

Memo

File: 3090-20/DV 8B 19

DATE: July 31, 2019

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

FROM: Planning and Development Services Branch

RE: Development Variance Application – 2160 Quenville Road (Parkin)
Lot 1, Block 71, Comox District, Plan VIP88398, PID 028-351-495

An application has been received to consider a Development Variance Permit (DVP) to vary the following Zoning Bylaw regulations for a proposed accessory building:

- Reduce the minimum side yard setback from 3.5 metres to 3.1 metres; and
- Increase the maximum building height from 6.0 metres to 7.4 metres.

The subject property, located at 2160 Quenville Road, is 0.8 hectares in area (Figures 1 and 2). The property is zoned Residential Rural (R-RU) (Appendix A).

The property currently has a single detached dwelling (Figure 2). In 2013, the owner built the single detached dwelling and received an occupancy permit in December 2013. During construction of this dwelling, the owner put the foundation down for a proposed accessory building. However, this was done without the benefit of a permit, and the foundation was located at 3.1 metres from the side lot line (Figures 3 to 7). The minimum side yard setback requirement for an accessory building in the R-RU zone is 3.5 metres.

To bring the foundation into compliance, a DVP application is required. In addition, the owner would like to increase the maximum building height requirement from 6.0 metres to 7.4 metres (Figures 8 to 10). According to the owner, the proposed accessory building will be one storey tall with an interior loft of 1.8 metres in height for storage. The shop will be used for personal work and storage of a boat, truck and tools. The reason for the additional height is to install high garage doors to accommodate large vehicles and to include the loft. Please refer to Appendix B for owner's reasons that the DVP should be supported.

It should be noted that as part of the comprehensive Zoning Bylaw review, the draft maximum building height for accessory buildings in the R-RU zone is 7.0 metres. The minimum side yard setback for such an accessory building remains the same at 3.5 metres.

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

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Attachments: Appendix A – “R-RU Zone”
Appendix C – “Owner’s Written Brief”

