

Columbia Shuswap Regional District Electoral Area 'F' Advisory Planning Commission Minutes

Date: December 18, 2019
Time: 1:30 PM
Location: Scotch Creek Fire Hall / Community Hall,
3852 Squilax-Anglemont Rd, Scotch Creek BC

Members Present:

Trudy Montgomery, Chair	Charlotte Hall, Vice-Chair (Acting Recording Secretary)
Derek Rawn, member	Doug Dean, member
Phil Vilbert, member	Ron Wilkinson, member

Members Absent:

Deb Bischoff, Recording Secretary Brian Knipstrom, member Varya Lutjen, member

Directors Present:

Jay Simpson, CSRD Director, Electoral Area F

Staff Present:

None

Guests:

Susan and Ricard Blair, applicants of DVP800-35

1. **Call to Order** (1:36 PM)
2. **Adoption of Agenda**

- Order of Agenda items change to accommodate Susan and Richard Blair's attendance Application DVP80035
- DVP No. 800-35 to be read first, followed by DVP No 800-34 and DVP No. 825-28 etc.
- New Business added to send forth a recommendation to CSRD planning Committee

Moved by Charlotte Hall, seconded by Derek Rawn

**6 in support
0 in opposition
CARRIED**

Development Variance Application - DVP No. 800-35

Owner/Applicant: Susan and Richard Blair
CIVIC ADDRESS: 6514 Squilax-Anglemont Road

The subject property is located in Magna Bay, at 6514 Squilax-Anglemont Road, and is subject to the Magna Bay Zoning Bylaw No. 800 (Bylaw No. 800) and Electoral Area 'F' Official Community Plan Bylaw No. 830. A single family dwelling is currently under construction on the subject property. Development Variance Permit No. 800-26 (DVP800-26) was issued on March 23, 2017, and granted a variance to the front parcel boundary from 4.5 m to 4.2 m, for the eaves of the proposed single family dwelling only. However, the single family dwelling is being constructed closer to the front parcel boundary than the variance granted. The property owners are now applying for a new Development Variance Permit to recognize the location of the single family dwelling and eaves within the setbacks. The requested variance is for Section 5.5(2)(f) of Bylaw No. 800, minimum setback from the front parcel boundary from 4.5 m to 3.0 m, only for the single family dwelling, including all projections and eaves.

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DISCUSSION:

Reasons for support:

- Doesn't impede on neighbouring properties
- Water runoff remains on applicant's property
- Fairness in equity
- Confusions from CSRD suggest amendments (not client friendly)

Moved by Phil Vilbert, seconded by Derek Rawn THAT:
the APC recommends to the Board approval of DVP No. 800.35

6 in support
0 in opposition
CARRIED

Development Variance Application - DVP No. 800-34

Owner/Applicant: Andrew and Michelle Sierens

CIVIC ADDRESS: 2356 Hillen Crescent

The subject property is located in Magna Bay of Electoral Area F and is subject to the Electoral Area F Official Community Plan Bylaw No. 830 and Magna Bay Zoning Bylaw No. 800 (Bylaw No. 800). The property owners recently completed construction of an open-walled accessory building to store their boat. The accessory building was constructed too close to the interior side parcel line and as such, a Development Variance Permit is required. The applicants are requesting to vary Section 5.5(2)(f) of Bylaw No. 800, minimum setback from the north interior side parcel boundary from 2.0 m to 1.25 m, only for the accessory building.

DISCUSSION:

Reasons for support:

- Stand-alone building doesn't affect neighbouring properties
- Drainage still lands onto homeowner's property
- Easement between applicant's property and neighbouring property

Reason for non-support:

- Applicants were told 2 metre set back from eaves was necessary

Moved by Phil Vilbert, seconded by Charlotte Hall THAT:
the APC recommends to the Board approval of DVP No. 800-34

6 in support
0 in opposition
CARRIED

**** Note:** Charlotte Hall removed herself from participating in the discussion/motion with application DVP No. 825-28 due to a conflict of interest as she is a neighbouring property owner.

