

Memo

Files: 3060-20/DP 13A 19
3090-20/DV 7A 19

DATE: November 25, 2019

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

FROM: Planning and Development Services Branch

RE: Commercial and Industrial Development Permit and Development Variance Permit
2750 Cumberland Road (Strong Back Holdings Ltd.)
Lot A, District Lot 138, Comox District, Plan 35114, PID 000-324-451

The attached development proposal is for commission members' review and comment. The subject property is located at 2750 Cumberland Road, next to the City of Courtenay to the north and Electoral Area C to the west (Figures 1 and 2). The property is 1.580 hectares in area, and is zoned Industrial Light (IL) (Figure 3).

On October 27, 2015, the Comox Valley Regional District Board issued a Commercial and Industrial Development Permit (DP) for light industry uses, which include a workshop, outdoor parking and outdoor areas to store industrial equipment (Figures 2 and 4).

Since then, the applicant placed two modular buildings onto the property without the benefit of permits (Figures 5 and 6). These new buildings are used as offices. To account for these buildings, a new DP is required. In addition, as one of the buildings does not meet the minimum lot line setbacks, a Development Variance Permit (DVP) is required.

Regional Growth Strategy Analysis

Bylaw No. 120, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" designates the subject property within Settlement Expansion Areas (SEAs). The growth management policies are to phase in new development in an orderly manner to ensure infrastructure capacity is available. The subject property is already zoned to permit industrial uses, and the new office buildings do not require any extension of infrastructure. Therefore, these buildings are consistent with the growth management policies.

Official Community Plan Analysis

Bylaw No. 337, being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014" (OCP) designates the property within SEAs. One of the SEA policies is to permit existing industrial uses to continue. The new buildings are a continuation of the existing industrial uses.

Section 85 of the OCP contains DPA guidelines on the form and character of commercial and industrial development (Appendix A). This DPA is intended to minimize potential for conflict with

established residential properties, to ensure that development is attractive and coordinated with respect to form and character of the neighbourhood.

Form and Character

The guidelines direct that all buildings and structures be architecturally coordinated and give consideration to the relationship between buildings and open areas, circulation systems, visual impact and design compatibility with the surrounding development. The two buildings are modular buildings and have an industrial form and character (Figures 5 and 6). Their location is based on their functions. The northern building is an administrative office, so it is situated at a corner, away from existing industrial uses (Figure 7). The other building is an office for the crew, so it is situated right next to the large workshop for machinery maintenance and repair (Figure 8).

With respect to landscaping and screening, there are six concrete planters in front of the northern building (Figure 5). The other smaller building faces away from the site entrance, and the façade that faces the entrance has a solid wooden enclosure to provide visual screening (Figure 9). In the 2015 approved development, the applicant planted a row of trees along the lot lines and installed a chain link fence with slats (Figure 10). These provide screening from adjacent residential properties. Both buildings are one storey high, and while the subject property is higher than the neighbours, the impact of shadowing is not expected to be high due to the aforementioned trees and fence.

Landscaping

The guidelines direct that a landscape plan should be provided. The landscape plan in the approved 2015 development permit is applied for these two modular buildings. The landscape plan has a row of trees to provide screening and buffering from roads and adjacent residential lots (Figure 10). The applicant added six concrete planters in front of the northern office building (Figure 5).

Construction Phase and Outside Storage

The guidelines in these two sections are not applicable.

Screening

The guidelines state that there should be a 3 metre buffer from residential lots, and that there is visual privacy and screening to cause minimum disturbance to adjacent residential areas. The screening of the row of trees and fence is applicable for these buildings. The northern building is more than three metres away from the lot line that abuts residential properties. The building closer to the site entrance from Cumberland Road has a solid wooden enclosure for screening from the road.

Parking

The guidelines indicate that parking areas should be organized, safe for staff and visitors to walk around the site, and be able to accommodate all of the parking within the site. The two buildings consume some of the space for parking. There is adequate parking for staff adjacent to both of these buildings. Visitor parking is available in front of the northern office building (Figure 7).

