

COUNCIL REPORT



REPORT DATE: July 28, 2020
 MEETING DATE: August 10, 2020
 TO: Mayor and Councillors
 FROM: Karin Albert, Senior Planner
 SUBJECT: Application for a Temporary Use Permit for Unit 4, 4640 Cumberland Road

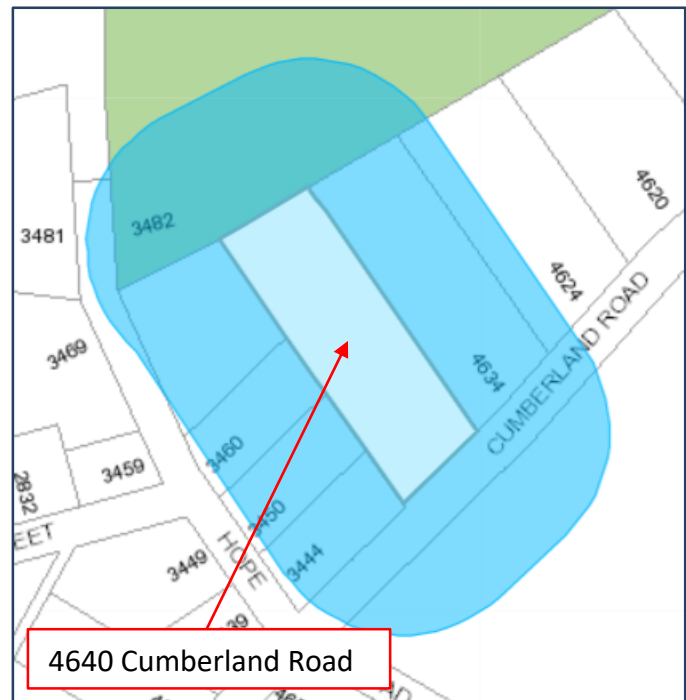
FILE:	2020-01-TUP TruMovement	
OWNER:	0967098 BC Ltd. / Jamie Edwards	
AGENT/APPLICANT:	TruMovement/Jennifer Walsh	
PID:	000-351-440	Folio No.: 516-00820.005
LEGAL DESCRIPTION:	Lot 1, Section 25, Township 10, Comox District, Plan 35738	
CIVIC ADDRESSES:	Unit 4, 4640 Cumberland Road	
OCP DESIGNATION:	Industrial	
DEVELOPMENT PERMIT AREA:	DPA5 –Industrial	
ZONE:	I-1 Light Industrial	

RECOMMENDATIONS

1. THAT Council receive the report
 “Application for a Temporary Use Permit –
 Unit 4, 4640 Cumberland Road”, dated July
 28, 2020.
2. THAT Council refer the “Application for a
 Temporary Use Permit for Unit 4, 4640
 Cumberland Road” report, dated July 28,
 2020 to the Advisory Planning Commission
 for a recommendation.
3. THAT staff include a definition for private
 fitness facilities in a future update of the
 Zoning Bylaw and explore other zones
 where this use could be permitted.

PURPOSE

The purpose of this report is to introduce an
 application to permit a temporary use for a yoga, fitness and dance studio in Unit 4 at 4640



Cumberland Road, a property that is zoned I-1 Light Industrial, a zone that does not permit for that type of use.

PREVIOUS COUNCIL DIRECTION

There has not been a previous Council resolution on this application.

BACKGROUND

The applicant started operating a yoga, fitness and dance studio at 4640 Cumberland Road earlier this summer, unaware that the property is not zoned for that use. To permit the use on the property, the property owner has the option either to rezone or apply for a Temporary Use Permit. The owner and applicant (his agent on the application) chose to apply for a Temporary Use Permit which is valid for three years. At the end of the three years, the permit can be renewed one time only for a further three years. After that time, the property has to be rezoned to allow for the use to continue.

Official Community Plan Policy

Section 9.8 of the OCP outlines under what circumstances temporary use permits can be issued, followed by staff comments in bold italics:

"The issuance of temporary use permits can be considered in all Official Community Plan designations within limits of the Village boundaries.

A temporary use permit (TUP) is a tool to allow a short-term commercial or industrial use that does not comply with the Zoning Bylaw and may be utilized where a condition prevails that warrants such a use for a short period of time, but does not warrant a change of land use designation or zoning of the land. The Objective of TUP's are to:

- 1) Avoid conflicts between different types of uses (i.e., residential, commercial and industrial). ✓*
- 2) Provide for temporary approval of transitional uses, or uses where uncertainty exists. **Not a transitional use but a use where compatibility is uncertain.***
- 3) Respecting appropriateness or viability of the use, and where it is premature to decide upon rezoning and long-term land use rights. ✓*
- 4) Ensure that temporary use permits are not considered a substitute for a rezoning application. **Rezoning would be a preferred option over a TUP.***

In addition to development procedures requirements, temporary use permits will be considered against the following criteria:

- 5) The use must be clearly temporary or seasonal in nature. **Criterion not met.***
- 6) Compatibility of the proposal with adjacent uses. **Compatible with uses to the East***
- 7) Impact of the proposed use on the natural environment, including groundwater, wildlife, and all environmentally sensitive areas, and the proposed remedial measures to mitigate any damage to the natural environment as a result of the temporary use. **N/A***
- 8) Intensity of the proposed use. **Low***
- 9) Inability to conduct the proposed use on land elsewhere in the community. ✓*

- 10) *Must be reviewed and approved by the Ministry of Transportation and Infrastructure (MOTI) with respect to access to and effect on Provincial highways."*

The application meets (1), (3),(8) and (9). At the time of writing of this report, staff has not yet received comments from adjacent neighbours to be able to report on potential impacts to neighbours (item 6). Given the long business hours, the use will generate additional traffic to the property throughout the day.

With respect to (10), a review and approval by MoTI is not required since the proposed use is further than 800 metres from Highway 19.

A temporary use permit is appropriate for the proposed use in order to test the dance/yoga/fitness studio use at that site.

When it comes to a permanent location for a fitness studio use, the conceptual land use designations map in the OCP does not appear to support either an industrial or a commercial use along the entrance to the Village. However, the written policy supports new development along major transportation corridors, i.e. along Cumberland Road.

Section 5.1.2. General Land Use Objectives states:

- (1) *Maintain a compact urban form by directing new development to the Village Centre (see the figure 8) and along major transportation corridors that are served by frequent transit service, and by focusing new commercial and mixed use development in and around the Historic Village Commercial Core.*

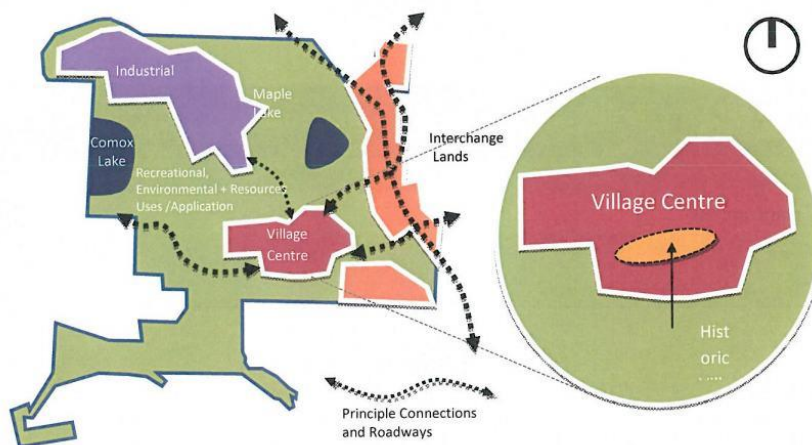


Figure 8: Conceptual Land Use and Location of Village Centre

With respect to the evaluation of zoning and OCP amendments, item 6 under 5.1.5 General Land Use Policies states:

Zoning and OCP amendment applications shall demonstrate that the project proposed will provide benefit to the community as a whole. Council and staff will evaluate the proposal on this basis. Demonstrable community benefit includes:

- a. *Providing a use that is responding to community need.*
- b. *Providing an amenity that will benefit the residents of Cumberland (including but not limited to):*

- i. *Affordable housing, with a signed housing agreement with the Village*
 - ii. *Park dedication (in addition to the minimum requirements for subdivision that trigger a five percent dedication)*
 - iii. *Fire and emergency services department contributions*
 - iv. *Provision of off-site infrastructure, or upgrades*
 - v. *Inclusion of universal designed and adaptable housing.*
- c. *Appropriateness of the development proposal.*
- d. *Integration with the immediate community.*

TruMovement's TUP application meets (a), (c) and (d) above.

Development Permit Requirements

The application does not trigger a Development Permit requirement. An industrial development permit was obtained by the owner before the building, out of which the applicant is operating her yoga, fitness and dance studio, was constructed.

Zoning Bylaw Regulations

Fitness studio is not specifically identified as a use in the Zoning Bylaw but most closely fits under "Recreational Facility" which includes "dance studios" and "physical instructional courses". "Recreational Facility" is currently only permitted in the PA-1 Public Assembly/Institutional zone.

The property subject to this application is zoned I-1 Light Industrial. Light industrial does not include "Recreational Facility" as a permitted use.



Figure 1: Zoning Context

A future update to the Zoning Bylaw should consider creating a separate definition and use for private fitness studios and other private recreational facilities and consider whether they can be permitted in additional zones beyond the PA-1 Public Assembly/Institutional zone. Given that institutional classes may start as early as 6:00 a.m. and the last class may end as late as 10:00 p.m., generating noise and traffic during that time, a fitness studio use is not desirable in the same zone as a residential use. Given the long business hours and traffic it generates throughout the day and on weekends, a fitness studio may be well sited within a light industrial zone or an intensive commercial zone, such as the C-3 Commercial Three zone.

Vehicle and Bicycle Parking Requirements

Based on the ‘Recreational Facility’ use, the applicant is required to provide 11 vehicle parking stalls and 4 bicycle parking stalls. The applicant is able to provide those stalls on site (see figure 2 below).

As per the Zoning Bylaw, if the parking requirement exceeds 10 stalls, 5% have to be for persons with a disability and 5% have to have an electric vehicle plug-in. As the Zoning Bylaw stipulates rounding to the nearest single digit number, one stall for a person with a disability and one electric vehicle plug-in are required and would be a condition of the Temporary Use Permit.

The applicant is providing the four required bicycle parking spaces by way of a moveable wooden stand for five bikes.

