

Memo

File: 3060-20/DP 7C 19
3090-20/DV 4C 19

DATE: April 9, 2019

TO: Advisory Planning Commission
Puntledge – Black Creek (Electoral Area C)

FROM: Planning and Development Services Branch

RE: Development Permit and Development Variance Permit
Unaddressed lot along Macaulay Road (DKMM Holdings Ltd.)
Lot D, Block 29, Comox District, Plan EPP81926, PID 030-440-793

The attached development proposal (Appendix A) is for commission members' review and comment. The applicants are seeking to develop the 0.4 hectare property (Figures 1 and 2) with three buildings for light industrial and commercial purposes, such as mini-storage, boat repair, and office space. First, the property owners are requesting two variances: one to allow retaining walls to be sited on any portion of the lot and to allow fascia signage in excess of 6 square metres. Second, the property owners are applying for a development permit to allow for the construction of building on a commercial/light industrial-zoned property.

Development Variance Permit

The property is zoned Saratoga - Commercial Industrial (Appendix B) which includes mandatory setback requirements, a maximum lot coverage, minimum landscaping/screening requirements, and sign regulations. Section 3(iv) of the zone states:

“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.”

As illustrated in Appendix A, the applicants are seeking to increase the allowable area for a fascia sign from 6 square metres to 35 square metres consisting of approximately 28 square metres on Building 3, and to allow 8 square metres on Building 1. The sign material is proposed to be adhesive vinyl lettering that will be placed directly onto the corrugated metal siding so that it will be visible from the Island Highway.

The Zoning Bylaw treats retaining walls over 2 metres in height as structures which are subject to a zone's setback requirements. Due to the topography of the land, the applicants are creating a terraced development, as illustrated in Appendix A (page 3), with retaining walls within the setback areas along the rear property line (ie: a zero metre setback) and along the northern side (ie: 3 metre setback). They would be comprised of lock-block units estimated to be near 3 metres tall at their tallest but their final height will be determined by an engineer.

Please be advised that all adjacent properties within 50 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.

Development Permit

The application is to be considered as it relates to the commercial/light industrial (form and character) development permit guidelines (Appendix C).

Form and Character

The guidelines (Appendix B) 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 three buildings are proposed to have a coordinated exterior finish of galvalume-coloured corrugated sheet metal, with dark red standing seam metal roofs and a lighter red trim. The office, facing the Macaulay Road entrance would include fir timber framing. Also visible from the roadways would be fascia signage which is proposed to be large, red lettering, adhered directly onto the metal siding of the rear building, spelling out the name of the business.

Circulation would be provided by a paved driveway along the southern side of the property, from the Macaulay Road entrance and office parking lot to the bottom terraced gravelled area. That bottom, rear area is intended to be a work area with shipping container storage. The middle building (intended for mini-storage units) would have bay doors on all sides and be surrounded by a drive aisle for vehicle access.

This is a developing commercial-industrial area and this would be the first development on Macaulay Road between the Saratoga Speedway and Hamm Road. Otherwise development within this node, but on the Island Highway side, includes a shop building constructed last year and the Miracle Beach Market.

Screening and Landscaping

The guidelines direct that a landscape plan should be provided that includes a landscaped treatment along the entire frontage of the building site that abuts public roads. The applicant provided a landscape plan by Lindsay Clement, MBCSLA, of Bloom Landscape Architecture (Appendix A). At the front, the landscape plan proposes a grassed area with Nodding onion and Woolly sunflower to surround several Douglas fir and Western hemlock trees and tall Oregon grape shrubs, along with some decorative rounded boulders. Along the unconstructed northern right-of-way, the landscape plan proposes a single line of shrubs, predominately Lily of the Valley and Viburnum. The remainder of the property's surfacing would be asphalt or gravel.

Rainwater Management

The new buildings and drive aisles will significantly increase the amount of impervious surface covering the property. Since there is no public drainage service in this area, the drainage must be accommodated on-site. The applicant provided a drainage plan prepared by Percy Williams, EIT, and Chris Durupt, P.Eng., of McElhanney Consulting Services Ltd.