Rainwater Management

The guidelines indicate that a rainwater management plan should be provided to manage rainwater onsite without causing runoff impacts onto adjacent lots. The applicant provided a confirmation that the Rainwater Management Plan approved in the 2015 DP is applicable to these buildings. The

engineer calculated that the new impervious area from the two buildings is less than the total amount estimated in 2015, and the engineer did not expect the total post-development runoff to exceed pre-development even with these buildings.

Zoning Bylaw Analysis

The subject property is zoned IL (Figure 3 and Appendix B). The two buildings are for office use, and are deemed as an accessory use to the existing light industrial uses. In the IL zone, the minimum lot line setback for principal and accessory buildings is 7.5 metres from all lot lines. One of the two new buildings is too close to the lot lines. The northern building (Figure 5) requires the following variances:

- To reduce the front yard setback (Slade Road) from 7.5 metres to 2.9 metres (Figure 11).
- To reduce the northeast side yard setback from 7.5 metres to 3.7 metres (Figure 12).

The front yard setback is less than 4.5 metres from Slade Road, which is under the jurisdiction of the City of Courtenay. Therefore, as part of this DVP review, a referral to the City of Courtenay has been sent for their comments.

The new buildings meet all other aspects of the IL zone regulations, such as the maximum lot coverage of 50 per cent and maximum building height of 8 metres.

Please be advised that all adjacent properties within 100.0 metres of the subject property 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.

Thank you for your review.

Sincerely,

T. Trieu

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

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Attachments: Appendix A – “Commercial and Industrial Development Permit Area Guidelines (Form and Character)”
Appendix B – “IL Zone”

