District, Plan 9954, PID 005-433-355 (8655 Island Highway North) for the development of a light industrial workshop;

AND FURTHER THAT the Corporate Legislative Officer be authorized to execute the permit following the submission, to the Director responsible for the Environmental Management Act, of the proposed works, including all structures, locations and depths of proposed or constructed buildings or trenches.

208 and 213

Carried

ELECTORAL AREA C - EXCLUSION FROM THE AGRICULTURAL LAND RESERVE 2431 VANCLAN DRIVE

(DIETRICH)

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding an application to exclude a property from the Agricultural Land Reserve (ALR) and to request that the Agricultural Land Commission take a position on the use of building schemes be received.

208 and 213

Carried

Alana Mullaly, Manager of Planning Services, provided an overview of the report regarding an application to exclude a property from the Agricultural Land Reserve (ALR) and to request that the Agricultural Land Commission take a position on the use of building schemes.

The applicant, Stephen Dietrich, was in attendance.

B. Jolliffe/R. Nichol: THAT the Agricultural Land Reserve application ALR 3C 17 (Dietrich) to exclude lands known as Lot 1, District Lot 192, Comox District, Plan VIP57195 (PID 018-380-361), be referred to the Agricultural Land Commission (ALC);

AND FURTHER THAT the ALC be advised that the Comox Valley Regional District does not support the exclusion;

AND FINALLY THAT a copy of the building scheme that is registered on the property be referred to the ALC with a request that the ALC clarify whether the building scheme that prohibits installation of a mobile home within the subdivision impedes the reasonable use of the land relative to the ALC's second dwelling provisions.

208 and 213

Carried

ELECTORAL AREA A - 5819 TIPTON ROAD (UPPER ISLAND DEVELOPMENT)

B. Jolliffe/R. Nichol: THAT the report dated November 6, 2017 regarding a review of the external agency referral, a bylaw for first and second readings and a recommendation that a public hearing date be set be received.

208 and 213

Carried

Alana Mullaly, Manager of Planning Services, provided an overview of the report regarding a review of the external agency referral, a bylaw for first and second readings and a recommendation that a public hearing date be set.

Hal Martyn, owner's representative, was in attendance.

B. Jolliffe/R. Nichol: THAT the board give first and second readings to Bylaw No. 505, Appendix A to staff report dated November 6, 2017 (RZ 2A 17 – Upper Island Development), being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72” which rezones the Country Residential One (CR-1) portion of Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964 (5819 Tipton Road) to Residential One (R-1);

AND FINALLY THAT pursuant to Section 464(1) of the Local Government Act (RSBC, 2015, c. 1), the board

schedule a public hearing for Bylaw No. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72” (RZ 2A 17 – Upper Island Development).

208 and 213

Carried

B. Jolliffe/R. Nichol: THAT prior to a public hearing on Bylaw No. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72”, Upper Island Development be required to obtain final subdivision approval from the Ministry of Transportation and Infrastructure to ‘unhook’ the lands east of the railway right-of-way (File Number: 00090 A 17).

208 and 213

Carried

PROPOSED REVISIONS TO SARATOGA BEACH ESTATES MASTER DEVELOPMENT AGREEMENT

B. Jolliffe/R. Nichol: THAT the report dated November 6, 2017 regarding the Saratoga Beach Estates (SBE) Master Development Agreement (MDA) be received.

208 and 213

Carried

Ann MacDonald, General Manager of Planning and Development, and Marc Rutten, General Manager of Engineering Services, presented information regarding the Saratoga Beach Estates (SBE) Master Development Agreement (MDA).

B. Jolliffe/R. Nichol: THAT the revised Saratoga Beach Estates Master Development Agreement, attached as Appendix A to staff report dated November 6, 2017, be approved with the changes as noted at the November 20, 2017 EASC to delete the words “building permit” and replace with “occupancy permit”, remove reference to a temporary sewage treatment plant, and include an updated Schedule A site map.

208 and 213

Carried

B. Jolliffe/R. Nichol: THAT the letter to Saratoga Beach Estates Inc. regarding provision of a waste water treatment plant, attached as Appendix B to staff report dated November 6, 2017, be sent.

208 and 213

Carried

The meeting recessed at 11:02 am and reconvened at 11:11 am.

SUBDIVISION AND TRANSFER OF LAND FROM KENSINGTON ISLAND PROPERTIES (KIP) TO THE UNION BAY IMPROVEMENT DISTRICT

B. Jolliffe/R. Nichol: THAT the report dated November 16, 2017 regarding the subdivision of land from the Kensington Island Properties (KIP) Master Development Agreement (MDA) for the purposes of transfer of land from KIP to the Union Bay Improvement District (UBID) for a water treatment facility be received.

208 and 213

Carried

Ann MacDonald, General Manager of Planning and Development Services, and Marc Rutten, General Manager of Engineering Services, provided an overview of the report regarding the subdivision of land from the Kensington Island Properties (KIP) Master Development Agreement (MDA) for the purposes of transfer of land from KIP to the Union Bay Improvement District (UBID) for a water treatment facility.

B. Jolliffe/R. Nichol: THAT the Potable Water Servicing and Infrastructure Agreement dated October 12,

2017 between Kensington Island Properties and Union Bay Improvement District, attached as Appendix A be received for information purposes by the board;

AND FURTHER THAT notwithstanding the prohibition on subdivision of the lands set out in Sections 3.1 (r) of the 2010 Master Development Agreement between the Comox Valley Regional District and KIP, and any other section of the 2010 Master Development Agreement, the Comox Valley Regional District consents to the subdivision of a 1.62 ha parcel of land from the Kensington Island Properties, “the Lands” and the transfer of the 1.62 ha water treatment site to the Union Bay Improvement District by way of a Section 99 subdivision under the Land Titles Act for the purposes of the water treatment site, as shown on Schedule A-2 in Appendix A.

208 and 213

Carried

B. Jolliffe/R. Nichol: THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be invited to a Comox Valley Regional District board meeting in the spring of 2018 to provide an update on the progress and to provide details regarding the intended future use of the remediated Coal Hill site.

208 and 213

Carried

LAZO CREEK WATERSHED - DRAINAGE IMPROVEMENTS OPTIONS ANALYSIS

R. Nichol/B. Jolliffe: THAT the report dated November 16, 2017 regarding an update on the results of the Queen’s Ditch options analysis and to recommend a path forward be received.

208

Carried

Darry Monteith, Engineering Analyst, provided an overview of the report regarding an update on the results of the Queen’s Ditch options analysis and to recommend a path forward.

Bob Hudson, McElhanney, presented information regarding the results of the Queen’s Ditch options analysis.

R. Nichol/B. Jolliffe: THAT further study work be completed to assess the effectiveness and viability of managed retreat/wetland restoration in improving drainage in the lower Lazo Creek Watershed;

AND FURTHER THAT \$27,000 from Service 152, Electoral Area B Feasibility Studies, be allocated to a flow monitoring program for the Lazo Creek Watershed;

AND FINALLY THAT the McElhanney report titled “Comox Valley Regional District Queen’s Ditch Lowland Area Drainage Improvements Options Analysis” and dated September 14, 2017 be referred to the Committee of the Whole for information.

208

Carried

The meeting recessed at 11:48 am and reconvened at 11:53 am.

COMOX VALLEY WATER SYSTEM LOCAL SERVICE AREAS – RATE CHANGE

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding an increase in user rates for 2018

and 2019 for the Comox Valley water system (CVWS) water local service areas (WLSAs) to reflect the scheduled increases to the bulk water rate be received.

209

Carried

Zoe Berkey, Engineering Analyst, and Kris La Rose, Manager of Water/Wastewater Services, provided information regarding an increase in user rates for 2018 and 2019 for the Comox Valley water system (CVWS) water local service areas (WLSAs) to reflect the scheduled increases to the bulk water rate.

B. Jolliffe/R. Nichol: THAT Bylaw No. 2866 being the “Comox Valley Water Systems Regulation Fees and Charges Bylaw No. 2866, 2006” be amended as per the revised bylaw attached as Appendix A to the staff report dated November 15, 2017.

209

Carried

The committee recessed at 11:56 am and reconvened at 12:34 pm.

SANDWICK SERVICE ESTABLISHMENT AND PARCEL TAX BYLAWS

B. Jolliffe/R. Nichol: THAT the report dated November 17, 2017 regarding a service establishment bylaw for the Sandwich Water Local Service Area (WLSA) and a parcel tax bylaw for Sandwich to recover the cost of converting Sandwich to a Comox Valley Regional District (CVRD) service be received.

207

Carried

Kris La Rose, Manager of Water/Wastewater Services, provided an overview of the report regarding a service establishment bylaw for the Sandwich Water Local Service Area (WLSA) and a parcel tax bylaw for Sandwich to recover the cost of converting Sandwich to a Comox Valley Regional District (CVRD) service.

R. Nichol/B. Jolliffe: THAT Bylaw No.506 being the “Sandwich Water Service Establishment Bylaw No.506, 2017” be considered for three readings and subsequent adoption and Bylaw No.507 being the “Sandwich Water Service Parcel Tax Bylaw No.507, 2017” be considered for three readings and subsequent adoption.

207

Carried

DENMAN ISLAND WATER LOCAL SERVICE AREA – REVISED WATER SERVICE AGREEMENT AND CHANGE IN RATES

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding revisions to the water service agreement and amendments to the user rates for the Denman Island Water Local Service Area (DIWLSA) be received.

207

Carried

Kris La Rose, Manager of Water/Wastewater Services, provided an overview of the report regarding revisions to the water service agreement and amendments to the user rates for the Denman Island Water Local Service Area (DIWLSA).

B. Jolliffe/R. Nichol: THAT the revised water service agreement between the Comox Valley Regional District and the Graham Lake Improvement District, attached as Appendix A to the staff report dated November 15,

2017, be approved;

AND FURTHER THAT the Chair and Corporate Officer be authorized to execute the agreement.
207 Carried

B. Jolliffe/R. Nichol: THAT the board amend Bylaw No.1920 being the “Denman Island Water Regulation and Rates Bylaw No.1920, 1997” to the revised bylaw attached as Appendix A;

AND FURTHER THAT an amendment to Bylaw No.1920 be considered for first, second third and fourth readings at the November 28, 2017 Board meeting.
207 Carried

B. Jolliffe/R. Nichol: THAT the board rescind Bylaw No. 1919 being the “Denman Island Water Local Service Area Parcel Tax Bylaw, 1997”
207 Carried

ROYSTON WATER LOCAL SERVICE AREA – WATER SUPPLY AGREEMENT

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding a revised Royston Water Local Service Area (WLSA) water supply agreement with the Village of Cumberland be received.
207 Carried

Kris La Rose, Manager of Water/Wastewater Services, provided an overview of the report regarding a revised Royston Water Local Service Area (WLSA) water supply agreement with the Village of Cumberland.

B. Jolliffe/R. Nichol: THAT the revised Royston water supply agreement between the Comox Valley Regional District and the Village of Cumberland, attached as Appendix A to the staff report dated November 15, 2017, be approved;

AND FURTHER THAT the Chair and Corporate Officer be authorized to execute the agreement.
207 Carried

PROPOSAL TO MERGE THE SIX COMOX VALLEY LOCAL WATER SERVICE AREAS

B. Jolliffe/R. Nichol: THAT the report dated November 3, 2017 regarding a proposal to merge the six Comox Valley water local service areas that distribute water to just under 2,100 connections in Electoral Areas A, B and C into one water distribution service be received.
209 Carried

James Warren, General Manager of Corporate Services, presented information regarding a proposal to merge the six Comox Valley water service areas.

R. Nichol/B. Jolliffe: THAT the process to merge the six Comox Valley water local service areas, being Comox Valley, Sandwick, Greaves Crescent, Arden, England Road, and Marsden/Camco, as described in the November 2017 briefing note attached to the staff report dated November 3, 2017 be initiated with an aim to have one distribution service in place effective January 1, 2019;

AND FURTHER THAT an effective and equitable method for combining reserve funds and/or ensuring that future use of reserve funds is appropriately distributed be developed for consideration at an Electoral Areas Services Committee meeting in spring 2018.

209

Carried

KING COHO WASTEWATER SERVICE PETITION RESULTS

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding the results of the King Coho petition process and a request for approval to present the King Coho service establishment bylaw to the Comox Valley Regional District (CVRD) Board for consideration be received.

208

Carried

Darry Monteith, Engineering Analyst, provided an overview on the report regarding the results of the King Coho petition process and a request for approval to present the King Coho service establishment bylaw to the Comox Valley Regional District (CVRD) Board for consideration.

R. Nichol/B. Jolliffe: THAT the Corporate Legislative Officer has certified that a sufficient and valid number of petitions has been received for the establishment of the King Coho Wastewater Service;

AND FURTHER THAT the King Coho Wastewater Service Establishment Bylaw No. 495, 2017 be referred to the Comox Valley Regional District Board for three readings;

AND FURTHER THAT upon three readings by the Comox Valley Regional District Board, a copy of the King Coho Wastewater Service Establishment Bylaw No. 495, 2017 be sent to the Inspector of Municipalities for approval.

208

Carried

R. Nichol/B. Jolliffe: THAT the 2018-2022 financial plan commit \$50,000 of Electoral Area B Community Works Funds towards the required capital upgrades to the wastewater treatment infrastructure for the King Coho Wastewater Service.

208

Carried

R. Nichol/B. Jolliffe: THAT, subject to the establishment of the King Coho Wastewater Service, the Comox Valley Regional District enter into a short term financing agreement in an amount up to \$100,000 with the Municipal Finance Authority under section 175(1) of the Community Charter for the required capital upgrades to the wastewater treatment infrastructure for the King Coho Wastewater Service;

AND FINALLY THAT this financing be repaid within five years of entering into the agreement.

210

Carried

ANIMAL CONTROL SERVICES PROVIDER – ELECTORAL AREAS – CONTRACT RECOMMENDATION

B. Jolliffe/R. Nichol: THAT the report dated November 15, 2017 regarding an update on the status of the request for proposal (RFP) for animal control service provider for the electoral areas, and to recommend award of contract for the next three years be received.

209

Carried

James Warren, General Manager of Corporate Services, provided an overview of the report regarding an

update on the status of the request for proposal (RFP) for animal control service provider for the electoral areas, and to recommend award of contract for the next three years.

B. Jolliffe/R. Nichol: THAT as a result of a competitive process, a contract be awarded to the Commissionaires Victoria, the Islands and Yukon for the animal control service delivery in an amount not to exceed \$70,000 per year plus applicable taxes, with the exception of provision for an annual consumer price index adjustment for the period of January 1, 2018 to December 31, 2020, with an option to renew for an additional two one year terms;

AND FURTHER THAT the chair and corporate legislative officer be authorized to execute the contract.

210

Carried

NORTH COURTENAY CONNECTOR – PIERCY ROAD TRAIL UPDATE

R. Nichol/B. Jolliffe: THAT the report dated November 9, 2017 regarding a budget amendment for completing the Piercy Road trail section of the North Courtenay connector be received.

209

Carried

Ian Smith, General Manager of Community Services, provided an overview of the report regarding a budget amendment for completing the Piercy Road trail section of the North Courtenay connector. Doug DeMarzo, Manager of Planning, was in attendance.

B. Jolliffe/R. Nichol: THAT the 2017-2021 financial plan and capital expenditure program for the Baynes Sound, Area B and C Parks and Greenways Service (621) be amended by increasing land improvements in 2017 by \$200,000 to be funded by \$100,000 in community works funds from Lazo North (Electoral Area B) and \$100,000 in community works funds from Puntledge-Black Creek (Electoral Area C) for the capital construction costs of the roadside gravel path along the Ministry of Transportation and Infrastructure's north connector project.

209

Carried

PARCEL TAX ROLL REVIEW PANEL 2018

R. Nichol/B. Jolliffe: THAT the report dated November 3, 2017 regarding information with respect to the 2018 parcel tax roll review panel and to appoint the directors to the panel for authentication of the roll be received.

208

Carried

R. Nichol/B. Jolliffe: THAT a parcel tax roll review panel be held at 9:30 a.m. on February 21 2018 to authenticate the 2018 parcel and frontage tax roll and that Directors Jolliffe, Nichol and Grieve, Comox Valley Regional District directors representing Electoral Areas A, B, C, and Director Leigh, Strathcona Regional District director representing Electoral Area D for the Black Creek/Oyster Bay water service area, be appointed to the panel.

208

Carried

AUDIT SERVICE PLAN – MERVILLE FIRE PROTECTION DISTRICT FOR THE PERIOD JANUARY 1, 2016 TO JUNE 14, 2017

B. Jolliffe/R. Nichol: THAT the report dated November 8, 2017 regarding the 2017 audit service plan for the Merville Fire Protection District (MFPD) as submitted by the audit firm of MNP LLP be received.

209

Carried

IN-CAMERA:

B. Jolliffe/R. Nichol: THAT the committee adjourn to an in-camera session pursuant to the following subsections of section 90 of the Community Charter:

90(1)(a) Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district;

90(1)(e) The acquisition, disposition or expropriation of land or improvements, if the committee/board considers that disclosure might reasonably be expected to harm the interests of the municipality;

90(1)(i) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

90(1)(k) Negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the committee/board, could reasonably be expected to harm the interests of the regional district if they were held in public.

208

Carried

Time: 1: 19 pm

RISE AND REPORT:

The committee rose from its in camera session at 3:34 pm.

TERMINATION:

B. Jolliffe/R. Nichol: THAT the meeting terminate.

208

Carried

Time: 3:34 pm.

Confirmed by:

Edwin Grieve
Chair

Certified Correct:

Jake Martens
Manager of Legislative Services

Recorded By:

Antoinette Baldwin
Legislative Services Assistant

These minutes were received by the Comox Valley Regional District board on the _____ day of November, 2017.

Comox Valley Regional District
Bylaw No. 505

**A Bylaw to Amend the “Comox Valley Zoning Bylaw, 2005”
being Bylaw No. 2781**

The board of the Comox Valley Regional District, in open meeting assembled, enacts the following amendments to the “Comox Valley Zoning Bylaw, 2005,” being Bylaw No. 2781:

Section One Text Amendment

- 1) Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005,” is hereby amended as set out in Schedule A attached to and forming part of this bylaw.

Section Two Title

- 1) This Bylaw No. 505 may be cited as the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72.”

Read a first time this	day of	2018.
Read a second time this	day of	2018.
Public hearing held this	day of	2018.
Read a third time this	day of	2018.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72,” as read a third time by the board of the Comox Valley Regional District on the ___ day of _____ 2018.

Corporate Legislative Officer

Approved by the Ministry of Transportation and Infrastructure this	day of	2018.
Adopted this	day of	2018.

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72,” as adopted by the board of the Comox Valley Regional District on the ___ day of _____ 2018.

Corporate Legislative Officer

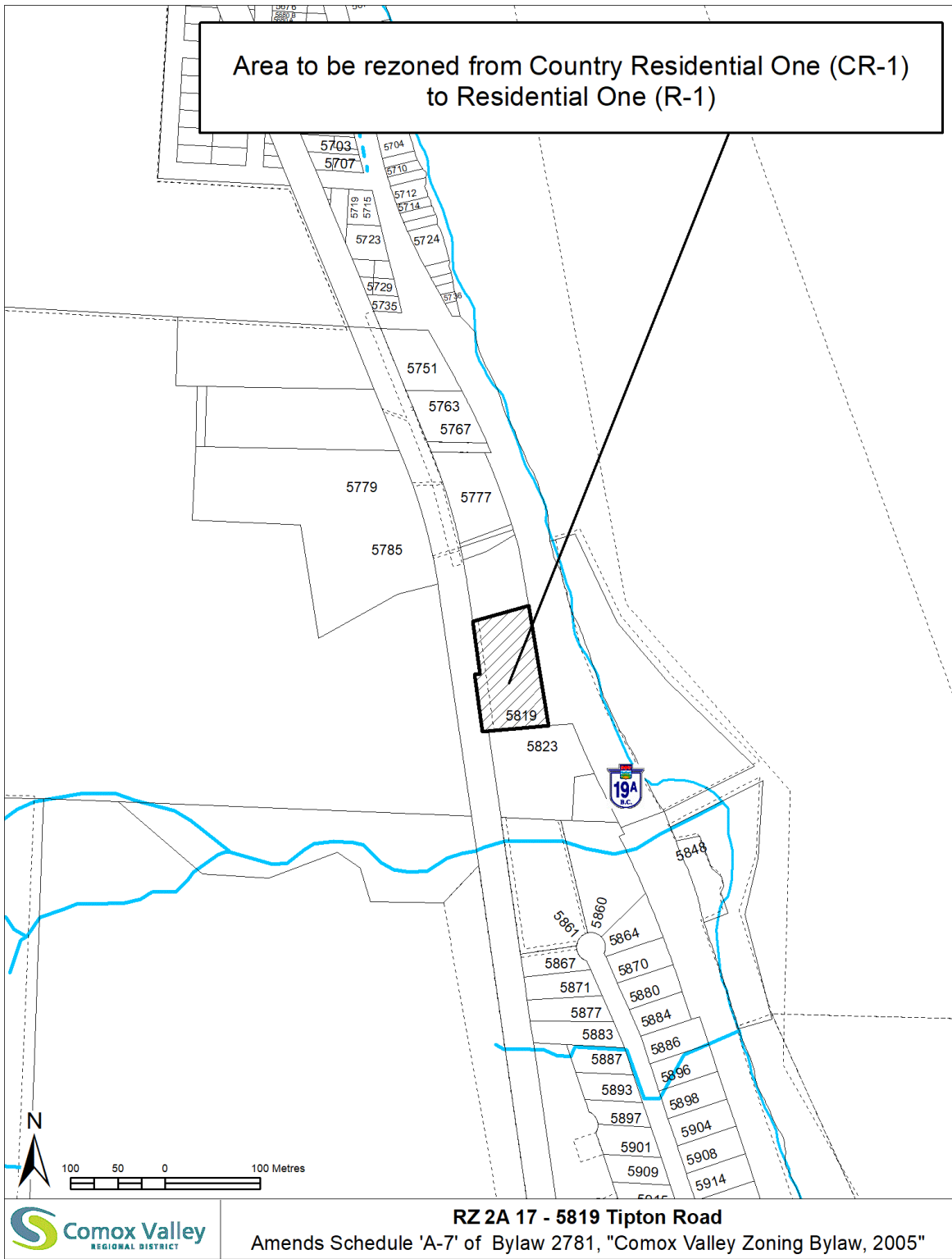
Schedule A

Section One Text Amendment

1. Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005,” is hereby amended by rezoning the property described as Lot 1, District Lot 13, Nelson District, Plan EPP76949 (5819 Tipton Road) from Country Residential One (CR-1) to Residential One (R-1).