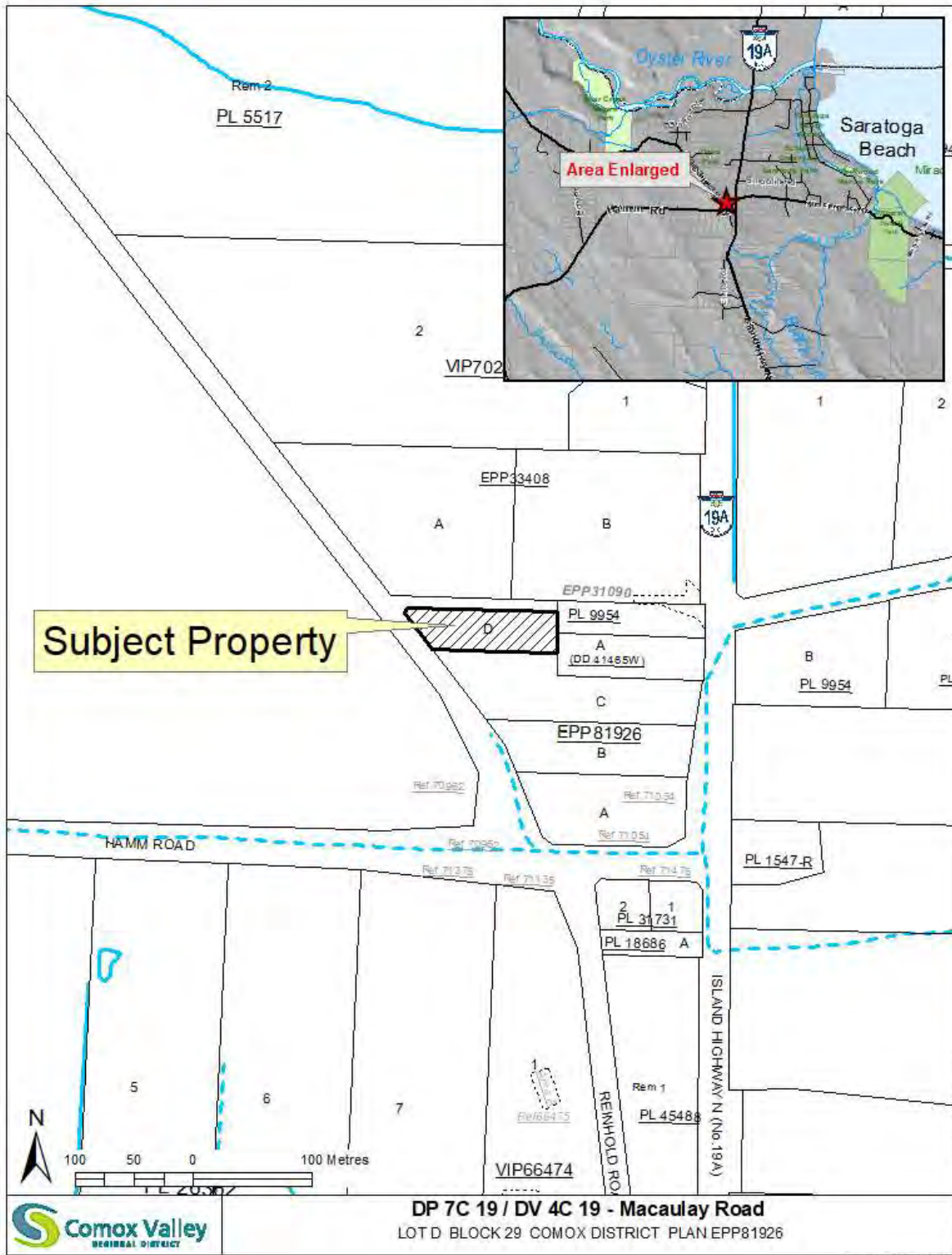


Figure 1: Subject Property



Figure 2: Air Photo (2016)

Bloom Landscape Architecture

P.O. Box 403
Union Bay, BC, V0R 3B0
t: 250-218-1303

March 20, 2019

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

Re: Saratoga Storage – Development Proposal

To whom it may concern:

On behalf of the Owners of the development site and as part of this planning application, the following drawings and documents are being submitted:

1. Project Data / Location Plan / Site Plan
2. Office, Storage, and Shop Building Floor Plans / Site Elevations
3. Exterior Perspective Views / Finishes
4. Landscape Site Plan
5. Drainage Plan (report style)

The site is zoned Saratoga – Commercial Industrial (S-CI). Access to the site is from Macaulay Road to the West, with a future road right of way along the North. The site has been cleared of vegetation and trees within the last couple of years and the grade of the land falls from the Southwest corner to the Northeast corner.

The intention of this development is to provide an industrial shop in which the owners will operate their environmental diving company. They will require a small amount of boat storage and some staff parking. In addition to the industrial shop, a self storage commercial operation is being proposed on the site. Most of the storage will be housed within Building 2, with a reception space and additional interior storage housed within Building 1, which fronts Macaulay Road. Sea can storage is also available for rent and is situated adjacent the industrial shop. In addition to storage and reception, Building 1 will serve as an office space, meeting room, and lunch room for the owners of the environmental dive company.

