



BOARD REPORT

TO: Chair and Directors

File No: DP850-26
PL20170000185

SUBJECT: Electoral Area B: Development Permit 850-12 (Hermanson)

DESCRIPTION: Report from Christine LeFloch, Development Services Assistant, dated November 2, 2017.
5955 Highway 31, Trout Lake

RECOMMENDATION : THAT: Development Permit 850-12 (Hermanson) be approved for issuance this 1st day of December, 2017.

SHORT SUMMARY:

The owners of the 0.231 ha subject property located in Trout Lake would like to construct a building for the purpose of leasing space to the general public for storage of RVs and equipment. Mini-storage is a permitted use in the HC – Highway Commercial zone in the Electoral Area B Zoning Bylaw No. 851 (Bylaw No. 851). Development within commercial zones requires a Commercial Form and Character Development Permit.

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

REGISTERED OWNER:
Sheryl Hermanson

APPLICANT:
Sheryl Hermanson

ELECTORAL AREA:
B

CIVIC ADDRESS:
5955 Highway 31, Trout Lake

LEGAL DESCRIPTION:
Lot 1, District Lot 769, Kootenay District, Plan NEP23339

SIZE OF PROPERTY:
0.231 ha

SURROUNDING LAND USE PATTERN:
North: Highway 31, Emcon operations yard, gravel pit
South: Residential
East: Westside Road, Rural Resource

West: Commercial

CURRENT USE:
small storage building

PROPOSED USE:
additional storage building

OCP DESIGNATION:
HC - Highway Commercial

ZONE:
HC – Highway Commercial

SITE COMMENTS: The subject property is located on the corner of Highway 31 and Westside Road in the community of Trout Lake. The property is level and has access from Highway 31 for vehicular traffic. There is an existing single bay storage building on the property at this time. The lot has a large graveled area that is proposed to be used for parking and a number of mature cedar and some smaller spruce trees which will be retained as landscaping including a row of spruce trees along the rear property line behind the existing building. The area that has not been graveled is in lawn. From a safety perspective the lot is generally open so there are no blind spots which improves sight lines for traffic safety and minimizes the potential for loitering. The property is located within the Lardeau River alluvial fan and is noted on the Provincial Flood Hazard Mapping as a high hazard area. The property is located well outside of the Revelstoke Fire Service Area.

PROPOSAL: The proposed development consists of a three bay self-storage building to be located on the subject property next to the existing storage building. The owner may develop additional units in the future as the needs of the community increase.

POLICY:

Electoral Area 'B' Official Community Plan Bylaw No. 850 5.4 Commercial Development Permit Area

.1

The Commercial Development Permit Area (CDPA) is designated under Section 919.1(1)(f) of the Local Government Act for the purpose of establishing objectives for the form and character of commercial development.

.2 Area

Commercial Development Permit Areas include all areas designated in the OCP for commercial use.

.3 Justification

The form, character, appearance and landscaping of commercial properties is an important part of what makes a place attractive and livable. The commercial properties in Area 'B' are located in areas that are highly visible (e.g. Trans-Canada Highway) and/or focal points within communities. Attention to design details will ensure that a high development standard is maintained for commercial areas.

Guidelines

4. Landscaping shall be provided:

- a. along property lines that are next to public areas;
 - b. along the base of buildings that are seen from public areas;
 - c. between parking areas and public roads; and
 - d. meet Ministry of Transportation Standards, particularly BC Reg. 513/2004, Provincial Public Undertakings, Regulation Part 3.
5. Views from residential areas.
- a. landscaping and buffering are to be provided next to any adjacent residential area. The entire setback should be landscaped in trees and shrubs.
 - b. landscaped berms create a visual buffer. Even a small elevation change in the ground has an impact. Berms are encouraged especially where the creation of a visual screen effect is desired.
 - c. Signage and lighting will be revised and managed to maintain the rural landscape and atmosphere and to minimize visual impacts from the highway.
6. Parking, vehicular traffic and waste collection areas.
- a. outdoor storage or waste collection areas shall be screened by fencing, hedging or landscaping.
 - b. where landscaping is adjacent to parking or vehicular traffic there shall be a concrete curb to protect the landscaping from damage.
 - c. In parking areas, landscape islands of trees and shrubs shall be used to visually break up large expanses of parking.
7. Existing landscaping.
- a. integration with, or augmentation of, any existing landscaping is encouraged.
 - b. retention of existing trees and integrating them into the proposed site and landscape design is encouraged. Buildings on corners should have entries, windows and an active street presence on the two public facades to avoid the creation of blank walls in prominent locations. Public facades to avoid the creation of blank walls in prominent locations;
8. Standards.
- a. Plant material must meet the BC Landscape Standard for size and leaf density. (The BC Landscape Standard is published jointly by the BC Society of Landscape Architects and the BC Landscape and Nursery Association).
 - b. Low volume irrigation is encouraged.
 - c. All trees must be staked in accordance with the BC Landscape standards.