Section Two Map Amendment

1. Map A-7 forming part of Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”, is hereby amended by rezoning property legally described as Lot 1, District Lot 13, Nelson District, Plan EPP76949 (5819 Tipton Road) from Country Residential One (CR-1) to Residential One (R-1) as shown on Appendix 1.



Appendix 1

Part of Schedule A to Bylaw No. 505 being the “Comox Valley Zoning Bylaw, 2005 Amendment No. 72”.

Amends Schedule Map A-7 to Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”.

Memo

File: 3360-20 / RZ 2A 17

DATE: October 10, 2017

TO: Advisory Planning Commission
(Baynes Sound – Denman/Horbny Islands) (Electoral Area A)

FROM: Planning and Development Services Branch

RE: Rezoning – 5819 Tipton Road (Upper Island Development)
Lot B, District Lot 13, Nelson District, Plan VIP60017

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

An application has been received to consider a rezoning to enable further subdivision. The subject property is a 56 hectare 'hooked' lot across a railway right-of-way (Figures 1 and 2). The property is located in Electoral Area A – (Baynes Sound – Denman/Hornby Islands) and is within the Union Bay Improvement District for water and fire services. The application is to rezone the lands (0.8 hectares) east of the railway from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels Road (Figure 3). The lands subject to the rezoning front onto Tipton Road and are bound by residential lots to the north and the south, railway right-of-way to the west and Tipton road to the east.

The owners have received preliminary layout approval from the Ministry of Transportation and Infrastructure to 'unhook' the lands east of the railway and are working to meet the conditions for final approval.

Regional Growth Strategy and Official Community Plan

The property is designated as Settlement Node in both the Regional Growth Strategy (RGS), being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" and the Official Community Plan (OCP) being the "Rural Comox Valley Official Community Plan, Bylaw No. 337, 2014". The RGS and OCP identify settlement nodes as the primary growth areas for the Comox Valley Regional District. Residential intensification is encouraged provided it is keeping with the existing neighbourhood character and is appropriately serviced. The proposed rezoning is consistent with policies in the RGS and OCP.

Zoning Bylaw

The property currently has split zoning, the lands east of the railway are zoned CR-1 and the remainder is zoned Country Residential 2 (CR-2) (Figure 4). The CR-1 zone allows for residential uses and establishes a minimum lot size of 2.0 hectares preventing any further subdivision (Appendix A). The R-1 zoning establishes a minimum lot size of 0.4 hectares when connected to either community water or sewer (Appendix B). Rezoning the 0.8 hectare portion to R-1 enables the owners to apply to subdivide the property into two lots fronting onto Tipton Road.

Please be advised that all adjacent properties within 50.0 metres of the subject parcel will be notified via mail of the variance request and be given the opportunity to comment prior to the application going forward to the Electoral Areas Services Committee for consideration.

Sincerely,

A. Mullaly

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

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Attachments: Appendix A – “Country Residential One (CR-1) zone, Zoning Bylaw No. 2781”
Appendix B – “Residential One (R-1) zone, Zoning Bylaw No. 2781”

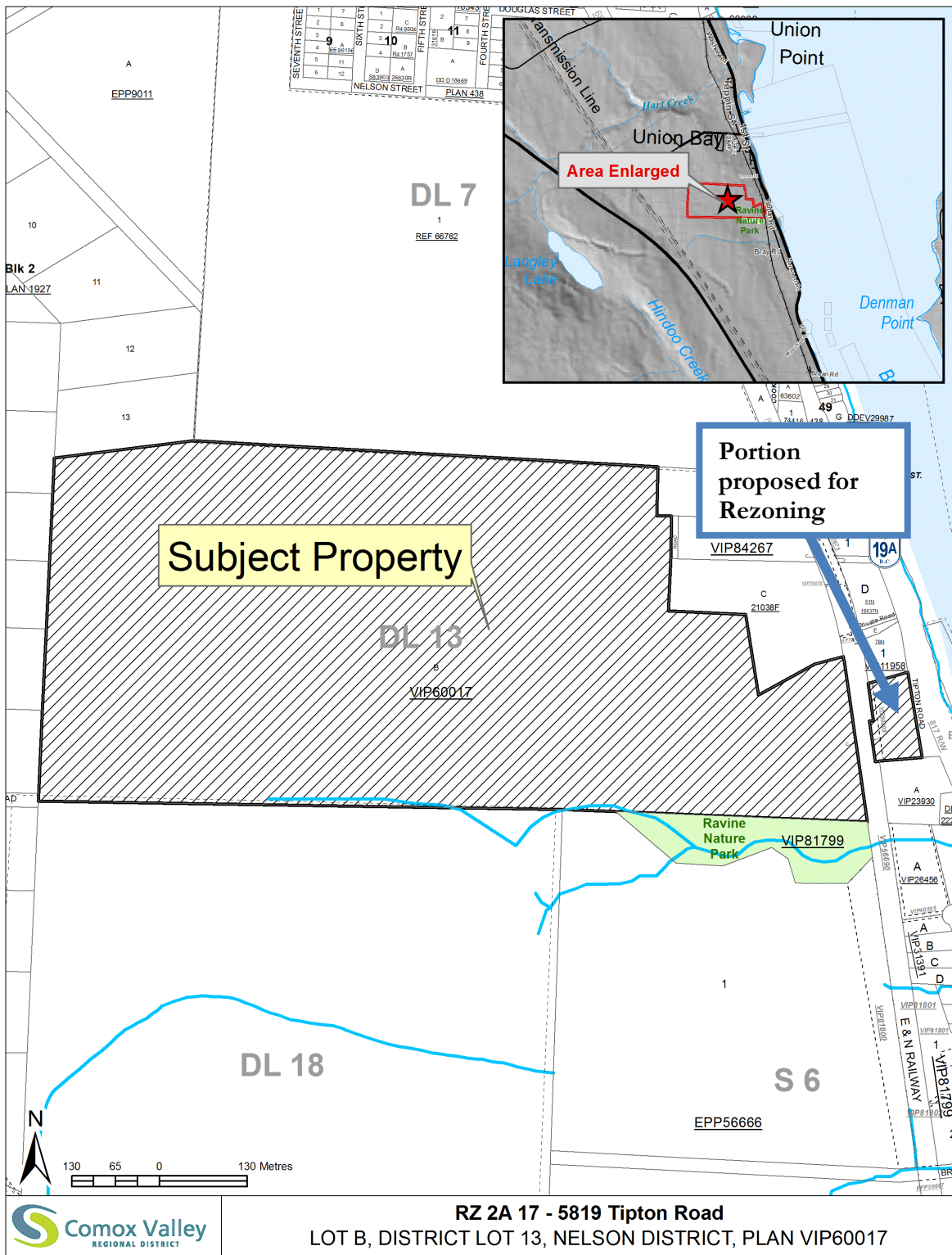


Figure 1: Subject Property Map



Figure 2: Aerial Photo

**PROPOSED SUBDIVISION PLAN OF LOT B,
DISTRICT LOT 13, NELSON DISTRICT,
PLAN VIP60017**

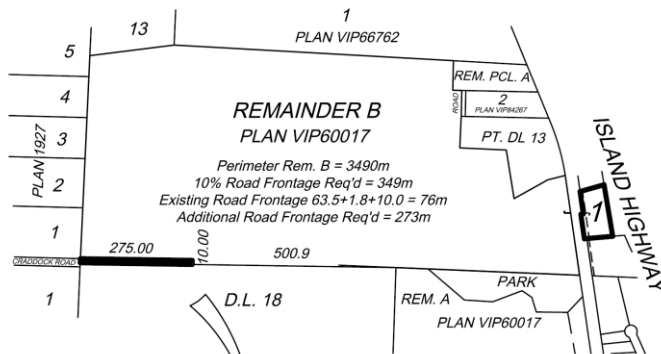
Parcel Identifier: 019-045-964



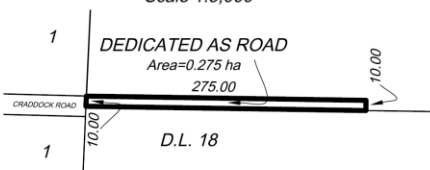
All dimensions are in metres and decimals thereof.



KEY PLAN
Scale 1:12,500



DETAIL
Scale 1:5,000



Civic Address
5819 Tipton Road
Union Bay, BC

 GRANT LAND SURVEYING INC.
1-1841 COMOX AVENUE
COMOX, B.C. V9M 3M3
WWW.GRANTGEOMATICS.COM

Figure 3: Site Survey

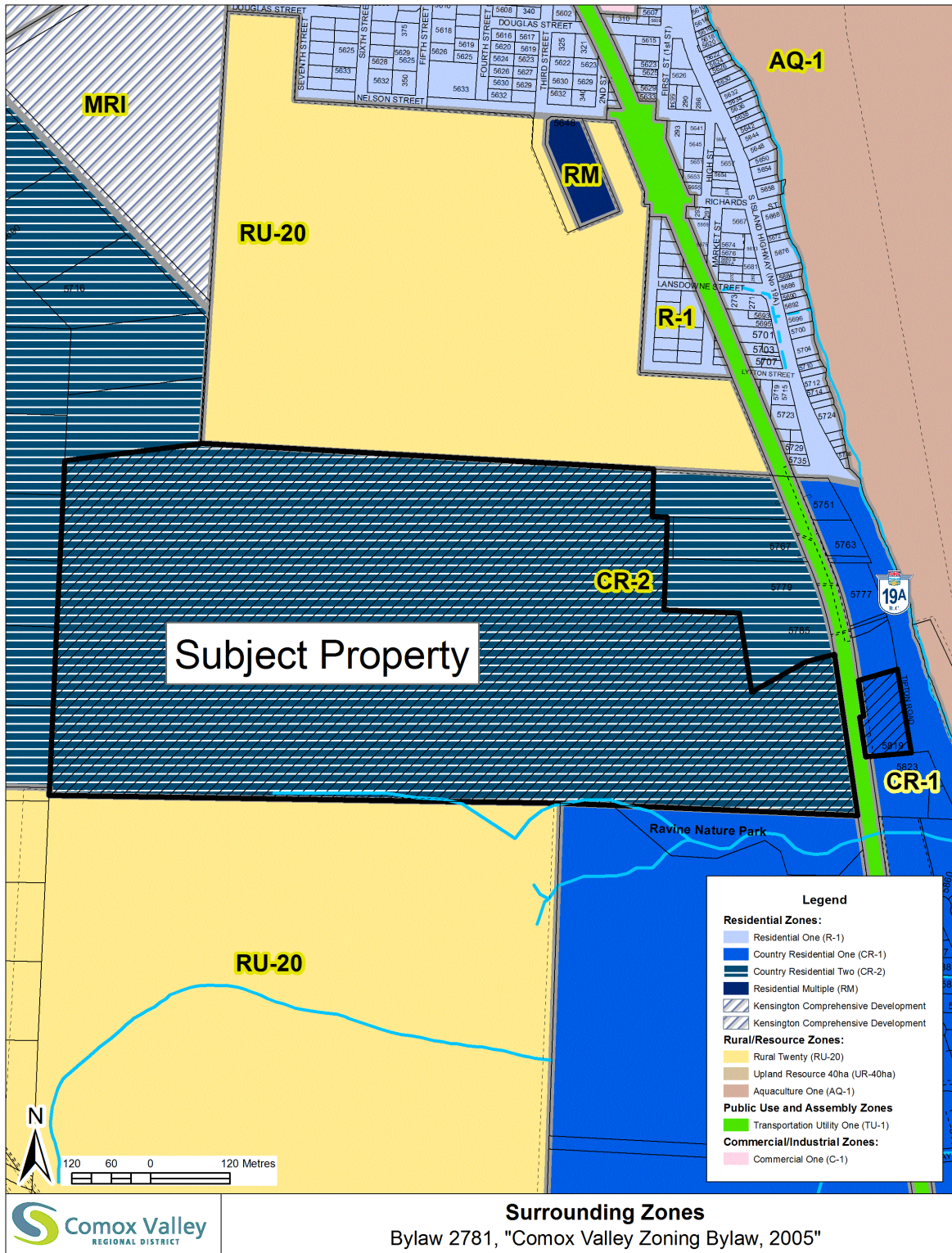


Figure 4: Zoning of Area

707**Country Residential One (CR-1)****1. PRINCIPAL USE**

- i) **On any lot:**
 - a) Residential use.
- ii) **On any lot over 4000 metres² (1.0 acre):**
 - a) Agricultural use.

2. ACCESSORY USES

- i) **On any lot:**
 - a) Home occupation use;
 - b) Accessory buildings; and
 - c) Bed and Breakfast
- ii) **On any lot 2.0 hectares (4.9 acres) or larger:**
 - a) Animal kennels.

3. DENSITY**Residential use is limited to:**

- i) **On any lot:** One single detached dwelling and secondary suite, or one single detached dwelling and one carriage house, or one single detached dwelling and one secondary dwelling limited in area to 90 metres² (968.8 feet²).
- ii) **On any lot 1.0 hectare (2.5 acres) and over:** Two single detached dwellings.

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

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

Type of Structure	Height	Required Setback			
		Front yard	Rear yard	Side yard	
				Frontage <31m	Frontage >31m
Principal	10.0m (32.8ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)
Accessory	4.5m-or less (14.8ft)	7.5m (24.6ft)	1.0m (3.3ft)	1.0m (3.3ft)	1.0m (3.3ft)
Accessory	6.0m-4.6m (19.7ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)

Except where otherwise specified in this bylaw, no building or structure shall be located in any required front and side yard setback areas. [Note: Part 400, Siting Exceptions, of this bylaw and Bylaw No. 1836 being the "Floodplain Management Bylaw, 1997" may affect the siting of structures adjacent to major roads and the natural boundaries of watercourses and the sea, respectively.]

5. LOT COVERAGE

- i) The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area.

6. FLOOR AREA REQUIREMENTS

- i) The maximum combined gross floor area of all accessory buildings shall not exceed 200.0 metres² (2152.9 feet²).

7. SUBDIVISION REQUIREMENTS

- i) Despite any other provision of this bylaw, the minimum permitted lot area within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010” is 4.0 hectares. #200

- ii) Despite any other provision of this bylaw, for the purpose of subdivision, the following sections of this bylaw do not apply to lots within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010”:

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

iii) **Lot Area**

The minimum lot area permitted shall be 2.0 hectares (4.9 acres)

Despite (iii), a subdivision with lots smaller than identified above may be created by subdivision provided that the average lot area within the subdivision is equal to the minimum lot area permitted.

End • CR-1

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

Memo

File: 3360-20 / RZ 2A 17

DATE: October 20, 2017

TO: Advisory Planning Commission
Baynes Sound – Denman/Hornby Islands (Electoral Area A)

FROM: Planning and Development Services Branch

RE: Rezoning – 5819 Tipton Road (Upper Island Development)
Lot B, District Lot 13, Nelson District, Plan VIP60017

In the Advisory Planning Commission memo dated October 10, 2017 the following was stated in error:

“Please be advised that all adjacent properties within 50.0 metres of the subject parcel will be notified via mail of the variance request and be given the opportunity to comment prior to the application going forward to the Electoral Areas Services Committee for consideration.”

The text above should be replaced with the following:

Please be advised that if first and second reading of the bylaw are given and a public hearing date is initiated by the Comox Valley Regional District board, community consultation will be held in accordance with Bylaw No. 328 being the “Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014” (i.e. statutory mailing and public hearing).

Sincerely,

A. Mullaly

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

\bl

BYLAW REFERRAL FORM
File: 3360-20 / RZ 2A 17 – Upper Island Development – 5819 Tipton Road
Date Sent: September 21, 2017

Please comment on the attached bylaw for potential effect on your agency’s interests. You will note on the response form a number of choices that describe your agency’s interests. All details that support your position are appreciated as are official legislative, governance and policy considerations that may affect the Comox Valley Regional District (CVRD)’s consideration of this bylaw.

We would appreciate your response by **October 23, 2017**. If no response is received by this date, it will be assumed that your agency’s interests are unaffected. If required, please contact the CVRD to assist you in determining the type of information that would be helpful or to better understand how the proposed bylaw may impact land use and development. Should you have any specific questions regarding the proposed bylaw amendment, please contact Brianne Labute at 250-334-6091 or by email to planningdevelopment@comoxvalleyrd.ca.

Applicant’s name:	Upper Island Developments Ltd., c/o Hal Martyn
Civic address:	5819 Tipton Road
Purpose of bylaw:	To rezone a 0.8 hectare portion of the subject property (lands east of the railway) from Country Residential One (CR-1) to Residential One (R-1)
Legal description:	Lot B, District Lot 13, Nelson District, Plan VIP60017
OCP bylaw:	Rural Comox Valley Official Community Plan Bylaw No. 337, 2014
OCP designation:	Settlement Node
Zoning bylaw:	Bylaw No. 2781 “Comox Valley Zoning Bylaw, 2005”
Current zone:	Country Residential One (CR-1) and Country Residential Two (CR-2)
Proposed zone:	Residential One (R-1) and Country Residential Two (CR-2)

Other Information:

The subject property is a 56 hectare ‘hooked’ lot across a railway right-of-way (Figures 1 and 2). The property is located in Electoral Area A – (Baynes Sound – Denman/Hornby Islands) and is within the Union Bay Improvement District for water and fire services. The application is to rezone the lands (0.8 hectares) east of the railway from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels (Figure 3). These vacant lands front onto Tipton Road and are bound by residential lots to the north and the south, railway right-of-way to the west and Tipton road to the east.

The owners have received preliminary layout approval from the Ministry of Transportation and Infrastructure to ‘unhook’ the lands east of the railway and are working to meet the conditions for final approval.

Regional Growth Strategy and Official Community Plan

The property is designated as Settlement Node in both the Regional Growth Strategy (RGS), being the “Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010” and the Official Community Plan (OCP) being the “Rural Comox Valley Official Community Plan, Bylaw No. 337, 2014”. The RGS and OCP identify settlement nodes as the primary growth areas for the CVRD. Residential intensification is encouraged provided it is keeping with the existing neighbourhood character and is appropriately serviced. The proposed rezoning is consistent with policies in the RGS and OCP.

Zoning Bylaw

The property currently has split zoning, the lands east of the railway are zoned Country Residential (CR-1) and the remainder is zoned Country Residential Two (CR-2) (Figure 4). The CR-1 zone allows for residential uses and establishes a minimum lot size of 2.0 hectares preventing any further subdivision (Appendix A). The Residential One (R-1) zoning establishes a minimum lot size of 0.4 hectares when connected to either community water or sewer (Appendix B). Rezoning the 0.8 hectare portion to R-1 enables the owners to apply to subdivide the property into two lots fronting onto Tipton Road.

Thank you for your review.