Development Variance Application - DVP No. 825-28

Owner/Applicant: Glen and Wendy Nevokschoff

CIVIC ADDRESS: 2868 Squilax-Anglemont Road

The subject property is located in Lee Creek, at 2868 Squilax-Anglemont Road, and is subject to Scotch Creek/Lee Creek Zoning Bylaw No. 825 (Bylaw No. 825) and Electoral Area 'F' Official Community Plan Bylaw No. 830. An accessory building to be used as a garage with storage and recreation room areas is currently under construction on the subject property. This accessory building replaces an older log structure which was demolished. The original Development Variance Permit No. 825-28 was issued on August 15, 2019 and approved a variance for the front parcel boundary setback from 4.5 m to 1 m for the proposed building. However, the site plan submitted with the Development Variance Permit application did not include the proposed building's eaves. Eaves are not exempt from setback regulations in Bylaw No. 825, and the property owners are now applying for a revision to their Development Variance Permit to recognize the eaves within the setback. The requested variance is for Section 5.7.3(f) of Bylaw No. 825, minimum setback for the front parcel boundary from 4.5 m to 1.3 m, only for the accessory building foundation, and from 4.5 m to 0.36 m, only for the eaves of the accessory building eaves, and minimum setback from the interior side parcel boundary from 2 m to 1.29 m, only for the eaves of the accessory building.

Reasons for support:

- Condition on title would affect future sale
- Neighbouring properties will have their opportunity to dispute
- Another Columbia Shuswap Regional District confusion
- No issues with side eaves

Reasons for non-support:

- Although the eaves to the neighbouring property are not a problem, the eaves to the road are problematic.
- Community Road is now too narrow on the northwest corner of the building
- Difficult for emergency vehicles to access neighboring properties
- Vehicle accidents are common at this location
- Water runoff from the large roof can affect the road
- Size of eaves are only aesthetic

Proper drainage and road access needs to be resolved

Moved by Ron Wilkinson , seconded by Doug Dean THAT:
the APC recommends to the Board refusal of DVP No. 825-28

**5 in support
0 in opposition
CARRIED**

Electoral area F: proposed parcel coverage bylaw amendments

Development Services staff is proposing amendments to all three zoning bylaws in Electoral Area F: Anglemont Zoning Bylaw No. 650 (Bylaw No. 650), Magna Bay Zoning Bylaw No. 800 (Bylaw No. 800), and Scotch Creek/Lee Creek Zoning Bylaw No. 825 (Bylaw No. 825). The amendments proposed would change the parcel coverage regulation from 25% to 30% in specific residential zones that affect waterfront properties along Shuswap Lake and the upland parcels with the same zoning. These amendments do not apply to commercial or industrial-zoned parcels.

Parcel coverage is typically the footprint of buildings and structures within the vertical projection over a parcel and is expressed as a percentage of the parcel area. It does not apply to non-building impervious surfaces such as asphalt or concrete.

Reasons for support:

- South Shuswap has 40% parcel coverage
- From a real estate and community growth point of view, we need to be competitive with South Shuswap and other areas
- Property buyers should have flexibility and options
- In general the North Shuswap has good drainage
- APC is in agreement of writings in Chamber Of Commerce letter
- Larger buildings wouldn't be approved without all the other permit applications
- Septic field rules from Interior Health dictate how much space has to be left
- Page 76 of the official community plan reads that all new residential development should aim for a minimum ground water absorption coefficient (GAC) of 45% through the use of pervious surfacing materials. This is more important than parcel coverage and is what should be used to restrict what can be built.

Moved by Ron Wilkinson, seconded by Derek Rawn and resolved THAT:

The APC recommendation to the Board to approve Electoral Area F proposed parcel coverage bylaw amendment to increase parcel coverage to 40%.

**6 in support
0 in opposition
CARRIED**

New Business

All three DVP applications today were about eaves. It seems unclear who is at fault. Building permit problem or building inspector problem? Regardless, this should have been caught and it needs to be resolved so this doesn't keep happening.

Chair spoke about potentially changing our zoning bylaw general regulations as part of exceptions to include eaves and gutters. Members felt that resolution would not have been helpful in applications like DVP No. 825-28 where the eaves are bigger than the average building.

Derek suggested that when building permit applications are submitted that the builder or homeowner should have to initial that they understand parcel boundary setback INCLUDES the eaves.

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Motion to have CSRD staff require a homeowners initials on building permits to confirm they understand that setbacks in Area F is to include the eaves.

Move by Charlotte Hall , seconded by Derek Rawn

**6 in support
0 in opposition
CARRIED**

Adjournment 2:40 PM

CERTIFIED CORRECT



Trudy Montgomery, Chair



Charlotte Hall, Acting Secretary