Safety

9. Landscaping should not create blind spots, potential hiding places, or screen wildlife, particularly next to highways;
10. There may be a need to screen storage yards or noxious land uses.
11. Development shall be encouraged to implement strategies consistent with Bear Aware and Bear Smart programs.

Building Design

12. Buildings shall create visual interest, using:

- strong detailing in windows and doors,
- no large expanses of blank wall, and
- localized lighting.

Exemptions

13. A Development Permit must be approved before demolition of, construction of, addition to or alteration of a building or structure, except, a Development Permit is not required where:

a. Changes to a building or structure are internal alterations that do not affect the exterior of a building, the repair or replacement of roofing.

b. The construction, alterations or additions of a building are:

- additions up to 200 m² in areas where the addition results in less than a 10% increase in floor area; or
- minor external alterations that do not alter or affect parking requirements, required landscaping, access to the site, or the building footprint or have any significant impact on the character of the building; or
- the construction or alterations in accessory buildings or structures are not in excess of 40 m² where the total floor area is no more than 10% of the main building, and, provided parking requirements, required landscaping, required environmental measures, access to the site and the character of the site are not affected.
- Development applications for residential developments within a Resort Commercial designation (e.g. Mica Creek).

Electoral Area B Zoning Bylaw No. 851

HC- Highway Commercial

Mini storage is a permitted use in the Highway Commercial zone.

Minimum setback from:

front parcel boundary	5 m
interior side parcel boundary	5 m
exterior side parcel boundary	5 m
rear parcel boundary	5 m
Maximum parcel coverage	40%

Maximum height for:

principal buildings and structures	11.5 m
accessory buildings	10 m

Screening:

All outside commercial storage, including the storage of garbage, shall be completely contained within a landscape screen of not less than 2 m in height.

Parking:

In accordance with Part 4, Table 1 – Required Parking Spaces and Loading Spaces, four parking spaces are required to be provided for a mini-storage building. No loading spaces are required for this use.

Signage must be in accordance with Section 3.24 of Bylaw No. 851.

Covenant:

There is a covenant (XK024597) registered on title in favour of the Ministry of Environment and the CSRD stating that no area used for habitation, business, or storage of goods damageable by floodwaters shall be located within any building at an elevation such that the underside of the floor system thereof is less than 0.6 m above the natural ground as measured around the perimeter of the building.

Statutory Building Scheme:

There is a building scheme (XK034791) registered on title by the current owner Sheryl Hermanson. In addition to a number of other restrictions set by the developer, the building scheme specifies that "the owner of a lot shall not use or permit the use of the lot or any structure thereon for any trade, business calling, manufacturing or processing activity except that light commercial use shall be permitted on Lots 4, 5 and 6". This document was later modified by (KM024602) which deleted the above Lots 4, 5 and 6 and replaced it with Lots 1, 2 and 3. Thus, the proposed use would be allowed under the building scheme on Lot 1 which is the subject property. Staff note that Statutory Building Schemes are a developer enforced agreement and are not enforced by the CSRD.

Highway Access Permit:

The applicant has obtained a Commercial Access Permit from the Ministry of Transportation and Infrastructure for the proposed use. This permit is dated November 2, 2017. A copy of this permit is attached.