B. Labute

Brianne Labute
Planner
Planning and Development Services Branch

Attachments: Appendix A – “Country Residential One (CR-1) zone, Zoning Bylaw No. 2781”
Appendix B – “Residential One (R-1) zone, Zoning Bylaw No. 2781”

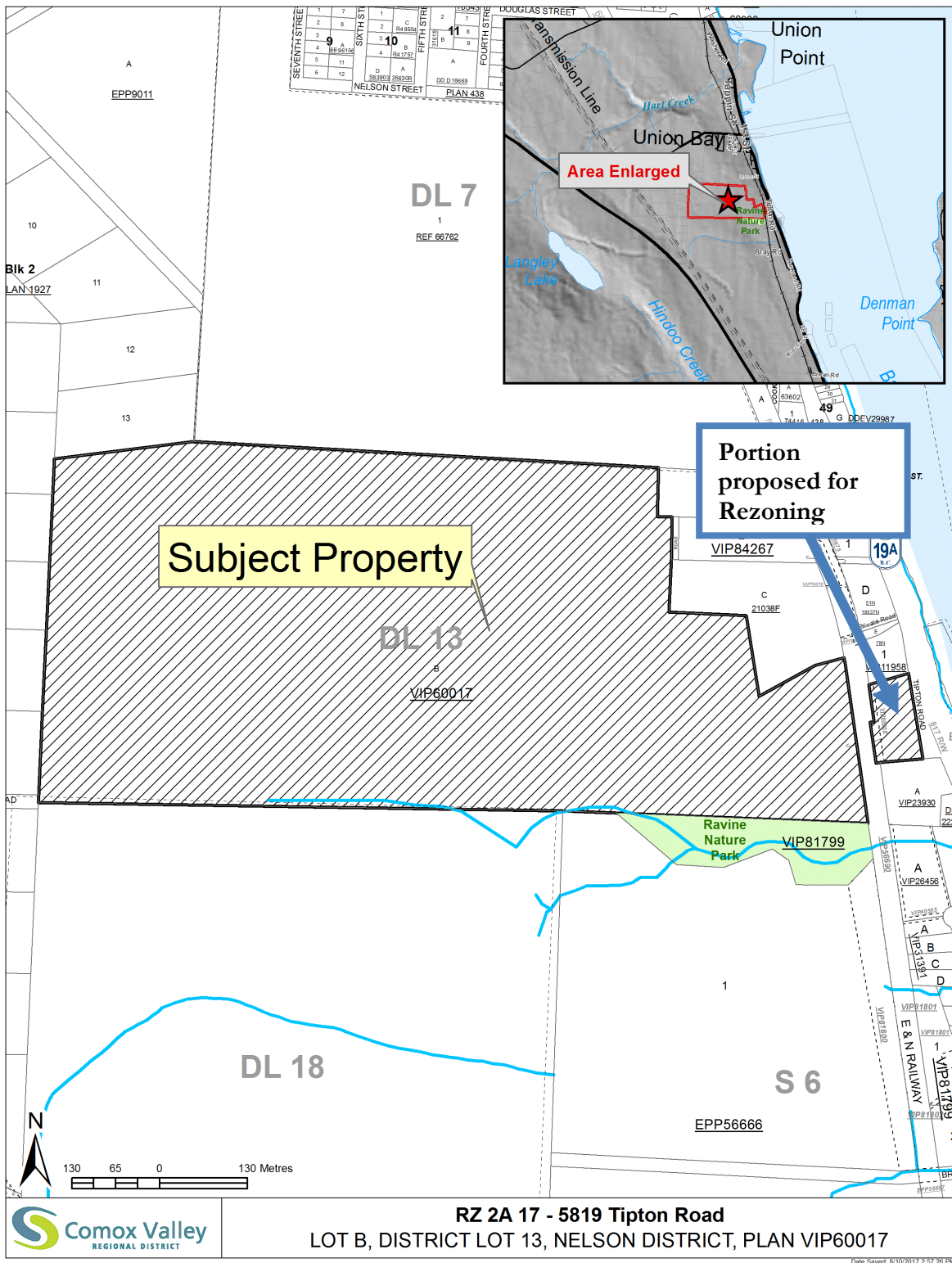


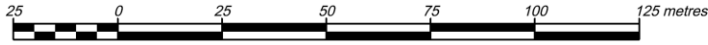
Figure 1: Subject Property Map



Figure 2: Aerial Photo

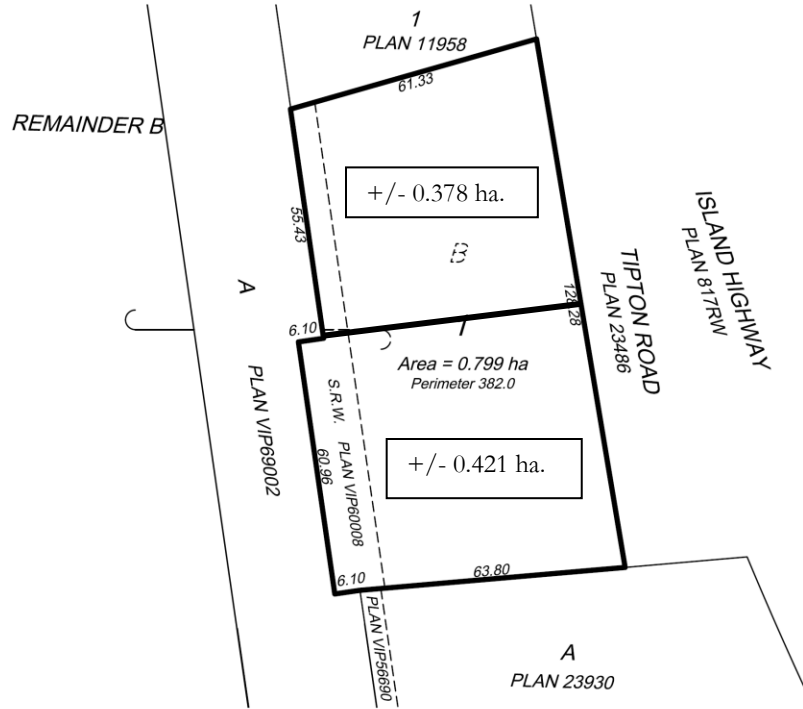
**PROPOSED SUBDIVISION PLAN OF LOT B,
DISTRICT LOT 13, NELSON DISTRICT,
PLAN VIP60017**

Parcel Identifier: 019-045-964

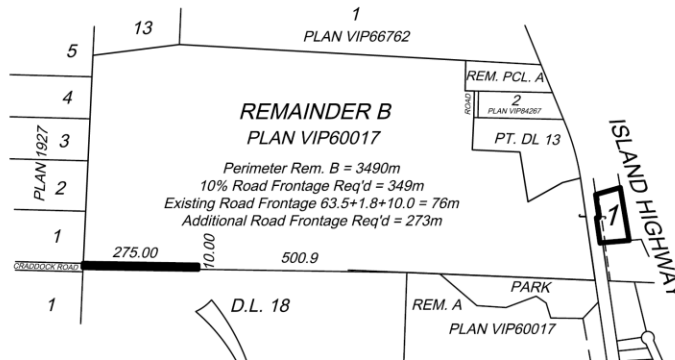


1:1250

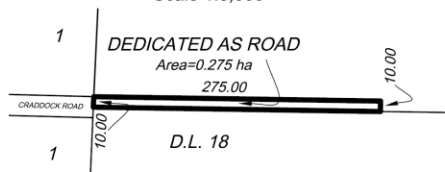
All dimensions are in metres and decimals thereof.



KEY PLAN
Scale 1:12,500



DETAIL
Scale 1:5,000



Civic Address
5819 Tipton Road
Union Bay, BC



Figure 3: Site Survey

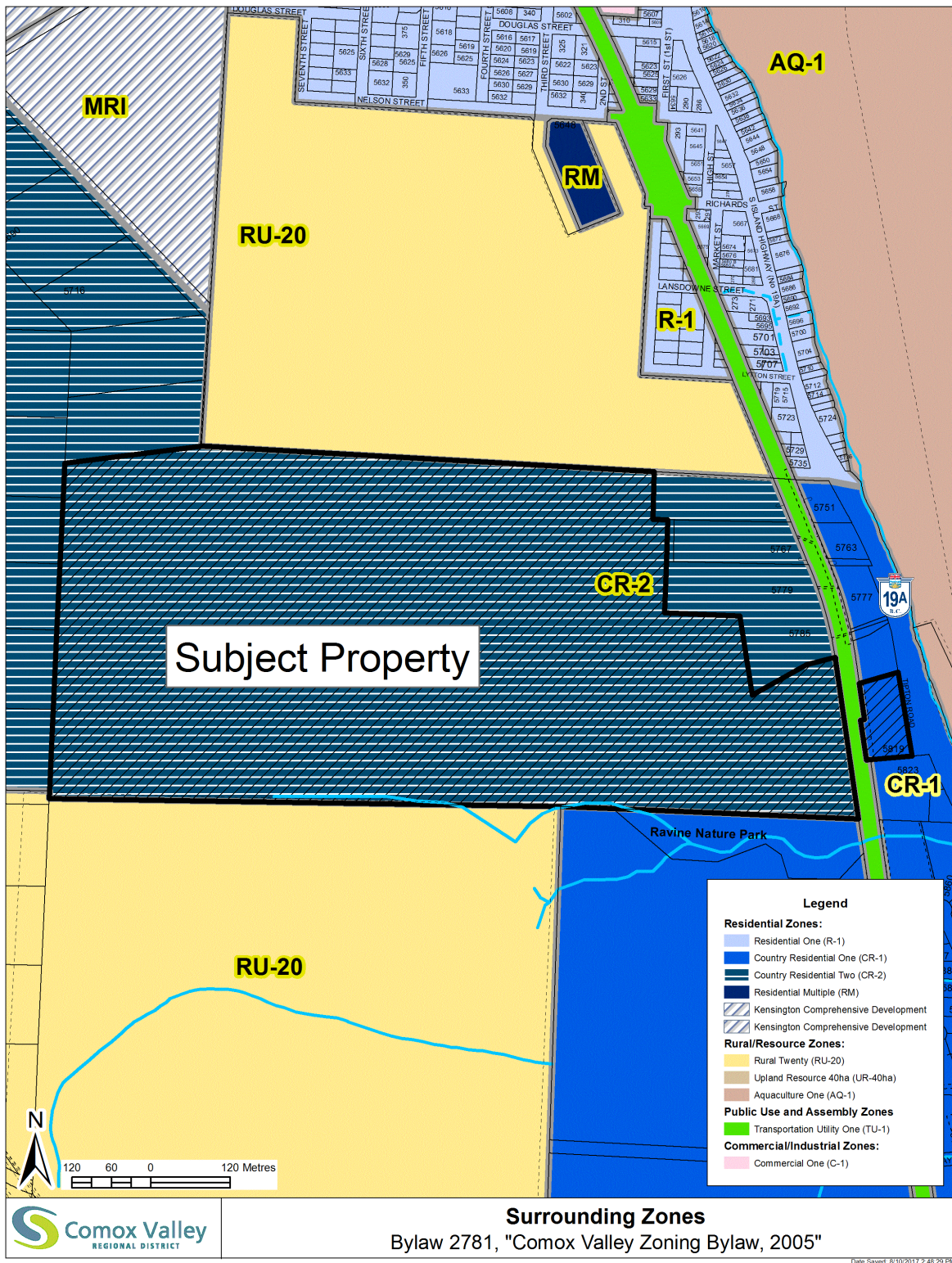


Figure 4: Zoning of Area

At its regularly scheduled meeting of September 20, 2017 the CVRD board endorsed forwarding the proposed bylaw(s) to the following agencies as listed below. As part of this motion, it was decided to circulate this referral to your office for comments in order to enable you to take the proposed development into consideration as part of the future expansion of your operations.

AGENCY AND FIRST NATIONS 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 / Kwiakah First Nation of the Kwiakah Treaty Society

Federal Departments and Agencies

<input type="checkbox"/>	Canadian Coast Guard	<input type="checkbox"/>	Public Works and Government Services Canada
<input 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"/>	Indian 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	<input type="checkbox"/>	Ministry of Forests, Lands and Natural Resource Operations & Rural Development
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Ministry of Energy and Mines
<input type="checkbox"/>	BC Ferry Services Inc.	<input type="checkbox"/>	Ministry of Environment & Climate Change Strategy
<input type="checkbox"/>	BC Transit	<input type="checkbox"/>	Ministry of Tourism, Arts and Culture
<input type="checkbox"/>	Ministry of Indigenous Relations & Reconciliation	<input checked="" type="checkbox"/>	Ministry of Transportation and Infrastructure
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	Ministry of Forests, Lands and Natural Resource Operations BC Wildfire Services

Local Government

<input type="checkbox"/>	Comox (Town of)	<input type="checkbox"/>	Alberni-Clayoquot Regional District
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<input 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 checked="" 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"/>	Union Bay Improvement District
<input type="checkbox"/>	Comox Valley Accessibility Committee	<input checked="" type="checkbox"/>	Advisory Planning Committee 'A' Baynes Sound – Denman/Hornby Islands

707**Country Residential One (CR-1)****1. PRINCIPAL USE**

- i) **On any lot:**
 - a) Residential use.
- ii) **On any lot over 4000 metres² (1.0 acre):**
 - a) Agricultural use.

2. ACCESSORY USES

- i) **On any lot:**
 - a) Home occupation use;
 - b) Accessory buildings; and
 - c) Bed and Breakfast
- ii) **On any lot 2.0 hectares (4.9 acres) or larger:**
 - a) Animal kennels.

3. DENSITY**Residential use is limited to:**

- i) **On any lot:** One single detached dwelling and secondary suite, or one single detached dwelling and one carriage house, or one single detached dwelling and one secondary dwelling limited in area to 90 metres² (968.8 feet²).
- ii) **On any lot 1.0 hectare (2.5 acres) and over:** Two single detached dwellings.

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

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

Type of Structure	Height	Required Setback			
		Front yard	Rear yard	Side yard	
				Frontage <31m	Frontage >31m
Principal	10.0m (32.8ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)
Accessory	4.5m-or less (14.8ft)	7.5m (24.6ft)	1.0m (3.3ft)	1.0m (3.3ft)	1.0m (3.3ft)
Accessory	6.0m-4.6m (19.7ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)

Except where otherwise specified in this bylaw, no building or structure shall be located in any required front and side yard setback areas. [Note: Part 400, Siting Exceptions, of this bylaw and Bylaw No. 1836 being the "Floodplain Management Bylaw, 1997" may affect the siting of structures adjacent to major roads and the natural boundaries of watercourses and the sea, respectively.]

5. LOT COVERAGE

- i) The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area.

6. FLOOR AREA REQUIREMENTS

- i) The maximum combined gross floor area of all accessory buildings shall not exceed 200.0 metres² (2152.9 feet²).

7. SUBDIVISION REQUIREMENTS

- i) Despite any other provision of this bylaw, the minimum permitted lot area within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010” is 4.0 hectares. #200

- ii) Despite any other provision of this bylaw, for the purpose of subdivision, the following sections of this bylaw do not apply to lots within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010”:

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

- iii) **Lot Area**

The minimum lot area permitted shall be 2.0 hectares (4.9 acres)

Despite (iii), a subdivision with lots smaller than identified above may be created by subdivision provided that the average lot area within the subdivision is equal to the minimum lot area permitted.

End • CR-1

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

Brianne Labute

From: Kelly, Brendan TRAN:EX <Brendan.Kelly@gov.bc.ca>
Sent: Wednesday, October 11, 2017 8:48 AM
To: Brianne Labute
Subject: RE: Comox Valley Regional District Planning Referral - 5819 Tipton Road (Union Bay)

Hi Brianne,

The Ministry of Transportation and Infrastructure has no objections to the proposed rezoning.

Regards,

Brendan Kelly
Development Technician
Ministry of Transportation and Infrastructure
Vancouver Island District
250-334-6967

From: Brianne Labute [mailto:blabute@comoxvalleyrd.ca]
Sent: Thursday, September 21, 2017 9:02 AM
To: Brianne Labute
Cc: Kelly, Brendan TRAN:EX; 'nancy.clements@viha.ca'; 'admin@union-bay.ca'; 'ian.heselgrave@sd71.bc.ca'
Subject: Comox Valley Regional District Planning Referral - 5819 Tipton Road (Union Bay)

Hello,

Attached please find a planning referral for your agency's review and comment. Please send any comments by **October 23, 2017**.

Kind regards,

Brianne Labute, M.Sc (Planning)
Planner
Planning and Development Services Branch
Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6
Tel: 250-334-6091, Toll Free: 1-800-331-6007
Fax: 250-334-8156

Office of the Chief Administrative Officer

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



File: 3360-20 /RZ 2A 17

September 21, 2017

Sent via courier

K'ómoks First Nation
3330 Comox Road
Courtenay BC V9N 3P8

Attention: Tina McLean – Band Administrator

Dear Ms. McLean:

**Re: Rezoning Application – 5819 Tipton Road (Upper Island Development)
Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964**

The attached referral for a rezoning application is for your review and comments. The intent of the application is to rezone a 0.8 hectare portion of the property (lands east of the former E&N railway) from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels fronting onto Tipton Road.

In accordance with our referral agreement program, if K'ómoks First Nation has an interest in the rezoning application please respond by **October 23, 2017**. A formal referral package is enclosed for your review and comments. The Comox Valley Regional District (CVRD) is interested in hearing from you regarding this proposal and understanding your interests. In addition, the CVRD is available to meet with you at your convenience to discuss the rezoning application in more detail. Please contact Ann MacDonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca to coordinate this meeting. Thank you.

Sincerely,

R. Dyson

Russell Dyson
Chief Administrative Officer

Enclosure

cc: Ann MacDonald, General Manager of Planning and Development Services Branch

K'ómoks First Nations Referral Form
File: 3360-20 / RZ 2A 17
(Response required by: October 23, 2017)

Please comment on the attached application regarding potential effects on your interests. The Comox Valley Regional District (CVRD) wishes to ensure that all future consultations with K'ómoks First Nation are considered early and ongoing. The CVRD will meet with you, at your convenience, to discuss this application. The offer to meet with you extends throughout the life of this application in order to gain your perspective as well as answer any questions that may arise. If you would like to arrange a meeting, please contact Ann MacDonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca.

You will note that the response form has a number of choices that may describe your interests. All details that support your position are appreciated as are any official legislative, governance and policy considerations that may affect the CVRD's consideration of this application.

If required, please contact the CVRD to assist you in determining the type of additional information that would be helpful or assist you to better understand how this application may impact land use and development.

Application type:

<input checked="" type="checkbox"/> Zoning Amendment	<input type="checkbox"/> OCP Amendment	<input type="checkbox"/> Temporary Use Permit
<input type="checkbox"/> Development Variance Permit	<input type="checkbox"/> Development Permit	<input type="checkbox"/> Crown Land Application

Applicant's Name:	Upper Island Developments Ltd., c/o Hal Martyn		
Legal Description:	Lot B, District Lot 13, Nelson District, Plan VIP60017		
Civic Address:	5819 Tipton Road	PID:	019-045-964
RGS Designation:	Settlement Node	Services	Water: Union Bay Improvement District
			Sewer: None
			Fire: Union Bay Improvement District
OCP Designation:	Settlement Node		
Zone:	Country Residential One (CR-1) and Country Residential Two (CR-2)		

Application Description

The subject property is a 56 hectare 'hooked' lot across a railway right-of-way (Figures 1 and 2). The property is located in Electoral Area A – (Baynes Sound – Denman/Hornby Islands) and is within the Union Bay Improvement District for water and fire services. The application is to rezone the lands (0.8 hectares) east of the railway from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels (Figure 3). These vacant lands front onto Tipton Road and are bound by residential lots to the north and the south, railway right-of-way to the west and Tipton road to the east.

The owners have received preliminary layout approval from the Ministry of Transportation and Infrastructure (MoTI) to 'unhook' the lands east of the railway and are working to meet the conditions for final approval.

Regional Growth Strategy and Official Community Plan

The property is designated as Settlement Node in both the Regional Growth Strategy (RGS), being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" and the Official Community Plan (OCP) being the "Rural Comox Valley Official Community Plan, Bylaw No. 337, 2014". The RGS and OCP identify settlement nodes as the primary growth areas for the CVRD. Residential intensification is encouraged provided it is keeping with the existing neighbourhood character and is appropriately serviced. The proposed rezoning is consistent with policies in the RGS and OCP.

Zoning Bylaw

The property currently has split zoning, the lands east of the railway are zoned Country Residential (CR-1) and the remainder is zoned Country Residential Two (CR-2) (Figure 4). The CR-1 zone allows for residential uses and establishes a minimum lot size of 2.0 hectares preventing any further subdivision (Appendix A). The Residential One (R-1) zoning establishes a minimum lot size of 0.4 hectares when connected to either community water or sewer (Appendix B). Rezoning the 0.8 hectare portion to R-1 enables the owners to apply to subdivide the property into two lots fronting onto Tipton Road.

Should you have any questions on the above-noted matter, please contact Ann Macdonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca.