The proposed site plan terraces the land into three levels, with an access road running down the South property line. The grade proved to be a challenge in developing this site. However, the proposed plan shows a reasonable balance between working with the natural contours and building retaining walls to allow for level ground in which to build. The Site Plan shows retaining wall locations and indicates their

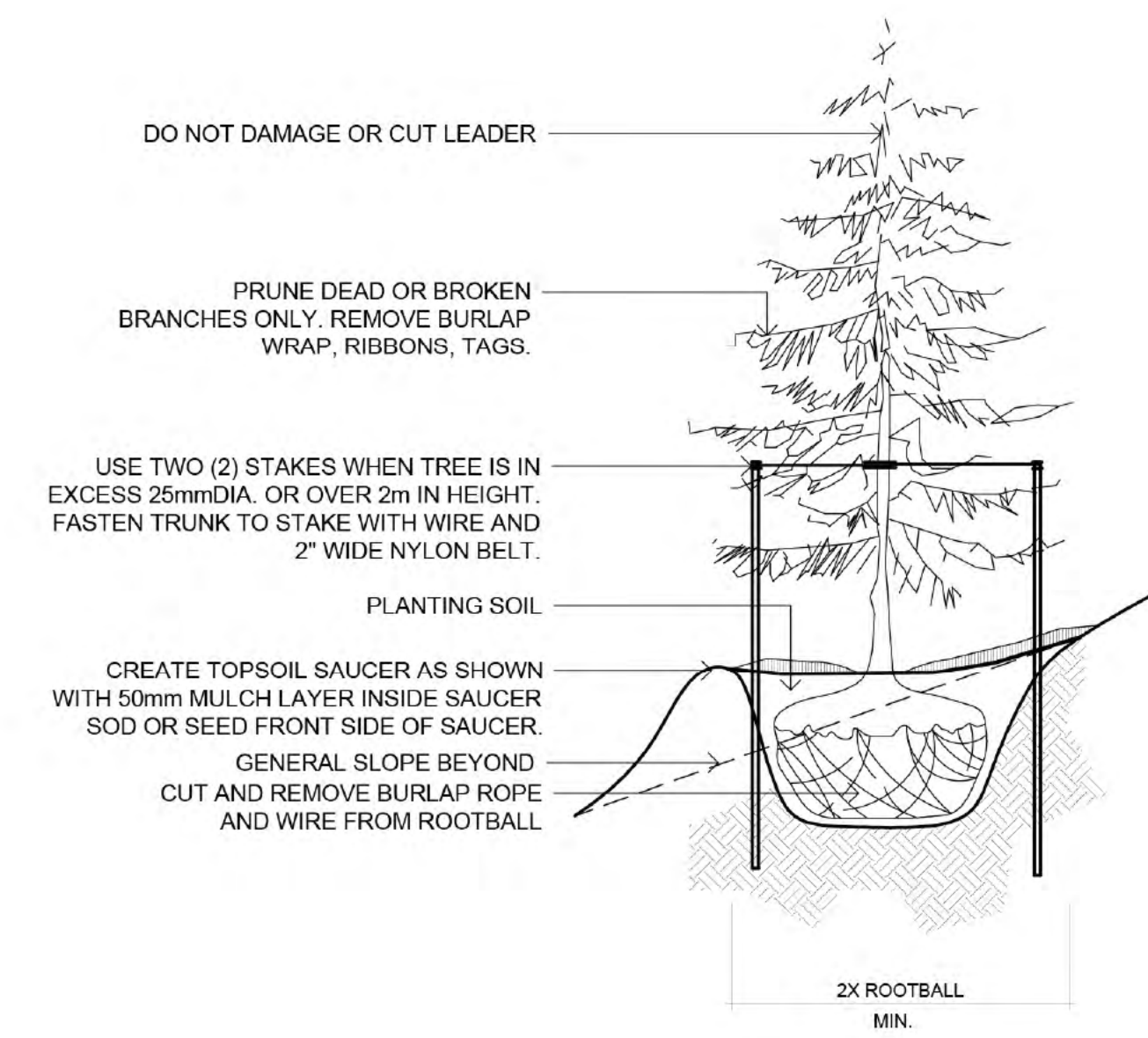
estimated heights, for reference. **This application will require a variance as some of the walls are over 2.0 metres in height and are located within the building setback area.** Architectural form and character of the buildings can be found on the renderings within the submitted drawing package.

The Landscape Site Plan shows buffer planting along Macaulay Road and the future frontage road. As the site terraces down away from Macaulay Road, the retaining walls will do the same – stepping down with the natural grade. Evergreen planting along the future road frontage will create a green screen between the wall and the roadway. An indigenous planting palette will help re-establish drought tolerant vegetation on the site to help manage storm water and soften the aesthetic of the development. **This application will require a variance for not having a 3.0-metre-wide landscape buffer along a portion of the East property line which borders a property zoned CR-1.** It is anticipated that this adjacent property will go through a re-zoning at some point in the future to allow for industrial use, like the surrounding lots. This future zoning would not require a landscape buffer; therefore, the proposed plan omitted it.