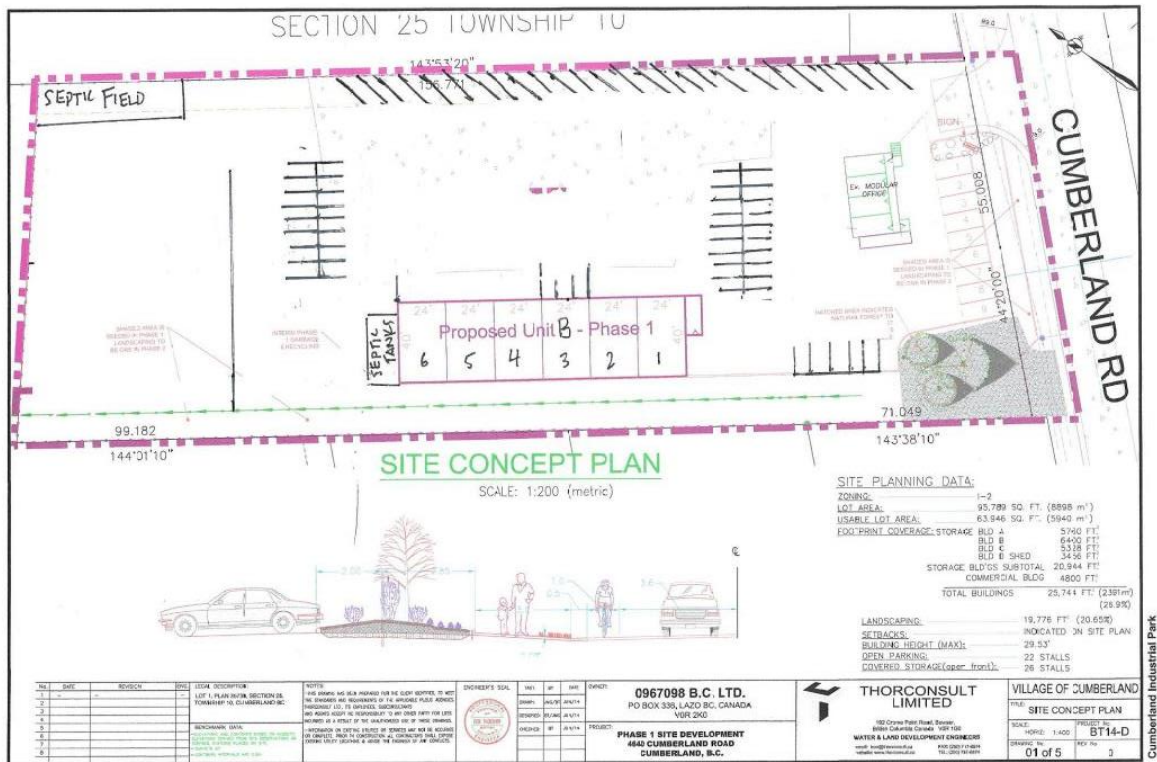


Figure 2: Parking Plan Provided by Applicant

Traffic Impact

TruMovement is advertising seven fitness classes per day Monday to Thursday and three classes on Fridays. The business licence application suggests that classes are also planned for Saturdays and Sundays. The business' facebook site promises more classes in the fall.

Hours of operation indicated on the business licence application are 6:30 a.m. to 9:00 p.m. Monday to Friday and 9:00 a.m. – 4:00 p.m. Saturday and Sunday. The current schedule has classes starting at 6:30 a.m. and ending at 8:00 p.m. Monday to Thursday.

According to the applicant, the maximum number of students is currently ten, due to social distancing requirements. Once restrictions are removed, she expects around 20 students and one to two employees per session.

Assuming an average of 12 students drive their vehicle to a given class once COVID number restrictions have been lifted, this would result in an additional 168 vehicle trips to and from the site each day from Monday to Thursday (12 vehicles x 2 trips each x 7 classes).

Due to the number of classes offered each day, the proposed use will result in additional traffic on Cumberland Road. A traffic study is not proposed for this additional use on the property; however, any further applications for a temporary use permit or a rezoning which would bring more vehicles to and from the site may trigger a traffic study to determine whether a left-turn lane is required.

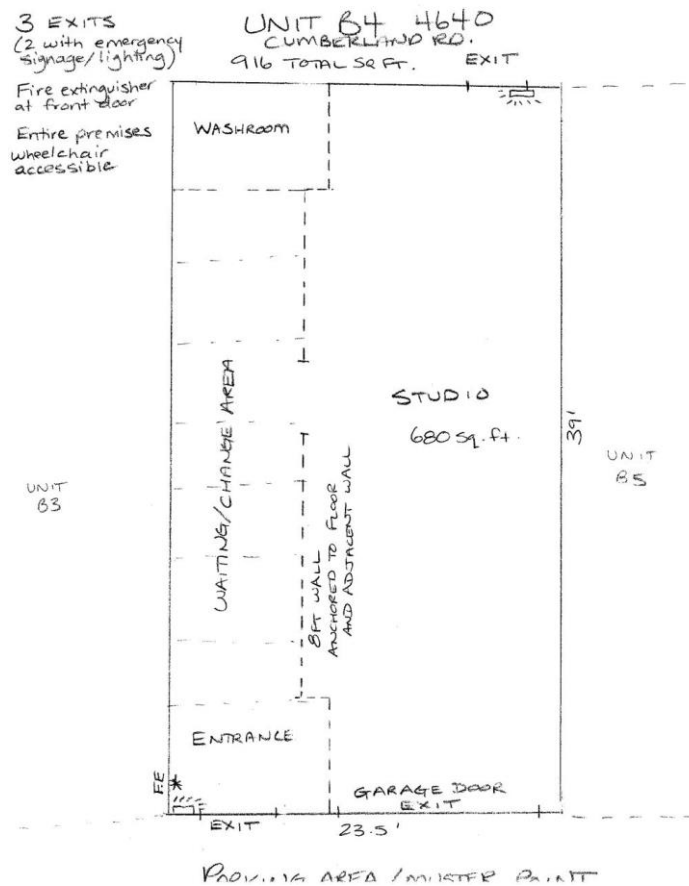


Figure 3: Plan of Unit 4

Business Licence Requirements

The applicant has applied for a business licence. Staff cannot process the application until the applicant has a Temporary Use Permit to allow her to have the requested use on the property.

The applicant added a non-structural wall to her unit. A review by the building inspector determined that a building permit is not required for the proposed use. However, an inspection is required as part of the business licence application review.

Impacts on Neighbours

Distance to the closest residential dwelling unit to the West is 35 metres.

A solid two metre high fence separates 4640 Cumberland Road from the adjacent residential properties. The landscaping plan submitted with a previous development permit application requires planting along the fence line. The shrubs are still immature but are expected to grow into a hedge.

The studio has a rear emergency access which opens toward the fence and the residential properties behind. Assuming the door stays closed during classes, noise impacts from the fitness use on adjacent residences may be minimal.



Public Notification and Consultation

As required by the *Village of Cumberland Procedures and Fees Bylaw No. 1073, 2018* the applicant has placed the required sign on-site, put a notice in the local paper and is hosting a drop-in information meeting, scheduled for August 13 at 6 p.m. at the property. Note that due to the tight timeframe to bring this application before Council, the meeting could not be advertised and scheduled in advance of the Council meeting.

As required by Bylaw No. 1073, staff mailed a notice of the Temporary Use Permit applications to properties within a 75.0 metre radius of 4640 Cumberland Road on July 29, 2020.

REFERRALS

Further to section 5.1(d) of the *Advisory Planning Commission Bylaw No. 999, 2014*, staff is recommending that this report be referred to the APC for their comments.

ALTERNATIVES

1. THAT Council refer the "Application for a Temporary Use Permit for Unit 4, 4640 Cumberland Road" report, dated July 28, 2020 to the Advisory Planning Commission for a recommendation and THAT staff include a definition for private fitness facilities in a future update of the Zoning Bylaw and explore other zones where this use could be permitted.
2. THAT Council request that staff prepare a Temporary Use Permit for Unit 4, 4640 Cumberland Road for presentation to Council at their next meeting on September 14, 2020 with a verbal report of the Advisory Planning Commission recommendation who would review it at their September 10 meeting.
3. THAT Council deny the Temporary Use Permit application for Unit 4, 4640 Cumberland Road.

4. THAT Council request further information from the applicant to support the Temporary Use Permit application for Unit 4, 4640 Cumberland Road (provide detail of information requested).

STRATEGIC OBJECTIVE

- ☐ Quality Infrastructure Planning and Development
- ☒ Comprehensive Community Planning
- ☐ Healthy Community
- ☐ Climate Change
- ☒ Effective communication, administrative, financial and support services

FINANCIAL IMPLICATIONS

None.

OPERATIONAL IMPLICATIONS

Processing permit applications is part of the services provided by Development Services staff. As this application was fast tracked at a very busy time for staff, other applications received prior to this application had to be deferred to the September Council meeting. In addition, it was not possible for the applicant to hold the required public information meeting prior to the Council meeting and also meet the 14 day prior notice/advertisement requirement. As a result, the public information meeting is scheduled for three days after the Council meeting.

ATTACHMENTS

None.

CONCURRENCE

Ken Rogers, Manager of Development Services _ KR

Respectfully submitted,

Karin Albert

Karin Albert
Senior Planner

Clayton Postings

Clayton Postings
Chief Administrative Officer

COUNCIL REPORT



REPORT DATE: July 28, 2020
 MEETING DATE: August 10, 2020
 TO: Mayor and Councillors
 FROM: Karin Albert, Senior Planner
 SUBJECT: Application for an OCP Amendment and Rezoning of 3339, 3341, 3345 Second Street

FILE:	2020-02-OCP&RZ Island Health		
OWNER:	Vancouver Island Health Authority		
	006-243-959		516-00417
PID's:	000-110-205	Folio No.'s:	516-00418
	006-243-975		516-00419
LEGAL DESCRIPTION:	Lots 3, 4, and 5, Block 32, District Lot 24, Nelson District, Plan 3268		
CIVIC ADDRESSES:	3345, 3341, 3339 Second Street		
PROPOSED AMENDMENTS	EXISTING BYLAW	REQUESTED AMENDMENT	
OCP DESIGNATION:	Residential Infill	MULTI-FAMILY	
DEVELOPMENT PERMIT AREA:	DPA6 –Residential Infill	DPA 7 Multi-Family	
ZONE:	R1-A Infill Residential Zone	RM-4 Multi-Family (new zone)	

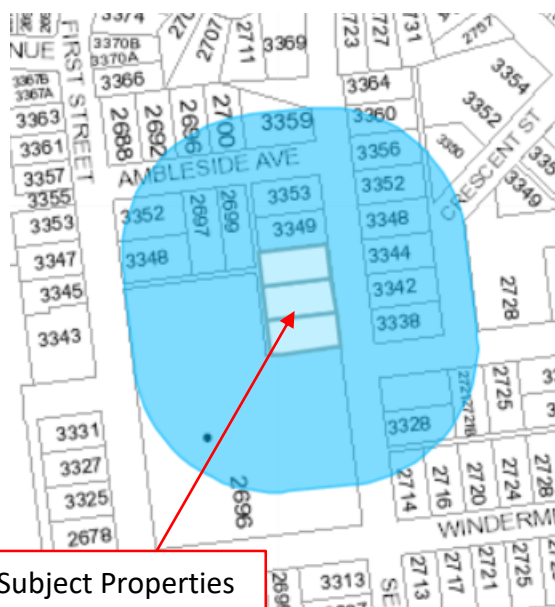
RECOMMENDATIONS

THAT Council receive the report “Application for an OCP Amendment and Rezoning of 3339, 3341, 3345 Second Street”, dated July 28, 2020.

THAT Council refer the application for an OCP Amendment and Rezoning of 3339, 3341, and 3345 Second Street, legally described as Lots 3, 4, and 5, Block 32, District Lot 24, Nelson District, Plan 3268, to the next meeting of the Advisory Planning Commission for a recommendation.

PURPOSE

The purpose of this report is to introduce an application to amend the Village’s Official Community Plan Bylaw (OCP) and rezone three properties located



on Second Street, at the rear of Cumberland Lodge, to allow for the construction of a 23-unit non-market rental housing project for single and two-parent led households.

PREVIOUS COUNCIL DIRECTION

There has not been a previous Council resolution specific to the proposed development.

BACKGROUND

The properties proposed to be rezoned are owned by the Vancouver Island Health Authority. There is a covenant on title of the properties which requires that they are to be developed for affordable housing. Island Health intends to lease the properties to the Comox Valley Transition Society and Dawn to Dawn - Action on Homelessness Society to manage the proposed multi-family rental apartment building. The rental unit breakdown is: one 1-bedroom, four 2-bedroom, fifteen 3-bedroom, and three 4-bedroom units.