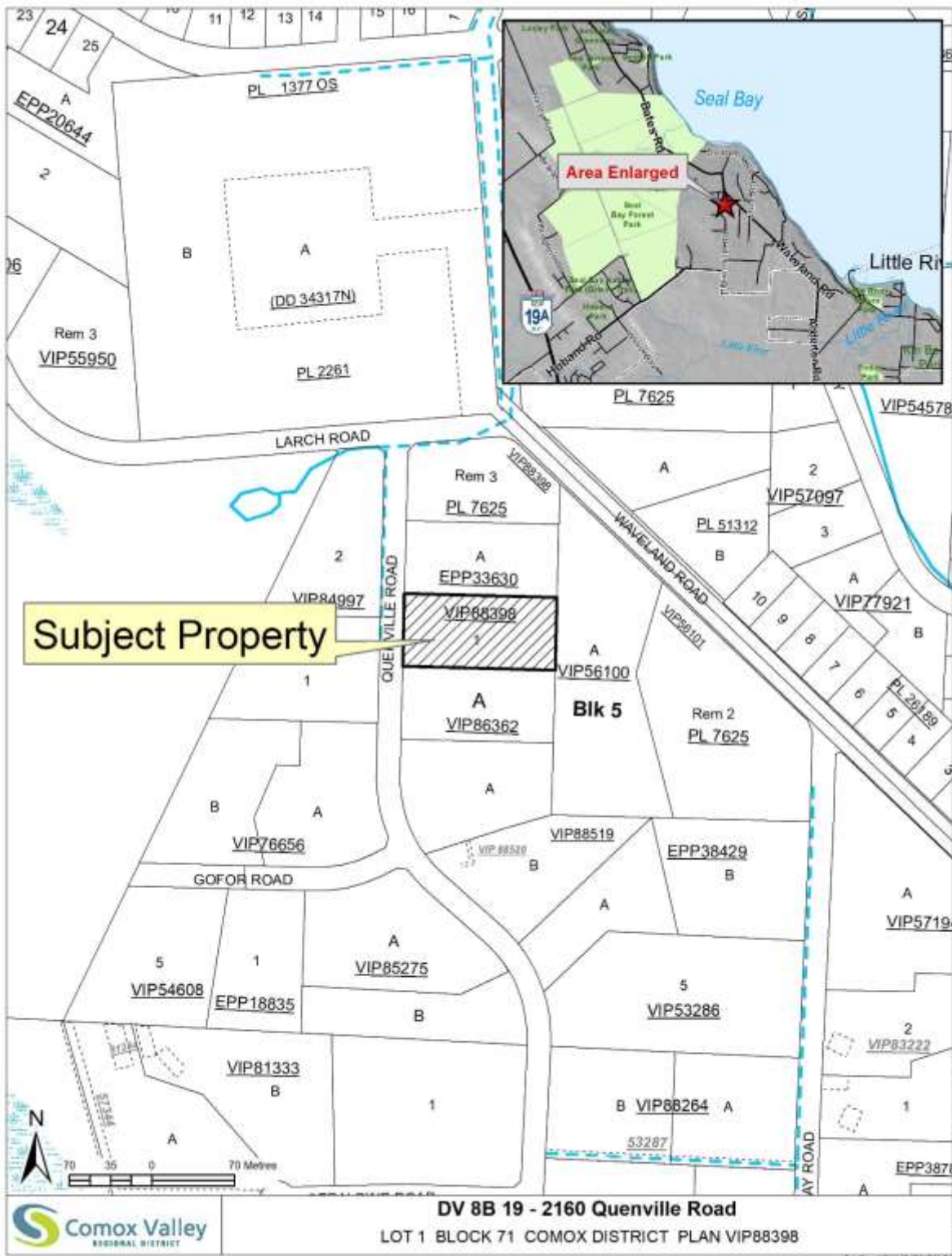


Figure 1: Subject Property Map



Figure 2: Air Photo

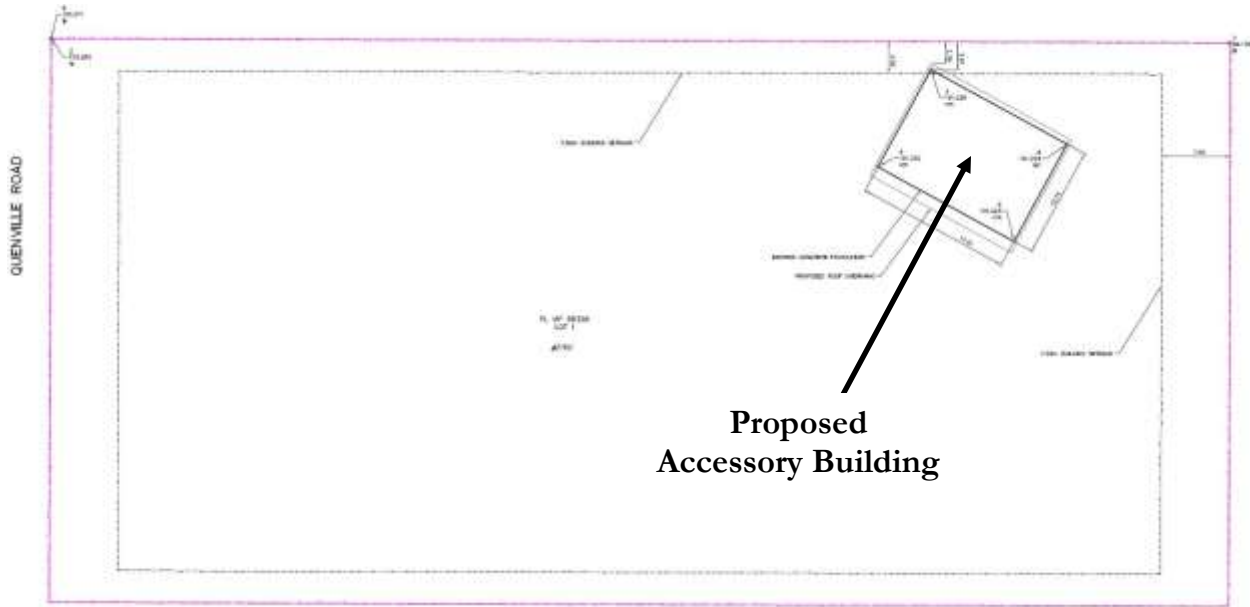


Figure 3: Site Plan Showing the Proposed Accessory Building

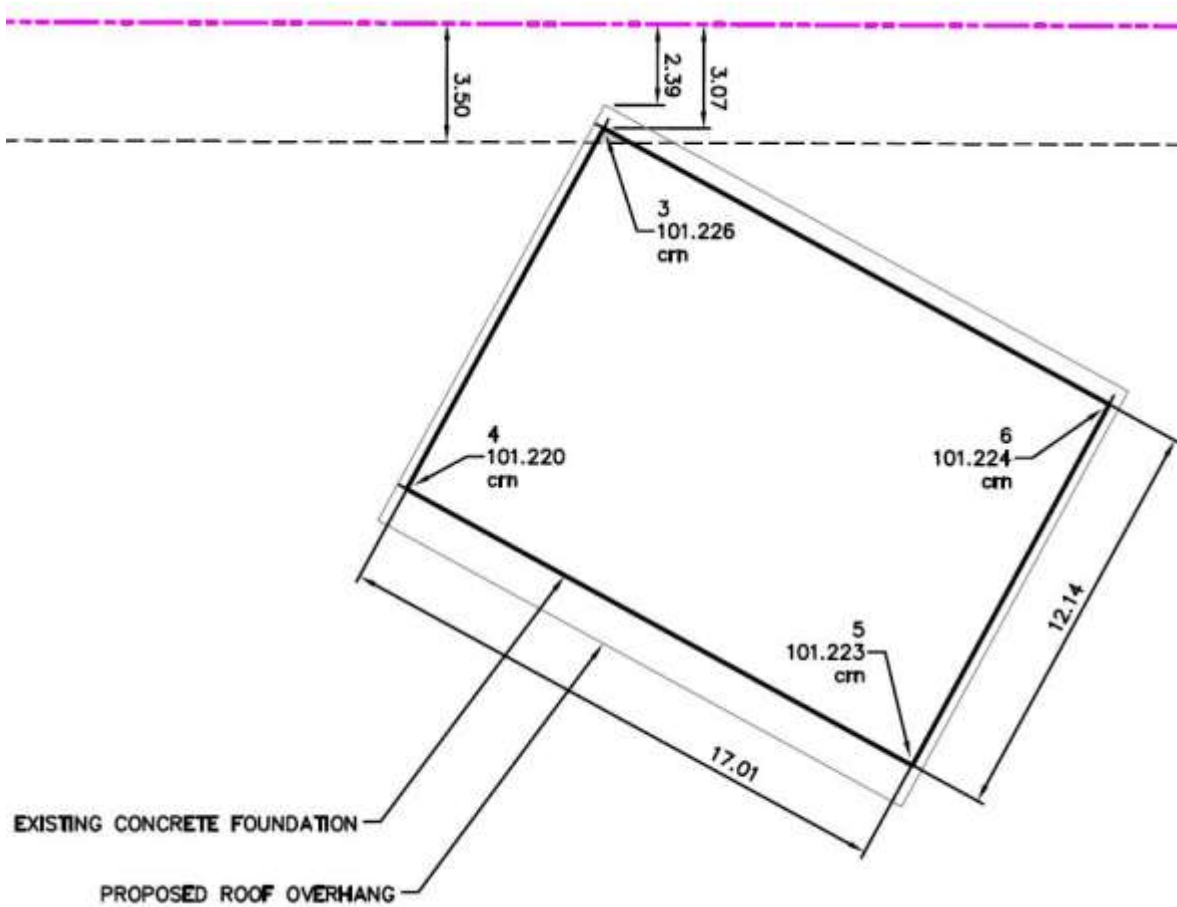


Figure 4: Enlarged Site Plan to Show the Proposed Accessory Building