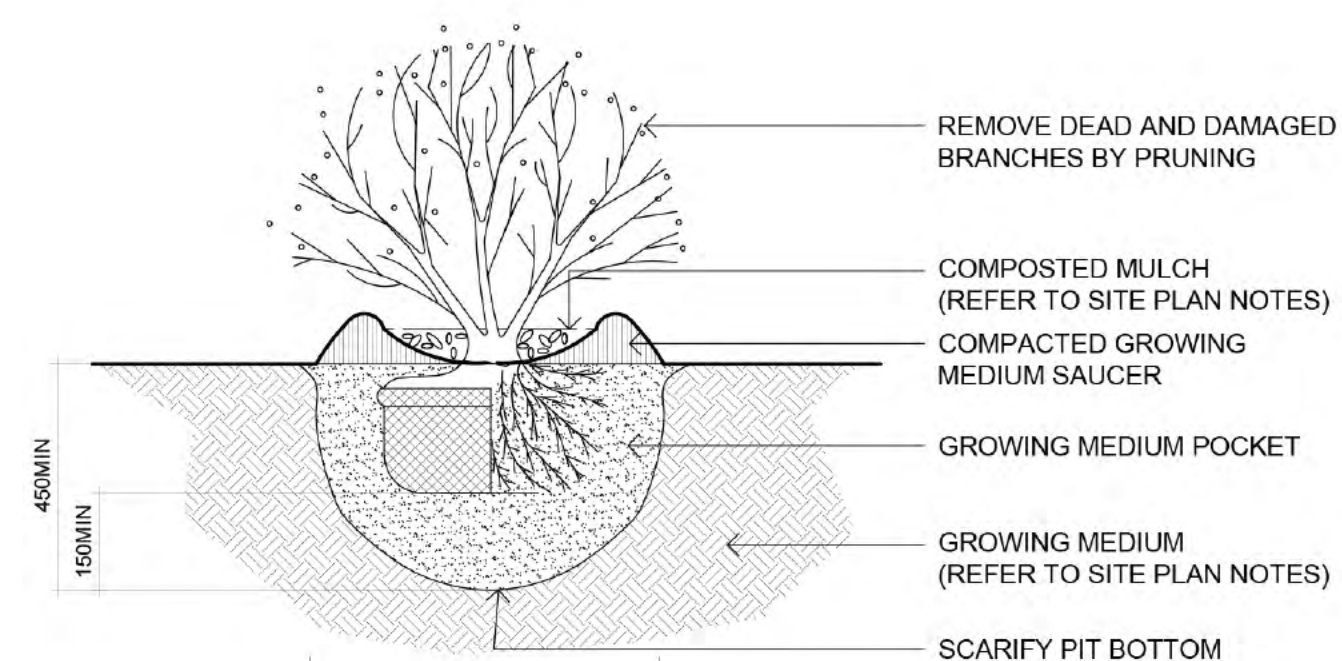
Sincerely,

A handwritten signature in black ink that reads "Lindsay Clement". The signature is written in a cursive, flowing style.

Lindsay Clement, MBCSLA, CSLA
Bloom Landscape Architecture
t: 250-218-1303 | www.bloom-la.com



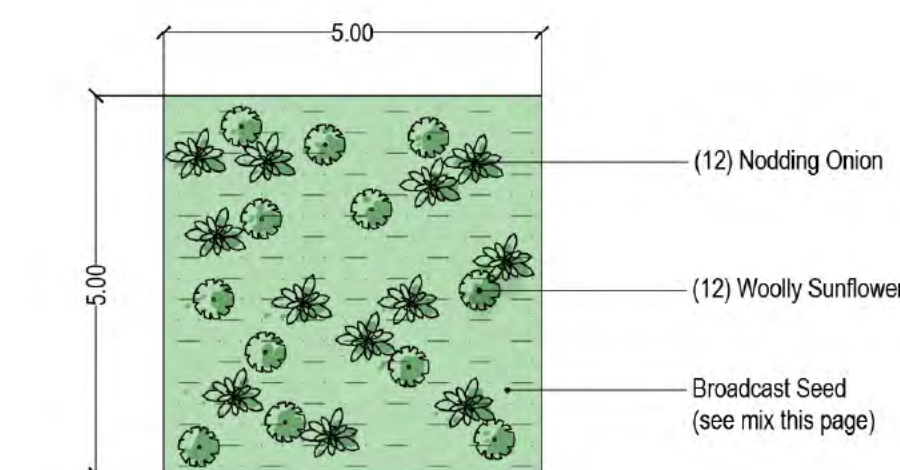
1 Coniferous Tree Planting on Slope - Section
LDP-1 Scale 1:15 (mm)