Concurrent with this application, the applicant submitted an application to consolidate the three properties into a single property.

Official Community Plan Amendment

The proposed multi-family residential building requires an OCP amendment to change the land use designation of the properties from Residential Infill to Multi-Family.

The OCP (and Zoning Bylaw) amendments are supported by the following OCP housing policies under section 5.2.3 of the OCP:

- 1) Give priority to development proposals for small and compact forms of housing such as small-lot single detached homes, town homes, coach houses, and apartments.
- 2) Encourage alternative housing tenures within residential areas such as cohousing, cooperative housing, and fee-simple town homes, especially where these meet an affordable housing need.
- 3) Integrate seniors and special needs housing into the community where there is good access to public transit and basic support services.
- 4) Support the creation of new, and the retention of existing, rental housing and discourage the conversion of rental housing to strata ownership.
- 5) Support the location of supportive or transitional housing within the Village for special needs groups, such as the physically or mentally disabled, young people and others who have unique social needs (The provisions of the Community Care and Assisted Living Act govern many aspects of these homes.).

Development Permit Requirements

Together with the amendment to the land use designation, an OCP amendment is required to change the Development Permit Area from DPA6 – Residential Infill to DPA7 – Multi-Family. Among other things, DPA7 requires landscaping and a recreation and play area. The proposed siting of the building leaves open space for the residents including space for a possible play area (see drawings in attachment 2).

DP#1, the environmental DP does not apply to this property since it is a disturbed site.

Zoning

As figure 1 below shows, there are three other multi-family zoned properties in the vicinity of this project. The siting of the building to the rear of the lots with open space fronting Second Street ensures the development does not dominate the streetscape (see drawings in attachment 2).



Figure 1: Zoning Context

The Zoning Bylaw will need to be amended from R1-A Residential Infill to RM-4 Multi-Family, a proposed new zone to fit the proposed use

The Zoning Bylaw currently has three multi-family zones:

- **RM-1** is intended for low density ground-oriented multi-family development. It permits 30 units per hectare (uph) plus an additional 10 uph where 30% or more of the units are affordable housing units. The Second Street property is 0.2 ha in size. Under this zone, the proposed development could have **8 units** (30 units x 0.2 ha + 2 units).
- **RM-2** is a low density multi-family zone that permits townhouses and apartments up to a density of 45 uph plus an additional 25 uph where 20% or more of the units are affordable housing units. Under this zone, the proposed development could have **14 units** (30 units x 0.2 ha + 5 units).
- **RM-3** is a medium density multi-family zone that was created for the Stoneleigh townhouse development. The Stoneleigh property is about 2.4 ha in size. If the permitted 96 units in that zone are converted to a density (units per hectare or uph), the property permits 40 uph, plus an additional 10 uph where 30% or more of the units are affordable

housing units. At the RM-3 density, the development would be permitted 10 units (40 units x 0.2 ha + 2 units)).

Since none of the existing multi-family zones fits the proposed density, staff recommend creating a new high-density multi-family zone called RM-4 (see below).

RM-4—Residential Multi-Family Zone

1. Principal Uses			<i>Apartment</i> <i>Townhouse</i>
2. Accessory Uses			<i>Accessory buildings and structures</i> <i>Home occupation</i>
3. Lots Created by Subdivision	Area, minimum		2,000.0square metres (21,528square feet)
	Frontage, minimum		10% of the perimeter of the <i>lot</i>
4. Density	Building GFA, maximum		<i>Accessory buildings</i> shall have a combined floor area no greater than 10.0% of the <i>lot area</i> .
	Units Per Hectare (<i>uph</i>), maximum		90 <i>uph</i>
	Density Bonusing		Where 20% or more of the total number of multi-family <i>dwelling units</i> are <i>affordable housing units</i> , the maximum number of multi-family dwelling units may be increased by 25 <i>units per hectare</i> .
5. Lot Coverage	Coverage, maximum		65%, including <i>parking lot coverage</i>
6. Principal Buildings and Structures	Setbacks, Minimum	Front	3.0metres (9.8feet)
		Rear	7.5metres (24.6feet)
		Side	4.5metres (9.8feet)
		Side, Exterior	4.5metres (9.8feet)
	Height, maximum		15.0metres (49.5feet)
7. Accessory Buildings and Structures	Setbacks, minimum	Front	3.0metres (9.8feet)
		Rear	1.5metres (4.9feet)
		Side	1.5metres (4.9feet)
		Side, Exterior	3.0metres (11.5feet)
	Height, maximum		4.5metres (14.8feet)
8. Conditions of Uses	N/A		

The above RM-4 zone would permit 18 units on the property if developed with market rental housing or condominiums. With the density bonus for affordable housing, the proposed development could build up to five additional units for a total of 23 units allowing for the proposed development.

Lot coverage would ensure some open space on the property is retained permitting infiltration of rainwater. The height maximum permits up to five storeys. The current application proposes three storeys.

The proposed development will have to vary the rear setback. The reason that staff did not identify a setback that matches the 2.2 m rear setback for the proposed development is that, in most cases, this would be too close to adjacent properties. The 2.2 m rear setback works on the lots adjacent to Cumberland Lodge since it adjoins a parking lot rather than a private backyard. The applicant can apply for the variance concurrent with the Multi-Family Development Permit. The variance will be registered on title of the property permitting the reduce setback at that location.

Parking

Under the Zoning Bylaw, the applicant is required to provide 23 vehicle parking stalls. The applicant is proposing to provide 8 stalls on site and cash in lieu for 15 stalls.

The applicant is proposing to provide 8 stalls on the property with access along the driveway that leads to the rear entrance of Cumberland Lodge. The applicant wishes to provide cash-in-lieu of parking for a further 15 stalls to meet the 23 stall parking requirement under the Zoning Bylaw.

As one of the conditions of rezoning, the applicant will be asked to provide a letter from VIHA confirming that the housing development can access the eight parking spaces via the VIHA driveway. As part of the rezoning, an easement is to be registered on title to guarantee the access into the future until such time that the subject property may be redeveloped.

The development proposes on-street angle parking to accommodate a further 15 parking spaces. Staff request that the developer construct the angle parking and a sidewalk on the property side of the parking as a condition of rezoning.

Urban Forest Management / Tree Protection

The building location would permit retaining the mature Douglas-fir tree close to Second Street and a few medium sized Douglas-fir trees along the driveway to Cumberland Lodge. The Village will require that an arborist delineate the no-go zone around the mature trees to protect their roots during construction. Portions of the sidewalk or parking that cover part of the root zone should be avoided or, based on recommendation of an arborist, may be covered with permeable pavers.

Amenity Contributions

Given that this is an affordable housing project which is identified in section 5.1.5 b (i) as a desired community amenity at time of rezoning, Village staff propose not to request further amenity contributions from the applicant.

Off-site Works and Services

As required off-site works, the applicant would be asked to construct angle parking with a sidewalk along the boundary of the property. If the rezoning is approved, the applicants will also be required to construct the infrastructure required to service the development.

Project Funding and BC Housing Rental Requirements

The two societies have obtained preliminary development funding by BC Housing and are seeking funding for the full development and construction costs of the project from the Building BC: Community Housing Fund. An early deadline for “construction ready” proposals is September 4, 2020. “Construction ready” criteria are that the site is currently zoned for the development or that the prior-to rezoning conditions have been met; that a development permit has been obtained or prior-to conditions have been met and that a building permit could be submitted or be ready for submission within three months.

Applications for other projects (not construction-ready) are accepted until January 2021. The Societies are seeking funding under the “Construction ready” funding stream and, if not approved under that stream will apply for not construction-ready funding.

The mix of rents and incomes within a building required by BC Housing as part of both funding streams is:

- 30% affordable housing (moderate income)
- 50% rent geared to income (not exceeding the housing income limit)
- 20% deep subsidy

Public Notification and Engagement

As required by the *Village of Cumberland Procedures and Fees Bylaw No. 1073, 2018* the applicant has placed the required sign on-site, will be delivering a flyer to neighbours. The applicant is hosting an outdoor public meeting during the last week of August with newspaper notification as per Bylaw No. 1073.

Village staff mailed a notice of Council consideration of the OCP amendment and rezoning on July 29, 2020 to owners of properties located within a 75.0metre radius of the property under application.

The applicant has created a project webpage where neighbours and stakeholders can access information about the proposed development at <https://dawntodawn.org/cumberland/>.

REFERRALS

Further to section 5.1(d) of the *Advisory Planning Commission Bylaw No. 999, 2014*, staff is recommending that this report be referred to the APC for their comments.

As impact on other government agencies is minimal, staff propose to refer the rezoning application only to BC Assessment to provide early notice of a possible change in land use.

ALTERNATIVES

1. THAT Council refer the application for an OCP Amendment and Rezoning of 339, 3341, and 3345 Second Street, legally described as Lots 3, 4, and 5, Block 32, District Lot 24, Nelson District, Plan 3268, to the next meeting of the Advisory Planning Commission for a recommendation (staff recommendation).
2. THAT Council deny the OCP Amendment and Rezoning of 339, 3341, and 3345 Second Street, legally described as Lots 3, 4, and 5, Block 32, District Lot 24, Nelson District, Plan 3268 (provide reasons).
3. THAT Council table the OCP Amendment and Rezoning of 339, 3341, and 3345 Second Street, legally described as Lots 3, 4, and 5, Block 32, District Lot 24, Nelson District, Plan 3268 and request more information (provide detail of information required).

STRATEGIC OBJECTIVE

- ☐ Quality Infrastructure Planning and Development
- ☒ Comprehensive Community Planning
- ☐ Healthy Community
- ☐ Climate Change
- ☒ Effective communication, administrative, financial and support services

FINANCIAL IMPLICATIONS

The Development Cost Charges payable for this development are \$285,867.00. This can be paid in three installments.

Municipal contributions to affordable housing projects strengthen applications for funding from BC Housing. Due to its small tax base and limited revenue, the Village is not in a position to waive the DCCs or provide a full or partial property tax exemption (as some municipalities do). However, since the applicant would be required to construct the 15 stall angle parking and sidewalk next to the development, Council may wish to consider waiving the parking cash-in-lieu to provide a financial contribution to the project. Parking cash-in lieu payable for 15 stalls is \$57,000 (15 x \$3,800). Council can consider this waiver when the application comes forward for first and second reading.

OPERATIONAL IMPLICATIONS

Planning staff is guiding the application through the development process and will be working with the design team to ensure rezoning and development permit guidelines are met.

Finance reviews and tracks DCCs and securities payable.

Operations will be involved in reviewing design drawings, meeting with the project engineer, ensuring that designs meet MMCD standards and reviewing deficiencies.

ATTACHMENTS

1. Project Overview Provided by the Applicant
2. Concept Drawings

CONCURRENCE

Ken Rogers, Manager of Development Services _ KR

Michelle Mason, Chief Financial Officer _ MM

Rob Crisfield, Manager of Operations RC

Respectfully submitted,

Karin Albert

Karin Albert
Senior Planner

Clayton Postings

Clayton Postings
Chief Administrative Officer

Village of Cumberland
2673 Dunsmuir Ave.
Box 340
Cumberland, BC V0R 1S0



June 29, 2010

RE: Subdivision Application for 3339, 3341, & 3345 Second Street

Dear Mayor and Council,

Please accept the following application for the rezoning and OCP amendment for the properties located at 3339, 3341, and 3345 Second Street. We are proposing, through a partnership between Dawn to Dawn: Action on Homelessness Society (D2D) and the Comox Valley Transition Society (CVTS), to build a multi-family residential building which will provide much-needed affordable housing for single parents and families.