Sincerely,

A. MacDonald

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

cc: Russell Dyson, Chief Administrative Officer

Attachments: Appendix A – "Country Residential One (CR-1) zone, Zoning Bylaw No. 2781"
Appendix B – "Residential One (R-1) zone, Zoning Bylaw No. 2781"

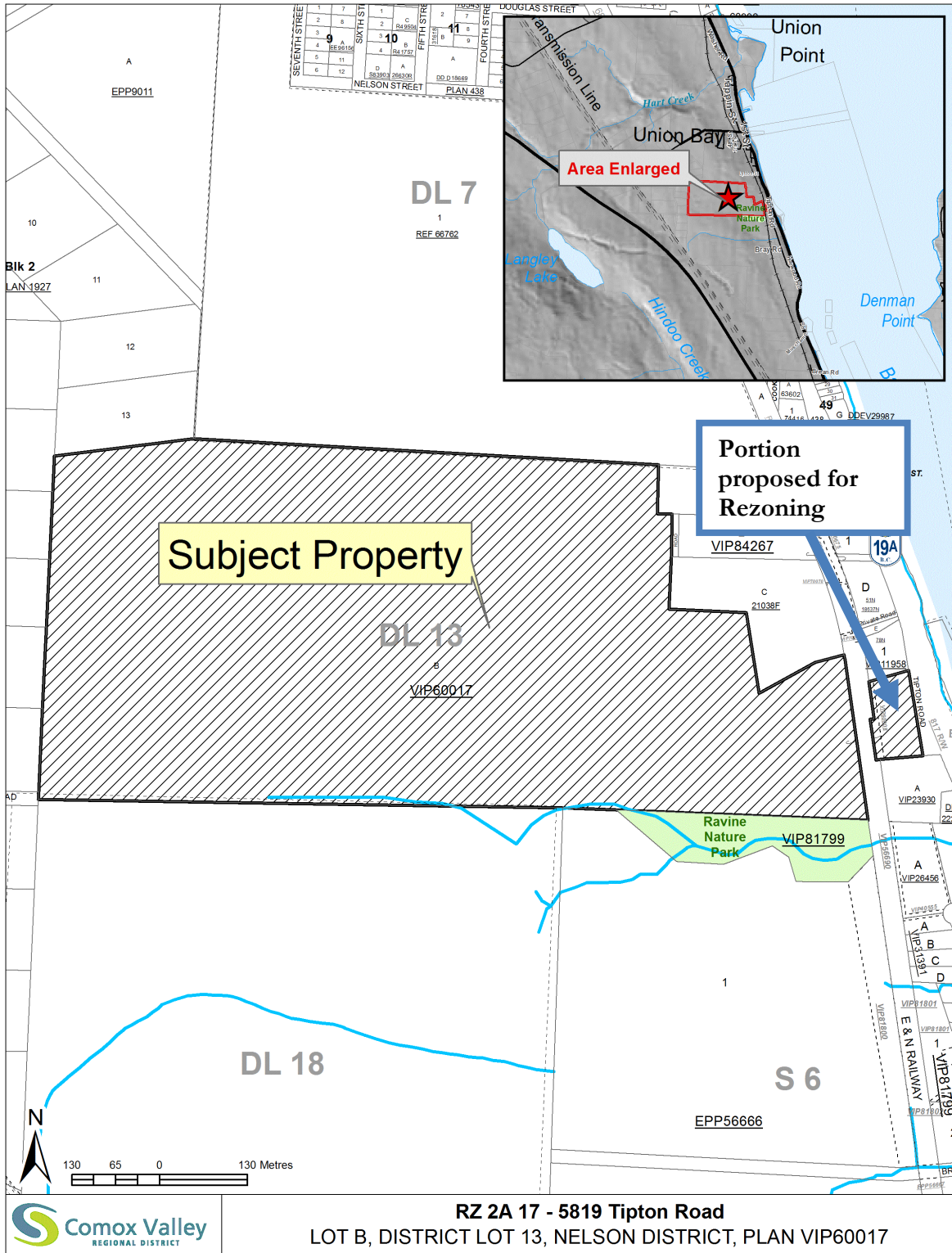


Figure 1: Subject Property Map

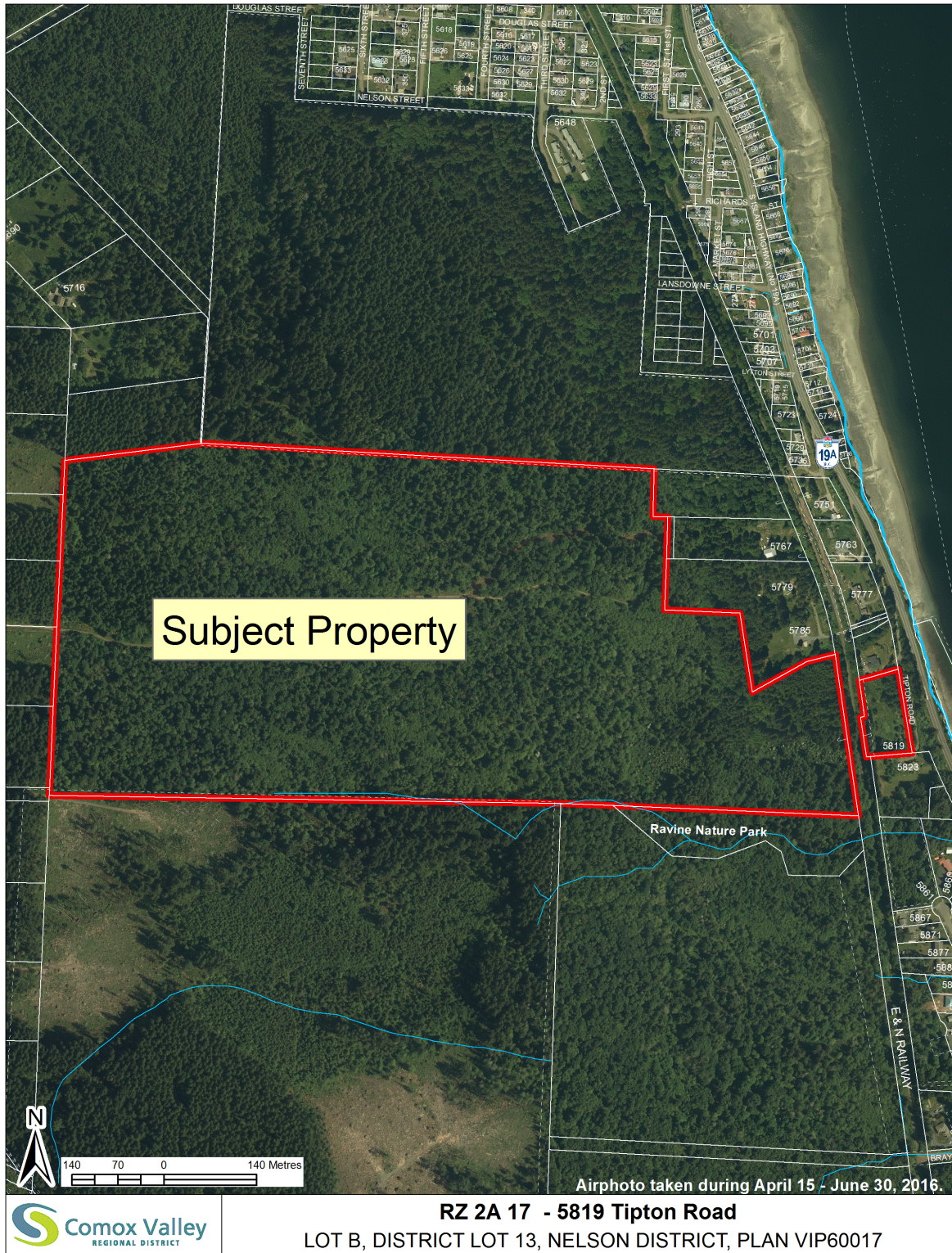
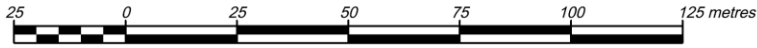


Figure 2: Aerial Photo

PROPOSED SUBDIVISION PLAN OF LOT B, DISTRICT LOT 13, NELSON DISTRICT, PLAN VIP60017

Parcel Identifier: 019-045-964

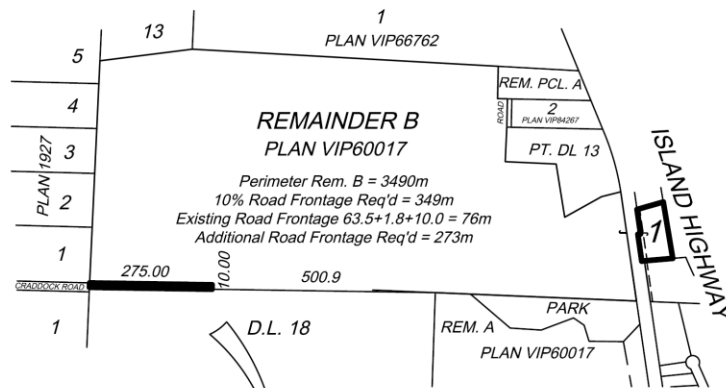


1:1250

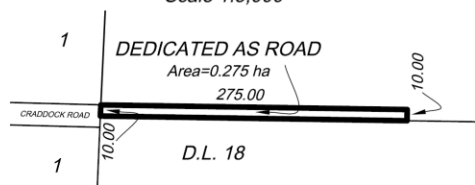
All dimensions are in metres and decimals thereof.



KEY PLAN
Scale 1:12,500



DETAIL
Scale 1:5,000



Civic Address
5819 Tipton Road
Union Bay, BC



GRANT LAND SURVEYING INC.
1-1841 COMOX AVENUE
COMOX, B.C. V9M 3M3
WWW.GRANTGEOMATICS.COM

Figure 3: Site Survey

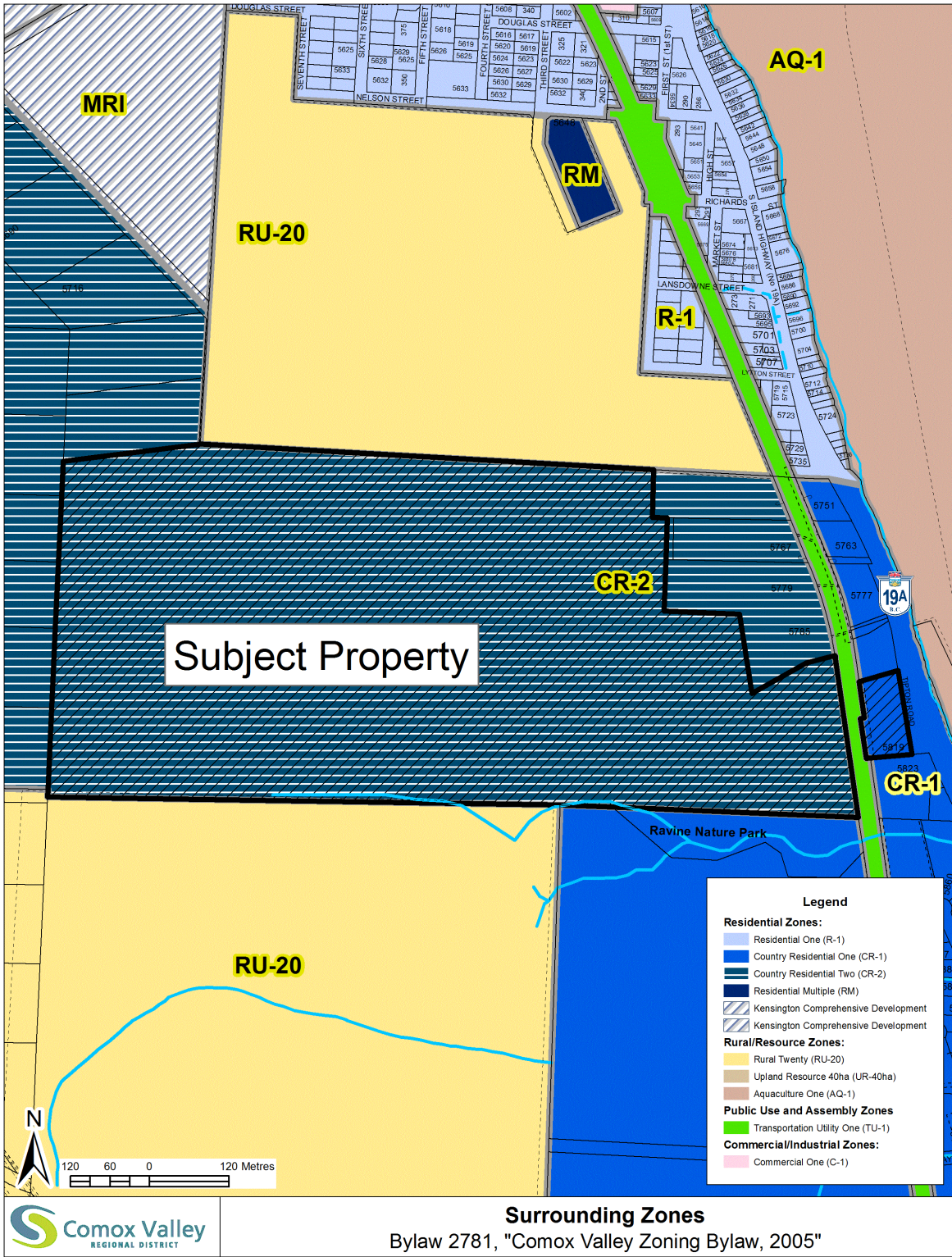


Figure 4: Zoning of Area

707**Country Residential One (CR-1)****1. PRINCIPAL USE**

- i) **On any lot:**
 - a) Residential use.
- ii) **On any lot over 4000 metres² (1.0 acre):**
 - a) Agricultural use.

2. ACCESSORY USES

- i) **On any lot:**
 - a) Home occupation use;
 - b) Accessory buildings; and
 - c) Bed and Breakfast
- ii) **On any lot 2.0 hectares (4.9 acres) or larger:**
 - a) Animal kennels.

3. DENSITY**Residential use is limited to:**

- i) **On any lot:** One single detached dwelling and secondary suite, or one single detached dwelling and one carriage house, or one single detached dwelling and one secondary dwelling limited in area to 90 metres² (968.8 feet²).
- ii) **On any lot 1.0 hectare (2.5 acres) and over:** Two single detached dwellings.

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

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

Type of Structure	Height	Required Setback			
		Front yard	Rear yard	Side yard	
				Frontage <31m	Frontage >31m
Principal	10.0m (32.8ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)
Accessory	4.5m-or less (14.8ft)	7.5m (24.6ft)	1.0m (3.3ft)	1.0m (3.3ft)	1.0m (3.3ft)
Accessory	6.0m-4.6m (19.7ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)

Except where otherwise specified in this bylaw, no building or structure shall be located in any required front and side yard setback areas. [Note: Part 400, Siting Exceptions, of this bylaw and Bylaw No. 1836 being the "Floodplain Management Bylaw, 1997" may affect the siting of structures adjacent to major roads and the natural boundaries of watercourses and the sea, respectively.]

5. LOT COVERAGE

- i) The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area.

6. FLOOR AREA REQUIREMENTS

- i) The maximum combined gross floor area of all accessory buildings shall not exceed 200.0 metres² (2152.9 feet²).

7. SUBDIVISION REQUIREMENTS

- i) Despite any other provision of this bylaw, the minimum permitted lot area within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010” is 4.0 hectares. #200

- ii) Despite any other provision of this bylaw, for the purpose of subdivision, the following sections of this bylaw do not apply to lots within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010”:

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

iii) **Lot Area**

The minimum lot area permitted shall be 2.0 hectares (4.9 acres)

Despite (iii), a subdivision with lots smaller than identified above may be created by subdivision provided that the average lot area within the subdivision is equal to the minimum lot area permitted.

End • CR-1

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.

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- 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
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- 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

Office of the Chief Administrative Officer

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



File: 3360-20/RZ 2A 17

September 21, 2017

Via Email: merci@wewaikai.com

We Wai Kai Nation / Laich-Kwil-Tach Treaty Society
Quinsam Office
690 Headstart Cres
Campbell River, BC V9H 1P9

Attention: Merci Brown

Dear Ms. Brown:

**Re: Rezoning Application – 5819 Tipton Road (Upper Island Development)
Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964**

The attached referral for a rezoning application is for your review and comments. The intent of the application is to rezone a 0.8 hectare portion of the property (lands east of the former E&N railway) from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels fronting onto Tipton Road.

In accordance with our referral agreement program, if We Wai Kai Nation / Laich-Kwil-Tach Treaty Society has an interest in the rezoning application please respond by **October 23, 2017**. A formal referral package is enclosed for your review and comments. The Comox Valley Regional District (CVRD) is interested in hearing from you regarding this proposal and understanding your interests. In addition, the CVRD is available to meet with you at your convenience to discuss the rezoning application in more detail. Please contact Ann MacDonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca to coordinate this meeting. Thank you.

Sincerely,

R. Dyson

Russell Dyson
Chief Administrative Officer

Enclosure

cc: Ann MacDonald, General Manager of Planning and Development Services Branch

Office of the Chief Administrative Officer

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



File: 3360-20/RZ 2A 17

September 21, 2017

Via Courier

Wei Wai Kum First Nation / Kwiakah First Nation
Kwiakah Treaty Society
1650 Old Spit Rd
Campbell River, BC V9W 3E8

Attention: Angie Lafontaine, Band Manager

Dear Ms. Lafontaine:

**Re: Rezoning Application – 5819 Tipton Road (Upper Island Development)
Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964**

The attached referral for a rezoning application is for your review and comments. The intent of the application is to rezone a 0.8 hectare portion of the property (lands east of the former E&N railway) from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels fronting onto Tipton Road.

In accordance with our referral agreement program, if Wei Wai Kum First Nation / Kwiakah First Nation Kwiakah Treaty Society has an interest in the rezoning application please respond by **October 23, 2017**. A formal referral package is enclosed for your review and comments. The Comox Valley Regional District (CVRD) is interested in hearing from you regarding this proposal and understanding your interests. In addition, the CVRD is available to meet with you at your convenience to discuss the rezoning application in more detail. Please contact Ann MacDonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca to coordinate this meeting. Thank you.

Sincerely,

R. Dyson

Russell Dyson
Chief Administrative Officer

Enclosure

cc: Ann MacDonald, General Manager of Planning and Development Services Branch

Office of the Chief Administrative Officer

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Toll free: 1-800-331-6007
www.comoxvalleyrd.ca



File: 3360-20/RZ 2A 17

September 21, 2017

Via Courier

Homalco Indian Band
1218 Bute Crescent
Campbell River, BC V9H 1G5

Attention: Mary-Ann Enevoldsen, Homalco Treaty Coordinator

Dear Ms. Enevoldsen:

**Re: Rezoning Application – 5819 Tipton Road (Upper Island Development)
Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964**

The attached referral for a rezoning application is for your review and comments. The intent of the application is to rezone a 0.8 hectare portion of the property (lands east of the former E&N railway) from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels fronting onto Tipton Road.

In accordance with our referral agreement program, if Homalco Indian Band has an interest in the rezoning application please respond by **October 23, 2017**. A formal referral package is enclosed for your review and comments. The Comox Valley Regional District (CVRD) is interested in hearing from you regarding this proposal and understanding your interests. In addition, the CVRD is available to meet with you at your convenience to discuss the rezoning application in more detail. Please contact Ann MacDonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca to coordinate this meeting. Thank you.

Sincerely,

R. Dyson

Russell Dyson
Chief Administrative Officer

Enclosure

cc: Ann MacDonald, General Manager of Planning and Development Services Branch

First Nations Referral Form
File: 3360-20 / RZ 2A 17
(Response required: October 23, 2017)

Please comment on the attached application regarding potential effects on your interests. The Comox Valley Regional District (CVRD) wishes to ensure that all future consultations with First Nations are considered early and ongoing. The CVRD will meet with you, at your convenience, to discuss this application. The offer to meet with you extends throughout the life of this application in order to gain your perspective as well as answer any questions that may arise. If you would like to arrange a meeting, please contact Ann MacDonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca.

You will note that the response form has a number of choices that describe your interests. All details that support your position are appreciated as are any official legislative, governance and policy considerations that may affect the CVRD's consideration of this application.

If required, please contact the CVRD to assist you in determining the type of additional information that would be helpful or assist you to better understand how this application may impact land use and development.

Application type:

<input checked="" type="checkbox"/>	Zoning amendment	<input type="checkbox"/>	OCP amendment	<input type="checkbox"/>	Temporary use permit
<input type="checkbox"/>	Development variance permit	<input type="checkbox"/>	Development permit	<input type="checkbox"/>	Crown land application

Applicant's Name:	Upper Island Developments Ltd., c/o Hal Martyn				
Legal Description:	Lot B, District Lot 13, Nelson District, Plan VIP60017				
Civic Address:	5819 Tipton Road		PID:	019-045-964	
RGS Designation:	Settlement Node	Services	Water: Union Bay Improvement District		
			Sewer: None		
			Fire: Union Bay Improvement District		
OCP Designation:	Settlement Node				
Zone:	Country Residential One (CR-1) and Country Residential Two (CR-2)				

Application Description

The subject property is a 56 hectare 'hooked' lot across a railway right-of-way (Figures 1 and 2). The property is located in Electoral Area A – (Baynes Sound – Denman/Hornby Islands) and is within the Union Bay Improvement District for water and fire services. The application is to rezone the lands (0.8 hectares) east of the railway from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels (Figure 3). These vacant lands front

onto Tipton Road and are bound by residential lots to the north and the south, railway right-of-way to the west and Tipton road to the east.

