

BYLAW NO. 380  
COMOX VALLEY REGIONAL DISTRICT

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**STATUS**

TITLE: Bylaw No. 380 being Comox Valley Zoning Bylaw No. 2781, 2005, Amendment No. 62

APPLICANT: Island Timberlands

ELECTORAL AREA: Baynes Sound –Denman/Hornby Islands (Area ‘A’)

FILE NO.: RZ 1A 14

PURPOSE: To rezone the subject property from rural twenty (RU-20) to rural four (RU-4) in order to permit enable subdivision of 11 lots.

PARTICIPANTS: All Electoral Areas



Application received: **Date: April 2014**

Electoral Areas Services  
Committee: **Date: May 11, 2015**  
**Recommendation:**

*THAT the board approve first and second readings of Bylaw No. 380 being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 62,” which proposes to rezone a property (RZ 1A 14) legally described as Lot 4, District Lot 12, (situated partly within District lots 31G, 33G and 40G of Section 2) Nelson District, Plan 46828, Except Part in Plan VIP68043 and a portion of District Lot 33, Section 2A Nelson District except Plan VIP66877, except part in District Lots 12, 23 and 27 and except part in Plan VIP69915 (Brean Road lands) from rural residential twenty (RU-20) to rural four (RU-4);*

*AND FURTHER THAT prior to the public hearing the board direct staff to work with the applicant to complete amenity contribution negotiations, including discussion with the Island Corridor Foundation regarding trail access along the rail line right-of-way;*

*AND FURTHER THAT prior to the public hearing the applicant must confirm domestic potable water for each proposed lot;*

*AND FURTHER THAT prior to the public hearing the applicant must illustrate a primary and back up septic system location for each proposed parcel;*

*AND FINALLY THAT pursuant to section 890 of the Local Government Act, the board schedule a public hearing for Bylaw No. 380 being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 62.”*

Regional Board: **Date:** May 26, 2015  
**Decision:**

Regional Board **Date:**  
**Decision:**

Public hearing: **Date:**

Regional Board: **Date:**  
**Decision:**

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

Regional Board: **Date:**  
**Decision:**

**COMOX VALLEY REGIONAL DISTRICT**  
**BYLAW NO. 380**

**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:

**Zoning bylaw 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.

**Citation**

This Bylaw No. 380 may be cited as the “Comox Valley Zoning Bylaw, 2005, Amendment No. 62.”

<b>Read a first time this</b>	<b>day of</b>	<b>2015.</b>
<b>Read a second time this</b>	<b>day of</b>	<b>2015.</b>
<b>Public hearing held this</b>	<b>day of</b>	<b>2015.</b>
<b>Read a third time this</b>	<b>day of</b>	<b>2015.</b>

I hereby certify the foregoing to be a true and correct copy of Bylaw No.380 being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 62” as read a third time by the board of the Comox Valley Regional District on the            day of            2015.

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Corporate Legislative Officer

<b>Approved by the Ministry of Transportation and Infrastructure this</b>	<b>day of</b>	<b>2015.</b>
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<b>Adopted this</b>	<b>day of</b>	<b>2015.</b>
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\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 380 being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 62” as adopted by the board of the Comox Valley Regional District on the            day of            2015.

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Corporate Legislative Officer

## Schedule A

### SECTION ONE TEXT AMENDMENTS

- 1) The following text “Bylaw No. 1836 being the “Floodplain Management Bylaw, 1997”” is hereby replaced with “Bylaw No. 2782 being the “Floodplain Management Bylaw, 2005”” throughout the bylaw.
- 2) Part 800, “Rural Zones” is hereby amended by inserting the following zone before the Rural Eight (RU-8) zone and renumbering zones and pages accordingly:

#### **800.1**

#### **Rural Four (RU-4)**

1. **PERMITTED PRINCIPAL USE**

**i) On any lot:**

- a) Residential use;
- b) Agricultural use;

2. **PERMITTED ACCESSORY USES**

**i) On any lot:**

- a) Home occupations;
- b) Domestic business
- c) Domestic industrial
- d) Riding academies;
- e) Silviculture;
- f) Aquaculture (finfish and shellfish);
- g) Fish hatchery (including community-based);
- h) Animal kennels.

3. **CONDITIONS OF USE**

**All animal kennel, fish hatchery and aquaculture uses shall be subject to the following conditions:**

- a) No merchandise shall be displayed outdoors.
- b) No mechanized processing permitted on site.
- c) Landscaping and screening is required and should include lawns, shrubs, trees or other suitable landscaping or a type and location to the satisfaction of the CVRD officer. The intent of the landscaping is to mitigate both noise and visual impacts on abutting properties.
- d) All landscaping should constitute a minimum of 5 % of the site utilized for the use. The landscape plan shall be approved by a CVRD officer.
- e) Loading areas, garbage containers and recycling facilities should be screened to a height of 2.5 m by a landscape screen, a solid decorative fence or combination of the two.
- f) When abutting a residential property there must be a landscape buffer of a minimum of 3.5 m in width along the entire abutting length. The buffer is intended for the cultivation of trees, shrubs, and other landscaping measures to mitigate both noise and visual impacts on abutting properties.
- g) All lighting must meet the regional districts dark sky policies.

4. **DENSITY**

**Residential use is limited to:**

- One single-detached dwelling, and;
  - One secondary suite, carriage house, or secondary dwelling limited in size to 90 metres<sup>2</sup>; or
  - A second single detached dwelling

5. **FLOOR AREA REQUIREMENTS**

The maximum combined gross floor area of all accessory buildings shall not exceed 300.0 metres<sup>2</sup>.

