

Memo

File: 3090-20/DV 6A 19

DATE: September 25, 2019

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

FROM: Planning and Development Services Branch

RE: Development Variance Permit Application – 4696 Montrose Drive
(Adams, Wells and Nanayakkara)
Lot 19, District Lot 28, Nelson District, Plan 31464, PID 001-147-382

The attached development proposal is for commission members' review and comment. The subject property, located at 4696 Montrose Drive, is approximately 0.23 hectares in area (Figures 1 and 2). The property is zoned Country Residential One (CR-1) (Appendix A). Currently, the property has a single detached dwelling and several accessory buildings (Figures 3 and 4). The subject building, shown on Figures 3 and 4, received a Development Variance Permit in 2002 to reduce the left side yard setback to 1.0 metre and to reduce the rear yard setback to 3.05 metres.

The applicants recently purchased the subject property and would like to convert the subject building from an accessory building to a secondary dwelling (Figure 5). This proposed conversion would require a Development Variance Permit (DVP), as there are greater setback requirements for a dwelling than for an accessory building. Therefore, the proposed conversion would require the following variances:

- To reduce the left side yard setback of the foundation from 3.5 metres to 2.7 metres.
- To reduce the rear yard setback of the foundation from 7.5 metres to 4.4 metres.
- To reduce the rear yard setback of the eaves from 5.5 metres to 4.1 metres.

According to the applicants, the proposed secondary dwelling would enable a senior to live there and be looked after by family (Appendix B).

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

/bc

Attachments Appendix A – “Country Residential One (CR-1) Zone”
 Appendix B – “Applicants’ Reasons for DVP Application”