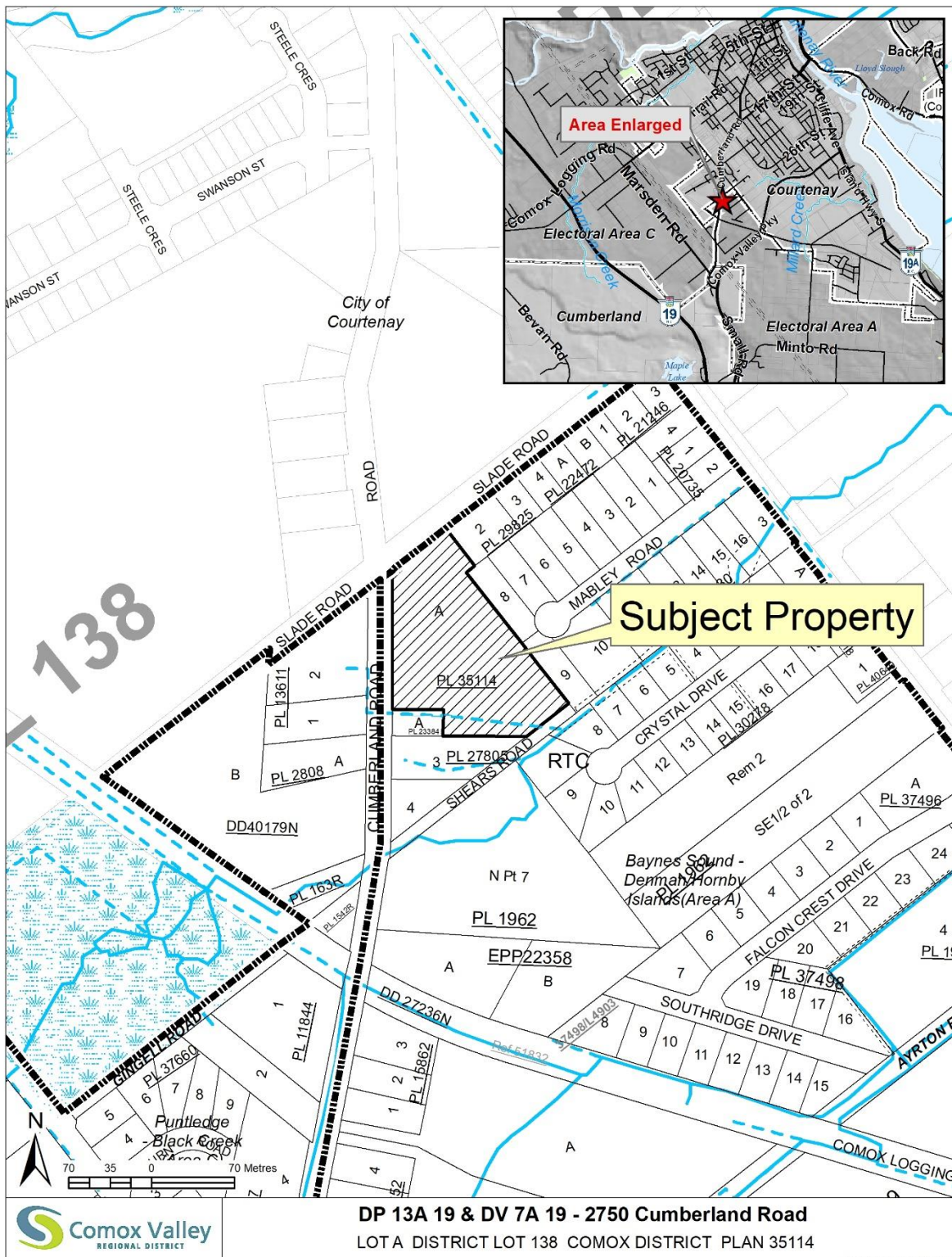


Figure 1: Subject Property Map



Figure 2: Air Photo

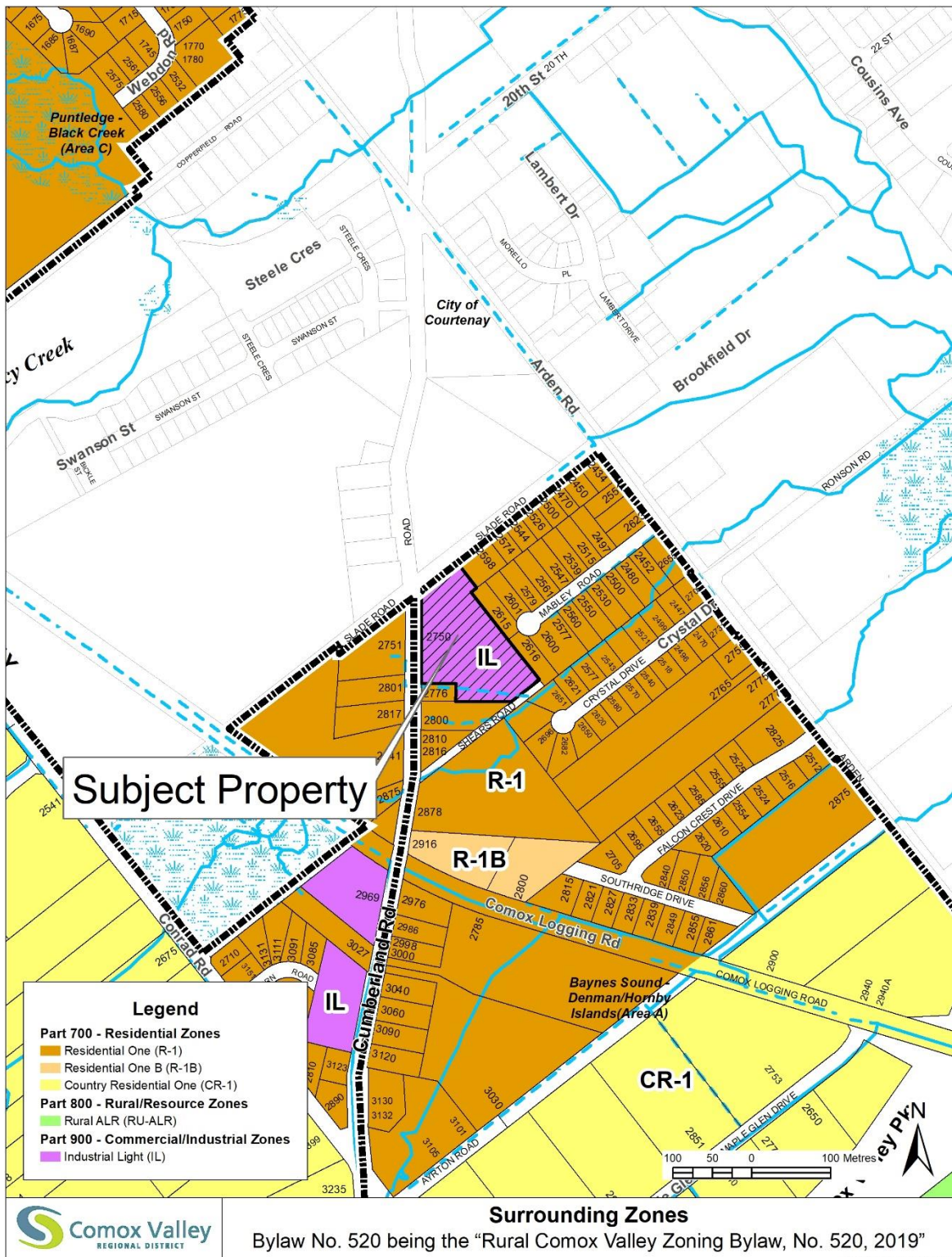


Figure 3: Zoning Map

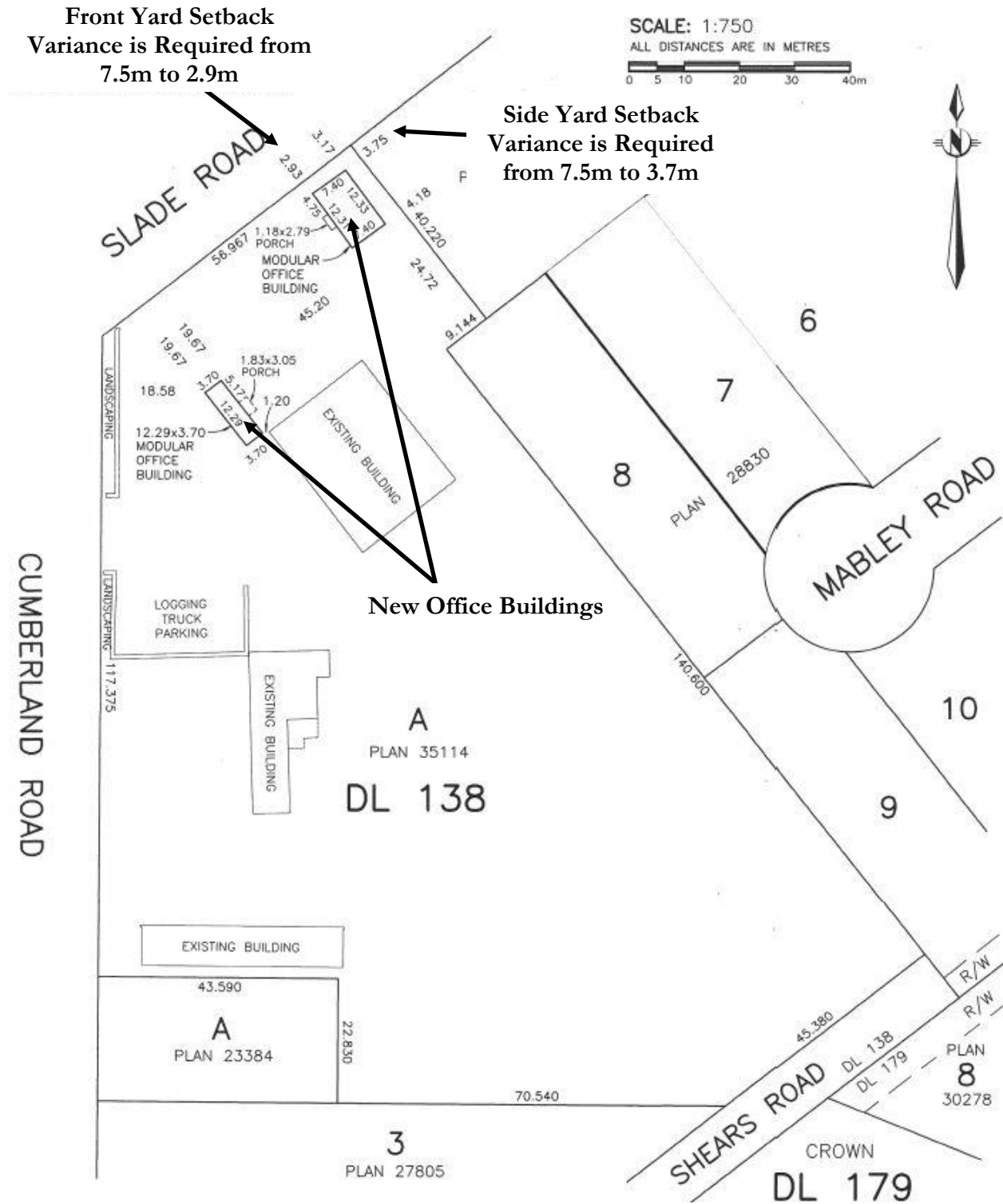


Figure 4: Site Survey



Figure 5: Northern Building Used as Administrative Office