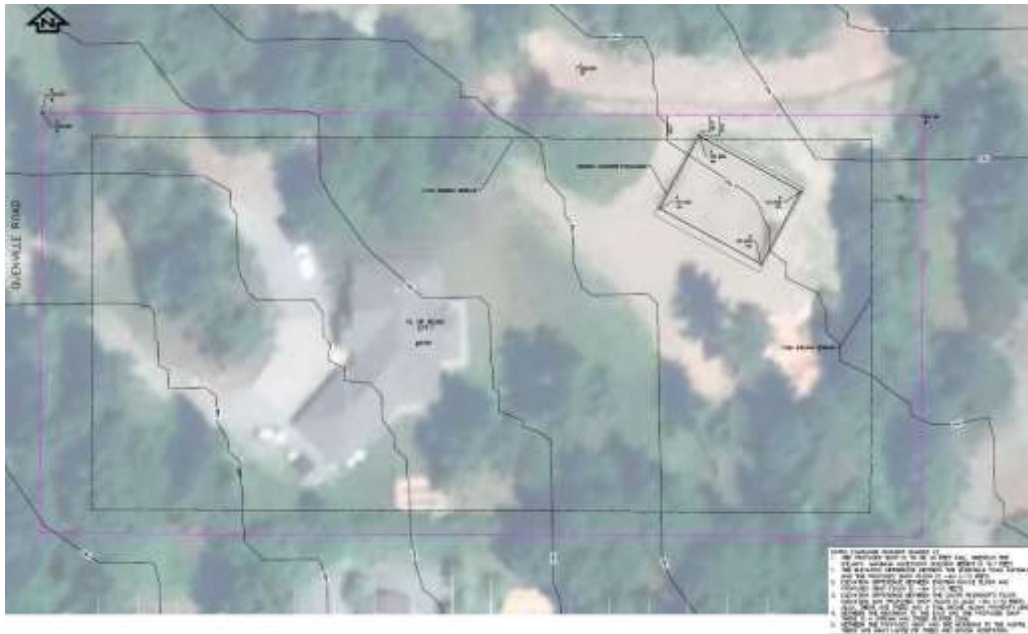


Figure 5: Contour Map

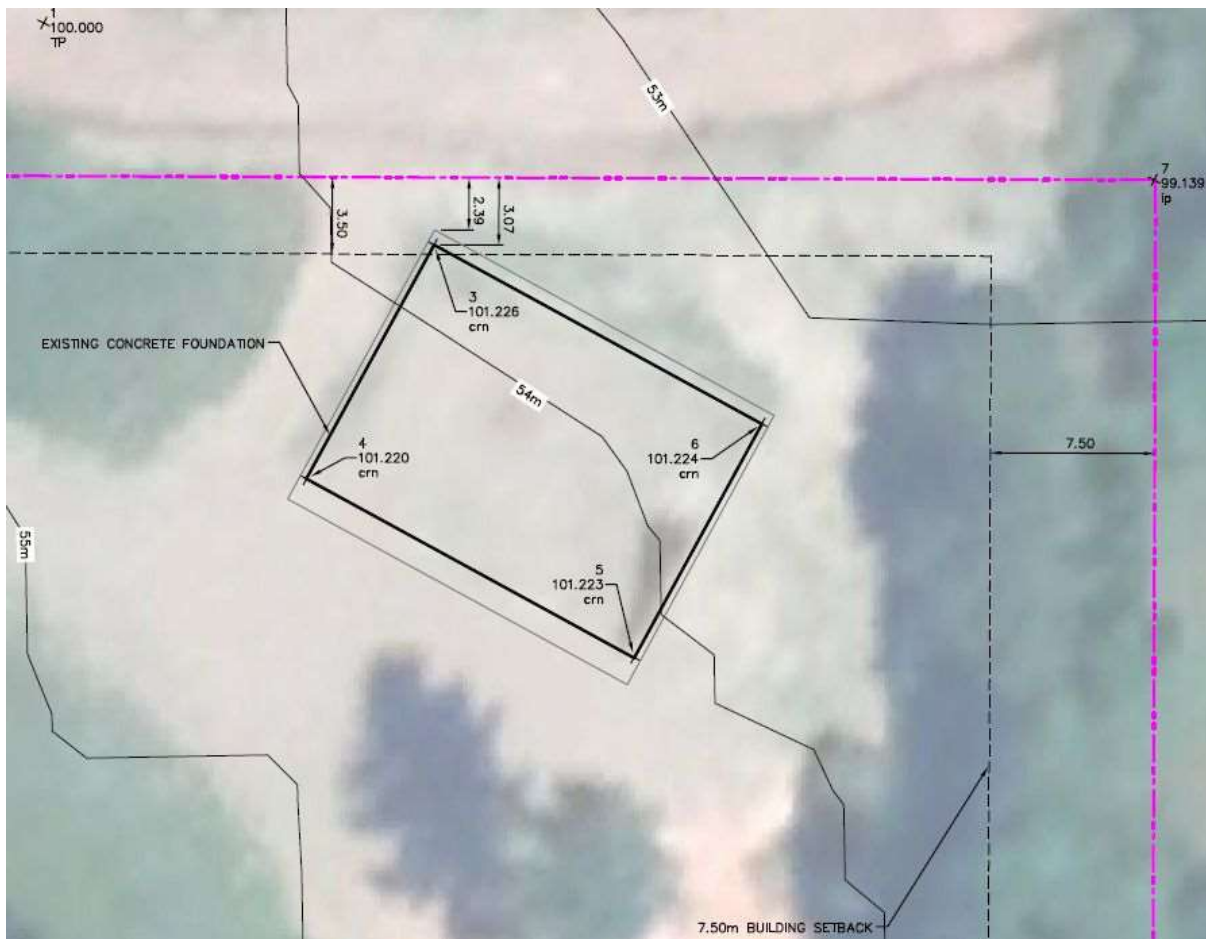


Figure 6: Enlarged Contour Map to Show the Grade of the Foundation

NOTES (VARIANCE REQUEST NUMBER 2):

1. THE PROPOSED SHOP IS TO BE 24 FEET TALL, WHEREAS THE BYLAW'S MAXIMUM ACCESSORY BUILDING HEIGHT IS 19.7 FEET.
1. THE ELEVATION DIFFERENCE BETWEEN THE QUENVILLE ROAD ASPHALT AND THE PROPOSED SHOP FLOOR IS ~4m (~13 FEET).
2. ELEVATION DIFFERENCE BETWEEN EXISTING HOUSE FLOOR AND PROPOSED SHOP FLOOR IS ~3m (~10 FEET).
3. ELEVATION DIFFERENCE BETWEEN THE SOUTH NEIGHBOR'S FLOOR ELEVATION AND PROPOSED SHOP FLOOR IS ALSO ~3m (~10 FEET). ALSO, THERE ARE TREES AND A TALL HEDGE ALONG PROPERTY LINE.
4. BETWEEN THE NEIGHBOR TO THE EAST AND THE PROPOSED SHOP THERE IS A STREAM AND TREED BUFFER ZONE.
5. BETWEEN THE PROPOSED SHOP AND THE NEIGHBOR TO THE NORTH, THERE ARE MANY LARGE FIR TREES AND BRUSH VEGETATION.