The owners have received preliminary layout approval from the Ministry of Transportation and Infrastructure (MoTI) to ‘unhook’ the lands (0.8 hectares) east of the railway and are working to meet the conditions for final approval.

Regional Growth Strategy and Official Community Plan

The property is designated as Settlement Node in both the Regional Growth Strategy (RGS), being the “Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010” and the Official Community Plan (OCP) being the “Rural Comox Valley Official Community Plan, Bylaw No. 337, 2014”. The RGS and OCP identify settlement nodes as the primary growth areas for the CVRD. Residential intensification is encouraged provided it is keeping with the existing neighbourhood character and is appropriately serviced. The proposed rezoning is consistent with policies in the RGS and OCP.

Zoning Bylaw

The property currently has split zoning, the lands east of the railway are zoned Country Residential (CR-1) and the remainder is zoned Country Residential Two (CR-2) (Figure 4). The CR-1 zone allows for residential uses and establishes a minimum lot size of 2.0 hectares preventing any further subdivision (Appendix A). The Residential One (R-1) zoning establishes a minimum lot size of 0.4 hectares when connected to either community water or sewer (Appendix B). Rezoning the 0.8 hectare portion to R-1 enables the owners to apply to subdivide the property into two lots fronting onto Tipton Road.

Should you have any questions on the above-noted matter, please contact Ann Macdonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca.

Sincerely,

A. MacDonald

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

cc: Russell Dyson, Chief Administrative Officer

Attachments: Appendix A – “Country Residential One (CR-1) zone, Zoning Bylaw No. 2781”
Appendix B – “Residential One (R-1) zone, Zoning Bylaw No. 2781”

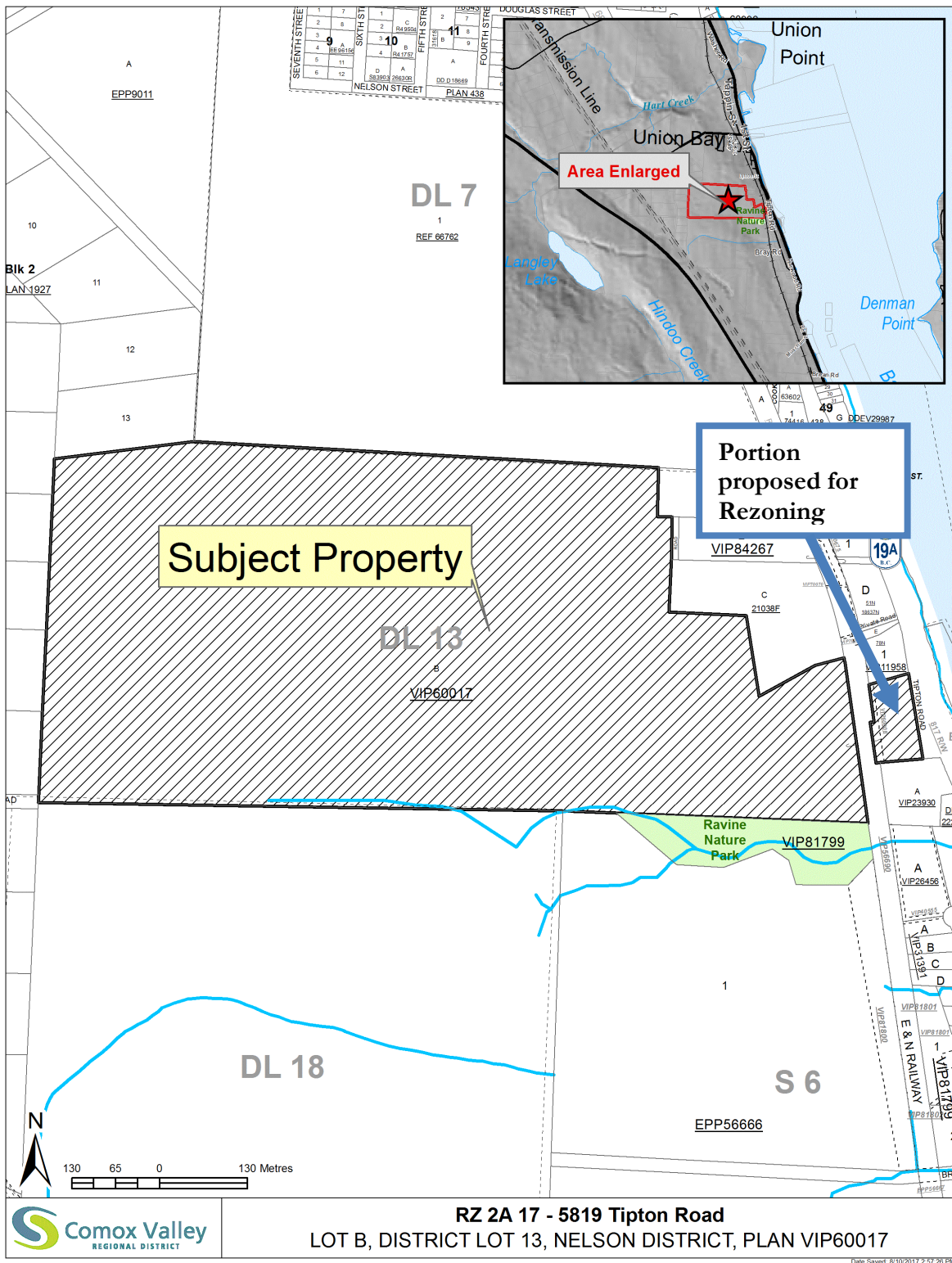


Figure 1: Subject Property Map

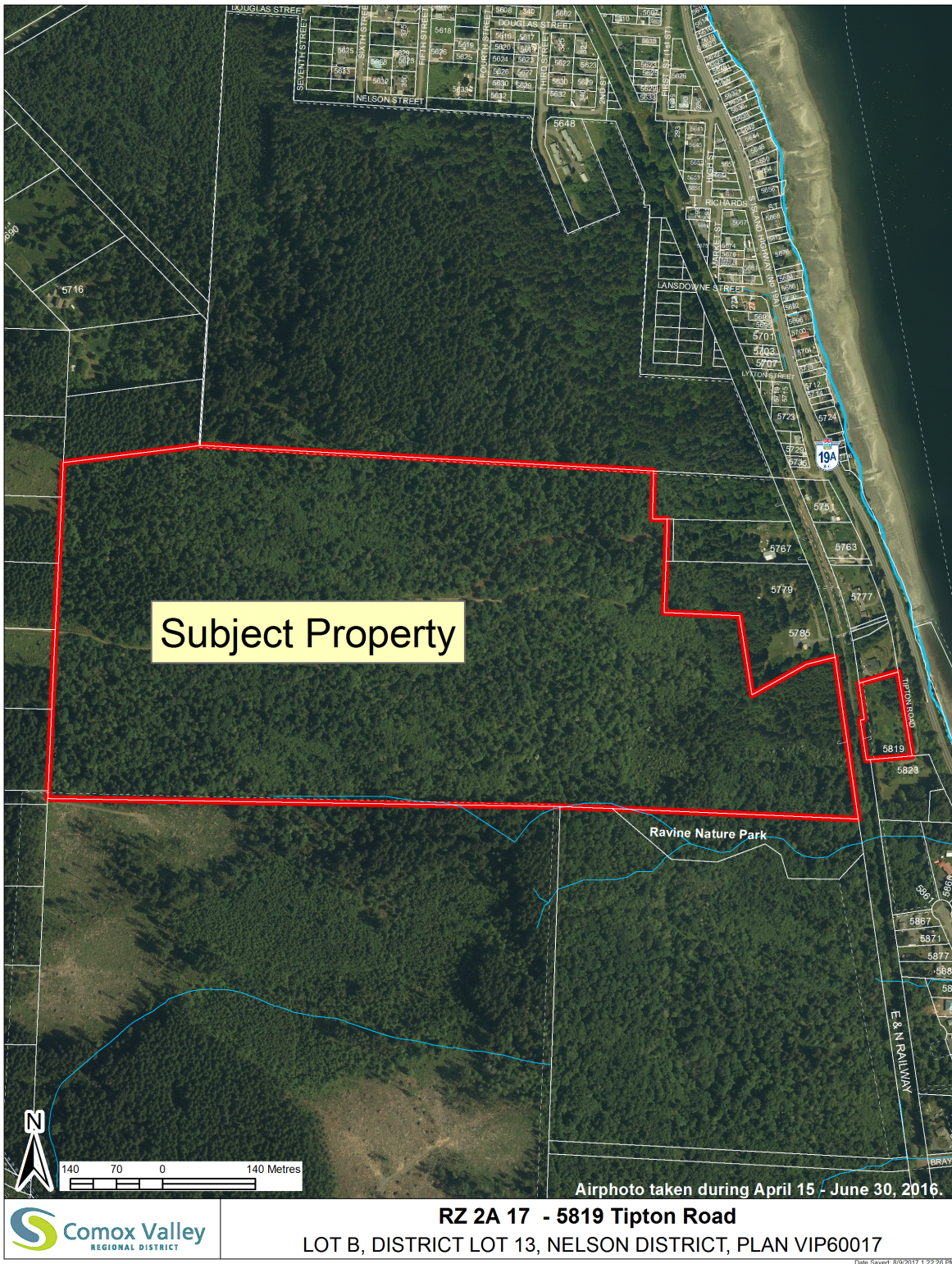


Figure 2: Aerial Photo

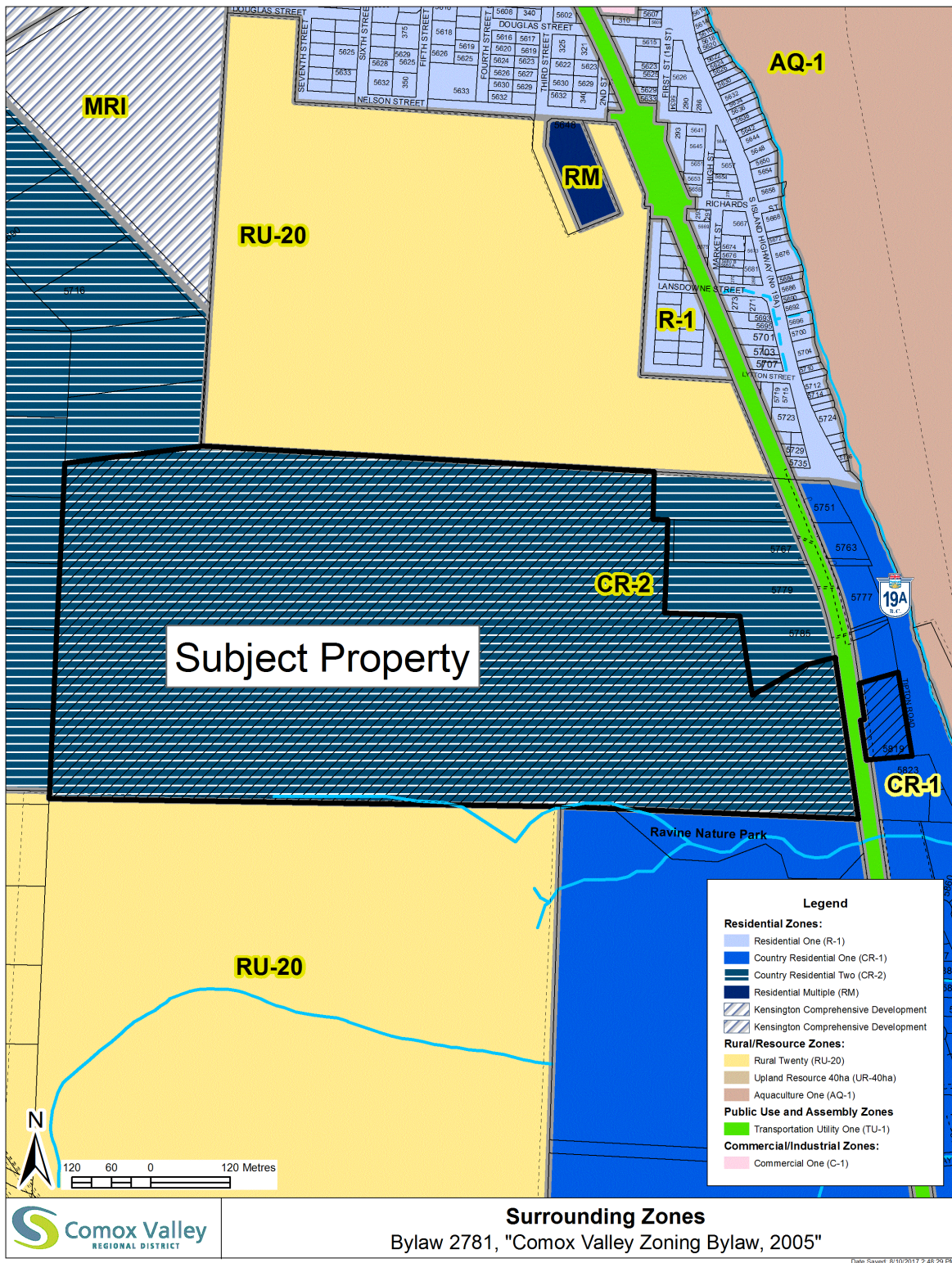


Figure 4: Zoning of Area

707**Country Residential One (CR-1)****1. PRINCIPAL USE**

- i) **On any lot:**
 - a) Residential use.
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 - a) Agricultural use.

2. ACCESSORY USES

- i) **On any lot:**
 - a) Home occupation use;
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 - c) Bed and Breakfast
- ii) **On any lot 2.0 hectares (4.9 acres) or larger:**
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3. DENSITY**Residential use is limited to:**

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

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

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

Type of Structure	Height	Required Setback			
		Front yard	Rear yard	Side yard	
				Frontage <31m	Frontage >31m
Principal	10.0m (32.8ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)
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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).

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- 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

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

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

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#112

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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

Office of the Chief Administrative Officer

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
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File: 3360-20/RZ 2A 17

October 23, 2017

Via Email: merci@wewaikai.com

We Wai Kai Nation / Laich-Kwil-Tach Treaty Society
Quinsam Office
690 Headstart Cres
Campbell River, BC V9H 1P9

Attention: Merci Brown

Dear Ms. Brown:

**Re: Rezoning Application – 5819 Tipton Road (Upper Island Development)
Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964**

Please note that this is a follow up letter to determine your interest in the above-noted properties. For your convenience, enclosed is a copy of the original referral package. The intent of the application is to rezone a 0.8 hectare portion of the property (lands east of the former E&N railway) from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels fronting onto Tipton Road.

In accordance with our referral agreement program, a formal referral package was sent to you on September 21, 2017, for review and comment with a requested return date of October 23, 2017. As of the date of this letter, the Comox Valley Regional District has not yet received comments. If you have any comments, please forward by November 23, 2017.

Thank you for reviewing this matter, please contact Ann MacDonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca should you have any questions regarding this proposed bylaw amendment.

Sincerely,

R. Rutten

Marc Rutten, P.Eng
Acting Chief Administrative Officer

Enclosure

cc: Ann MacDonald, General Manager of Planning and Development Services Branch

Office of the Chief Administrative Officer

600 Comox Road, Courtenay, BC V9N 3P6
Tel: 250-334-6000 Fax: 250-334-4358
Toll free: 1-800-331-6007
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File: 3360-20/RZ 2A 17

October 23, 2017

Via Courier

Wei Wai Kum First Nation / Kwiakah First Nation
Kwiakah Treaty Society
1650 Old Spit Rd
Campbell River, BC V9W 3E8

Attention: Angie Lafontaine, Band Manager

Dear Ms. Lafontaine:

**Re: Rezoning Application – 5819 Tipton Road (Upper Island Development)
Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964**

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Sincerely,

R. Rutten

Marc Rutten, P.Eng
Acting Chief Administrative Officer

Enclosure

cc: Ann MacDonald, General Manager of Planning and Development Services Branch

Office of the Chief Administrative Officer

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File: 3360-20/RZ 2A 17

October 23, 2017

Via Courier

Homalco Indian Band
1218 Bute Crescent
Campbell River, BC V9H 1G5

Attention: Mary-Ann Enevoldsen, Homalco Treaty Coordinator

Dear Ms. Enevoldsen:

**Re: Rezoning Application – 5819 Tipton Road (Upper Island Development)
Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964**

Please note that this is a follow up letter to determine your interest in the above-noted properties. For your convenience, enclosed is a copy of the original referral package. The intent of the application is to rezone a 0.8 hectare portion of the property (lands east of the former E&N railway) from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels fronting onto Tipton Road.

In accordance with our referral agreement program, a formal referral package was sent to you on September 21, 2017, for review and comment with a requested return date of October 23, 2017. As of the date of this letter, the Comox Valley Regional District has not yet received comments. If you have any comments, please forward by November 23, 2017.

Thank you for reviewing this matter, please contact Ann MacDonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca should you have any questions regarding this proposed bylaw amendment.

Sincerely,

R. Rutten

Marc Rutten, P.Eng
Acting Chief Administrative Officer

Enclosure

cc: Ann MacDonald, General Manager of Planning and Development Services Branch

First Nations Referral Form
File: 3360-20 / RZ 2A 17
(Response required: October 23, 2017)

Please comment on the attached application regarding potential effects on your interests. The Comox Valley Regional District (CVRD) wishes to ensure that all future consultations with First Nations are considered early and ongoing. The CVRD will meet with you, at your convenience, to discuss this application. The offer to meet with you extends throughout the life of this application in order to gain your perspective as well as answer any questions that may arise. If you would like to arrange a meeting, please contact Ann MacDonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca.

You will note that the response form has a number of choices that describe your interests. All details that support your position are appreciated as are any official legislative, governance and policy considerations that may affect the CVRD's consideration of this application.

If required, please contact the CVRD to assist you in determining the type of additional information that would be helpful or assist you to better understand how this application may impact land use and development.

Application type:

<input checked="" type="checkbox"/>	Zoning amendment	<input type="checkbox"/>	OCP amendment	<input type="checkbox"/>	Temporary use permit
<input type="checkbox"/>	Development variance permit	<input type="checkbox"/>	Development permit	<input type="checkbox"/>	Crown land application

Applicant's Name:	Upper Island Developments Ltd., c/o Hal Martyn				
Legal Description:	Lot B, District Lot 13, Nelson District, Plan VIP60017				
Civic Address:	5819 Tipton Road		PID:	019-045-964	
RGS Designation:	Settlement Node	Services	Water: Union Bay Improvement District		
			Sewer: None		
			Fire: Union Bay Improvement District		
OCP Designation:	Settlement Node				
Zone:	Country Residential One (CR-1) and Country Residential Two (CR-2)				

Application Description

The subject property is a 56 hectare 'hooked' lot across a railway right-of-way (Figures 1 and 2). The property is located in Electoral Area A – (Baynes Sound – Denman/Hornby Islands) and is within the Union Bay Improvement District for water and fire services. The application is to rezone the lands (0.8 hectares) east of the railway from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels (Figure 3). These vacant lands front

onto Tipton Road and are bound by residential lots to the north and the south, railway right-of-way to the west and Tipton road to the east.

The owners have received preliminary layout approval from the Ministry of Transportation and Infrastructure (MoTI) to ‘unhook’ the lands (0.8 hectares) east of the railway and are working to meet the conditions for final approval.

Regional Growth Strategy and Official Community Plan

The property is designated as Settlement Node in both the Regional Growth Strategy (RGS), being the “Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010” and the Official Community Plan (OCP) being the “Rural Comox Valley Official Community Plan, Bylaw No. 337, 2014”. The RGS and OCP identify settlement nodes as the primary growth areas for the CVRD. Residential intensification is encouraged provided it is keeping with the existing neighbourhood character and is appropriately serviced. The proposed rezoning is consistent with policies in the RGS and OCP.

Zoning Bylaw

The property currently has split zoning, the lands east of the railway are zoned Country Residential (CR-1) and the remainder is zoned Country Residential Two (CR-2) (Figure 4). The CR-1 zone allows for residential uses and establishes a minimum lot size of 2.0 hectares preventing any further subdivision (Appendix A). The Residential One (R-1) zoning establishes a minimum lot size of 0.4 hectares when connected to either community water or sewer (Appendix B). Rezoning the 0.8 hectare portion to R-1 enables the owners to apply to subdivide the property into two lots fronting onto Tipton Road.

