

Memo

File: 3090-20/DV 4B 20

DATE: September 10, 2020

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

FROM: Planning and Development Services Branch

RE: **Development Variance Permit – 72 Beech Street (Long)
Lot B, District Lot 110, Comox District, Plan VIP82713, Except Part in Plan
EPP26601, PID 026-997-363**

The attached development proposal is for commission members' review and comment. An application has been received to consider a Development Variance Permit (DVP) to reduce the front yard setback.

Background/Current Situation

An application has been received to consider a DVP to reduce the front yard setback pertaining to Holmes Street from 7.5 metres to 1.0 metre for the purposes of constructing a detached garage. The subject property, located at 72 Beech Street, is zoned Country Residential One (CR-1), is designated as being within the Settlement Expansion Area, and is approximately 0.24 hectares in size (Figures 1 and 2). The property is bounded by Beech Street to the west, Holmes Street to the north (an unopened Ministry of Transportation and Infrastructure (MOTI) right-of-way), Young Street to the south, and two other CR-1 zoned properties to the east.

The property currently has an existing dwelling unit and small shed. The applicant is proposing the construction of a detached garage that would have a 1.0 metre setback from Holmes Street (Figure 3). The façade of the proposed garage is completely flat and there are no protruding eaves (Figure 4), so the front yard variance for the structure is the only variance being considered. Minimum setback requirements are set in order to ensure sufficient space for access and maintenance, to ensure sightlines to encourage vehicle and pedestrian safety, and to ensure privacy for property owners and their neighbours.

Official Community Plan and Regional Growth Strategy Analysis

Bylaw No. 337 and Bylaw No. 120, being the "Rural Comox Valley Official Community Plan, Bylaw No. 337, 2014" and the "Comox Valley Regional District Regional Growth Strategy, Bylaw No. 120, 2010" respectively, both designate the subject property as within the Settlement Expansion Area. These are identified lands near the border of a member municipality that will, in some point in the future, be considered for incorporation into said member municipality. This proposal does not conflict with any of the residential principles or objectives outlined within Bylaw Nos. 337 or 120.

Zoning Bylaw Analysis

Bylaw No. 520, being the “Rural Comox Valley Zoning Bylaw, No. 520, 2019,” defines a front yard lot line as “*the lot line which is common to the lot and a highway ...[and]...where two or more lot lines are common to a lot and a highway, they shall be deemed to be the front lot line.*” As such, Young Street, Beech Street, and Holmes Street are all considered to be front yard lot lines, each of which require a 7.5 metre setback for all buildings and structures. This variance application would reduce the front yard setback from 7.5 metres to 1.0 metre only as it pertains to Holmes Street, the unopened MOTI right-of-way.

Table 1: Variance Summary

Zoning Bylaw	Variance	Zoning	Proposed	Difference
Section 703 (5)	Front yard setback	7.5 metres	1.0 metre	6.5 metres

