



# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL800-31  
PL20180179

**SUBJECT:** Electoral Area F: Magna Bay Zoning Amendment (Coueffin) Bylaw No. 800-31

**DESCRIPTION:** Report from Candice Benner, Planner II, dated April 2, 2019  
6346 Squilax-Anglemont Road, Magna Bay

**RECOMMENDATION #1:** THAT: "Magna Bay Zoning Amendment (Coueffin) Bylaw No. 800-31" be read a first time this 18<sup>th</sup> day of April, 2019;

AND THAT: the Board utilize the simple consultation process for Bylaw No. 800-31, and it be referred to the following agencies and First Nations:

- Ministry of Forests, Lands and Natural Resource Operations – Archaeology Branch;
- CSRD Operations Management;
- Relevant First Nations Bands and Councils.

## SHORT SUMMARY:

The applicant is wanting to rebuild a garage that burned down at 6346 Squilax-Anglemont Road in Magna Bay. With the construction of the garage the property will exceed the maximum allowed parcel coverage for the RS zone. The applicant is proposing a site specific amendment to the RS zone to increase the permitted parcel coverage from 25% to 28%.

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<b>VOTING:</b>	Unweighted Corporate <input type="checkbox"/>	LGA Part 14 (Unweighted) <input checked="" type="checkbox"/>	Weighted Corporate <input type="checkbox"/>	Stakeholder ( <i>Weighted</i> ) <input type="checkbox"/>
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## BACKGROUND:

**OWNERS:**  
Ricky Coueffin  
Irene Coueffin

**APPLICANT:**  
Ricky Coueffin

**ELECTORAL AREA:**  
F (Magna Bay)

**CIVIC ADDRESS:**  
6346 Squilax-Anglemont Road

**LEGAL DESCRIPTION:**

Lot 9, Section 13, Township 23, Range 10, W6M, KDYD, Plan 13493

**PID:**

006-909-698

**SIZE OF PROPERTY:**

0.142 ha

**SURROUNDING LAND**

**USE PATTERN:**

NORTH: Squilax-Anglemont Road, vacant

SOUTH: Shuswap Lake

EAST: Residential

WEST: Residential

**DESIGNATION:**

Electoral Area F Official Community Plan Bylaw No. 830

SSA –Secondary Settlement Area

**CURRENT ZONE:**

Magna Bay Zoning Bylaw No. 800

RS –Residential

**PROPOSED ZONE:**

RS –Residential –Special Regulation

**CURRENT USE:**

Single Family Dwelling, accessory building– (shed/boathouse)

**PROPOSED USE:**

Single Family Dwelling, accessory buildings (shed/boathouse and garage)

**POLICY:**

See attached "BL800\_Excepts\_BL800-31.pdf".

The existing and proposed use are consistent with the SSA –Secondary Settlement Area designation in Electoral Area F Official Community Plan Bylaw No. 830.

**FINANCIAL:**

There are no financial implications to the CSRD regarding this application.

**KEY ISSUES/CONCEPTS:**

The applicant's garage burned down in a fire in July 2018; he is wanting to rebuild the new garage on the same footprint as the old garage due to siting constraints on the property. The proposal is for a two-storey structure: a 1 bay garage first floor with office space in the basement.

The property has an existing single family dwelling and accessory building (shed/boathouse); with the re-construction of the garage, the parcel coverage will be 28% which will exceed the 25% permitted in the RS zone.

Parcel coverage is defined in Bylaw No. 800 as the horizontal area within the vertical projection of the outermost walls of the buildings on a parcel expressed as a percentage of the parcel area.

Parcel coverage is used in zoning regulation as a tool to limit density. By restricting the total area that can be developed on a property this limits the potential habitable area of a dwelling(s). Parcel coverage typically applies to zones with smaller sized parcels that require land area for onsite servicing, such as a groundwater well, on-site sewage disposal system, and stormwater management. Staff has initiated a process to review and increase the maximum parcel coverages permitted in the Electoral F zoning bylaws; the proposal will be to increase the 25% maximum parcel coverages on residential properties.

The applicant has indicated that the basement will have a full bathroom with sink, toilet, and shower as well as a kitchenette that includes a sink, microwave, and fridge. The applicant has been advised that guest accommodation is not permitted on parcels less than 1 ha in the RS zone. The trigger for a structure to be considered a dwelling unit or guest accommodation is installation of a stove unit or a 220 electrical outlet. Neither a stove unit nor a 220 electrical outlet is being proposed.

Staff have requested servicing information for the proposed office to confirm that existing water and septic services can accommodate the additional use.

#### **Development Variance Permit**

The old garage was located at the front of the property, close to Squilax-Anglemont Road, and the west parcel line. The applicant would like to build the new garage in this same location which will require a Development Variance Permit as it would be located within the front and interior side parcel boundary setbacks.

The proposed setbacks for the garage, including eaves and gutters, would be 0.5 m from the front and interior side parcel boundary; the walls of the garage would be 1.0 m setback from the parcel lines.