Project Overview and Partnerships

Concurrent to this application, a subdivision application to consolidate these three lots is being submitted. While the properties were historically owned by the Village, Vancouver Island Health Authority (VIHA) now retains the land with the understanding that a community-based project would occur on the parcels. A long-term lease between VIHA and BC Housing is currently being negotiated to ensure this housing project would be secure for the life of the buildings (approximately 60 years) and the Societies would enter into a sublease for the lands from BC Housing.

The need for this type of housing in Cumberland and the Comox Valley Regional District has been both qualitatively and quantitatively well-documented, as outlined below. Timing is now of the essence both because of this need as well as the upcoming BC Housing Community Housing Fund proposal call for equity investment into below market units. The proposed Project would allow the Village and regional community to realize these dollars locally both through a perpetual rental housing project owned and operated by two non-profit entities, but also through economic development opportunities for local businesses such as Muchalat Construction and associated consultants and professionals.

Table 1: Project Overview

Item	Details	Rationale
Units	<ul style="list-style-type: none">• 1 one-bedroom unit• 4 two-bedroom units• 15 three-bedroom units• 3 four-bedroom units	Total of 23 family-oriented below market units as perpetual rentals with 30% as affordable market rentals, 50% at rent geared to income, 20% and deep subsidy for very low – income families.

Residents	Single-parent and two-parent led households	D2D has had 37 requests for housing for families since January 2020, and CVTS currently has 21 women led single parent households on their waitlist for housing.
Zoning	Currently R1-A Proposed: RM-3 or new zone	RM-3 Residential Multifamily existing zone fits proposed use and new consolidated site well with one minor variance on setbacks required Alternatively, a new zone to be developed.
Consolidated Lot Size	2000 s/m	RM-3 min = 600 s/m conforming
Consolidated Lot Frontage	54.86 m	RM-3 min. = 20.0 m conforming
Density	23 units	RM-3 = 96 units conforming
Lot Coverage	42% plus garbage enclosure	RM-3 maximum = 65% conforming
Building Area	823 s/m	
Gross Floor Area	2469 s/m	
Building Height	11.34 m [37.2 ft]	RM-3 maximum = 15.0 m [49.5 ft] conforming
Front Setback	4.5 m	RM-3 = 4.5 m conforming
Rear Setback	2.2 m	RM-3 = 4.5 m; 2.3 m variance required adjacent to VIHA parking lot
Side Yards	4.5 m at south side driveway 6.71 m at north side adjacent to single family lot	RM-3 = 4.5 m; conforming
Environmental Design	BC Step Code Three	BCH requirement
Construction Method	Modular construction by local business Muchalat Construction	Experienced local entity in building environmentally efficient below-market rental projects; significant time and schedule savings to be realized through modular methods.
Open Space	Siting of 'L' shaped building provides generous playground area and adjacent green space and retains large mature fir trees on two sides	
Resident Amenities	<ul style="list-style-type: none"> • In-suite laundry for families • Internal and external bicycle and stroller storage • On-site caretaker/senior unit 	

	<ul style="list-style-type: none"> • Shared outdoor family-oriented play lot 	
Community Benefits	<ul style="list-style-type: none"> • Shared outdoor family-oriented play lot • Retention and enhancement of tree cover • Enhancements to boulevard and pedestrian environment • Contribution to diversity of housing options available to residents 	

Community Need and Purpose

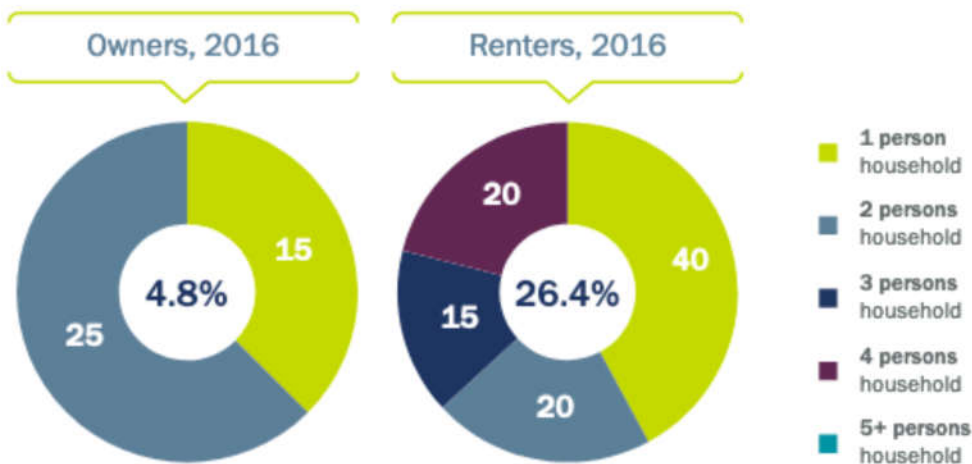
This project is a response to a need for affordable rental units for families in Cumberland. While rental prices in Cumberland are relatively affordable when compared to the overall median income (\$71,655), renters still represent the majority of those in core housing need with about 26.4% of renters finding themselves in core housing need. The median income of renters in Cumberland is significantly lower than the overall median at \$39,146, while the median income of lone parent households is \$41,088. As core housing need is defined as spending more than 30% of your income on housing, this puts renters and lone-parent households into a low or very low-income bracket, where renting a typical 2 and 3+ bedroom unit would place them in this precarious core housing need situation.

Figure 1: Core Housing Need in Cumberland

CORE HOUSING NEED



RENTERS are at least **5 times more likely** than **OWNERS** to experience Core Housing Need.



Source: Comox Valley Regional District Housing Needs Assessment (2020)



The housing need for renters and lone-parent families extends beyond Cumberland into the whole of the Comox Valley Regional District. The region had a 1.3% vacancy rate in 2019, making it difficult to find rental accommodation for any household size. According to the Comox Valley Regional District Housing Needs Assessment (2020), individuals and lone-parent households are struggling the most, while renters are six times more likely to experience core housing need.

The need for affordable rental housing can also be seen by looking at BC Housing, D2D, and CVT waitlists. As of January 2020, BC Housing has a waitlist of 270 applicants for subsidized units, 73 of which are families. 11 of those applicants are currently located in Cumberland. D2D has had 37 requests for housing for families since January 2020, and CVTS currently has 21 women led single parent households on their waitlist for housing.

Design Principles

This project is a three storey wood frame building with 22 two, three- and four-bedroom family apartments and 1 one-bedroom for a caretaker/senior. The building is organized in an 'L' along the south and west property lines to provide maximum usable open space with a large sheltered courtyard and play area. The siting also retains existing trees and keeps the mass of the building back from the main street of small houses. The three storey massing provides a transition between the taller, institutional buildings of the adjacent Cumberland Lodge and the smaller scale residential character of the rest of the street. The building also is set to the south side of the lot to provide a generous separation from the single-family home on the north side. The building form is a series of volumes that reference the simple window layouts, wood cladding, steep gables, and proportions of Cumberland's early industrial buildings. Indigenous art and design will be incorporated throughout and featured on the exterior facade.

Parking

The Village parking requirement for residents and visitors is 23 spaces and 23 parking spaces are provided in the current design, including two accessible spaces. Fifteen angled spaces are along Second Avenue on Village Property and the remaining eight spaces are along the VIHA access aisle to Second Avenue. The Village will need to approve the parking on their property and VIHA will need to approve the parking access on their property. If the proposed parking arrangements are not approved, the Owner is prepared to buy the parking from the Village as per the Village bylaw. Bicycle parking will be provided to meet the Village standard.

Landscape

Patios are provided for all the ground floor units. In the shelter of the 'L' there is a central courtyard for social gatherings and a playground for children. The remaining site area will be lawn. Several mature trees are retained including a large evergreen on the north that provides a visual buffer between the three storey apartment and the adjacent home. Fencing will be provided along the north and west property lines. Other fencing, if any to be determined.

Accessibility

The site is fairly flat and there is easy access to the building, parking and open space. An elevator provides access to all the apartments and two or three units will be wheelchair accessible.



Environmental Considerations

The project will meet Energy Step Code 3 with other potential energy efficiencies sought through development, construction, and operations. As the Societies will be the owners and operators of the building, quality design that optimizes low maintenance and healthy living for residents is of primary importance. This consideration extends to the neighbours both in the materiality of the building, the landscaping, and operations. In addition to exceeding local and national building code requirements for energy performance, BC Housing, as the most likely development partner, has additional design and environmental requirements that will be considered throughout design development, construction and operations.

Policy Context

The lots being considered for this project are currently zoned as R1-A: Residential Infill. This allows for single-family detached dwelling units with secondary and/or accessory suites/dwelling units. The Project is requesting a rezoning of the lots to RM-3. Additionally, the OCP identifies these lots as DPA 6: Residential infill, which aims to provide light/medium density. DPA 7: Residential Multi-family is a more appropriate designation, as it aims to provide townhouse, rowhouse, and apartment developments; the Project therefore also requires an OCP amendment to change the lots to DPA 7.

Despite the changes requested, the proposed Project meets many of the OCP Housing Policies found in s.5.2.3:

Table 2: Relevant OCP Housing Policies

Policy 1	Give priority to development proposals for small and compact forms of housing
Policy 4	Support the creation of new [...] rental housing and discourage the conversion of rental housing to strata ownership
Policy 5	Support the location of supportive or transitional housing with the Village for special needs groups
Policy 9	Provide [housing] through multi-family units, where appropriate
Policy 10	Support housing infill density through sensitive, appropriately scaled design of multi-family properties and coach houses

Modular housing is innovative and efficient, and the design is medium-density and relatively compact while maintaining the character of the neighbourhood (addressing policies 1, 9, and 10). The units will be affordable rentals at a variety of income levels to provide housing for families in various life stages and ages. Approximately 30% of the units will be affordable market, 50% of the units will be rent geared to income for those qualifying at BC Housing Income Limits, and 20% will be deep subsidy rates; these rental rates will be attainable to all below-median earning households (addressing policies 4 and 5).



Summary

In conclusion, the project team is pleased to submit this application for a rezoning and OCP amendment for a project that will provide much needed affordable housing to families in Cumberland. We believe that the project works towards several important goals within the OCP and fill a gap in housing need in the Village. Due to the nature of this project outlined above, we are requesting that fees be waived for the rezoning process; while not significant, this project is operating strictly on grants and funding applications and every cost savings is passed onto the end use. The partnership between VIHA, BC Housing, Dawn to Dawn, and the Comox Valley Transition Society has been underway for years, and we are appreciative to be able to finally bring this project forward during such a crucial time of need.