Sincerely,

T. Trieu

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

/dt



Figure 1: Subject Property Map



Figure 2: Air Photo

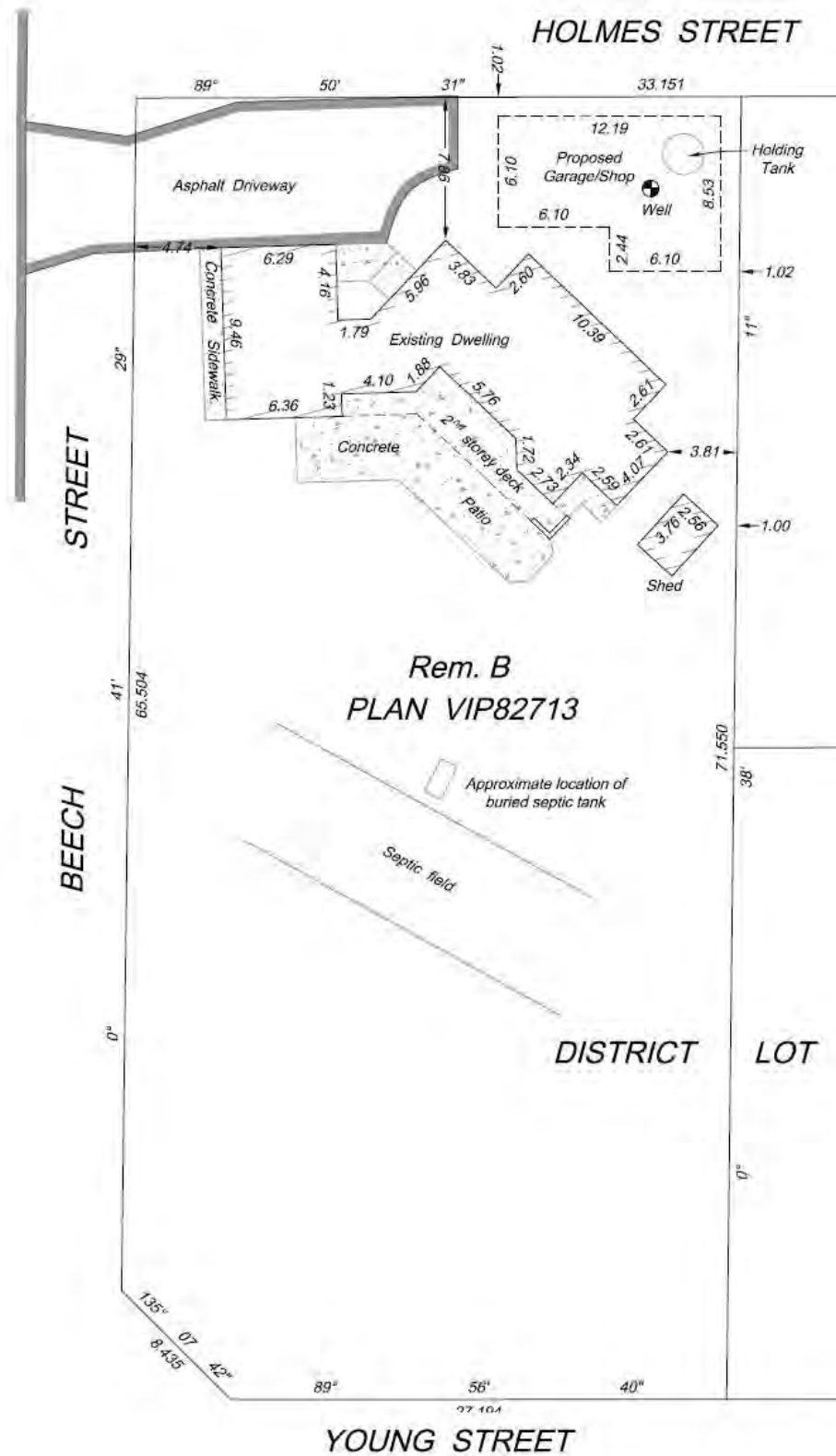


Figure 3: Site Plan

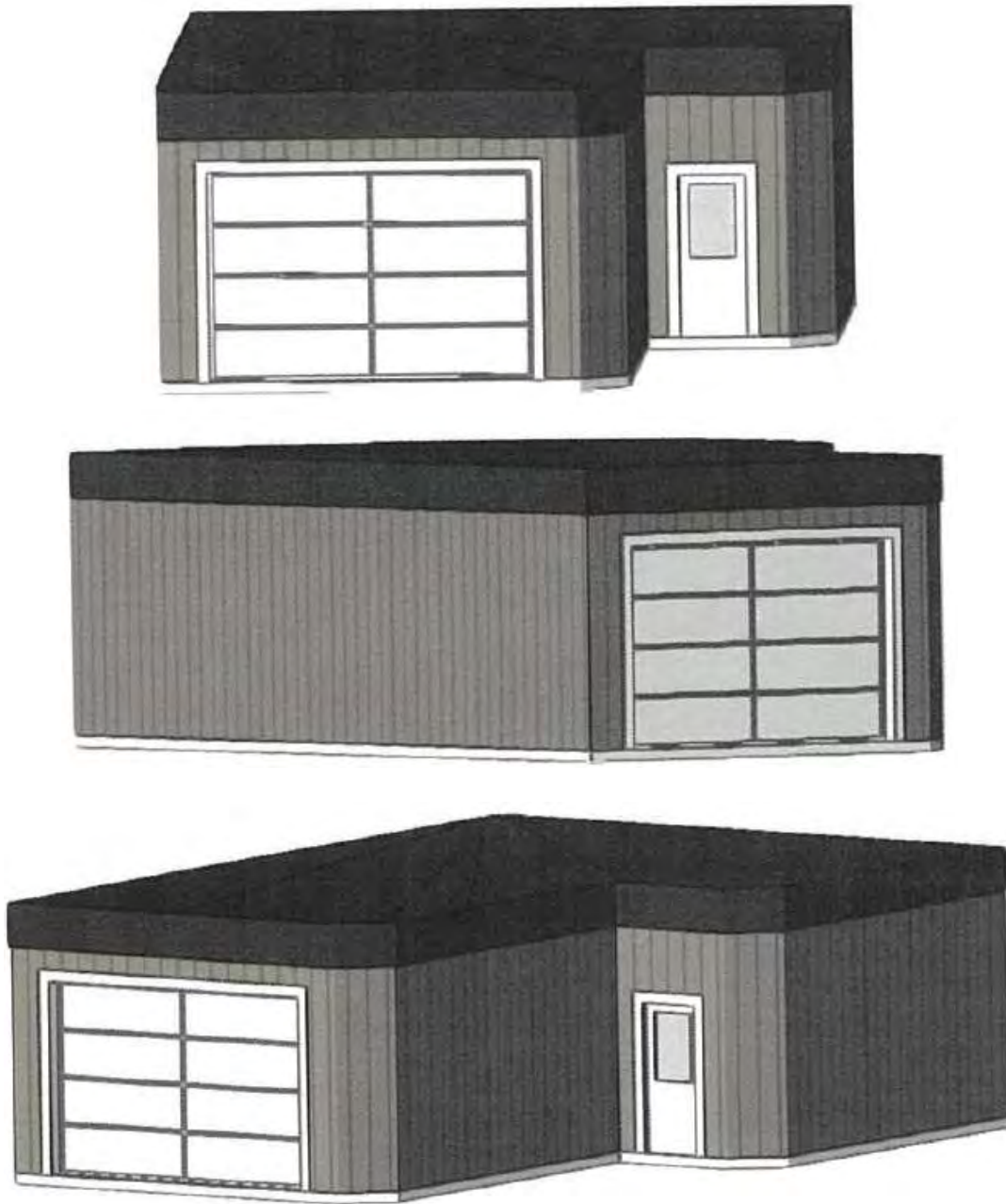


Figure 4: Elevation Drawings