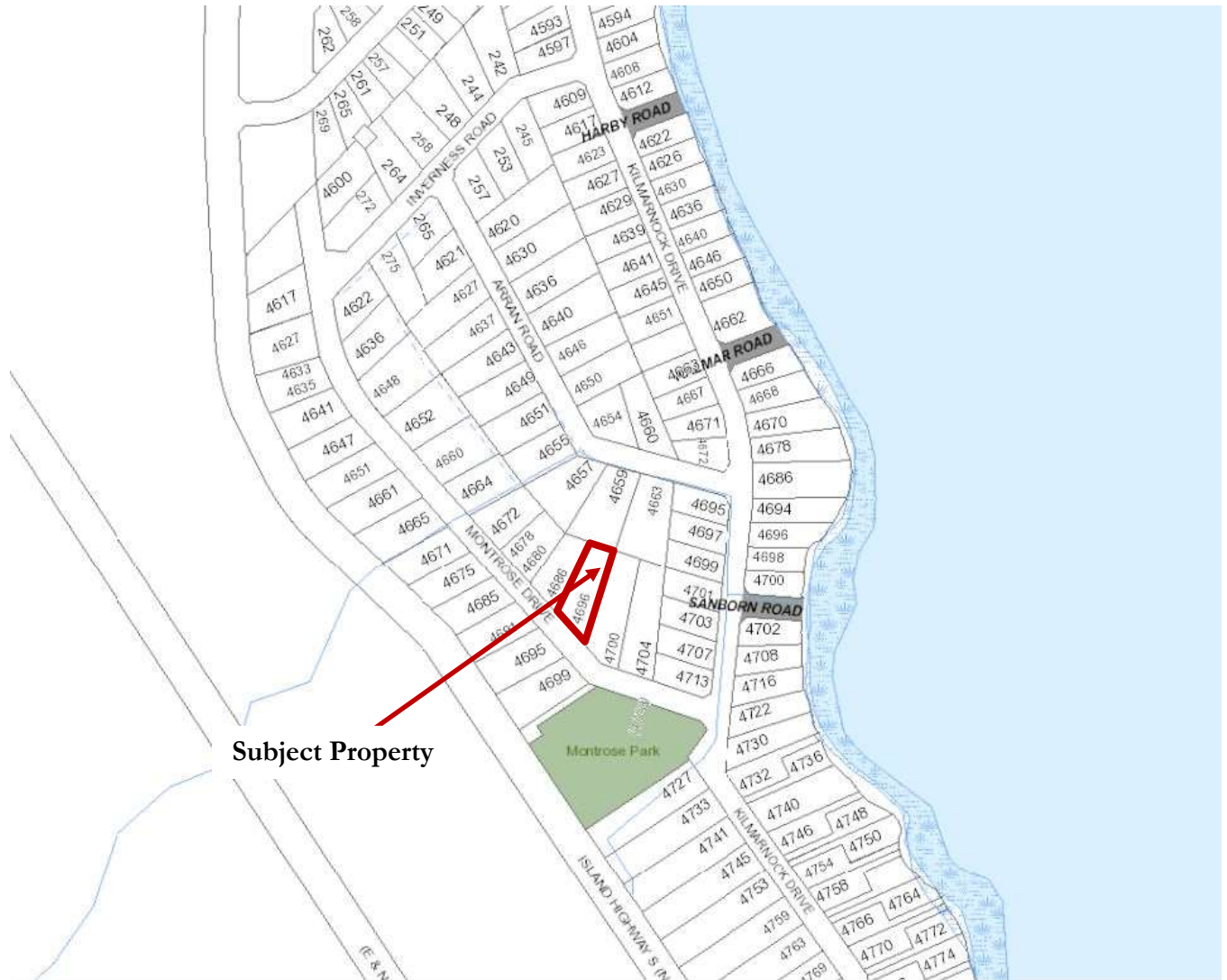


Figure 1: Subject Property Map



Figure 2: Air Photo

**BRITISH COLUMBIA LAND SURVEYOR'S
BUILDING LOCATION CERTIFICATE FOR
ACCESSORY BUILDING ON:**

**LOT 19, DISTRICT LOT 28,
NELSON DISTRICT,
PLAN 31464**

PARCEL IDENTIFIER: 001-147-382

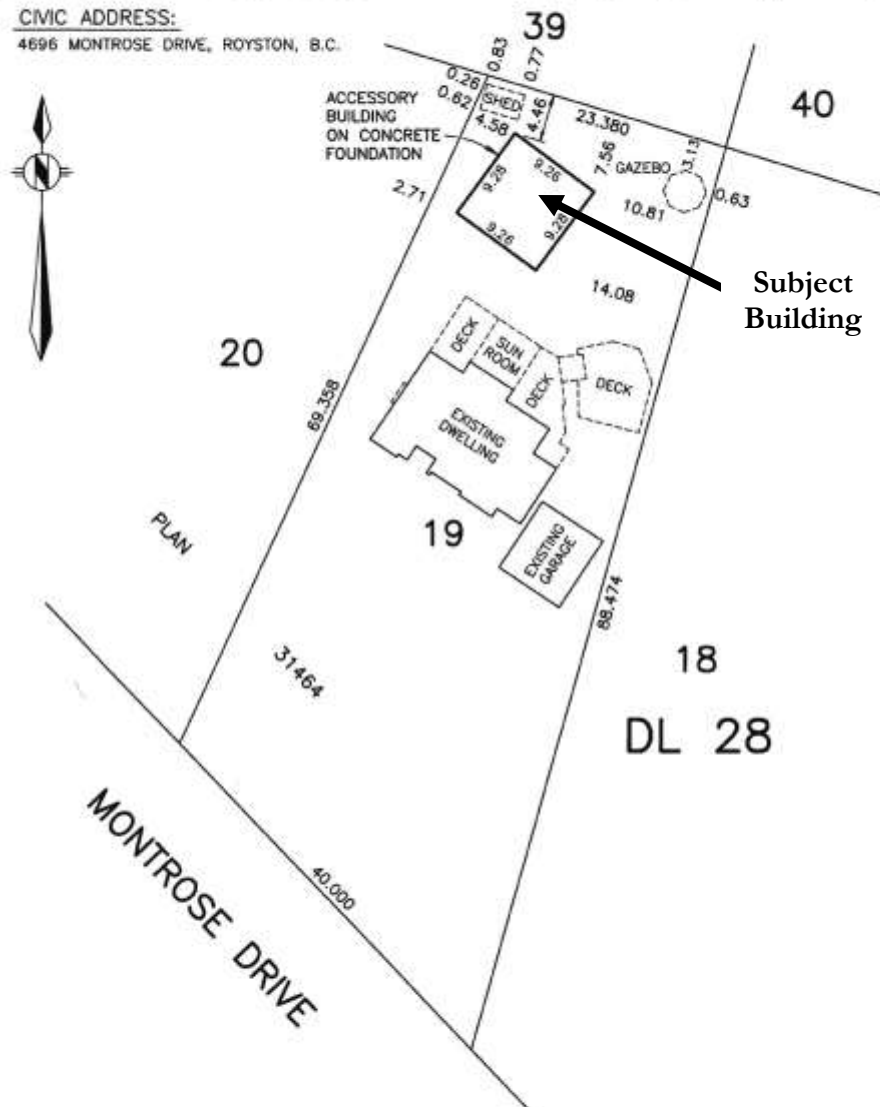
CIVIC ADDRESS:
4696 MONTROSE DRIVE, ROYSTON, B.C.

THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE SURVEYED STRUCTURES AND FEATURES WITH RESPECT TO THE BOUNDARIES OF THE PARCEL DESCRIBED. THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS

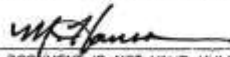
PARCEL BOUNDARIES SHOWN HAVE BEEN DERIVED FROM PLANS 31464 AND VP82952.

SCALE: 1:500

ALL DISTANCES ARE IN METRES.



THIS CERTIFICATE HAS BEEN PREPARED FOR BUILDING LOCATION PURPOSES AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT. CERTIFIED CORRECT THIS 14th DAY OF AUGUST, 2019.

 B.C.L.S.
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

NOTES:

BUILDING DIMENSIONS AND OFFSETS TO PROPERTY LINES ARE SHOWN TO EXTERIOR OF BUILDING WALLS.

THE LOCATION OF IMPROVEMENTS ON THIS PARCEL MAY BE AFFECTED BY PERMIT ET90639, AND STATUTORY BUILDING SCHEME C25121.