Sincerely,

Kaeley Wiseman

Kaeley Wiseman, MCP, MCIP, RPP, PMP

Principal, Wiser Projects

P: 250.580.3835

E: kaeley@wiserprojects.com

Attachments

- Schedule A Application Form
- Site Plans
- Survey





CUMBERLAND FAMILY HOUSING

2ND STREET CUMBERLAND BC

20-06-28 Issued for Re-zoning



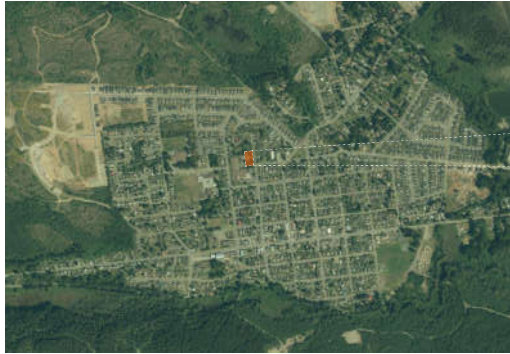
MacDonald Hagarty Architects Ltd.
1522, 2nd Fl. Comox Ave.
Comox BC
V8B 3W7

SHEET LIST

sheet list	PROJECT INFORMATION
A0.01	MAIN FLOOR PLAN
A1.02	2nd + 3rd FLOOR
A1.03	ELEVATION
A2.01	

CONTACT INFORMATION

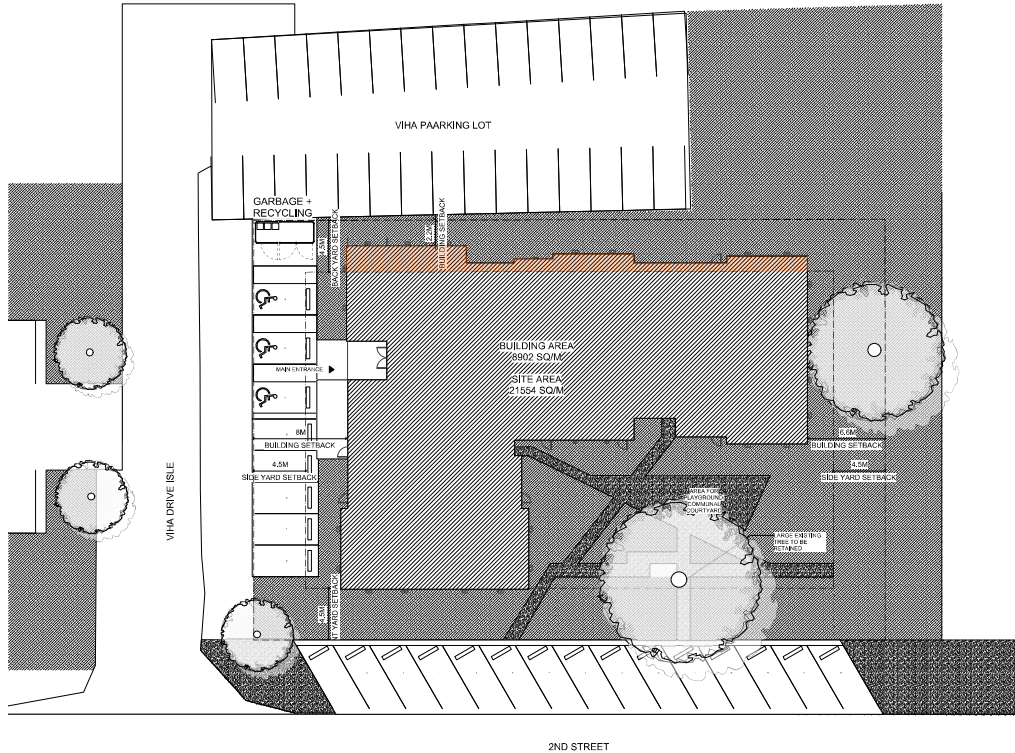
Owner + Operator Down to Dawn + Comox Valley Transition Society	Survey Bruce Lewis Land Surveying Inc. 811 Highridge court Comox BC
Prime Consultant + Architect MacDonald Hagarty Architects Ltd. Project Architect: Maria MacDonald Mars@MHA-architects.ca T - 604.345.9733	



VILLAGE CONTEXT



NEIGHBOURHOOD CONTEXT



PROJECT INFORMATION

Authority Village of Cumberland
Street Address 3339, 3341, 3345 2nd street
Legal Description PROPOSED LOT A, DISTRICT LOT 24, NELSON DISTRICT, PROPOSED PLAN EPP103400 (SEE SURVEY FOR FURTHER DETAIL)

PID TBD Once lots have been consolidated

Project Description This project is a three storey wood frame building with 22 two, three- and four-bedroom family apartments and 1 one-bedroom for a caretaker/senior. The building is organized in an 'L' along the south and west property lines to provide maximum usable open space with a large sheltered courtyard and play area. The site also retains existing trees and keeps the mass of the building back from the main street of small houses. The three storey massing provides a transition between the taller, institutional buildings of the adjacent Cumberland Lodge and the smaller scale residential character of the rest of the street. The building also is set to the south side of the lot to provide a generous separation from the single-family home on the north side. The building form is a series of volumes that reference the simple window layouts, wood cladding, steep gables, and proportions of Cumberland's early industrial buildings. Indigenous art and design will be incorporated throughout and featured on the exterior facade.

LOT SUMMARY/FSR
 Total Lot Area 2,000 S/M
 Total gross floor area 2489 S/M

ZONING SUMMARY
LOT COVERAGE
 REQUIRED 65%
 PROPOSED 42%

SETBACKS
FRONT RM-3 4.5 METERS 4.5 METERS
BACK 4.5 METERS 2.2 METERS
NORTH SIDE 4.5 METERS 6.7 METERS
SOUTH SIDE 4.5 METERS 4.5 METERS

BUILDING HEIGHT RM-3
 Max 15 Meters 11.34 Meters
 * SEE ELEVATIONS FOR BUILDING HEIGHTS

BUILDING STATISTICS	Description	Unit Count	Area (GROSS)
	Main Floor	7	825.32 SQ/M
	2nd Floor Residential	8	838.92 SQ/M
	3rd Floor Residential	8	838.92 SQ/M
	Total	23	2,503.16 SQ/M

OFF STREET PARKING
REQUIRED
 23 Dwelling Units
 Total 23 STALLS



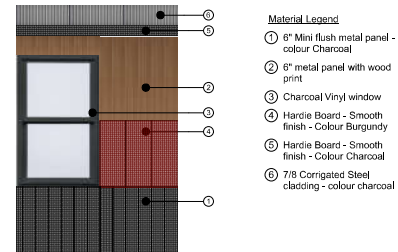
2 Main floor program
Scale: 1:500



3 2nd + 3rd floor program
Scale: 1:500

Total residential units:	1	18
	4	25
	2	30

MATERIAL BOARD





1 PRELIMINARY LAYOUT
Scale: 1:100





COUNCIL REPORT



REPORT DATE: July 23, 2020
MEETING DATE: August 10, 2020

TO: Mayor and Councillors

File No. 0550

FROM: Karin Albert, Senior Planner

SUBJECT: Development Permit – 2767 Derwent Avenue

OWNERS	Connor Carson			
Folio No.:	516 00250.000	PID:	008-943-753	File No. 2020-05-DP
LEGAL DESCRIPTION:	Lot 11, Block 17, District Lot 21, Nelson District, Plan VIP522A			
ZONE:	Residential One A (R-1A)			
DP PURPOSE:	Residential Infill Development Permit			

RECOMMENDATION

- THAT Council receive “Development Permit – 2767 Derwent Avenue” report dated July 23, 2020.
- THAT Council refer the application (2020-05-DP) for a Development Permit on property described as Lot 11, Block 17, District Lot 21, Nelson District, Plan VIP522A (2767 Derwent Avenue) to the Advisory Planning Commission for a recommendation.
- THAT Council waive the requirement for a neighbourhood public meeting for the Development Permit.

PURPOSE

The Village has received an application for a Residential Infill Development Permit to permit the construction of a new Accessory Dwelling Unit at 2767 Derwent Avenue.

This report is to seek referral to the Advisory Planning Commission for comment on the application.



PREVIOUS COUNCIL DIRECTION

None.

BACKGROUND

The subject property is within Development Permit Area No. 6 - Residential Infill.

Residential infill development is intended to build density in mature residential areas located within a short walk of the downtown core. The creation of additional density may impact the privacy of adjacent landowners and the established neighbourhood character of these areas. Generally, residential neighbourhoods in the Village enjoy the privacy and aesthetic benefits of modestly scaled character homes surrounded by well-established tree cover and landscaping. New infill developments are encouraged to maintain and enhance these intrinsic characteristics.

The objective of Residential Infill Development Permit is to guide the integration of new housing into established residential neighbourhoods and to promote quality residential environments that maintain desirable relationships to their surrounding context. Through the Development Permit, the Village encourages new development that incorporates energy and water conservation principles as well as designs that work towards reducing greenhouse gas emissions.

The Owners wish to construct a 60m²/648 sqft Accessory Dwelling Unit at the rear of their property.

The application and supporting documents meet the Development Permit requirements by providing for the following:

- windows facing away from neighbours;
- classic design to fit into neighbourhood and roofline that matches that of the main dwelling;
- an amenity area for the Accessory Dwelling Unit;
- landscape screening to the yard of the main dwelling unit;
- automatic watering of landscaping;
- shade trees;
- accessible level entry and accessible pathways with dim lighting;
- an Electric Vehicle charger;
- required number of parking spaces including a parking space accessible from Derwent Avenue (as well as an informal space accessible from the lane);
- open access for fire fighting from Derwent Avenue; and
- a rock pit for stormwater management.



Referrals

Council may refer the application to the Advisory Planning Commission for a recommendation.

Citizen/Public Consultation

Pursuant to the requirements of the *Village of Cumberland Development Procedures and Fees Bylaw No. 1073, 2018*:

1. The applicants have placed the required sign on-site.
2. Village Staff will prepare a notice of Council consideration of a Development Permit which will be mailed to owners of adjacent properties meeting the Bylaw minimum of 10 days before the Council considers the application.
3. Council may require that the Applicant hold a Neighbourhood Public Meeting, which includes:
 - a) Advertising once in a local paper, at least 10 days prior to the meeting
 - b) Sending an invitation to adjacent neighbours (within 75metres) at least 10 days prior to the meeting; and
 - c) Provide a summary of the meeting, how many attended, if any comments were received.

Staff recommend to Council that a Neighbourhood Public meeting not be required as the guidelines for the Development Permit Area has had a public process during the public hearing of the Official Community Plan.

ALTERNATIVES

1. THAT Council refer the application (2020-05-DP) for a Development Permit on property described as Lot 11, Block 17, District Lot 21, Nelson District, Plan VIP522A (2767 Derwent Avenue) to the Advisory Planning Commission for a recommendation; and THAT Council waive the requirement for a neighbourhood public meeting for the Development Permit (staff recommendation)
2. THAT Council not refer the application to the Advisory Planning Commission and direct staff to prepare and issue the development permit;
3. THAT Council not waive the requirement for a neighbourhood public meeting;

STRATEGIC OBJECTIVE

- ☐ Quality Infrastructure Planning and Development
- ☒ Comprehensive Community Planning
- ☐ Healthy Community
- ☐ Climate Change
- ☒ Effective communication, administrative, financial and support services

FINANCIAL IMPLICATIONS

None.

OPERATIONAL IMPLICATIONS

The review of Development Permit applications are part of the services provided by the Planning Department.