6. **SITING OF BUILDINGS AND STRUCTURES**

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

Type of Structure	Height	Required Setback				
		Front yard	Rear yard	Side yard		Side yard abutting road
				Frontage <31m	Frontage >31m	
Principal	10.0m	7.5 m	7.5m	1.75m	3.5m	7.5m
Accessory	4.5m or less	7.5m	1.0m	1.0m	1.0m	7.5m
Accessory	6.0m-4.6m	7.5m	7.5m	1.75m	3.5m	7.5m

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. 2782 being the “Floodplain Management Bylaw, 2005” may affect the siting of structures adjacent to major roads and the natural boundaries of watercourses and the sea, respectively.]

7. **LOT COVERAGE**

The maximum lot coverage of all buildings and structures shall not exceed 15%.

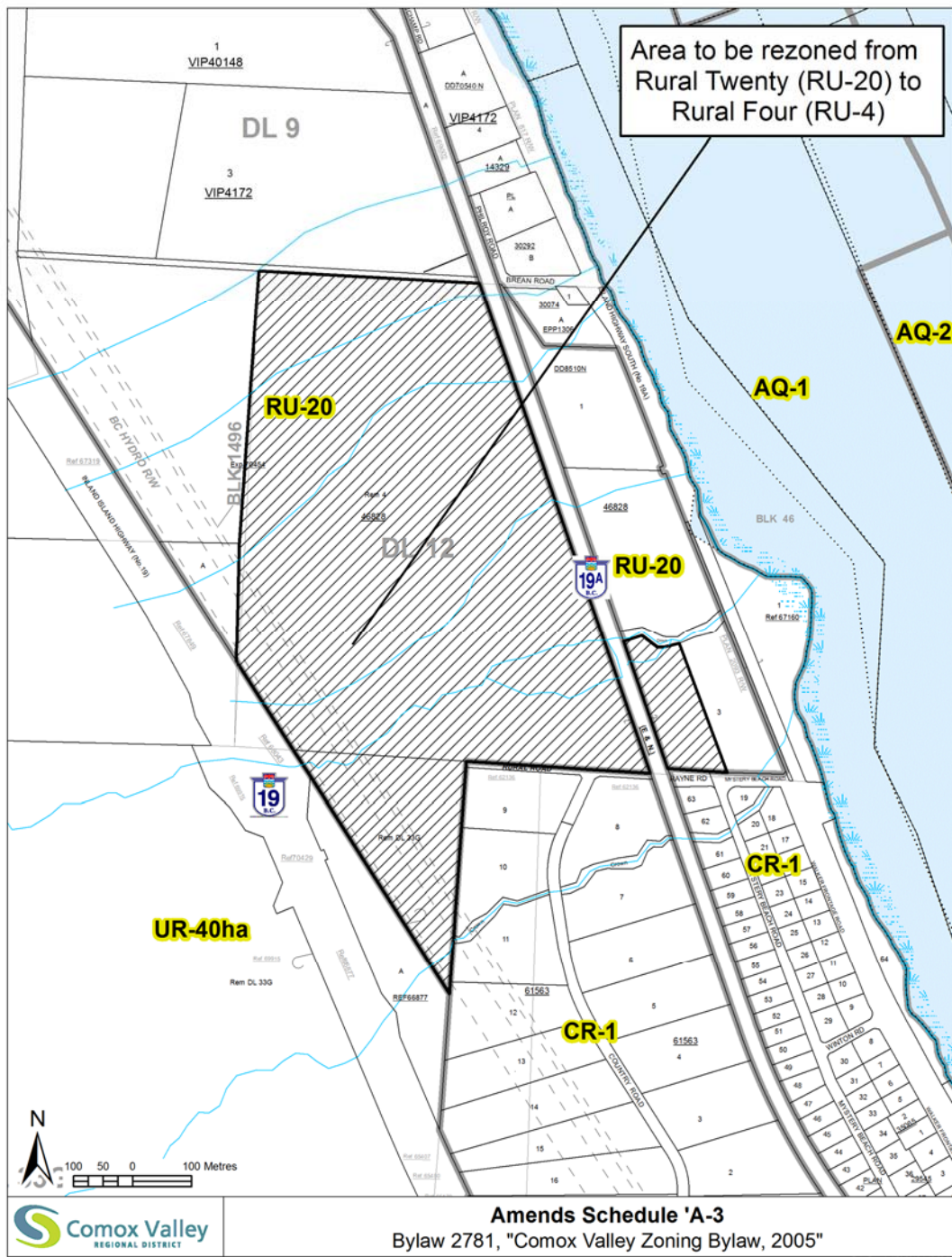
8. **SUBDIVISION REQUIREMENTS**

- i) Minimum lot area: 4.0 hectares

*End – RU-4*

**SECTION TWO MAP AMENDMENT**

- 1) Map A-3 of Bylaw No. 2781, being the “Comox Valley Zoning Bylaw No. 2781, 2005”, is hereby amended by rezoning property legally described as “Lot 4, District Lot 12, (situated partly within District lots 31G, 33G and 40G of Section 2) Nelson District, Plan 46828, Except Part in Plan VIP68043 and a portion of District lot 33, section 2A Nelson District except Plan VIP66877, except part in District Lots 12, 23 and 27 and except part in plan VIP 69915” (Brean Rd. Lands) from Rural Twenty (RU-20) to Rural Four (RU-4) as shown on appendix 1.



### Appendix 1

Part of Schedule A to Bylaw No. 380 being the "Comox Valley Zoning Bylaw No. 2781, 2005, Amendment No. 62".

Amends Schedule Map A-3 to Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005".