Should you have any questions on the above-noted matter, please contact Ann Macdonald at 250-334-6077 or by email to planningdevelopment@comoxvalleyrd.ca.

Sincerely,

A. MacDonald

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

cc: Russell Dyson, Chief Administrative Officer

Attachments: Appendix A – “Country Residential One (CR-1) zone, Zoning Bylaw No. 2781”
Appendix B – “Residential One (R-1) zone, Zoning Bylaw No. 2781”

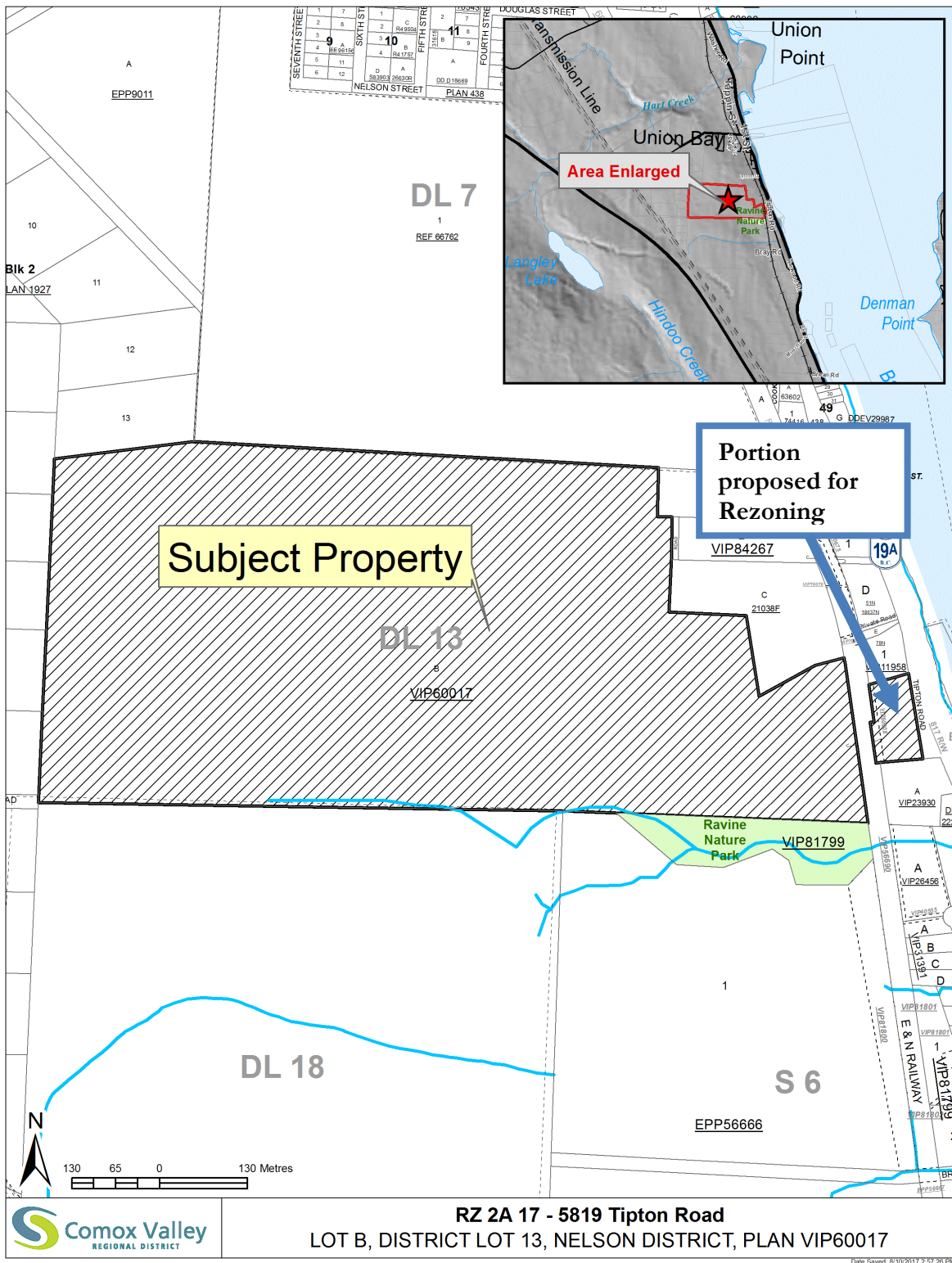


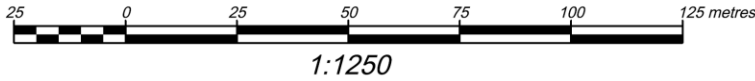
Figure 1: Subject Property Map



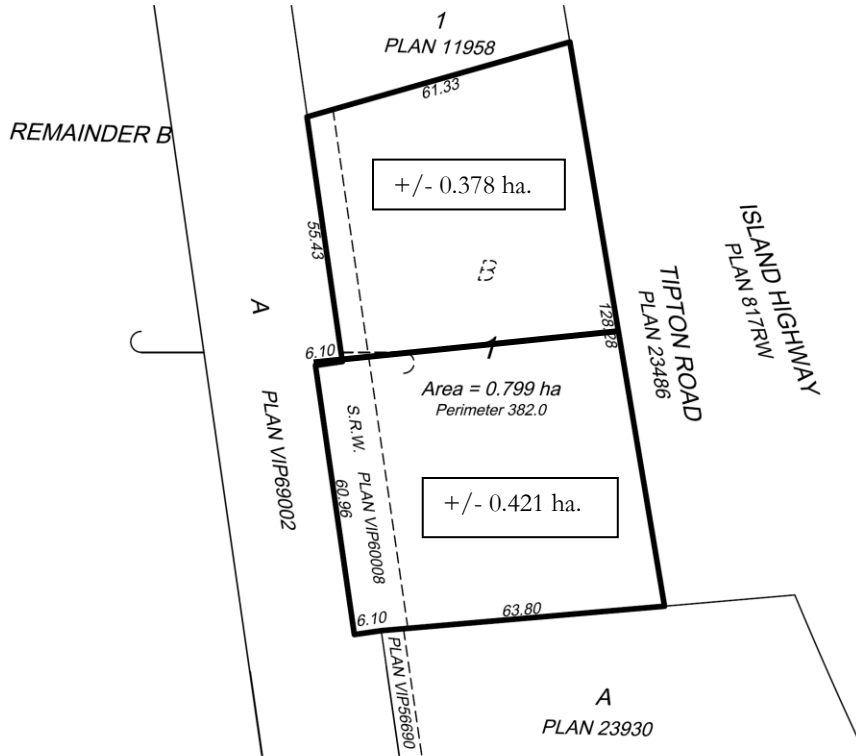
Figure 2: Aerial Photo

PROPOSED SUBDIVISION PLAN OF LOT B, DISTRICT LOT 13, NELSON DISTRICT, PLAN VIP60017

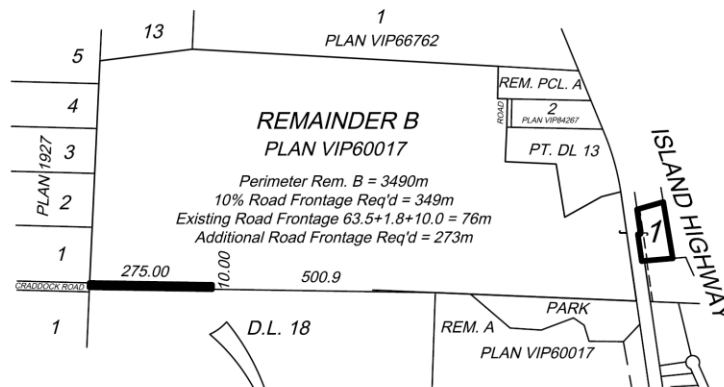
Parcel Identifier: 019-045-964



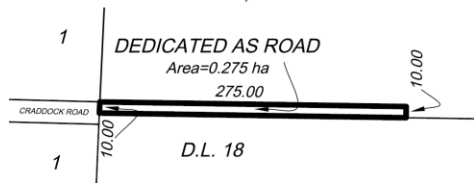
All dimensions are in metres and decimals thereof.



KEY PLAN
Scale 1:12,500



DETAIL
Scale 1:5,000



Civic Address
5819 Tipton Road
Union Bay, BC



GRANT LAND SURVEYING INC.
1-1841 COMOX AVENUE
COMOX, B.C. V9M 3M3
WWW.GRANTGEOMATICS.COM

Figure 3: Site Survey

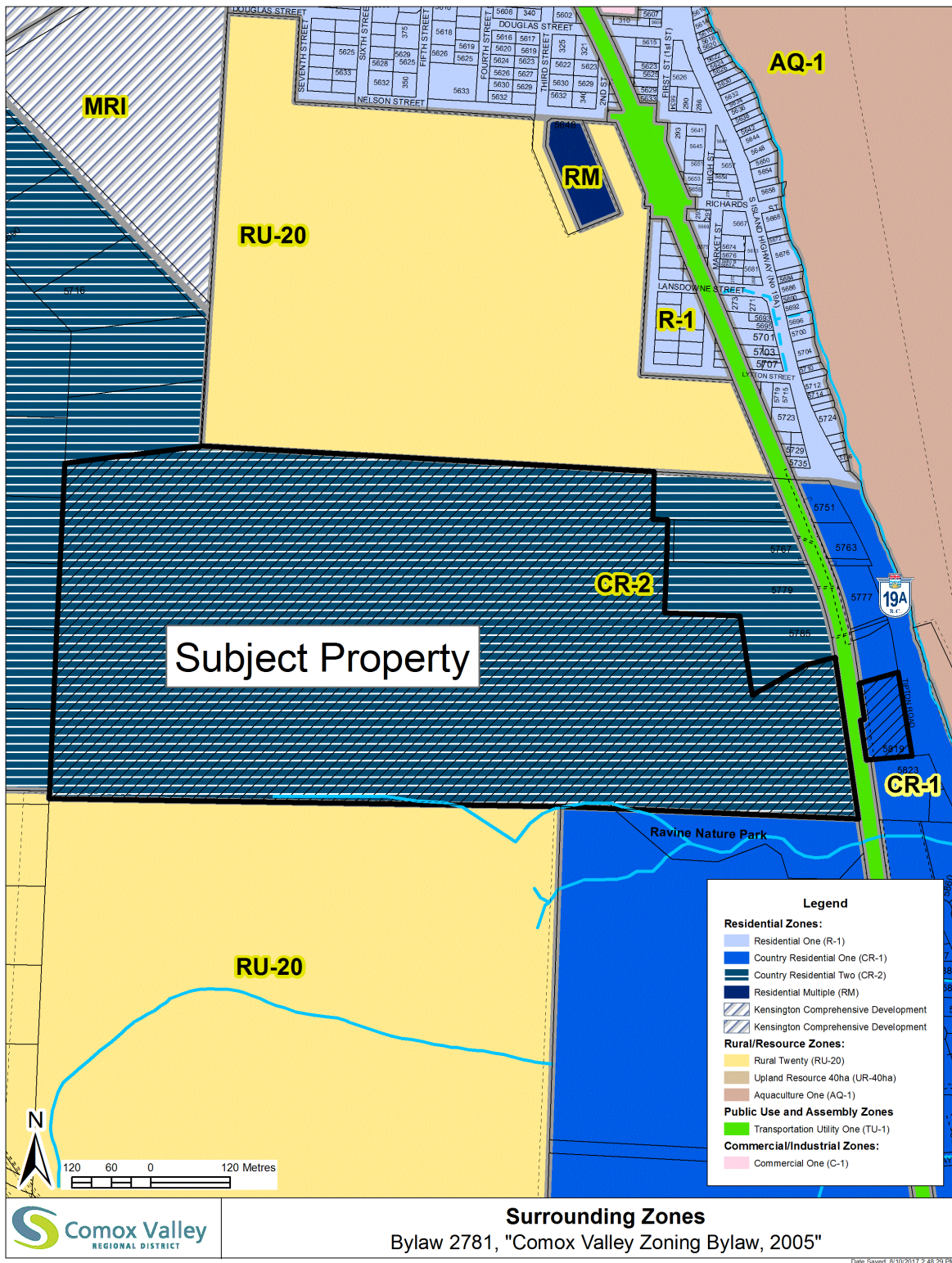


Figure 4: Zoning of Area

707**Country Residential One (CR-1)****1. PRINCIPAL USE**

- i) **On any lot:**
 - a) Residential use.
- ii) **On any lot over 4000 metres² (1.0 acre):**
 - a) Agricultural use.

2. ACCESSORY USES

- i) **On any lot:**
 - a) Home occupation use;
 - b) Accessory buildings; and
 - c) Bed and Breakfast
- ii) **On any lot 2.0 hectares (4.9 acres) or larger:**
 - a) Animal kennels.

3. DENSITY**Residential use is limited to:**

- i) **On any lot:** One single detached dwelling and secondary suite, or one single detached dwelling and one carriage house, or one single detached dwelling and one secondary dwelling limited in area to 90 metres² (968.8 feet²).
- ii) **On any lot 1.0 hectare (2.5 acres) and over:** Two single detached dwellings.

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

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

Type of Structure	Height	Required Setback			
		Front yard	Rear yard	Side yard	
				Frontage <31m	Frontage >31m
Principal	10.0m (32.8ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)
Accessory	4.5m-or less (14.8ft)	7.5m (24.6ft)	1.0m (3.3ft)	1.0m (3.3ft)	1.0m (3.3ft)
Accessory	6.0m-4.6m (19.7ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)

Except where otherwise specified in this bylaw, no building or structure shall be located in any required front and side yard setback areas. [Note: Part 400, Siting Exceptions, of this bylaw and Bylaw No. 1836 being the "Floodplain Management Bylaw, 1997" may affect the siting of structures adjacent to major roads and the natural boundaries of watercourses and the sea, respectively.]

5. LOT COVERAGE

- i) The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area.

6. FLOOR AREA REQUIREMENTS

- i) The maximum combined gross floor area of all accessory buildings shall not exceed 200.0 metres² (2152.9 feet²).

7. SUBDIVISION REQUIREMENTS

- i) Despite any other provision of this bylaw, the minimum permitted lot area within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010” is 4.0 hectares. #200

- ii) Despite any other provision of this bylaw, for the purpose of subdivision, the following sections of this bylaw do not apply to lots within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010”:

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

iii) **Lot Area**

The minimum lot area permitted shall be 2.0 hectares (4.9 acres)

Despite (iii), a subdivision with lots smaller than identified above may be created by subdivision provided that the average lot area within the subdivision is equal to the minimum lot area permitted.

End • CR-1

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

3360-20 / RZ 2A 17

From: Monty Horton <lands.manager@komoks.ca>
Sent: Tuesday, October 24, 2017 11:29 AM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Rezoning application, 5819 Tipton Rd

We have no comments or concerns regarding the rezoning of the subject portion of DL13

Monty Horton
Lands Manager
K'omoks First Nation
Cell: 250-937-9195
Work: 250-339-4545

DATE: August 18, 2017

FILE: 3360-20/RZ 2A 17

TO: Chair and Directors
Electoral Areas Services Committee

FROM: Russell Dyson
Chief Administrative Officer

RE: 5819 Tipton Road (Upper Island Development)
Electoral Area 'A' Baynes Sound – Denman/Hornby Islands
Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964

Purpose

The purpose of this report is to advise the Electoral Areas Services Committee of an application to rezone a portion of the subject property from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision and to recommend that the application be externally referred (Appendix A).

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.

Executive Summary

The subject property is 56 hectares 'hooked' over a railway right-of-way. The owner has received preliminary layout approval from the Ministry of Transportation and Infrastructure to 'unhook' the 0.8 hectare portion east of the railway (Figures 1 and 2). An application has been received to consider rezoning the 0.8 hectares from Country Residential One (CR-1) to Residential One (R-1) to enable future subdivision into two residential lots (Figure 3). The property is within the settlement node, as designated by the Regional Growth Strategy (RGS) and Official Community Plan (OCP). It is within the Union Bay Improvement Area for water and fire services. 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.

Recommendation from the Chief Administrative Officer:

THAT the board endorse the agency referral list as outlined in Appendix A of staff report dated August 18, 2017, and direct staff to commence the external agency referral process for Lot B, District Lot 13, Nelson District, Plan VIP60017, as part of a proposed amendment (RZ 2A 17) to 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, for Lot B, District Lot 13, Nelson District, Plan VIP60017, as part of a proposed amendment (RZ 2A 17) to Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005".

Respectfully:

R. Dyson

Russell Dyson
Chief Administrative Officer

Background/Current Situation

The subject property is a 56 hectare ‘hooked’ lot across a railway right-of-way (Figures 1 and 2). The property is located in Electoral Area A – (Baynes Sound – Denman/Hornby Islands) and is within the Union Bay Improvement District for water and fire services (Figure 6). The application is to rezone the lands (0.8 hectares) east of the railway from Country Residential One (CR-1) to Residential One (R-1) to enable further subdivision into two residential parcels (Figure 3). These vacant lands front onto Tipton Road and are bound by residential lots to the north and the south, railway right-of-way to the west and Tipton road to the east.

The owners have received preliminary layout approval from the Ministry of Transportation and Infrastructure (MoTI) to ‘unhook’ the lands east of the railway and are working to meet the conditions for final approval. The rezoning application will proceed up to the public hearing, and at this juncture if final MoTI approval is still pending the application will be put on hold.

Regional Growth Strategy and Official Community Plan Analysis

The property is designated in settlement node in both the RGS, being the “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010” and the OCP being the “Rural Comox Valley Official Community Plan, Bylaw No. 337, 2014”. Both the RGS and OCP policies, identify settlement nodes as the primary growth areas for the regional district. Residential intensification is encouraged provided it is keeping with the existing neighbourhood character and is appropriately serviced. The proposed rezoning is consistent with policies in the RGS and OCP.

Zoning Bylaw Analysis

The property currently has split zoning, the lands east of the railway are zoned Country Residential (CR-1) and the remainder is zoned Country Residential Two (CR-2) (Figure 4). The CR-1 zone allows for residential uses and establishes a minimum lot size of 2.0 hectare preventing any further subdivision. The Residential One (R-1) zoning establishes a minimum lot size of 0.4 hectares when connected to either community water or sewer. Rezoning the 0.8 hectare portion to R-1 enables the owners to apply to subdivide the property into two lots fronting onto Tipton Road.

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 is consistent with the RGS and OCP, it is recommended that the board commence the First Nations and agency referral processes.

Financial Factors

A \$2,000 rezoning application fee and statutory public hearing fee of \$1,500 has been collected for the application under the “Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014.”

Legal Factors

This report and the recommendations contained herein are in compliance with the *Local Government Act* (LGA) and regional district bylaws. The LGA authorizes a local government to regulate the use of land and buildings.

Regional Growth Strategy Implications

The subject property is designated as a Settlement Node in the RGS (Figure 5), being the “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010”. The RGS identifies settlement nodes as areas with capacity to accommodate new growth through a balance of new development, intensification and improvements to public infrastructure. The subject property is within the Union Bay Improvement District for water and fire services. There is no sewer servicing in the area. The proposed rezoning will enable future subdivision into two residential lots, which is consistent with RGS policies to direct growth to settlement nodes.

Intergovernmental Factors

Appendix A contains a list of organizations and authorities to which this proposed amendment is recommended to be forwarded. This rezoning application will be referred to First Nations in accordance with the referrals management program. 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 moves through the review process:

<ul style="list-style-type: none"> • Building services • Fire protection • Bylaw compliance 	<ul style="list-style-type: none"> • Engineering services • Transit and sustainability
--	--

Citizen/Public Relations

Staff recommends that the application be referred to the Area ‘A’ Advisory Planning Commission. If the application proceeds to bylaw preparation, community consultation will be held in accordance with Bylaw No. 328 (i.e. statutory mailing and public hearing).