ATTACHMENTS

1. Landscape Plan
2. Stormwater Management Plan Schematic

CONCURRENCE

Ken Rogers, Manager of Development Services _ KR

Respectfully submitted,

Karin Albert

Karin Albert
Senior Planner

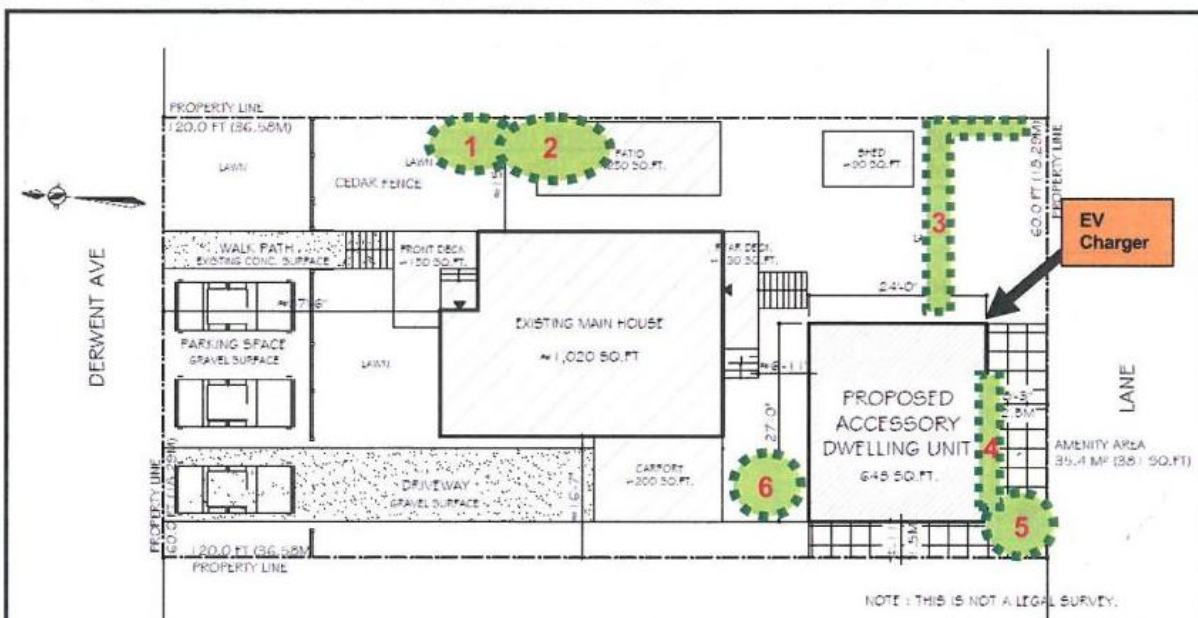
Clayton Postings

Clayton Postings
Chief Administrative Officer

Landscape Plan with Proposed Accessory Building

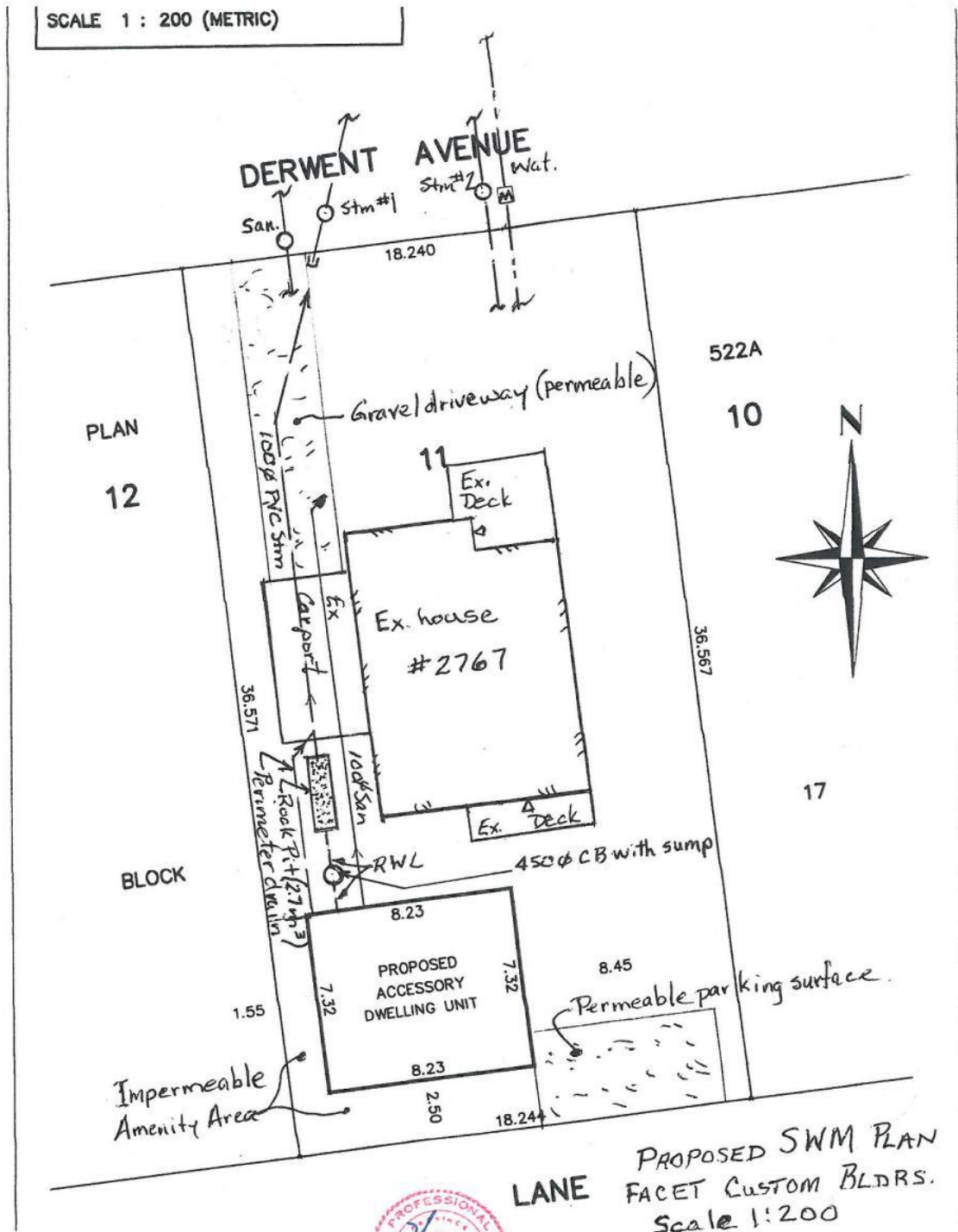
2767 Derwent Avenue, Cumberland, BC.

This Plan provides: A Laurel hedge for visual screening along the Accessory Dwelling parking area, two trees adjacent to the Accessory Dwelling for visual screening, shade and aesthetics, and a planting bed alongside the Accessory Dwelling for aesthetics. Also, an EV Charger at laneway parking area, clean crush for parking area, and paving stones for amenity area,



Plant List Detail	
1	Existing – Rhododendron Shrub
2	Existing – Rhododendron Shrub
3	Proposed – <i>Prunus lusitanica</i> (Portugal Laurel Hedge)
4	Proposed – Lavender (In narrow garden bed)
5	Proposed – <i>Pyrus calleryana</i> 'Redspire' (Flowering Pear Tree)
6	Proposed – <i>Stewartia pseudocamellia</i> (Stewartia Tree)

Stormwater Management Plan Schematic



H.A. Martyn, P.Eng.
1080 Arrowsmith Ave.
COURTENAY, B.C. V9N 8M8

PROJECT 2017 21 JUN 2020



COUNCIL REPORT

REPORT DATE: July 27, 2020
MEETING DATE: August 10, 2020



TO: Mayor and Councillors
FROM: Karin Albert, Senior Planner
RE: Application for a Development Variance Permit – 2814 Dunsmuir Avenue

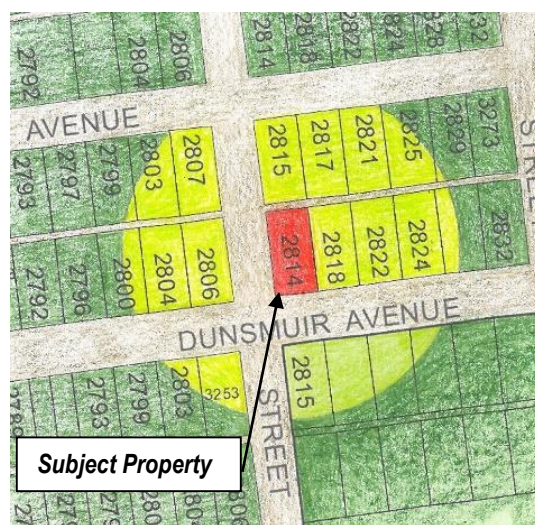
FILE:	2020-04-DV		
OWNER:	Trisha Stockand		
FOLIO NO.:	516 00368.000	PID:	000-312-134
LEGAL DESCRIPTION:	Lot 1, Block 27, District Lot 21, Nelson District, Plan 522C		
ZONE:	Residential One (R-1)	OCP DESIGNATION	Residential
CONDITIONS UNDER APPLICATION	PERMITTED BY BYLAW	REQUESTED VARIANCE	
REAR SETBACK FOR PRINCIPLE DWELLING	4.5metres	1.6metres	

RECOMMENDATION

- THAT Council receive the report “Application Development Variance Permit – 2814 Dunsmuir Avenue” dated July 27, 2020.
- THAT Council approve the application for a Development Variance Permit for property legally described as Lot 1, Block 27, District Lot 21, Nelson District, Plan 522C (2814 Dunsmuir Avenue) which varies a rear yard setback for principal dwellings from the required 4.5metres to 1.6metres as shown on the site drawing attached as Schedule A to the Permit dated July 9, 2020.

PURPOSE

The purpose of this report is to present options to Council on their consideration of Development Variance Permit for property legally described as Lot 1, Block 27, District Lot 21, Nelson District, Plan 522C (2814 Dunsmuir Avenue).



PREVIOUS COUNCIL DIRECTION

Date	Resolution
June 8, 2020	THAT Council refer the Application for a Development Variance Permit – 2814 Dunsmuir Avenue for property legally described as Lot 1, Block 27, District Lot 21, Nelson District, Plan 522C to the next meeting of the Advisory Planning Commission.

BACKGROUND

The applicant wishes to subdivide the subject property into two lots (see the subdivision plan on the reverse side of this page). The property is zoned Residential One A (R-1A) which permits a minimum parcel size of 325.0metres² which is exactly half of this lot.

Once subdivided, the setback definitions change (noted on the drawing) and the existing single family dwelling (without the deck and stairs) is still too close to the new rear lot line. The survey drawing shows the setback as 1.65metres but as a comfort against minor error, staff is recommending a variance to a slightly smaller setback of 1.6metres, a difference of 0.05metres (±2inches).

It is the intention of the applicant to remove the deck and stairs as they encroach on the new lot, and replace them with steps which are permitted to encroach on the setback as per the Zoning Bylaw:

“...stairs accessing a deck, porch or verandas may be located within a front setback, exterior side setback, or rear setback...”

Citizen/Public Relations Implications

1. As required by the *Village of Cumberland Procedures and Fees Bylaw No. 1073, 2018* the applicant has placed the required sign on-site.
2. Pursuant to the requirements of the *Local Government Act*, a notice of Council consideration of a Development Variance Permit was mailed on May 26, 2020 to owners of adjacent properties (within 75.0metres) which meets the requirement of at least 10days before the Council considers the application. At the time of this report, no comments or concerns have been received from the public.

REFERRALS

Council referred this application to the Advisory Planning Commission which met on July 9, 2020 and made the following recommendation:

THAT the Advisory Planning Commission recommends that Council approve the application for a Development Variance Permit for property legally described as Lot 1, Block 27, District Lot 21, Nelson District, Plan 522C (2814 Dunsmuir Avenue) which varies a rear yard setback for principal dwellings from the required 4.5metres to 1.6metres as shown on the site drawing attached as Schedule A with the following amendments to the draft Development Variance Permit:

- *Correct section 2 in draft DVP from 2.6 to 1.6m*
- *Correct unfinished sentence in section 6 in draft DVP*

The corrections have been made and are reflected in the attached permit.

