

Notice of meeting of the
Baynes Sound – Denman/Hornby Islands (Area A)
Advisory Planning Commission
Monday, May 28, 2018
To be held in the Bill Wood Room
Located at the Union Bay Hall, 5401 South Island Highway, Union Bay, BC
Commencing at 7:00 pm

PAGE

1. Call to order and recognition of traditional territories
2. 2. Receipt of the minutes of the Monday, April 30, 2018, Baynes Sound – Denman/Hornby Islands (Electoral Area A) Advisory Planning Commission meeting
4. 3. Memorandum dated April 24, 2018, regarding 3090-20/DV 5A 18 – Development Variance Permit Application – Lot 50, Section 2, Newcastle District, Plan 22008 (Goodridge & Turriff)
4. 4. Status update on APC recommendations – Verbal update regarding Electoral Area Services Committee and board decisions related to APC recommendations
5. 5. Next meeting date: Scheduled for Monday, June 25, 2018

Distribution:

Area A APC members
Area Director
Alternate Area Director
Chief Administrative Officer
General Manager of Planning & Development
Manager of Planning Services
Corporate Legislative Officer
Manager of Legislative Services
Planners
CVRD website
File copy
Reception notice board (cover page)

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, April 30, 2018 in the Comox Valley Regional District Boardroom, 550B Comox Road, Courtenay, BC, commencing at 7:00 pm

PRESENT:	Chair	Rodney Jones
	Members	Janet Thomas
		Pieter Rutgers
		Bruce Livesey
		Bill Trussler
		David Stapley
		Karen Fouracre

ABSENT:	Members	Margaret McKenzie
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ALSO PRESENT:	Electoral Area Director	Bruce Jolliffe
	Alternate Director	Jim Argue
	Assistant Manager of Planning Services	Ton Trieu
	Proponent for DV 3A 18	Stephen Halliday

Agenda Items

Call to Order and Recognition of Traditional Territories

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

Minutes of Advisory Planning Commission Meeting

THOMAS/ RUTGERS: THAT the minutes of the Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission meeting held on Monday, March 26, 2018 be received.

CARRIED

3090-20/DV 3A 18 – Development Variance Permit – 6832 Buckley Bay Frontage Road (Halliday)

RUTGERS / LIVESSEY: THAT the Area A Advisory Planning Commission support the variance to reduce the setback adjacent to Ackroyd Road as proposed in the Memo dated April 11, 2018;

AND FURTHER THAT the proposed variance to reduce the setback on the north side adjacent to 6826 Buckley Bay Frontage Road as proposed in the Memo dated April 11, 2018 not be supported.

CARRIED

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

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

Status update on APC recommendations

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

Next Meeting Date

The next Electoral Area A (Baynes Sound – Denman/Hornby Islands) Advisory Planning Commission meeting is scheduled for Monday, May 28, 2018 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

The meeting terminated at 8:25 pm.

Recording Secretary:
Karen Fouracre

Chair:
Rodney Jones

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

Memo

File: 3090-20/DV 5A 18

DATE: April 24, 2018

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

FROM: Planning and Development Services Branch

RE: Development Variance Permit Application – Goodridge & Turriff
Lot 50, Section 2, Newcastle District, Plan 22008, PID 000-176-982

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

An application has been received to consider a Development Variance Permit to increase the maximum height of an accessory building from 6.0 metres to 6.5 metres. The residential property is 0.2 hectares and bound by residential properties to the northwest and southeast, Tozer Road to the northeast and Fanny Bay Conservation Area to the southwest (Figures 1 and 2). The owners obtained a building permit to build an accessory building (Figures 3 to 5). According to the owners, their building plans were approved with all relevant building and lot slope heights, but their contractor requested to flip the building design, so that the carport is at the rear of the building instead of the front. However, they neglected to contour and plateau the lot, so that the building would remain within the maximum height limit.

After the walls were erected, but prior to the roof trusses being placed, the owners obtained a height survey. The height of the framed walls is 4.8 metres, and once the roof trusses are placed, the building height would be 6.0 metres. However, with additional building materials on top of the roof, the final building height would be more than 6.0 metres. Therefore, they applied for a development variance permit to increase the maximum height to 6.5 metres to provide some room and flexibility.