2 Shrub Planting - Section
LDP-1 Scale 1:15 (mm)

REPRESENTATIVE PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	SIZE / SPACING
TREES			
4	<i>Pseudotsuga menziesii</i>	Douglas Fir	#10 Pot
3	<i>Tsuga heterophylla</i>	Western Hemlock	#10 Pot
SHRUBS			
19	<i>Mahonia aquifolium</i>	Oregon Grape	#02 cont.
22	<i>Pieris japonica 'Red Head'</i>	Japanese Andromeda	#05 cont.
29	<i>Viburnum x pragense</i>	Prague Viburnum	#05 cont.
ORNAMENTAL GRASSES & PERENNIALS			
30	<i>Allium cernuum Roth</i>	Nodding Onion	4"
30	<i>Eriophyllum lanatum</i>	Common Woolly Sunflower	4"

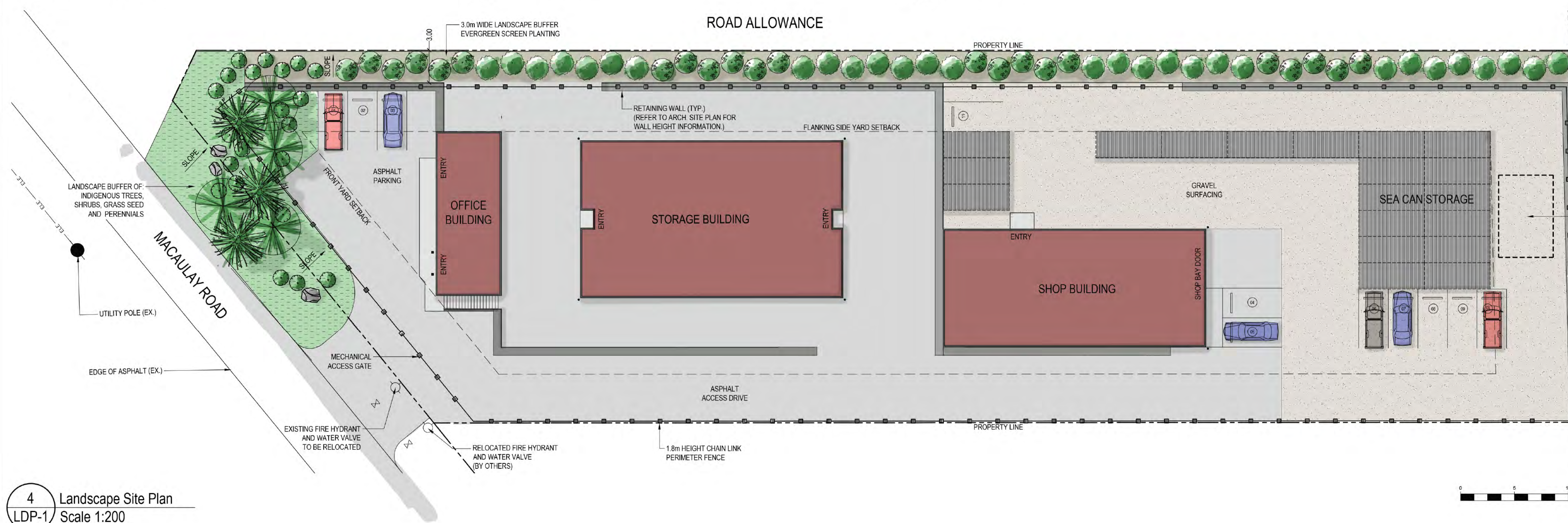
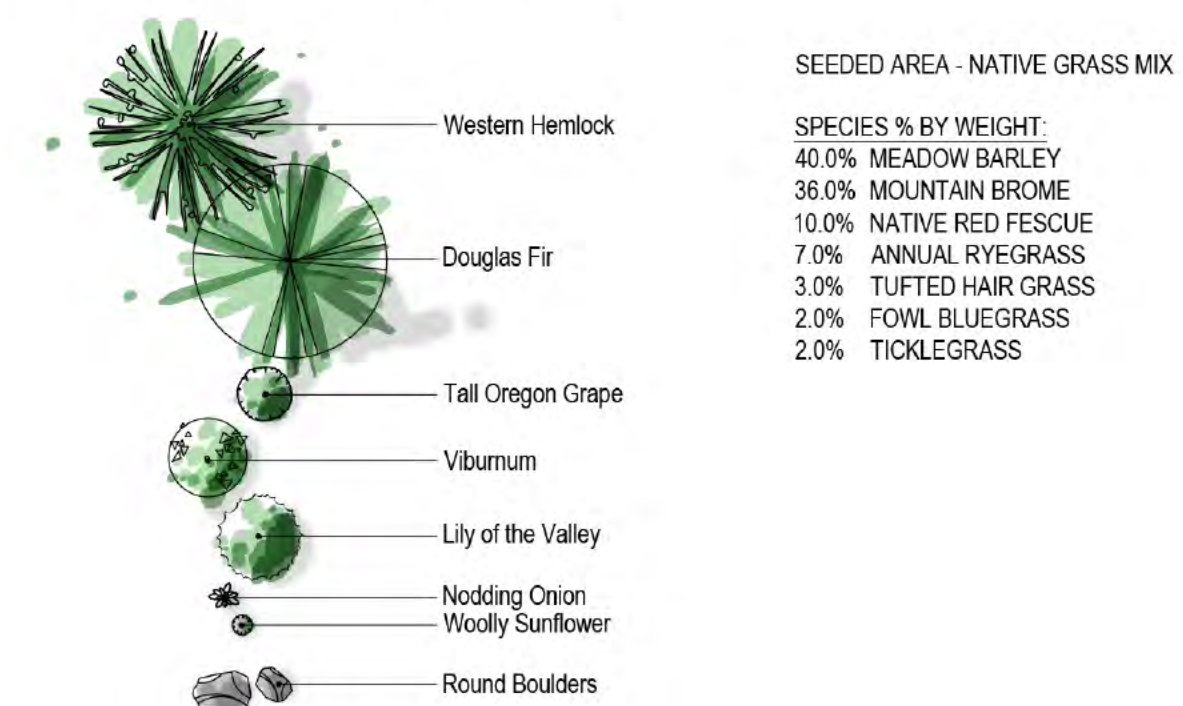