ALTERNATIVES

- i) THAT Council approve the application for a Development Variance Permit for property legally described as Lot 1, Block 27, District Lot 21, Nelson District, Plan 522C (2814 Dunsmuir Avenue) which varies a rear yard setback for principal dwellings from the required 4.5metres to 1.6metres as shown on the site drawing attached as Schedule A to the Permit dated July 9, 2020.
- ii) THAT Council deny the application for a Development Variance Permit for property legally described as Lot 1, Block 27, District Lot 21, Nelson District, Plan 522C (2814 Dunsmuir Avenue) which varies a rear yard setback for principal dwellings from the required 4.5metres to 1.6metres as shown on the site drawing attached as Schedule A to the Permit dated July 9, 2020. (must give reasons)
- iii) Any other action deemed appropriate by the Council.

STRATEGIC OBJECTIVE

- ☐ Quality Infrastructure Planning and Development
- ☐ Comprehensive Community Planning
- ☐ Healthy Community
- ☐ Climate Change
- ☒ Effective communication, administrative, financial and support services

FINANCIAL IMPLICATIONS

None

OPERATIONAL IMPLICATIONS

None

ATTACHMENTS

- 1. Draft Development Variance Permit dated July 9, 2020
 - a) Schedule A Subdivision Plan with setbacks shown

CONCURRENCE

Ken Rogers, Manager of Development Services __ KR

Respectfully submitted,

Karin Albert

Karin Albert

Senior Planner

Clayton Postings

Clayton Postings

Chief Administrative Officer



**Corporation of the
Village of Cumberland**

***DEVELOPMENT
VARIANCE PERMIT***

TO: Trisha Stockand

OF: PO Box 301, Cumberland, BC V0R 1S0

This Development Variance Permit (2020-04-DV) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as specifically varied or supplemented by this Permit for the purposes of varying the rear setback on a new lot to be subdivided.

1. This Development Variance Permit applies to and only to those lands within the Village of Cumberland described below, and any and all buildings, structures and other development thereon:

Legal Description: Lot 1, Block 27, District Lot 21, Nelson District, Plan 522C

Folio: 516 00368.000 **PID:** 000-312-134

Civic Address: 2814 Dunsmuir Avenue, Cumberland BC V0R 1S0

2. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this Permit:

Section 7.1.6 **The rear setback for principal buildings and structures is varied to as close as 1.6metres (8.5feet) as shown on the shown on the site drawing attached as Schedule A to this Permit. The setback is to be confirmed by a BC Land Surveyor at the time of Building Permit.**

Registration of the Variance is to be held in abeyance until the new lot is registered at Final Approval of the subdivision

3. **Security**

None

4. **Expiry**

Subject to the terms of the Permit, if the Applicant of this Development Variance Permit does not substantially start any construction with respect to which the Permit was issued within 2 years after the date it is issued, the Permit lapses.

5. **Timing and Sequencing of Development**

None

6. **List of Reports or Plans attached as Schedules**

Schedule A – Site drawing (to be replaced by a Survey Drawing to be prepared by a BC Land Surveyor at the time of Building Permit).

7. **Contaminated Sites Regulation** (*choose one of the following as applicable*)

This Permit is issued pursuant to the requirements of the *Environmental Management Act*, whereby the Applicant has completed a “Site Declaration” for the subject property.

8. This Permit is **not** a Building Permit.

CERTIFIED as the DEVELOPMENT VARIANCE PERMIT approved and issued by resolution of the Council of the Corporation of the Village of Cumberland on _____, 2020.

Corporate Officer

PROPOSED SUBDIVISION OF:
 LOT 1, BLOCK 27, DISTRICT LOT 21,
 NELSON DISTRICT, PLAN 522C
 B.C.G.S. 92 F.065

PID: 000-312-134
 OWNER: PATRICIA STOCKAND
 CIVIC: 2814 DUNSMUIR ROAD

ZONING R-1A

FRONT YARD	3.0 M.
REAR YARD	4.5 M.
SIDE YARD	1.5 M.
EXTERIOR SIDE YARD	3.0 M.
HEIGHT, MAXIMUM	10.0 M.

NOTE: LOT DIMENSIONS, SETBACKS ARE
 SUBJECT TO LEGAL SURVEY, APPROVALS
 AND REGISTRATION IN THE LAND TITLE OFFICE

LEGEND

LOT DIMENSIONS BASED ON PLAN VIP53514
 AND MAY VARY UPON FULL LEGAL SURVEY

○ - DENOTES - IRON POST FOUND
 SqM - DENOTES - SQUARE METERS

ELEVATIONS ARE GEODETIC, REFERENCED TO
 CANADIAN GEODETIC VERTICAL DATUM 1928
 (CGVD28), AND ARE DERIVED FROM TIES TO
 GCM32979 (ELEVATION= 152.054 M.)

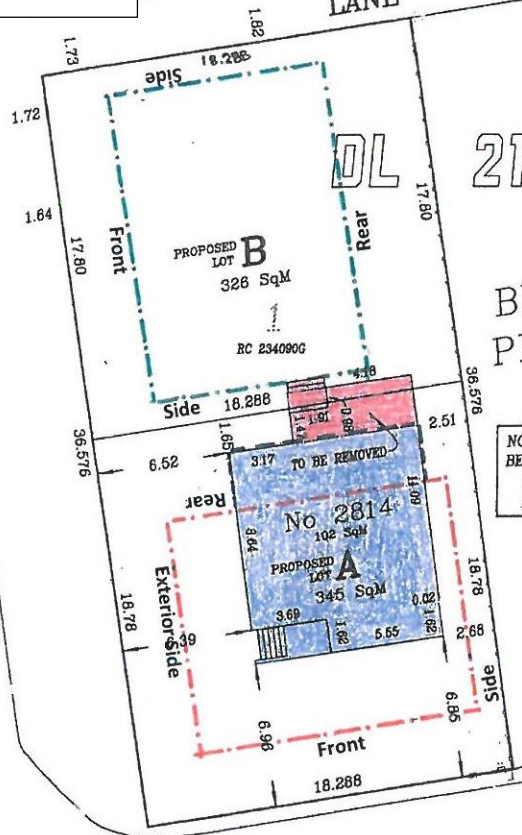


**Plan of Subdivision which shows
 new setback lines.**

BLOCK 27
 PLAN 522C 11

LANE

SIXTH STREET



BLOCK 27
 PLAN 522C

DUNSMUIR ROAD

BRUCE LEWIS
 LAND SURVEYING INC.
 811 HIGHRIDGE COURT
 COMOX B.C. V9M 3R4
 FILE: 2161-A01

DATE: FEBRUARY 27, 2020

SCALE = 1 : 250



All distances are in metres and decimals thereof unless otherwise stated

COUNCIL REPORT



REPORT DATE: July 29, 2020
 MEETING DATE: August 10, 2020
 TO: Mayor and Councillors
 FROM: Meleana Searle, Planner
 SUBJECT: Development Permit – 2020-07-DP - 3190 Royston Road

FILE:	2020-07-DP		
OWNER:	Emcon Services Inc.	AGENT:	Brad Jackson, Project Manager, Raylec Power LP
FOLIO No.:	516 00256.350	PID:	024-584-827
LEGAL DESCRIPTION:	Lot A, Section 30, Township 11, Nelson District, Plan VIP69479		
CIVIC ADDRESS:	3190 Royston Road		
OCP DESIGNATION	Industrial	ZONE:	Industrial One (I-1)

RECOMMENDATION

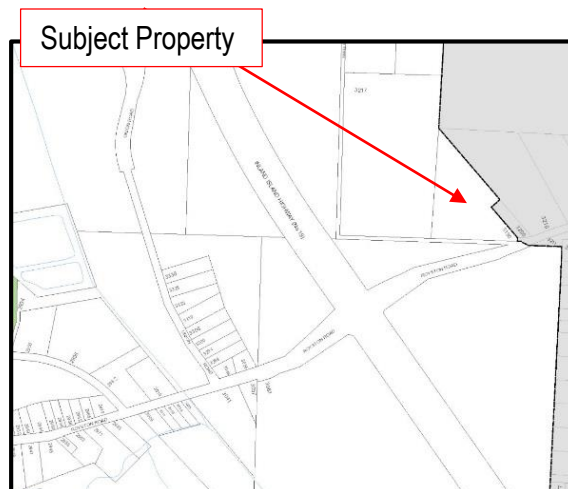
- i) THAT Council receive the Development Permit - 2020-07-DP - 3190 Royston Road report dated July 29, 2020; and
- ii) THAT Council approve Development Permit 2020-07-DP for the property described as Lot A, Section 30, Township 11, Nelson District, Plan VIP69479 (3190 Royston Road) substantially in compliance with the Development Permit dated August 10, 2020.

SUMMARY

An application has been received from Raylec Power LP for an Industrial Development Permit to move to site an office (Muchalat) building.

BACKGROUND

Pursuant to the Official Community Plan the proposed work is subject to a Development Permit as it is located in an area that is designated an Industrial (DPA #5) Development Permit.



The drawing attached to the Development Permit (Attachment A) shows the approximate location of the proposed building. Attachment B shows the proposed layout and exterior of the proposed building.



Photo 1: View from proposed building looking south towards Royston Road



Photo 2: Building location looking west from Royston Road. This is the only street view of the proposed building.

Contaminated Sites Regulation - Site Profile

The requirement for a site profile is triggered by the Development Permit application and a complete profile has been submitted. The proponent is responsible to undertake site investigations and remediation at contaminated site in accordance with the requirements of the *Environmental Management Act* and its regulations.

In addition, the Village is currently holding a security in the amount of \$1,379.37 which represents 120% of the cost estimate for the 2018-08-DP approved landscape plan. A final landscape inspection will ensure that the landscaping requirements have been met. If found to be compliant, a refund of 75% shall be made to the Owner.

FINANCIAL IMPLICATIONS

Please note that this information is provided for information as Development Cost Charges (DCC's) are payable at Building Permit stage. This development is an industrial use on industrially-zone land, which is on the Village water system and the sanitary sewer. Industrial Development Cost Charges are calculated on a *per hectare of land developed** basis and are charged at Building Permit stage for the services that have the possibility of being provided in the future.

Development Cost Charges (Bylaw 934) for new office building only					
Water	0.0156 hectare of land developed*	\$27,732	=	\$432.61	Total: \$1,869.47
Sanitary		\$56,166	=	\$876.18	
Roads		\$13,957	=	\$217.72	
Storm		\$21,985	=	\$342.96	
Parks		\$0.00	=	\$0.00	

**means the area that is to be utilized by the application that initiates the requirements for DCC's.*

OPERATIONAL IMPLICATIONS

The review of Development Permit applications are part of the services provided by the Planning Department.

Finance reviews and tracks DCCs and securities payable.

Operations will be involved in reviewing design drawings ensuring that designs meet MMCD standards and reviewing deficiencies.

STRATEGIC OBJECTIVE

None

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

Pursuant to the requirements of the *Village of Cumberland Procedures and Fees Bylaw No. 1008, 2014*, notice of Council consideration of a Development Permit should be mailed to neighbouring properties within 75.0metres of the subject property to meet the requirement of a minimum of 10 days before Council considers the application.

However, the two properties within 75.0metres of the property are vacant land. The purpose of the applicant holding a public meeting is to give them opportunity to advise neighbours of their development plans and to be able to answer questions. In this case, there are no neighbours.