Figure 7: Enlarged Text Box from the Contour Map

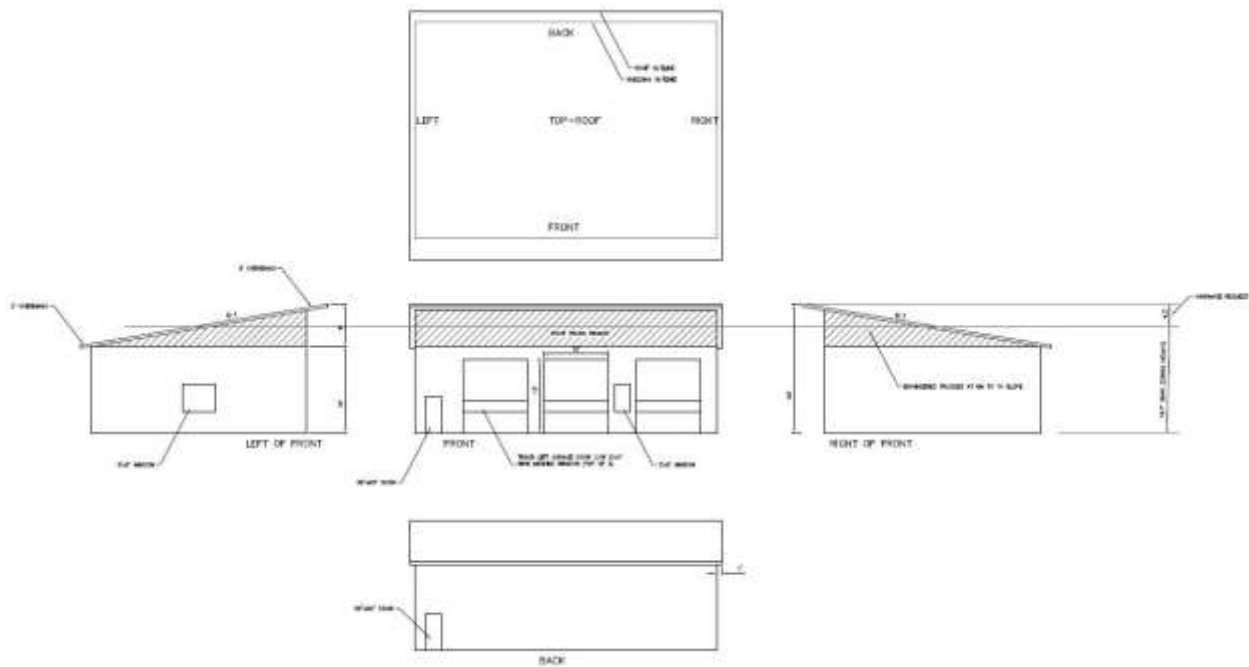


Figure 8: Elevation Drawings

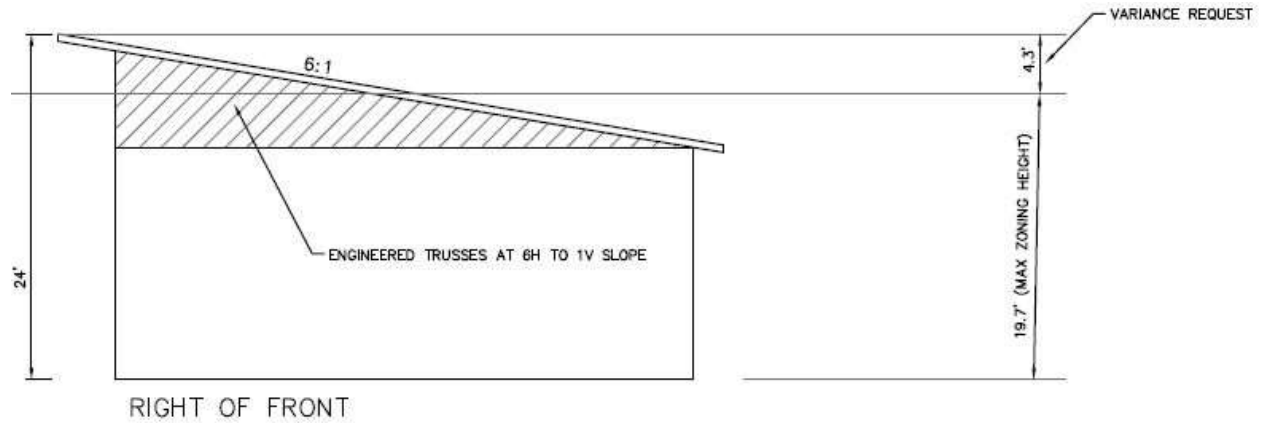


Figure 9: Elevation Drawing: Right Side View

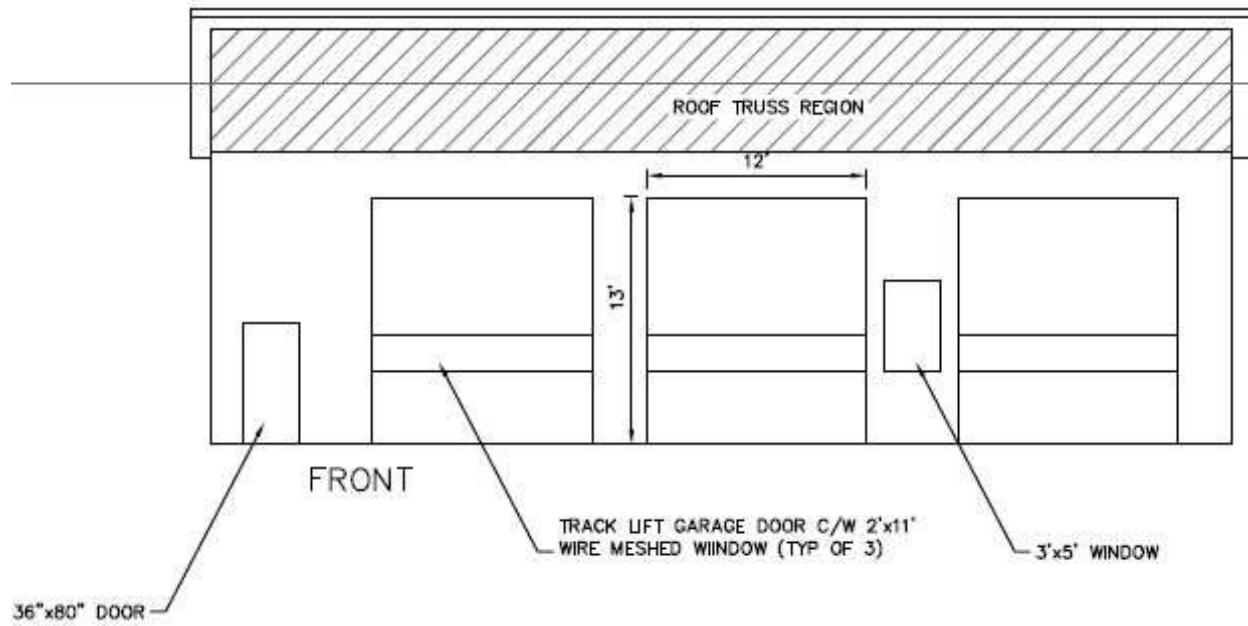


Figure 10: Elevation Drawing: Front View

706**Residential-Rural (R-RU)****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**On any lot:**

- i) Secondary suite;
- ii) Home occupation use;
- iii) Accessory buildings;
- iv) Bed and Breakfast.

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 90.0 metres² (968.8 feet²).

4. SITING AND HEIGHT OF BUILDINGS AND STRUCTURES

The setbacks required for buildings and structures within the Residential Rural 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 (32.8 ft)	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. [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 0.8 hectares (2.0 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.

Justin Parkin
2160 Quenville Road
Courtenay, BC
V9J 1X7

July 3, 2019

Comox Valley Regional District
600 Comox Road
Courtenay, BC V9N 3P6

Attention: Advisory Planning Commission, and Electoral Area Services Committee

Reference: Variance Requests for #2160 Quenville Road Accessory Building

I am requesting 2 variances for my proposed accessory building, which is to be a 3-bay shop. Variance 1 would allow the existing shop foundation to remain in place, with the north corner being 0.43m over the side-yard setback. Variance 2 would allow the shop to have a total height of 24 feet, which is 4.3 feet taller than the CVRD's maximum height of 19.7 feet for our area.

The shop will be one storey tall with an interior loft which would be used for storage. The shop will be used for personal work and storage of my boat, truck and tools. There will be 3 garage doors, one exterior door at the front, and one exterior door at the back. All 5 doors will each have one overhead light. There will be one 2 feet high by 11 feet wide wire meshed window on each garage door, one 3 feet by 5 feet window also on the front side, and one 6 feet wide by 5 feet tall window on the northwest side.

I would like to install 13.50 feet high garage doors, to enable a maximum legal-height vehicle to fit through the door. And as mentioned above, I plan to install a loft with 6 feet of head room.


With my request, I have supplied 3 drawings illustrating the proposed shop and existing conditions, and the registered legal drawing.

Drawing 01 show where the existing concrete foundation corner is just over the required side yard building setback; previously, I was told by a friend the required setback was to be minimum 10 feet.

Drawing 02 show an image underlay with contours. The proposed shop floor is approximately 3m below our house main floor, the south neighbor's main floor, and the Quenville Road asphalt. There are plenty of tall trees and hedges buffering sightlines between the proposed shop and our neighbors.

I believe the additional height requested will have little to no impact on my neighbors' and Quenville Road traffic views. Please provide me with the two requested variances.

Yours truly,



Justin Parkin