Figure 6: Southern Building Used as Crew Office



Figure 7: Location of the Northern Building



Figure 8: Location of the Southern Building next to the Industrial Building



Figure 9: Solid Wooden Fencing to Shield the Southern Building



Figure 10: Row of Trees and Chain Link Fence with Slats that Surround the Lot



Figure 11: Front Yard Setback between the Northern Building and Slade Road

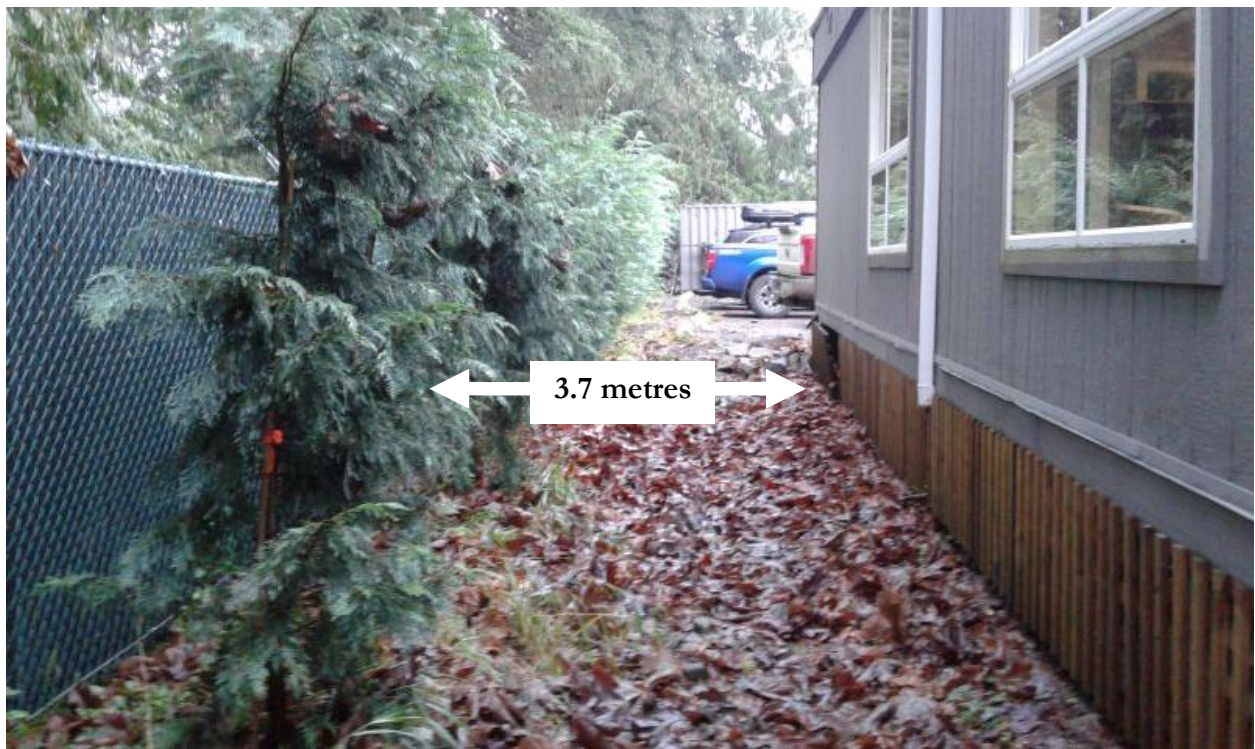


Figure 12: Side Yard Setback of the Northern Building