Prepared by:

B. Labute

 Brianne Labute
 Planner

Concurrence:

A. Mullaly

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

Concurrence:

A. MacDonald

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

- Attachments: Appendix A – “External agency referral list”
 Appendix B – “Country Residential One (CR-1) zone, Zoning Bylaw No. 2781”
 Appendix C – “Residential One (R-1) zone, Zoning Bylaw No. 2781”

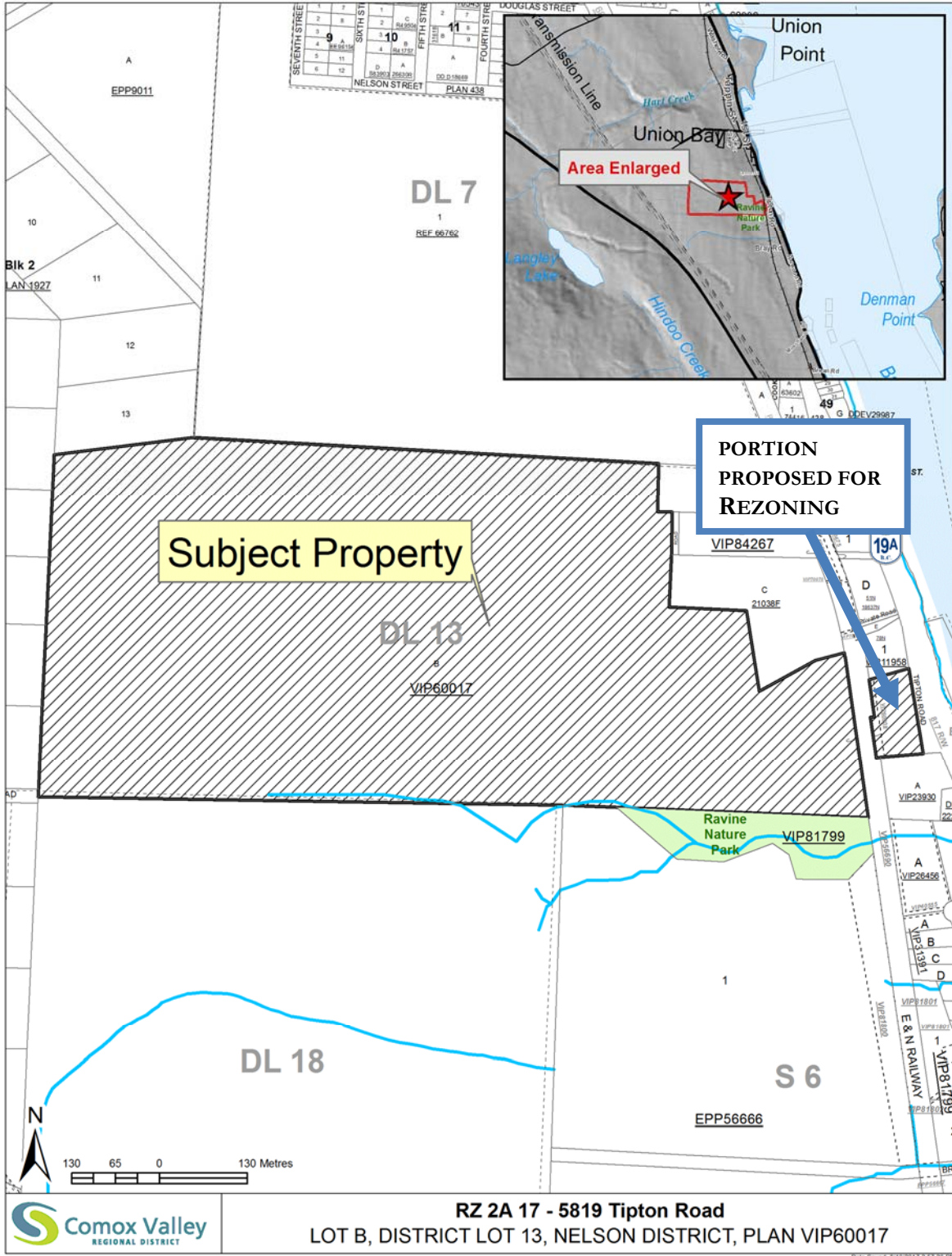


Figure 1: Subject Property Map



Figure 2: Aerial Photo

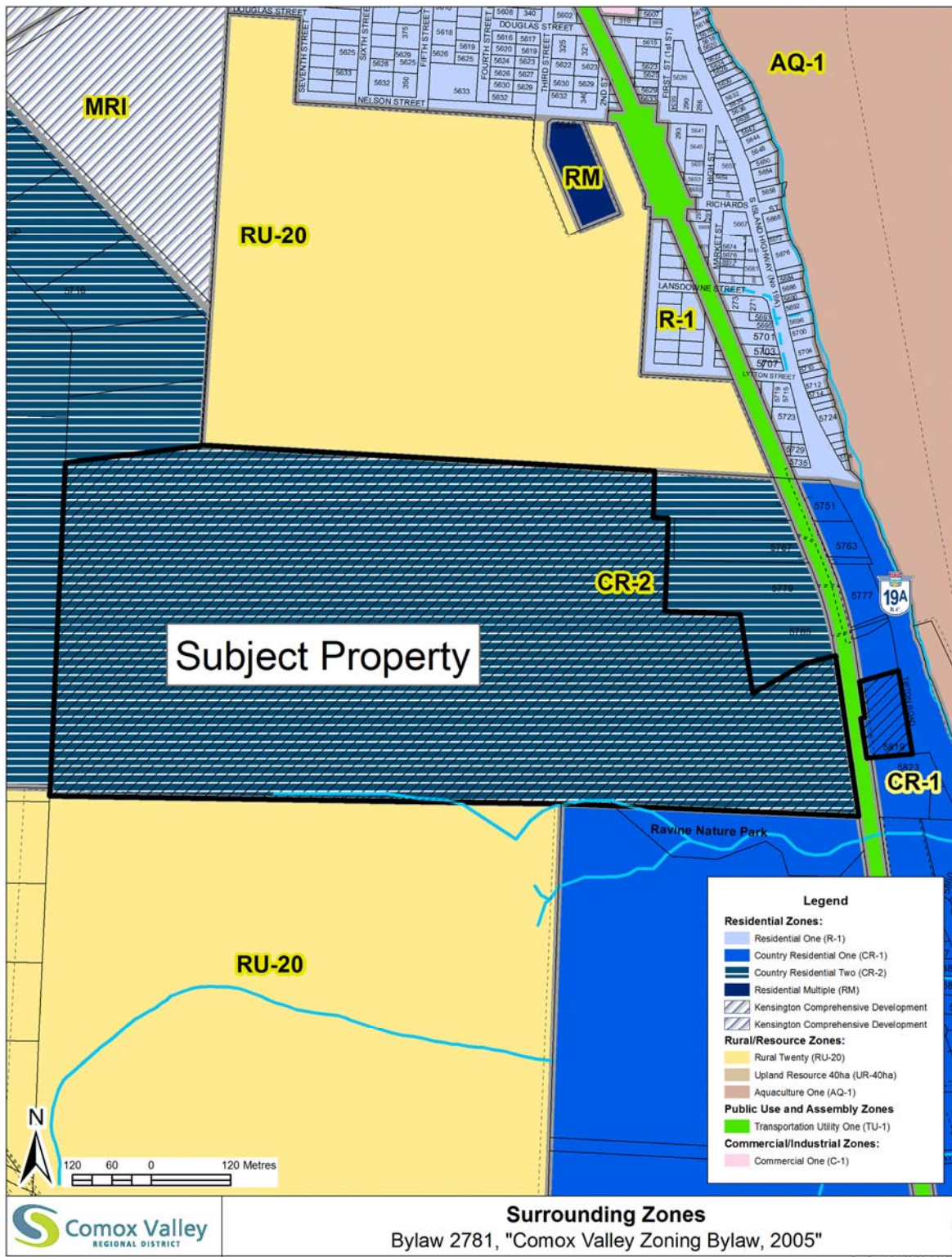


Figure 4: Zoning of Area

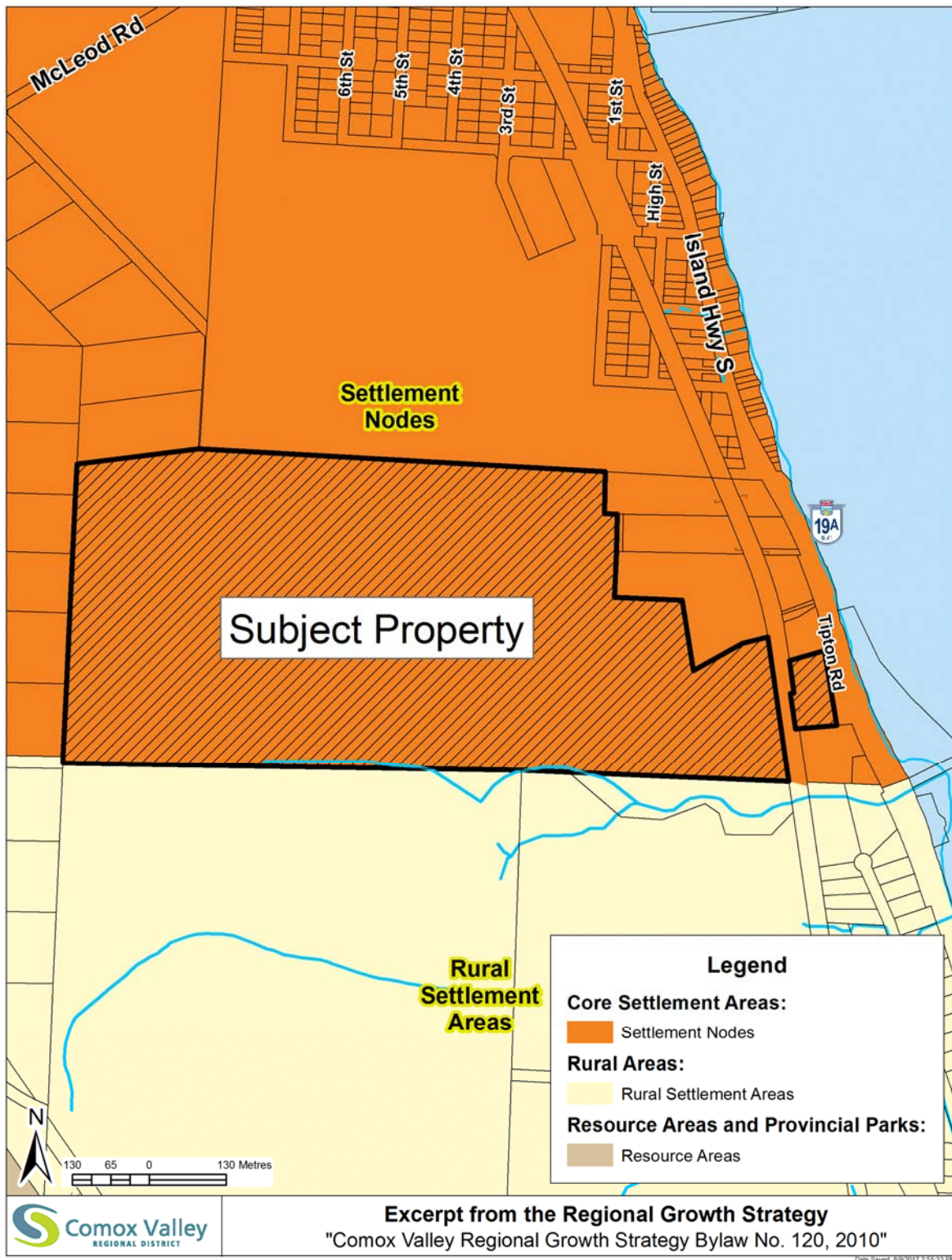


Figure 5: Regional Growth Strategy Designations

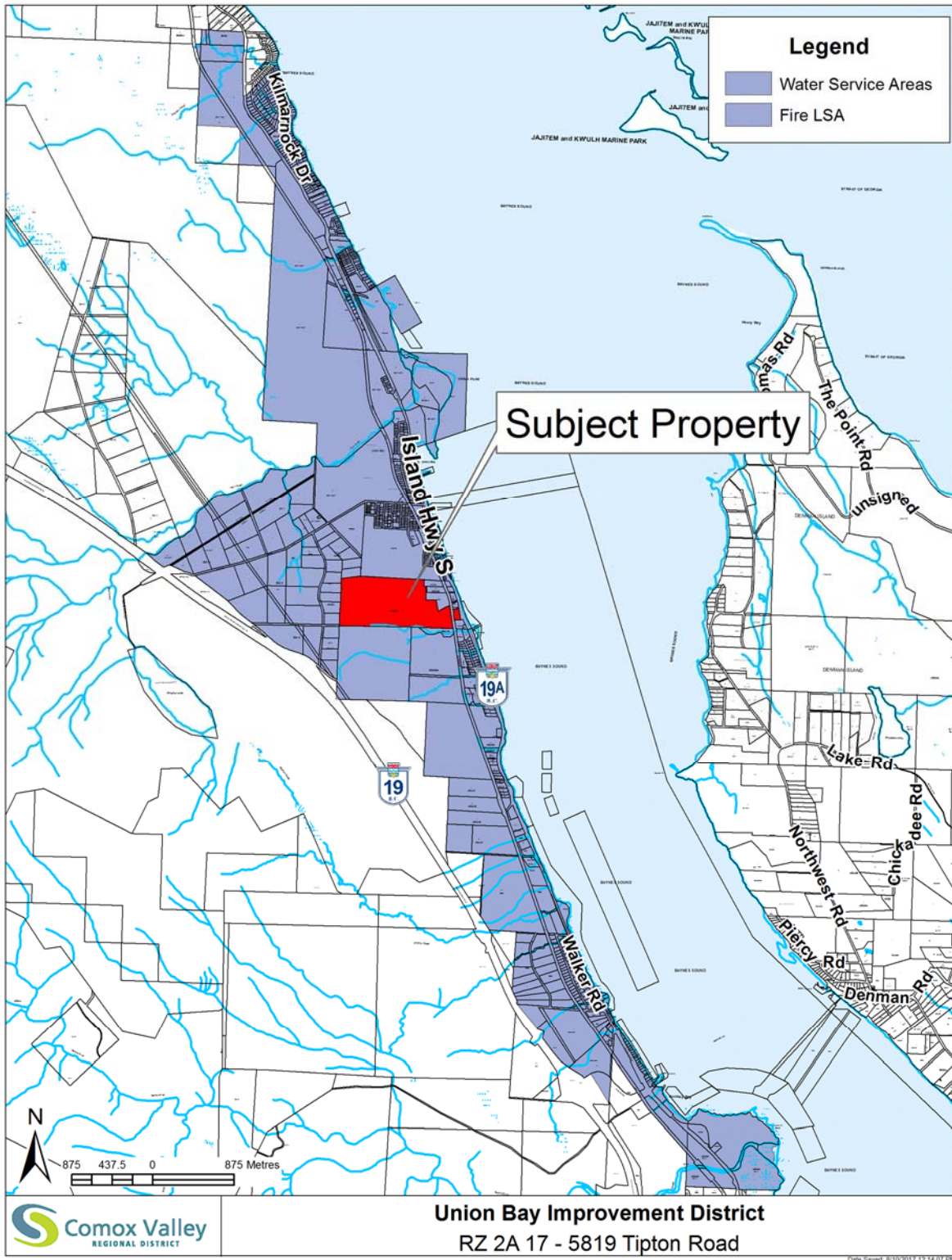


Figure 6: Union Bay Improvement District (Water and Fire Local Service Area)

AGENCY AND FIRST NATIONS 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 / Kwiakah First Nation of the Kwiakah Treaty Society

Federal Departments and Agencies

<input type="checkbox"/>	Canadian Coast Guard	<input type="checkbox"/>	Public Works and Government Services Canada
<input 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"/>	Indian 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	<input type="checkbox"/>	Ministry of Forests, Lands and Natural Resource Operations & Rural Development
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Ministry of Energy and Mines
<input type="checkbox"/>	BC Ferry Services Inc.	<input type="checkbox"/>	Ministry of Environment & Climate Change Strategy
<input type="checkbox"/>	BC Transit	<input type="checkbox"/>	Ministry of Tourism, Arts and Culture
<input type="checkbox"/>	Ministry of Indigenous Relations & Reconciliation	<input checked="" type="checkbox"/>	Ministry of Transportation and Infrastructure
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	Ministry of Forests, Lands and Natural Resource Operations BC Wildfire Services

Local Government

<input type="checkbox"/>	Comox (Town of)	<input type="checkbox"/>	Alberni-Clayoquot Regional District
<input 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 checked="" 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"/>	Union Bay Improvement District
<input type="checkbox"/>	Comox Valley Accessibility Committee	<input checked="" type="checkbox"/>	Advisory Planning Committee 'A' Baynes Sound – Denman/Hornby Islands

707

Country Residential One (CR-1)

1. PRINCIPAL USE

- i) **On any lot:**
 - a) Residential use.
- ii) **On any lot over 4000 metres² (1.0 acre):**
 - a) Agricultural use.

2. ACCESSORY USES

- i) **On any lot:**
 - a) Home occupation use;
 - b) Accessory buildings; and
 - c) Bed and Breakfast
- ii) **On any lot 2.0 hectares (4.9 acres) or larger:**
 - a) Animal kennels.

3. DENSITY

Residential use is limited to:

- i) **On any lot:** One single detached dwelling and secondary suite, or one single detached dwelling and one carriage house, or one single detached dwelling and one secondary dwelling limited in area to 90 metres² (968.8 feet²).
- ii) **On any lot 1.0 hectare (2.5 acres) and over:** Two single detached dwellings.

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

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

Type of Structure	Height	Required Setback			
		Front yard	Rear yard	Side yard	
				Frontage <31m	Frontage >31m
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Accessory	4.5m-or less (14.8ft)	7.5m (24.6ft)	1.0m (3.3ft)	1.0m (3.3ft)	1.0m (3.3ft)
Accessory	6.0m-4.6m (19.7ft)	7.5m (24.6ft)	7.5m (24.6ft)	1.75m (5.8ft)	3.5m (11.5ft)

Except where otherwise specified in this bylaw, no building or structure shall be located in any required front and side yard setback areas. [Note: Part 400, Siting Exceptions, of this bylaw and Bylaw No. 1836 being the “Floodplain Management Bylaw, 1997” may affect the siting of structures adjacent to major roads and the natural boundaries of watercourses and the sea, respectively.]

5. LOT COVERAGE

- i) The maximum lot coverage of all buildings and structures shall not exceed 35% of the total lot area.

6. FLOOR AREA REQUIREMENTS

- i) The maximum combined gross floor area of all accessory buildings shall not exceed 200.0 metres² (2152.9 feet²).

7. SUBDIVISION REQUIREMENTS

- i) Despite any other provision of this bylaw, the minimum permitted lot area within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010” is 4.0 hectares. #200

- ii) Despite any other provision of this bylaw, for the purpose of subdivision, the following sections of this bylaw do not apply to lots within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010”:

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

iii) **Lot Area**

The minimum lot area permitted shall be 2.0 hectares (4.9 acres)

Despite (iii), a subdivision with lots smaller than identified above may be created by subdivision provided that the average lot area within the subdivision is equal to the minimum lot area permitted.

End • CR-1

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

DATE: November 6, 2017

FILE: 3360-20/RZ 2A 17

TO: Chair and Directors
Electoral Areas Services Committee

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

RE: 5819 Tipton Road (Upper Island Development)
Baynes Sound – Denman/Hornby Islands (Electoral Area A)
Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964

Purpose

The purpose of this report is to review the findings of the external agency referral, present a bylaw for first and second readings and recommend that a public hearing date be set.

Recommendations from the Chief Administrative Officer:

1. THAT the board give first and second readings to Bylaw No. 505, Appendix A to staff report dated November 6, 2017 (RZ 2A 17 – Upper Island Development), being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72” which rezones the Country Residential One (CR-1) portion of Lot B, District Lot 13, Nelson District, Plan VIP60017, PID 019-045-964 (5819 Tipton Road) to Residential One (R-1);

AND FINALLY THAT pursuant to Section 464(1) of the *Local Government Act* (RSBC, 2015, c. 1), the board schedule a public hearing for Bylaw No. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72” (RZ 2A 17 – Upper Island Development).

2. THAT prior to a public hearing on Bylaw No. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72”, Upper Island Development be required to obtain final subdivision approval from the Ministry of Transportation and Infrastructure to ‘unhook’ the lands east of the railway right-of-way (File Number: 00090 A 17).

Executive Summary

- The subject property is 56 hectares ‘hooked’ over a railway right-of-way. The owner has received preliminary layout approval from the Ministry of Transportation and Infrastructure (MoTI) to ‘unhook’ the 0.8 hectare portion east of the railway.
- The proposal is to rezone the 0.8 hectare portion from CR-1 to R-1 to enable further subdivision into two residential lots fronting onto Tipton Road. The property is within the Union Bay settlement node.
- External agency referral has been undertaken and, as of the date of this report, comments have been received from K’ómoks First Nations (KFN) and MoTI. They both have no objections to the proposed bylaw amendment. The Electoral Area ‘A’ Advisory Planning Commission (APC) approved a motion to support the rezoning application.
- Staff has prepared a bylaw that rezones the 0.8 hectare portion of the property from CR-1 to R-1 (Appendix A).

- Staff recommends proceeding to the next step in the rezoning process which is approval of first and second readings and scheduling a public hearing. The public hearing should not take place until the provincial approving officer has granted final approval for the subdivision.

Prepared by:

B. Labute

Brianne Labute
Planner

Concurrence:

A. Mullaly

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

Concurrence:

A. MacDonald

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

Stakeholder Distribution (Upon Agenda Publication)

Owner	✓
Agent	✓

Background/Current Situation

The subject property is located in Baynes Sound – Denman/Hornby Islands (Electoral Area A). The 56 hectare lot is ‘hooked’ across a railway right-of-way (Figure 1). The application is to rezone the lands (0.8 hectare) east of the railway from CR-1 to R-1 to enable further subdivision into two residential parcels. These vacant lands front onto Tipton Road and are bound by residential lots to the north and the south, railway right-of-way to the west and Tipton Road to the east. The property is within the Union Bay Improvement District for water and fire services.