3 Seeded Area - Enlargement
LDP-1 Scale 1:100

SITE PLAN NOTES:

- SITE PLAN IS SHOWN FOR DESIGN INTENT/FORM AND CHARACTER PURPOSES ONLY.
- FINAL QUANTITIES OF PERENNIAL AND SHRUB PLANTINGS MAY VARY.
- ALL INSTALLATION OF LANDSCAPE WORKS TO BE IN ACCORDANCE WITH THE CANADIAN LANDSCAPE STANDARD (CLS) CURRENT EDITION.
- IMPORTED GROWING MEDIUM SHALL BE TESTED AND SHOWN TO MEET STANDARDS OUTLINED IN THE CLS. GROWING MEDIUM SHALL BE PLACED AT THE FOLLOWING DEPTHS:
SEEDING AREAS: 150mm DEPTH
PLANT BED AREAS: 450mm DEPTH
TREE PITS: 300mm DEPTH AROUND AND BELOW THE ROOT BALL
- MULCH TO BE COMPOSTED BARK MULCH, PLACED AT MINIMUM 75mm DEPTH.
- PLANT MATERIAL TO BE IRRIGATED BY A HIGH EFFICIENCY, AUTOMATED SYSTEM FOR THE FIRST TWO (2) GROWING SEASONS TO ENSURE ESTABLISHMENT.

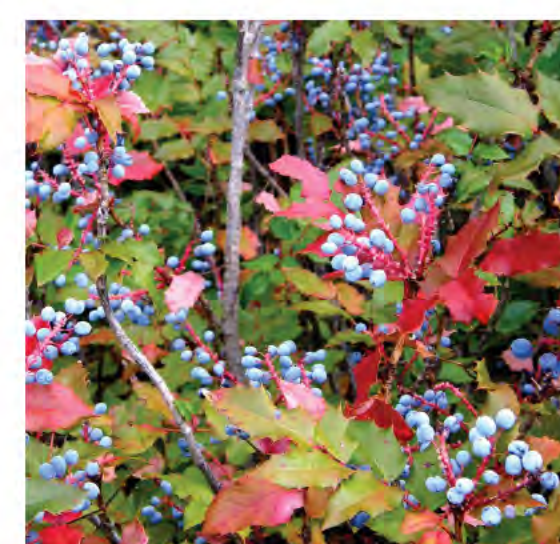
PLANT MATERIAL LEGEND:



4 Landscape Site Plan
LDP-1 Scale 1:200



EVERGREEN SCREEN PLANTING



DROUGHT TOLERANT / INDIGENOUS MEADOW



INDIGENOUS TREES



PROJECT TITLE:

SARATOGA STORAGE

BLOCK 29
Comox District
Plan EPP81926

DRAWING TITLE:

LANDSCAPE SITE PLAN

ISSUED FOR / REVISION

NO.	ISSUED FOR / REVISION	DATE
1	ISSUED FOR REVIEW	2019-01-02
2	ISSUED FOR REVIEW	2019-03-08
3	ISSUED DEVELOPMENT PERMIT	2019-03-18

SEAL:

DRAWN BY: LSC

DATE: 2018-12-28

SCALE: AS NOTED

DWG. NO.:

LDP-1

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

403 Siting Exceptions

1. Where bay windows, chimneys, cornices, gutters, leaders, ornamental features, pilasters, service station canopies, sills, or steps project beyond the face of a building, the minimum distance to an abutting lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metres (2.0 feet) provided that such reduction shall apply only to the projecting feature, except for a zero lot line in which case no feature shall project over the lot line.
2. Where eaves and sunlight controls project beyond the face of a building, the minimum distance to an abutting front, rear and side lot line as permitted elsewhere in this bylaw may be reduced by not more than 50% of such distance up to a maximum of 2.0 metres (6.6 feet), provided that such reduction shall apply only to the projecting feature.
3. Where permitted under this bylaw, boat ramps, docks, flagpoles, fish hatcheries and enhancement facilities, freestanding lighting poles, pools, retaining walls less than 2.0 metres (6.6 feet) in height, signs, shoreline protection devices, utility poles, warning devices, wharves and wires may be sited on any portion of a lot.
4. Where a British Columbia Land Surveyor (B.C.L.S.) determines a completed foundation for a building or structure does not meet the required setback from a lot line by no more than 10.0 centimetres (3.9 inches), the non-conforming siting shall be considered conforming though any subsequent additions to the subject building or structure must comply with the setbacks required in the applicable zone.

Commercial and industrial development permit area (Form and character)

85. *Justification*

This type of development occurs primarily along main roads and highways in the Comox Valley such as Ryan, Royston and Cumberland Roads and the Island Highway. As such, the

development along these corridors offers many visitors their first impression of the Comox Valley.

This land use also tends to occur as infill development in areas traditionally used as rural residential. As such, it is important that the potential for conflict with established residential properties be minimized.

The permit process will be used to ensure that adequate buffers are provided and to ensure that the development is attractive and coordinated with respect to form and character of the neighborhood.

Area

Those parcels zoned for commercial and/or industrial use under part 900 pursuant to the Comox Valley zoning bylaw, 2005 being bylaw no. 2781 as amended from time to time by the CVRD board.

Guidelines

Development permits shall be issued in accordance with the following guidelines.

Form and character

- (a) All buildings and structures shall be architecturally coordinated and shall give consideration to the relationship between buildings and open areas, circulation systems, visual impact and design compatibility with the surrounding development. Blank unarticulated walls will not be permitted.
- (b) The design and introduction of a new building type to a residential neighbourhood should provide harmony and lend continuity to the neighbourhood and should not create excessive disruption of the visual character of the neighbourhood.
- (c) Landscaping, awnings, lighting fixtures, and other structures shall be architecturally integrated with the design of the buildings.
- (d) Any end wall of a building that is visible from the street should be finished to the same standard as the front of the building to provide an attractive appearance.
- (e) The roof slope and siting of any buildings shall be such as to minimize any obstruction of direct sunlight falling onto adjacent properties and residences.

Landscaping

- (a) A landscape plan shall be required. The landscape plan shall be professionally prepared and shall:
 - i. include supporting documentary evidence pertaining to landscape specifications, irrigation requirements, detailed planting lists, cost estimates, and the total value of the work;
 - ii. identify existing vegetation by type and identify areas which are to be cleared; and
 - iii. provide for the landscape treatment of the entire frontage of the building site abutting onto existing or future public roads. Street specimen tree and grassed boulevard landscape provisions are to be identified to soften the

character and scale of the area. All proposed plant materials shall be suitable for local environmental conditions. All landscaping and screening shall be completed within 12 months of an occupancy permit being issued and shall meet or exceed the British Columbia Society of Landscape Architects and British Columbia Nursery Trades Association standards.

Construction phase

- (a) All construction must be completed according to a site/building plan and an erosion and sediment control plan.
- (b) Construction of developments within or adjacent to residential areas shall take place during the working hours of 7:00 a.m. to 7:00 p.m.
- (c) There shall be no dumping of any material or debris on any roads before, during or after site development.