The proposed height for the garage is 7.92 m, which is over the maximum allowed 6 m for an accessory building.

The maximum gross floor area for an accessory building is 55 m<sup>2</sup> in the RS zone; the proposed 2 storey garage exceeds the maximum floor area permitted; the gross floor area for the building is 58 m<sup>2</sup> which includes both floors. Bylaw No. 800 exempts off-street parking in floor area calculation; the first floor garage has two off-street parking spaces which are deducted from the total. The area for the first floor is 13 m<sup>2</sup> and the basement floor area is 45 m<sup>2</sup>; the combined total of which is 58 m<sup>2</sup>. The old garage was also two storeys and so the floor area and height would have been similar.

The Board will review the DVP for issuance when this amendment is considered for adoption, should it proceed through further readings. The variance for consideration would be as follows:

The Magna Bay Zoning Bylaw No. 800 would proposed to be varied:

Section 5.5(2)(e) Maximum height for an accessory building from 6 m to 7.92 m for a garage;

Section 5.5(2)(f) Minimum setback from the front parcel boundary from 4.5 m to 0.5 m and from the interior side parcel boundary from 2.0 m to 0.5 m for a garage; and

Section 5.5(2)(g) Maximum gross floor area of an accessory building from 55 m<sup>2</sup> to 58 m<sup>2</sup> for a garage.

Staff consulted with the CSRD Building Services Department regarding future potential fire separation issues there may be for the garage, as it will be located within 2.4 metres of an interior side parcel line setback shared with the neighbouring property. The building department has indicated that there will be building material restrictions in order to meet fire resistant ratings for the west wall and overhang of the garage located within the setback; this will be addressed through the Building Permit process. The Building Department comments have been shared with the applicant.

The fire in 2018 also burned down the neighbour's garage at 6342 Squilax-Anglemont Road, for which the Board will review a Development Variance Permit (DVP800-32 Lamb) application for the rebuild of that garage at its April 18, 2019 Board meeting. Similar to the Coueffin's proposed garage, DVP800-32 proposes to vary front and interior side parcel setbacks, height, and gross floor area of a garage.

Staff is in receipt of an issued Setback Permit from Ministry of Transportation for the subject property that permits the garage to be within 4.5 m of the road right of way.

### **SUMMARY:**

The applicant wants to rebuild a new garage on the old garage footprint. The applicant has applied for a site specific bylaw amendment to allow for 28% parcel coverage for the subject property; as the proposed garage construction on the property will exceed the maximum 25% parcel coverage permitted in the RS zone.

Staff are recommending that the bylaw be given first reading and staff be directed to send out referrals to applicable agencies and First Nations because:

- a garage is an accessory use consistent with zoning,
- a 3% increase in parcel coverage is considered minor; and,
- and staff are currently undergoing a review to consider increasing the maximum parcel coverage in the Electoral Area F zoning bylaws.

### **IMPLEMENTATION:**

#### **Consultation Process**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application to rezone when notice of development signs are posted on the property after first reading.

#### **Referral Process**

The following list of referral agencies is recommended:

- Ministry of Forests, Lands and Natural Resource Operations –Archaeology Branch;
- CSRD Operations Management;
- Adams Lake Indian Band;
- Little Shuswap Indian Band;
- Neskonlith Indian Band;
- Okanagan Indian Band;
- Shuswap Indian Band;
- Simpcw First Nation; and,
- Splots'in First Nation.

### **COMMUNICATIONS:**

If the bylaw is given first reading it will be forwarded to the referral agencies. Agency comments will be provided with a future Board report. The applicant will be required to post a Notice of Development Sign on the subject property in accordance with Development Services Procedures Bylaw No. 4001.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

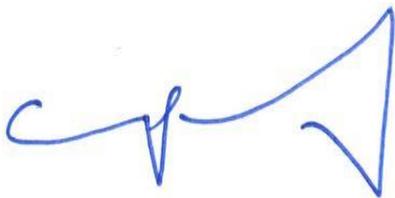
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area F Official Community Plan Bylaw No. 830
2. Magna Bay Zoning Bylaw No. 800
3. Building Department referral, March 6, 2019
4. Ministry of Transportation Setback Permit (2019-01269), March 28, 2019

**Report Approval Details**

Document Title:	2019-04-18_Board_DS_BL800-31_Coueffin.docx
Attachments:	- BL800-31_First.pdf - BL800_Excerpts_BL800-31.pdf - Maps_plans_photos_BL800-31.pdf
Final Approval Date:	Apr 8, 2019

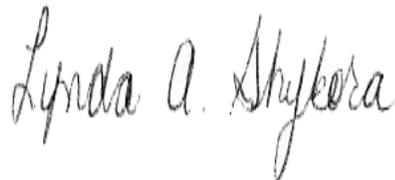
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Apr 5, 2019 - 10:57 AM**



**Gerald Christie - Apr 5, 2019 - 11:40 AM**



**Lynda Shykora - Apr 8, 2019 - 12:49 PM**



**Charles Hamilton - Apr 8, 2019 - 1:34 PM**