The owner has received preliminary layout approval from MoTI to ‘unhook’ the lands east of the railway and are working to meet the conditions for final approval. The public hearing should not take place until the provincial approving officer has granted final approval for the subdivision.

At their meeting on September 19, 2017, the Comox Valley Regional District (CVRD) board authorized staff to commence the external agency and First Nations referral process. As detailed below, none of the responding agencies have an objection.

Official Community Plan Analysis

The property is designated as Settlement Node in the Official Community Plan (OCP) being the “Rural Comox Valley Official Community Plan, Bylaw No. 337, 2014”. The OCP identifies settlement nodes as growth areas for the CVRD. Residential intensification is encouraged provided it is in keeping with the existing neighbourhood character and is appropriately serviced. The proposed rezoning is consistent with policies in the OCP.

Zoning Bylaw Analysis

The property currently has split zoning. The lands east of the railway are zoned CR-1 and the remainder is zoned Country Residential Two (CR-2) (Figure 2). The CR-1 and CR-2 zone allow for residential uses and establish a minimum lot size of 2.0 hectares. No change is proposed for the CR-2 portion. The applicant would like to rezone the CR-1 portion to R-1 (Appendix B) as the minimum lot size in the R-1 zone is 0.4 hectares when connected to either community water or sewer. The property is within the Union Bay Improvement District for water services and has the ability to connect to a water line that runs adjacent to the east side of the railway right-of-way. Rezoning the 0.8 hectare portion to R-1 enables the owners to apply to subdivide the property into two lots fronting onto Tipton Road.

Policy Analysis

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

Sections 464 through 466 of the LGA establish the requirements and procedures for holding a public hearing prior to zoning bylaw adoption, including notification requirements. Bylaw No. 328, being the “Comox Valley Regional District Planning Procedures and Fees Bylaw, Bylaw No. 328, 2014”, implements the LGA’s requirements and states that public hearings are held following second reading and that notification within the Settlement Node designation will be mailed to property owners and tenants within 50 metres of the property for which the bylaw amendment is proposed.

Options

At this time, the board has the following options:

1. Approve first and second readings of proposed Bylaw No. 505 and set a date for the public hearing;
2. Refer proposed Bylaw No. 505 back to staff for revision; or
3. Deny the application to rezone.

Based on the discussion contained within this report, staff recommends option 1.

Financial Factors

Application fees have been levied in accordance with Bylaw No. 328. The \$1500 fee has been collected for the public hearing. This fee covers the costs of the newspaper advertisement and direct mailing to property owners and tenants within 50 metres of the subject property, as well as the costs related to hosting the hearing. The owner is required to install a notice sign on the property, in accordance with Bylaw No. 328’s specifications. The costs of the sign and its installation are not included in the public hearing fee and are the responsibility of the applicant. Future development application fees (e.g. subdivision, development permit, building permit) are not covered by the rezoning or public hearing fees.

Legal Factors

The recommendations contained within this report have been prepared in accordance with the LGA and applicable CVRD bylaws.

Regional Growth Strategy Implications

The subject property is designated as Settlement Node in the Regional Growth Strategy (RGS), being the “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010”. The RGS identifies settlement nodes as areas with capacity to accommodate new growth through a balance of new development, intensification and improvements to public infrastructure. The subject property is within the Union Bay Improvement District for water and fire services. There is no sewer servicing in the area. The proposed rezoning will enable future subdivision into two residential lots, which is consistent with RGS policies to direct growth to settlement nodes.

Intergovernmental Factors

As of the date of this report, KFN is the only First Nation to provide referral comments. KFN has no comments or concerns with the proposal (Appendix C). The initial request to First Nations for comments was sent September 21, 2017 and a follow-up request was sent on October 23, 2017. External referrals were also sent to the following agencies:

- MoTI
- Island Health
- BC Assessment
- School District No. 71 (Comox Valley)
- Union Bay Improvement District

Comments were received from MoTI (Appendix D). MoTI does not object to the proposed bylaw amendment.

Note that any individual or agency can provide comments on the proposed bylaw up until the close of the statutory public hearing.

Interdepartmental Involvement

Comments from other departments have been considered in the preparation of this report.

Citizen/Public Relations

Advisory Planning Commission (APC) A (Baynes Sound – Denman/Hornby Islands) reviewed the application on October 23, 2017. The APC supported the rezoning proposal. The minutes from the meeting will be forwarded to the Electoral Areas Services Committee.

If the board concurs with staff's recommendation to approve first and second readings and schedule a public hearing, the applicant will need to post a sign on their property identifying the details of the proposed bylaw and advising of the meeting date. Staff will send a direct mailing to property owners and tenants within 50 metres of the subject property and will prepare a newspaper notice to advise of the public hearing. Any citizen can provide written comments up to the close of the public hearing and can appear at the public hearing to verbally address the electoral area directors.

Attachments: Appendix A – “Bylaw No. 505”
Appendix B – “R-1 zone, Comox Valley Zoning Bylaw, No. 2781, 2005”
Appendix C – “KFN Response, dated October 24, 2017”
Appendix D – “MoTI Response, dated October 11, 2017”

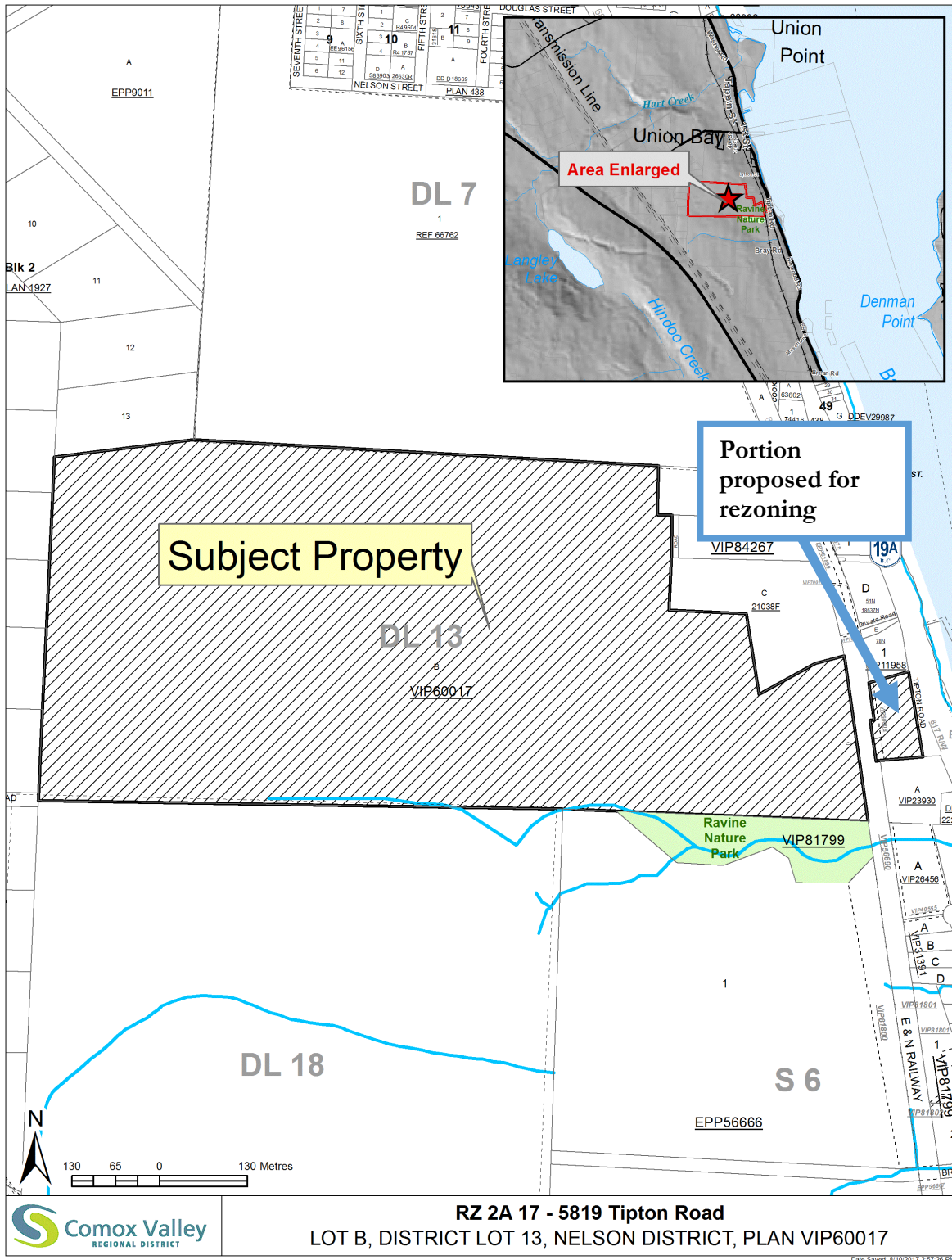


Figure 1: Subject Property Map

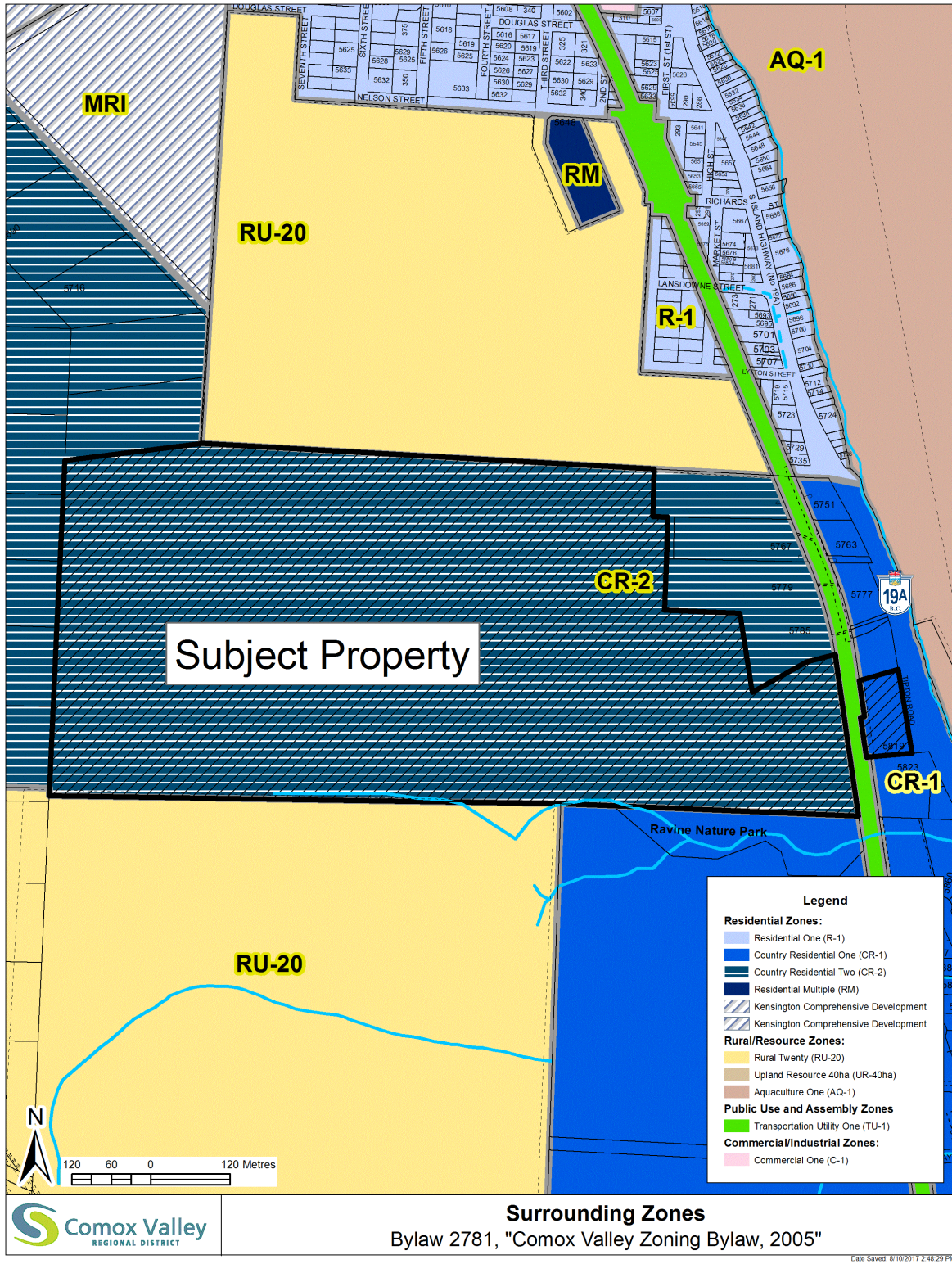


Figure 2: Zoning of Area

Bylaw No. 505
Comox Valley Regional District

STATUS

Title: Comox Valley Zoning Bylaw, 2005, Amendment No. 72

Applicant: Upper Island Development

Electoral Area: A (Baynes Sound – Denman/Hornby Islands)

File No.: RZ 2A 17

Purpose: To rezone the portion of the lot currently zoned Country Residential One (CR-1) to Residential One (R-1).

Participants: All Electoral Areas



Application Received: **Date:** July 28, 2017

Electoral Areas Services Committee: **Date:**
Recommendation:

Comox Valley Regional District Board: **Date:**
Decision:

Comox Valley Regional District Board **Date:**
Decision:

Public hearing: **Date:**

Comox Valley Regional District Board: **Date:**
Decision:

Ministry of Transportation and Infrastructure **Required:** Yes
Date Sent:
Date Approved:

Comox Valley Regional District Board: **Date:**
Decision:

Comox Valley Regional District
Bylaw No. 505

**A Bylaw to Amend the “Comox Valley Zoning Bylaw, 2005”
being Bylaw No. 2781**

The board of the Comox Valley Regional District, in open meeting assembled, enacts the following amendments to the “Comox Valley Zoning Bylaw, 2005,” being Bylaw No. 2781:

Section One Text Amendment

- 1) Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005,” is hereby amended as set out in Schedule A attached to and forming part of this bylaw.

Section Two Title

- 1) This Bylaw No. 505 may be cited as the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72.”

Read a first time this	day of	2017.
Read a second time this	day of	2017.
Public hearing held this	day of	2018.
Read a third time this	day of	2018.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72,” as read a third time by the board of the Comox Valley Regional District on the ____ day of _____ 2018.

Corporate Legislative Officer

Approved by the Ministry of Transportation and Infrastructure this	day of	2018.
Adopted this	day of	2018.

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 505, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 72,” as adopted by the board of the Comox Valley Regional District on the ____ day of _____ 2018.

Corporate Legislative Officer

Schedule A

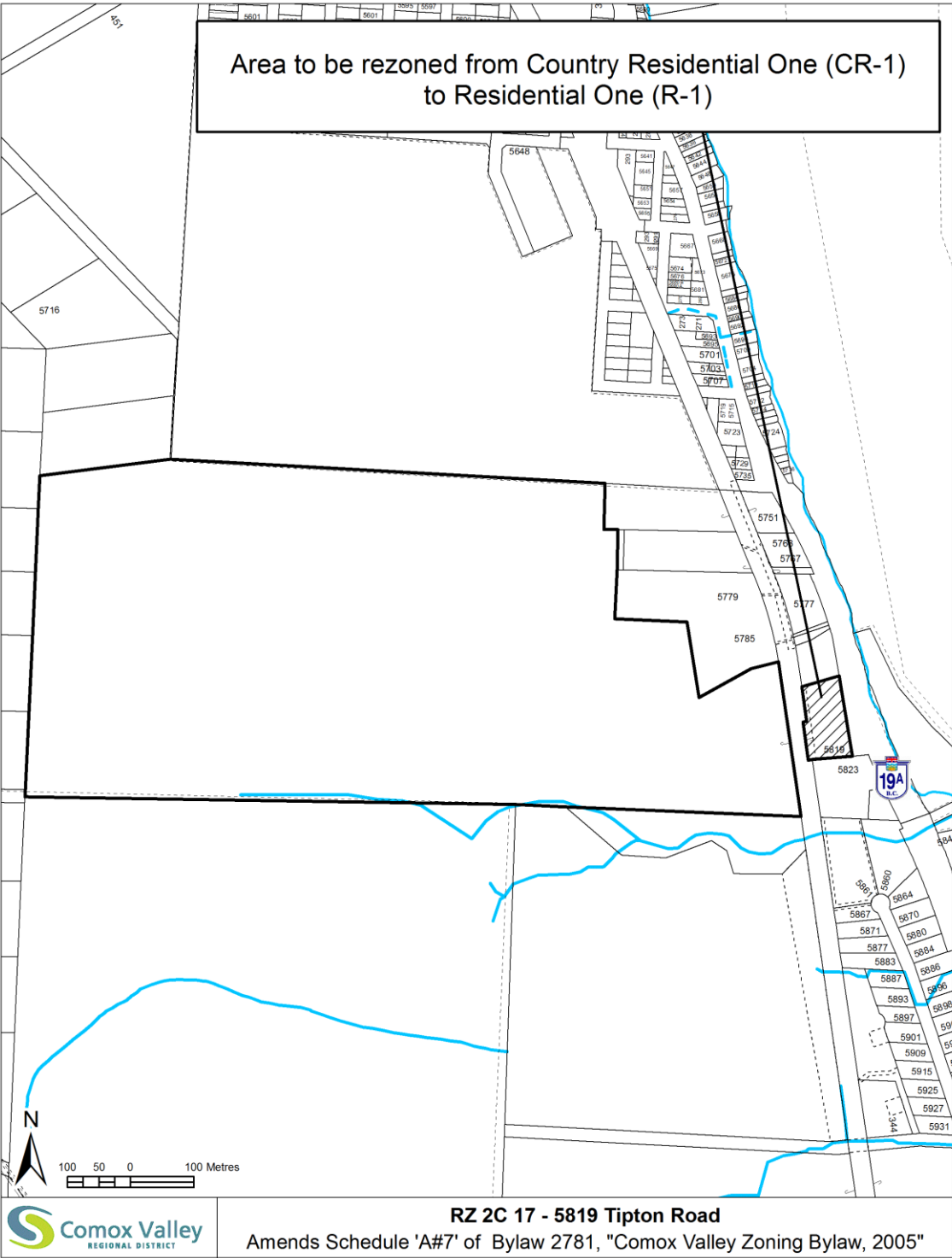
Section One Text Amendment

1. Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005,” is hereby amended by rezoning the Country Residential One (CR-1) portion of the property described as Lot B, District Lot 13, Nelson District, Plan VIP60017 (5819 Tipton Road) to Residential One (R-1).

Section Two Map Amendment

1. Map A-7 forming part of Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”, is hereby amended by rezoning property legally described as Lot B, District Lot 13, Nelson District, Plan VIP60017 (5819 Tipton Road) from Country Residential One (CR-1) to Residential One (R-1) as shown on Appendix 1.

DRAFT



Appendix 1

Part of Schedule A to Bylaw No. 505 being the “Comox Valley Zoning Bylaw, 2005 Amendment No. 72”.

Amends Schedule Map A-7 to Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”.

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

3360-20 / RZ 2A 17

From: Monty Horton
Sent: Tuesday, October 24, 2017 11:29 AM
To: planningdevelopment@comoxvalleyrd.ca
Subject: Rezoning application, 5819 Tipton Rd

We have no comments or concerns regarding the rezoning of the subject portion of DL13

Monty Horton
Lands Manager
K'omoks First Nation

Brianne Labute

From: Kelly, Brendan TRAN:EX <Brendan.Kelly@gov.bc.ca>
Sent: Wednesday, October 11, 2017 8:48 AM
To: Brianne Labute
Subject: RE: Comox Valley Regional District Planning Referral - 5819 Tipton Road (Union Bay)

Hi Brianne,
The Ministry of Transportation and Infrastructure has no objections to the proposed rezoning.

Regards,

Brendan Kelly
Development Technician
Ministry of Transportation and Infrastructure
Vancouver Island District
250-334-6967

From: Brianne Labute [mailto:blabute@comoxvalleyrd.ca]
Sent: Thursday, September 21, 2017 9:02 AM
To: Brianne Labute
Cc: Kelly, Brendan TRAN:EX; 'nancy.clements@viha.ca'; 'admin@union-bay.ca'; 'ian.heselgrave@sd71.bc.ca'
Subject: Comox Valley Regional District Planning Referral - 5819 Tipton Road (Union Bay)

Hello,

Attached please find a planning referral for your agency's review and comment. Please send any comments by **October 23, 2017**.

Kind regards,

Brianne Labute, M.Sc (Planning)
Planner
Planning and Development Services Branch
Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6
Tel: 250-334-6091, Toll Free: 1-800-331-6007
Fax: 250-334-8156