McElhanney Associates
Professional Land Surveyors
1211 Ryan Road
Courtenay, B.C. V9N 3R6
Ph : 250-338-5495
File : 05710 S-1717-C2

Figure 3: Site Survey

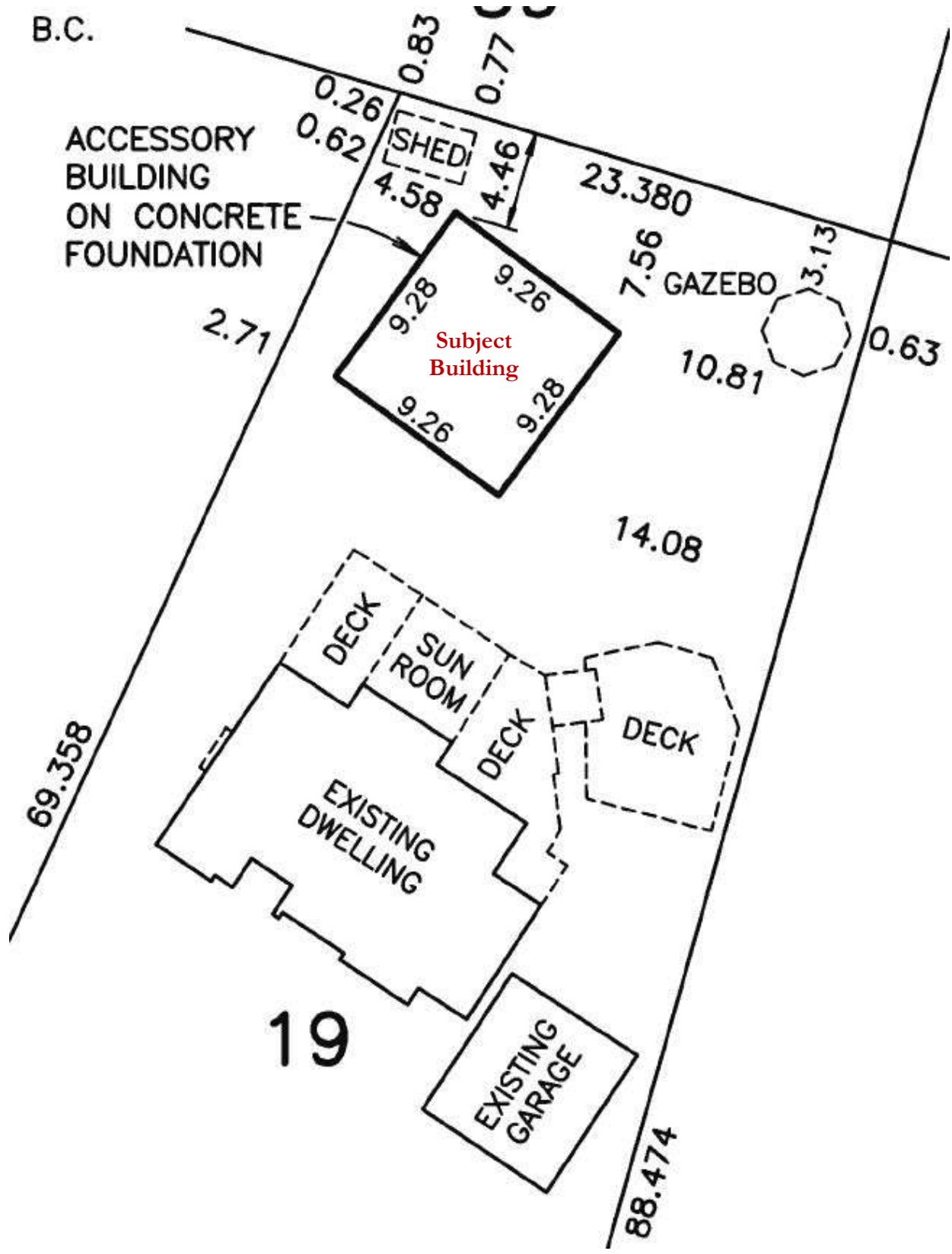


Figure 4: Site Survey Enlarged to Show Details



Figure 5: Subject Building Proposed to be Converted from an Accessory Building to a Secondary Dwelling

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.

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. 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.]

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

- a) 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.
- b) 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”:
 - c) a) Section 503 Subdivision Standards 1. AREA AND FRONTAGE REQUIREMENTS i);
 - d) 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.

Jodi MacLean

From: Linda Adams
Sent: August 26, 2019 2:35 PM
To: Jodi MacLean
Subject: 4696 Montrose Drive, Royston

>
> Attention: Regional Board
>
> As per the application for variance that we submitted today I would like to take this opportunity to provide you with additional information.
>
> I purchased this property with my daughter, Julia Wells and her husband, Seth Nanayakkara. One of the main reasons we purchased the property was because it housed a 900 sq ft secondary building which we would like to convert into a residence for me.
>
> I am a single senior with limited mobility due to arthritis & am currently living with my daughter & her family while we wait for your approval.
>
> With all due respect.
> Linda Adams
>