Regional Growth Strategy and Official Community Plan Analysis

The subject property is designated Rural Areas in both the Regional Growth Strategy, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" and the Official Community Plan, being the "Rural Comox Valley Official Community Plan Bylaw, No. 337, 2014". The accessory building does not conflict with the residential policies established in these documents.

Zoning Bylaw Analysis

The property is zoned Residential Rural (R-RU) in Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005". The R-RU zone (Appendix A) permits an accessory building up to 6.0 metres in building height. According to the owners, their challenge is the topography of the property that slopes from Tozer Road towards the rear. In the zoning bylaw, building height is defined as, "*the vertical distance from the average natural grade level of the building footprint to the highest part of the roof surface.*" All other zoning requirements are met.

Please note that Section 309 of the Zoning Bylaw permits an accessory building of up to 90.0 square metres when there is not a principal use being carried out. The size of the subject accessory building is 89.2 square metres. The owners intend to build a single detached dwelling closer to Tozer Road in the future.

Please be advised that all adjacent properties within 100 metres of the subject parcel will be notified via mail of the variance request and be given the opportunity to comment prior to the application going forward to the Electoral Areas Services Committee for consideration.

Sincerely,

T. Trieu

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

/bc

Attachment: Appendix A – “R-RU Zone”

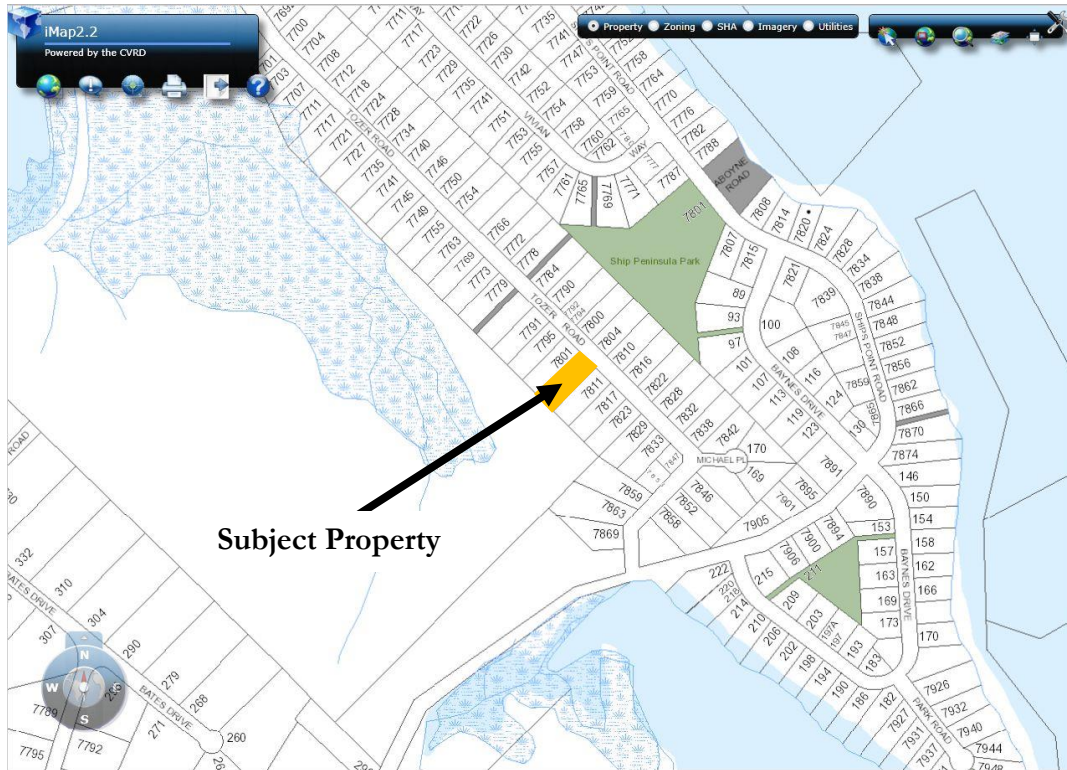


Figure 1: Subject Property Map

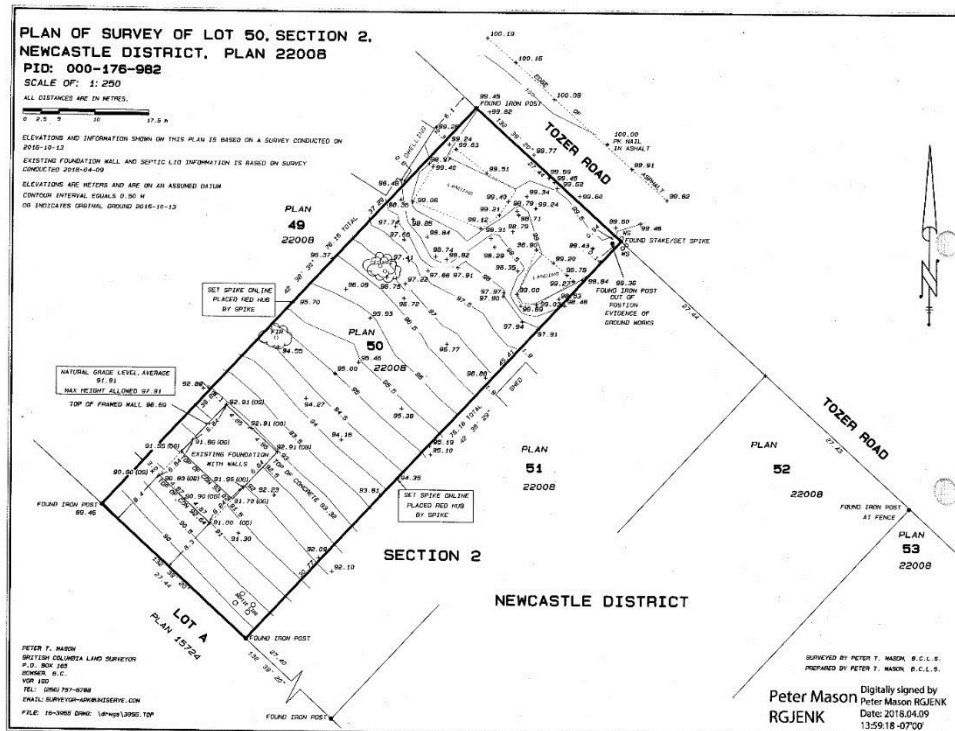


Figure 2: Survey Plan

Comox Valley Regional District

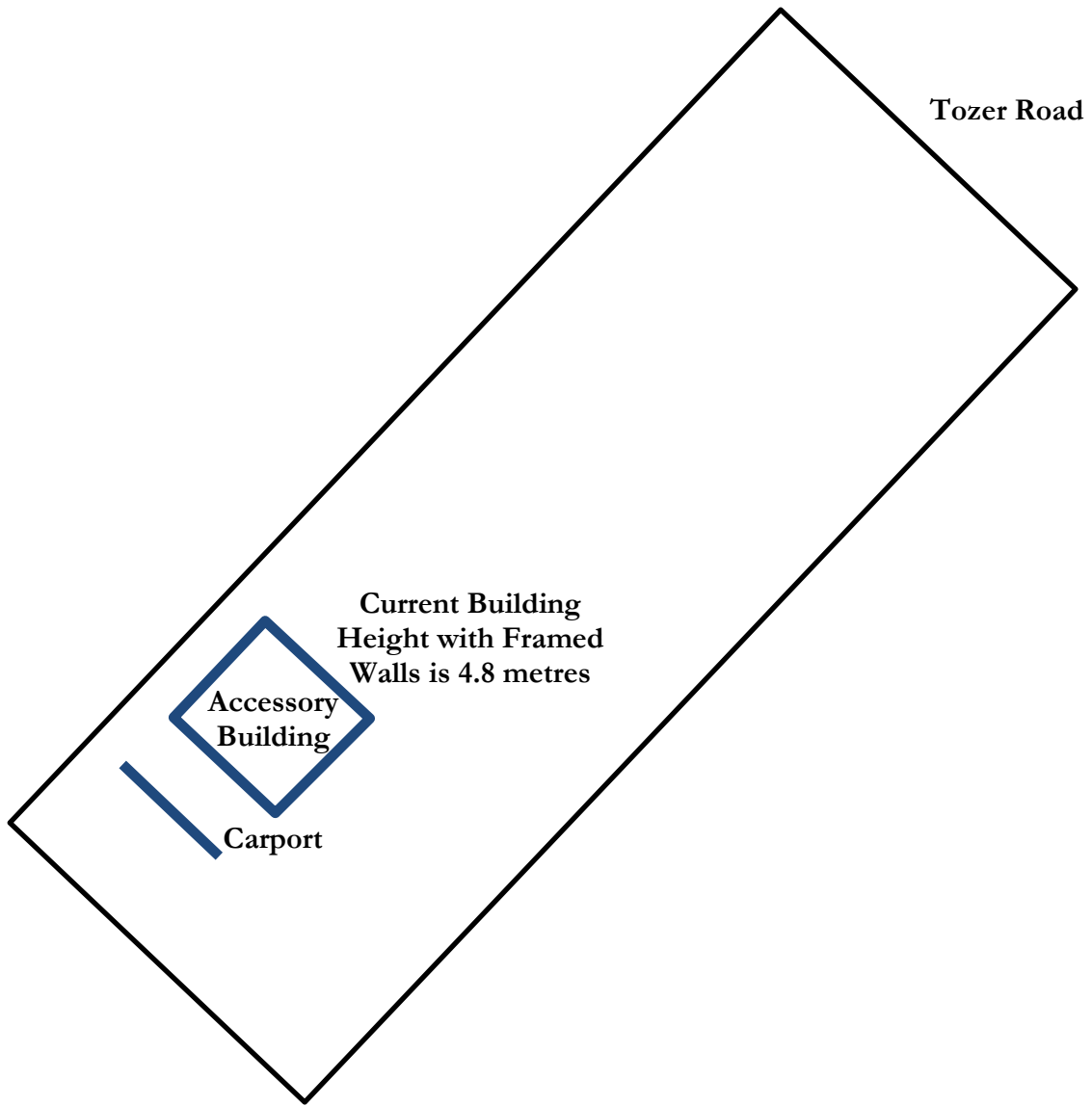


Figure 3: Site Plan



Figure 4: Accessory Building



Figure 5: Accessory Building with Carport

Comox Valley Regional District

706**Residential-Rural (R-RU)****1. PRINCIPAL USE**

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

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

- i) Secondary suite;
- ii) Home occupation use;
- iii) Accessory buildings;
- iv) Bed and Breakfast.

#4

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

- i) **On any lot:** One single detached dwelling and secondary suite, or one single detached dwelling and one carriage house, or one single detached dwelling and one secondary dwelling limited in area to 90.0 metres² (968.8 feet²).

#112

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

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

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

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

5. LOT COVERAGE

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

6. FLOOR AREA REQUIREMENTS

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

7. SUBDIVISION REQUIREMENTS

- i) Despite any other provision of this bylaw, the minimum permitted lot area within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010” is 4.0 hectares. #200
- ii) Despite any other provision of this bylaw, for the purpose of subdivision, the following sections of this bylaw do not apply to lots within areas designated as “settlement expansion areas” under “Comox Valley Regional Growth Strategy Bylaw No. 120, 2010”:
- a) Section 503 Subdivision Standards 1. AREA AND FRONTAGE REQUIREMENTS i);
- b) Section 503 Subdivision Standards 2. LOT SIZE EXCEPTIONS i) a); and
- c) Section 503 Subdivision Standards 2. LOT SIZE EXCEPTIONS iii).

iii) **Lot Area**

The minimum lot area permitted shall be 0.8 hectares (2.0 acres)

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

End • R-RU