

TITLE: Comox Valley Zoning Bylaw, 2005, Amendment No. 71

APPLICANT: Terrance & Jacqueline Carr and Chad & Cheri Lewis

ELECTORAL AREA: **Electoral Area C (Puntledge – Black Creek)**

FILE NO.: 3360-20 / RZ 1C 17

PURPOSE: To rezone from Country Residential One (CR-1) to Saratoga Commercial-Industrial (S-CI) to enable subdivision and development for commercial and light industrial purposes.

PARTICIPANTS: All Electoral Areas



Application received: **Date:** March 30, 2017

Electoral Areas Services Committee: **Date:** May 15, 2017
Recommendation: Commence external agency referral and First Nations referral process

Regional Board: **Date:** May 30, 2017
Decision: Approved external agency referral and First Nations referrals

Electoral Areas Services Committee: **Date:** October 16, 2017
Recommendation: Proceed with 1st and 2nd readings

Regional Board **Date:** November 7, 2017
Decision: 1st and 2nd readings

Public hearing: **Date:** November 22, 2017

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. 488

**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. 488 may be cited as the “Comox Valley Zoning Bylaw, 2005, Amendment No. 71.”

Read a first time this	7th	day of	November	2017.
Read a second time this	7th	day of	November	2017.
Public hearing held this	22nd	day of	November	2017.
Read a third time this		day of		2017.

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 488, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 71,” as read a third time by the board of the Comox Valley Regional District on the ____ day of _____ 20xx.

Corporate Legislative Officer

**Approved by the Ministry of Transportation and
Infrastructure this**

day of **2017.**

Adopted this

day of **2017.**

Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 488, being the “Comox Valley Zoning Bylaw, 2005, Amendment No. 71,” as adopted by the board of the Comox Valley Regional District on the ____ day of _____ 20xx.

Corporate Legislative Officer

Schedule A

Section One Text Amendments

Part 900, “Commercial / Industrial Zones”, is hereby amended by inserting the following new zone after the Community Waste Management (CWM) zone and renumbering zones and pages accordingly:

“

915

Saratoga - Commercial Industrial (S-CI)

1. Principal Use

On any lot:

- i) Retail and wholesale sales;
- ii) Service establishments;
- iii) Offices;
- iv) Restaurants;
- v) Licensed establishments;
- vi) Recreation facilities;
- vii) Automobile service station, excluding washing of vehicles;
- viii) Veterinary clinics, animal hospitals;
- ix) Light industrial;
- x) General contractor services and storage yard;
- xi) Industrial equipment, sales and service;
- xii) Boat building, repairs, service and sales.

2. Accessory Uses

On any lot:

- i) Outdoor storage;
- ii) Residential use;
- iii) Warehousing.

3. Conditions of Use

- i) All permitted uses listed in Section (1), “**Principal Uses**” and Section (2), “**Accessory Uses**”, excluding residential use, shall be subject to the following conditions:
 - a) Landscaped areas with the following characteristics shall be provided:
 - 1) Landscaped areas shall be planted and maintained with trees, shrubs and grasses;
 - 2) Where a property abuts a road right-of-way, a landscaped area at least 3.0 metres in width running the length of the right-of-way, except for points of ingress and egress, shall be provided;
 - 3) Where a property abuts the Island Highway or a frontage road to the Island Highway, a landscaped area at least 4.5 metres in width