Outside storage

- (a) The area of any building site bounded by the front lot line, the exterior or interior side lot lines, as the case may be, and the front building line of the structure nearest the front lot line, shall not be used as an outside storage area.
- (b) Any portion of a building site which may be used as an outside storage area shall only be used as such if:
 - i. the area is enclosed within a 2.5 metre high solid fence having a suitable security gate;
 - ii. none of the goods or materials stored therein exceed the height of the 2.5 metre high fence;
 - iii. the area is not directly adjacent to any residential development; and
 - iv. cases where the area lies between a structure and any public road, it is screened by an adequately landscaped buffer strip so that such storage areas are not readily visible from such public road.
- (c) Centrally located recycling facilities shall be provided for the use of all businesses with a development.

Screening

- (a) The character of developments shall be enhanced by landscaping of substantial proportions along property lines adjacent to residential developments. The developers shall provide a three metre buffer – incorporating existing native vegetation, supplemented by landscaping of substantial proportions utilizing approved specimen tree species. The required plantings shall recognize the need to protect adequate sight distances at intersecting streets.
- (b) Buildings shall be sited to ensure that any adjacent residential properties have visual privacy, as well as protection from site illumination and noise. Security and other lighting shall not be placed so as to shine directly into residential properties or to reduce the separation effectiveness of any landscaped buffer.

- (c) Such elements as roof top mechanical equipment, shipping and loading areas, transformers, and meters shall be screened from public view as effectively as possible through the use of evergreen landscaping materials, solid fencing, and building design.
- (d) All waste disposal bins shall be completely screened within a solid walled enclosure not less than two metres in height.
- (e) Loading and receiving areas shall be located so as to cause minimum disturbance to adjacent residential areas.

Parking

- (a) Large surface parking areas shall be broken down into smaller parking lots evenly dispersed throughout the development and integrated with planted landscaped areas. Visitor parking spaces should be clearly identified and provided within the development. Tree planting is encouraged in parking areas.
- (b) Parking areas should clearly identify pedestrian circulation areas, preferably with different paving and landscaping treatment.
- (c) All paved parking areas shall be included within the context of the required rainwater water plan and shall incorporate oil/water separators.
- (d) The use of any property within the development permit area shall not produce any off-site parking.
- (e) Developers are encouraged to incorporate site-parking requirements within the principal structures of their development.
- (f) Automobile parking areas shall be covered with a select granular base approved by MoTI and provide storm water controls by means of perimeter curtain drains. Access and egress points shall be paved for a minimum distance of 15 metres from the edge of the existing pavement into the subject property and be designed and constructed to MoTI standards. The shared use of a common access between businesses is encouraged.
- (g) Commercial and industrial buildings shall be located in close proximity to the front property line with the majority of parking spaces being situated at the rear and side of buildings.
- (h) Commercial and industrial buildings fronting shall be allowed to share one common interior wall (0.0 metre side yard setback) with an adjacent building.

Rainwater management

- (a) It is recognized that the clearing, grading and servicing of sites alters their natural hydrology patterns. In recognition of this fact, it shall be required that each development shall prepare a rainwater management plan that strives to protect water quality, and to maintain post-development peak flows to those of pre-development flow patterns and volumes over the entire water season. This rainwater plan shall be prepared by a professional engineer and should make use of such devices as permeable surface treatments, wet or dry detention ponds, constructed wetlands or

other devices as deemed suitable and consistent with best management practices. rainwater runoff from storage areas shall be controlled to prevent contamination of watercourses.

- (b) The discharge of rainwater runoff from storage areas shall be accomplished with appropriate structures and flow control mechanisms to prevent contamination of receiving water bodies.

Farm land protection development permit area permit areas

86. *Justification*

To protect farm land designated agricultural area or agricultural land reserve located in neighbouring jurisdictions by mitigating conflict between agriculture and aquaculture industries and adjacent land uses.

Land use conflicts may develop between lands designated agricultural area or an ALR and adjacent land uses. These conflicts may compromise the use of the land for agriculture and aquaculture industries. The incorporation of a 30 metre wide buffer between non-agricultural lands and lands used for food production will protect the food production value of the latter.

Areas

The farmland protection area buffer development permit area is designated as a 30 metre buffer from land designated agricultural area or agricultural land reserve lands on lands within the settlement node, settlement expansion areas, rural settlement area land use designations.

The development permit applies to land within the 30 metre development permit area described above subject to:

- (1) new lots created through subdivision; or
- (2) development of the subject lots.

Exemptions

In the case of a proposed subdivision, the exemption applies to the following situations within the 30 metre wide development permit area:

- (1) Lot line adjustments or where subdivision does not result in the ability to construct a new dwelling unit.
- (2) Where the land subject to a subdivision proposal is not forming a common boundary with designated agricultural area or an agricultural land reserve, but is separated with a dedicated road right of way of at least 20 metre wide.

Guidelines

Development permits shall be issued in accordance with the following guidelines.

Buffer