FINANCIAL:

There are no financial implications for the CSRD as a result of this application.

KEY ISSUES/CONCEPTS:

The community of Trout Lake is a remote hamlet of predominantly seasonal recreational homes located in the southern part of Electoral Area B. There are currently 4 properties zoned Highway Commercial along Highway 31 and a small area with 7 properties zoned Neighbourhood Commercial. This is the first Commercial Development Permit application we have received for this area. Development activity in this area is minimal.

The site plan provided by the applicant indicates that the proposed new building will be sited in compliance with the setback requirements for this zone and that there is adequate room on the parcel for parking of vehicles meeting the requirements of the zoning bylaw. The existing storage building on the parcel is sited at 2.4 m from the west parcel boundary. It is noted that this building was constructed prior to adoption of Bylaw No. 851 and is considered legally non-conforming with respect to siting.

The property has been cleared and an area has been graveled for parking and manoeuvring. There are a number of existing mature trees and lawn areas on the property which are to be retained. These provide natural landscaping and screening from the adjacent properties to the south and the road frontages in keeping with the DP guidelines. The proposal includes the construction of a new three (3) bay self-storage building. This building will be metal clad with tan coloured siding and white doors and roofing. Due to the security requirements for this type of use there are no windows proposed. The building design generally meets the Development Permit guidelines by using contrasting colours on the

roofing and doors to create visual interest. The applicant has indicated that there will be no outdoor storage on the property and due to the nature of the business there is no need for a garbage bin on the site. As such additional screening is not required.

The APC recommended that the applicant provide landscaping along Westsyde Road in accordance with Section 5.4.7(b) which talks about retention of existing trees and incorporating them into the landscaping. The applicant has stated that they plan to leave all existing trees on the site in place and will add an additional two trees between the new building and the road. Staff have noted on Schedule C of the Development Permit that all existing trees and natural landscaping are to be retained as a condition of this permit.

SUMMARY:

Staff is recommending approval of Development Permit 850-26 for the following reasons:

- The applicant has made an effort to adhere to those Development Permit guidelines which are practical for the community in which the property is located with regard to landscaping, screening and building design.

The Electoral Area B Advisory Planning Commission also recommended approval of this application.

IMPLEMENTATION:

If the Board approves issuance of the Development Permit, staff will notify the applicant of the Board's decision and prepare a notice to be sent to the Land Titles Office for registration on title.

COMMUNICATIONS:

This application was referred to the Electoral Area B Advisory Planning Commission and the Ministry of Transportation. The Ministry advised that they have issued a Commercial Access Permit for the subject property and have provided a copy of the permit (attached).

The Area B APC recommended approval of DP850-26 subject to the condition that the applicant place landscaping along Westsyde Road to meet the guidelines in Section 5.4.7(b). Staff feel that this condition has been addressed by the applicant.

In accordance with Development Services Procedures Bylaw No. 4001, notice of this Development Permit was sent to all owners of property within 100 m of the subject property.

DESIRED OUTCOMES:

That the Board approve issuance of Development Permit 850-26.

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 B Official Community Plan Bylaw No. 850
2. Electoral Area B Zoning Bylaw No. 851
3. Electoral Area B Advisory Planning Commission Meeting 2017-10-31 Minutes

Report Approval Details

Document Title:	2017-12-01_Board_DS_DP850-26_Hermanson.docx
Attachments:	<ul style="list-style-type: none">- DP 850-26.pdf- Access_Permit_DP850-26.pdf- Maps_Plans_Photos_DP830-26.pdf
Final Approval Date:	Nov 20, 2017

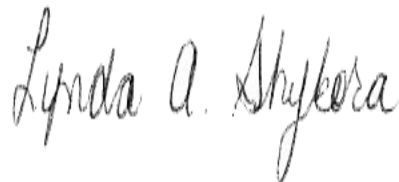
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Nov 20, 2017 - 8:53 AM



Gerald Christie - Nov 20, 2017 - 12:22 PM



Lynda Shykora - Nov 20, 2017 - 1:56 PM



Charles Hamilton - Nov 20, 2017 - 4:01 PM