- running the length of the right-of-way, except for points of ingress and egress, shall be provided;
- 4) Additional or specific landscaping shall be in accordance with the conditions of the required Development Permit.
- b) No parking, loading or storage areas shall be located within 1.5 metres of any property line.
 - c) All outdoor storage, supply yards, and outdoor equipment maintenance and repair areas shall be screened. Screening not less than 2 metres in height, and on landscaped areas not less than 7.5 metres in width, shall consist of solid wood fencing, evergreen hedging or an earth berm. All screening, including fencing and hedging, shall be well maintained and fencing shall be painted as required.
 - d) Floor Area Ratio (F.A.R.) (see also Part 2, Interpretation) shall be defined as: “The gross floor area of all buildings on a lot divided by the gross area of the subject lot.”
Permitted F.A.R. = 0.5
For each 10 per cent increase in “Open Space”, to a maximum of 60 per cent, F.A.R. is increased by 0.05.
 - e) A minimum of 25 per cent of the lot area shall be retained as open space.
- ii) **“Automobile Service Station”** use, shall be subject to the following conditions:
 - a) Fuel service pumps or pump islands shall be located a minimum of 4.5 metres from any property line. No canopy is to be longer than 33 per cent of the length of the street boundary of the yard in which it is located, to a maximum of 12.0 metres.
 - b) Automobile service stations shall be subject to the following parking requirements:
 - 1) Off-street parking, loading areas and ingress and egress points shall be located so as not to interfere with other on-site vehicular and off-site traffic movements abutting the streets;
 - 2) No parking, loading or storage areas shall be located within 1.5 metres of any property line.
 - c) Automobile service stations shall be subject to the following landscaping requirements:
 - 1) All landscaping should constitute a minimum of 5 per cent of the site;
 - 2) Loading areas, garbage containers and recycling containers shall be screened to a height of at least 2.5 metres;
 - 3) Where the automobile service station is situated on a lot having a boundary in common with any abutting property zoned under Part 700 “Residential Zones”, there shall be provided and maintained on and along the full length of such boundary or portion of the boundary, a landscaped area measuring no less than 3.0 metres in width throughout its length and used for the purpose only of cultivating therein ornamental trees, shrubs, flowers and grass.
 - iii) Each property shall be allowed one freestanding sign for each street frontage of the business to a maximum of two freestanding signs. The freestanding sign shall be permitted in landscaped areas only. The height of the sign, including support

structures, shall not exceed 6.0 metres and the area of any one face shall not exceed 6.5 square metres. A freestanding sign may be illuminated.

- iv) One fascia sign shall be allowed on each building. The maximum area of fascia signs shall be 6 square metres. Fascia signs may be illuminated.
- v) All lighting used throughout the property including for signage, yards and buildings are to be in accordance with regional district ‘Dark Sky’ policies.

4. Density

- i) Residential use is limited to one dwelling unit.

5. Siting of Buildings, Structures and Uses

- i) The setbacks required for buildings and structures within the Saratoga Commercial-Industrial zone (S CI) zone shall be as set out in the table below.

Type of Structure	Required Setback			
	Front yard	Rear yard	Side yard	Side yard abutting road
Principal	7.5 m	7.5 m	4.5 m	7.5 m
Accessory	7.5 m	7.5 m	4.5 m	7.5 m

- ii) Despite 5 i) above, pump islands and canopies associated with an automobile service station may be setback as follows:

Type of Structure	Required Setback			
	Front yard	Rear yard	Side yard	Side yard abutting road
Pump island	4.5 m	4.5 m	4.5 m	4.5 m
Canopies	1.5 m	1.5 m	1.5 m	4.5 m

6. Height of Structures

The maximum permitted height of principal structures shall be:

- i) At 12.0 metres from any lot line: 12.0 metres
- ii) At 7.5 metres from any lot line: 10.0 metres
- iii) In an area less than 7.5 metres from any lot line: 8.0 metres

7. Lot Coverage

- i) The maximum lot coverage of all buildings and structures shall not exceed 50 per cent of the lot area.

8. Subdivision Requirements

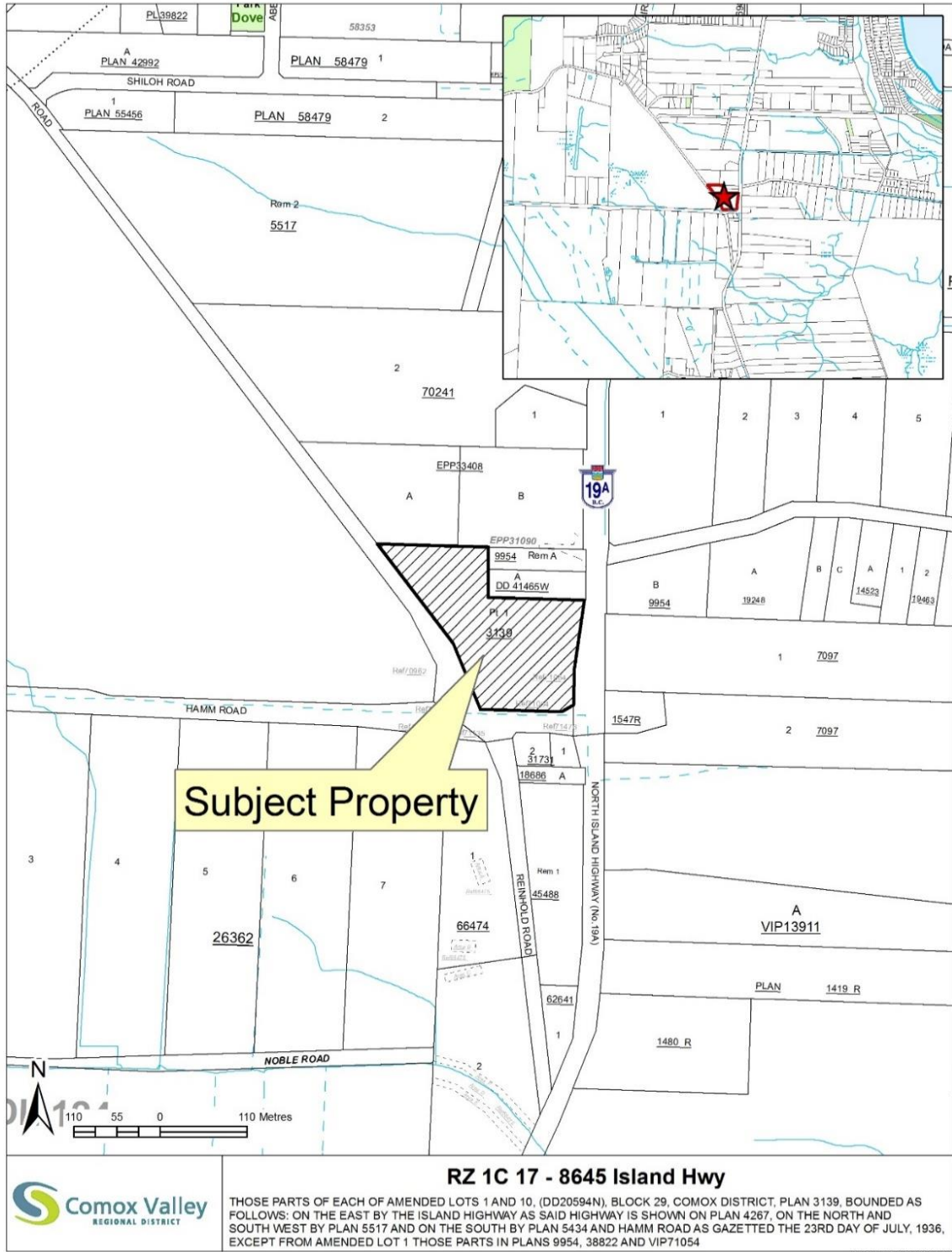
- 1) Minimum lot area: 2.0 hectares.2w
If connected to community water, minimum lot area: 0.4 hectare

End • S C-I”

Section Two Map Amendment

Map A-13 of Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”, is hereby amended by rezoning property legally described as “Those parts of each of amended lots 1 and 10, (DD 20594N), Block 29, Comox District, Plan 3139, PID 002-039-389, bounded as follows: on the east by the Island Highway as said highway is shown on Plan 4267, on the north and south west by Plan 5517 and on the south by Plan 5434 and Hamm Road as gazetted the 23rd day of July, 1936, except from amended Lot 1 those parts in plans 9954, 38822 and VIP71054” (8645 Island Highway) from Country Residential One (CR-1) to Saratoga Commercial-Industrial (S - CI) as shown on Appendix 1.

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Appendix 1

Part of Schedule A to Bylaw No. 488 being the “Comox Valley Zoning Bylaw, Amendment No. 71”.

Amends Schedule Map A-13 to Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, 2005”.