During the applicant's previous development permit process (2018-08-DP) for the construction of a new industrial storage shed they sent a copy of notice out, advertised and held a public meeting. They had no one attend and received no submissions. See Table 1.0 below for adjacent neighbour list.

Folio	PID	Primary Owner	Address Line 1	City	Postal Code	BCA Actual Use
29039.54	023-970-260	ROGERS CANTEL INC	1 MOUNT PLEASANT RD	TORONTO, ON CAN	M4Y2Y5	TELECOMMUNICATIONS (OTHER THAN TELEPHONE)

1002	025-946-358	0888128 BC LTD	2400-745 THURLOW ST	VANCOUVER , BC CAN	V6E0C5	2 ACRES OR MORE - VACANT
Table 1.0 Adjacent Neighbours List						

REFERRALS

Council may:

- a) Further to the section 5a of the *Advisory Planning Commission Bylaw No 999, 2014*, Council may wish to refer this application to the APC for their comments.

Staff recommends, as per the previous Development Permit, 2018-08-DP, which was for an Industrial storage building within the interior of the developed site, and does not involve a change in land use, that the application not be referred to the Advisory Planning Commission (APC).

ATTACHMENTS

- I. Attachment A – Site Plan with proposed building location
- II. Attachment B – Drawing of proposed office layout and exterior
- III. Attachment C - Industrial Development Permit Checklist provided by applicant
- IV. Attachment D – Stormwater Management Plan

CONCURRENCE

Ken Rogers, Manager of Development Services _ KR

Michelle Mason, Chief Financial Officer MM

OPTIONS

- i) Approve the application.
- ii) Deny the application (must give reasons).
- iii) Any other action deemed appropriate by Council.

Respectfully submitted,

Meleana Searle

Meleana Searle
Planner

Clayton Postings

Clayton Postings
Chief Administrative Officer



Corporation of the
Village of Cumberland

DEVELOPMENT PERMIT

OWNER: Emcon Services Inc.

AGENT: Raylec Power LP

OF: 3190 Royston Road, Courtenay, BC V0R 1S0

1. This Development Permit (2020-07-DP) is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, except as supplemented by this Permit for the purpose of construction of an office building on the subject property.

2. This Development Permit applies to and only to a portion of those lands within the Village of Cumberland described below:

Legal Description: Lot A Section 30 Township 11 Nelson District Plan VIP69479

Folio: 516 00256.350

PID: 024-584-827

Civic Address: 3190 Royston Road

3. The land described herein shall be developed substantially in accordance with the following terms and conditions and provisions of this Permit:

a) The development siting and exteriors shall be substantially in compliance with the I-1 requirements as per Zoning Bylaw 1027 section 10.1. Signage will be in accordance with Zoning Bylaw 1027 section 5.4. A minimum of a 10 metres of contiguous treed area running along the eastern property line from south to north shall be retained as a buffer to adjacent properties.

b) **Required prior to Issue of Building Permit:**

i) Design of fully shielded (full cutoff) site lighting installation; and

ii) A Stormwater Management Plan acceptable to senior staff, a copy of which will be attached as Schedule A of this Permit.

4. **Expiry**

Subject to the terms of the Permit, if the Owner of this Permit does not substantially start any construction with respect to which the Permit was issued within 2 years after the date it is issued, the Permit lapses.

5. **Timing and Sequencing of Development**

None

6. **List of Reports or Plans attached as Schedules**

a) Schedule A Stormwater Management Plan

7. **Contaminated Sites Regulation**

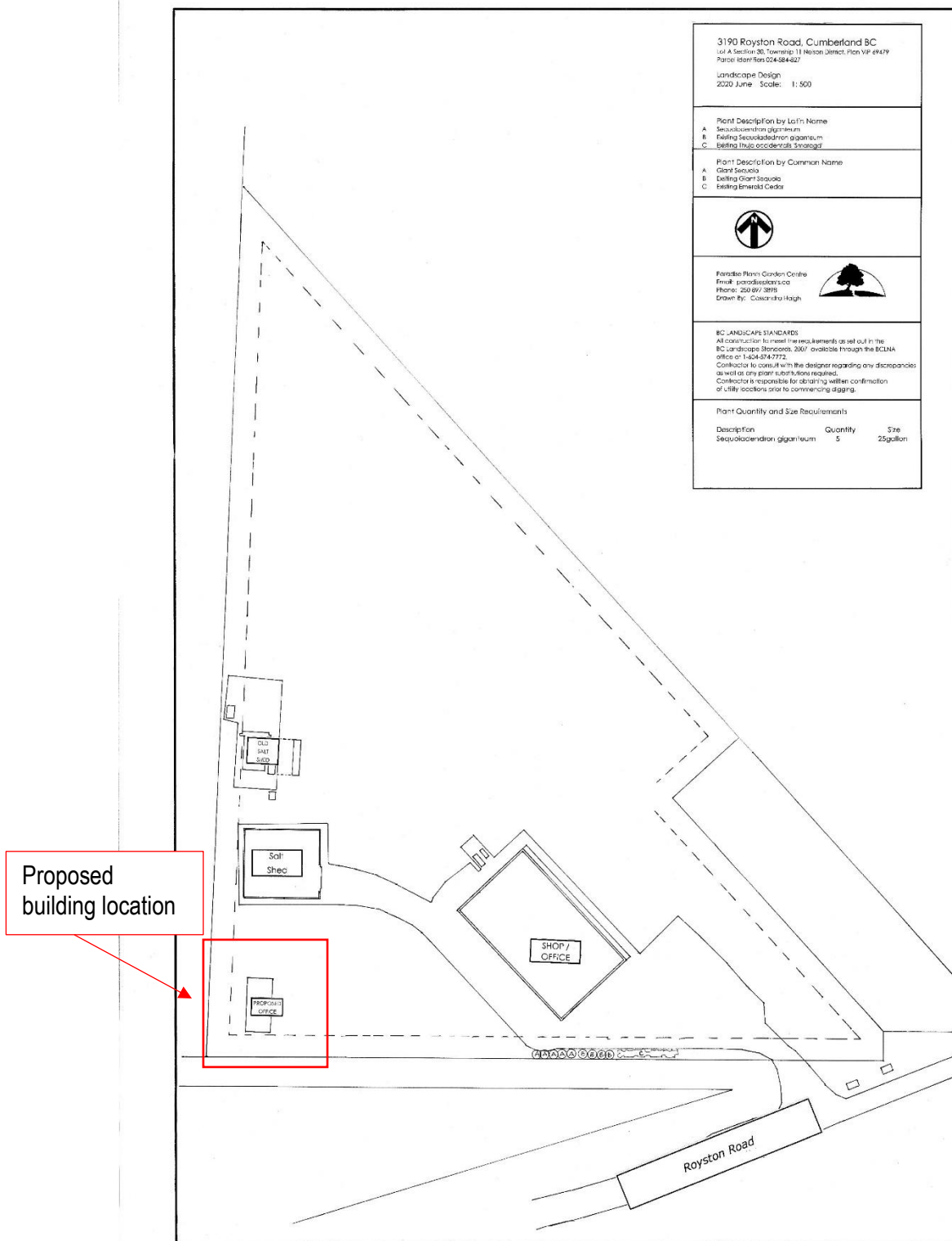
This Permit is issued pursuant to the requirements of the *Environmental Management Act*, whereby the Owner has completed a "Site Declaration" for the subject property.

8. This Permit is **not** a Building Permit.

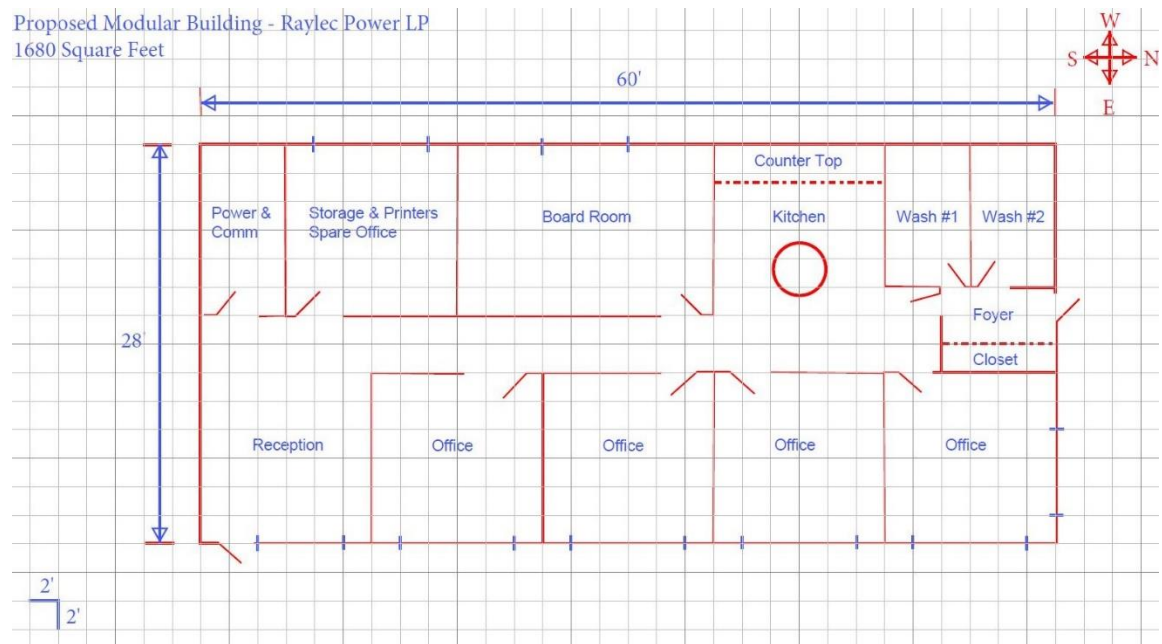
CERTIFIED as the **DEVELOPMENT PERMIT** approved by resolution of the Council of the Corporation of the Village of Cumberland on _____ 2020 and issued on _____ 2020.

Corporate Officer

Attachment A - Site Plan with Proposed Building Location



Attachment B - Drawing of proposed office layout and exterior



The guidelines for this Development Permit Area are shown below in a chart format for the convenience of the Applicant. Each application is to include a copy of this chart with each box noting how each of the guidelines has been met by the development proposal. If a guideline is considered “not applicable” please note NA and include a brief reason why it doesn’t apply. Leave the “DP Condition” column blank.

DP Language		How does this proposal meet or exceed the guidelines?	DP Condition
10.5.5 Industrial DPA			
For any stand-alone commercial use development within an Industrial Development Permit Area (DPA 5) the guidelines in “Commercial (DPA 9)” apply.			
1)	Site Design		
i)	The Village will work with the principles of Crime Prevention through Environmental Design (CPTED) in the consideration of site design and landscaping.	N/A	None
ii)	Site Design should consider the preservation of natural site features.	Existing site is cleared, graveled and paved – No impact to existing Environmentally Sensitive Area.	None
iii)	Site design should protect the enhancement of view corridors to open areas and viewsapes.	No View corridors for this site, no adjacent properties, natural brush / tree line existing between Royston road & site.	See 3(a)
2)	Landscaping		
a)	All landscaping shall be irrigated by means of an automated system.	Landscaping if required will utilize water bag drip systems until established.	See 3(a)
b)	A landscaped buffer shall be provided along all major roads and all buildings shall be screened from view from any adjacent property zoned for residential use as effectively as possible through the use of landscaping, solid sound attenuating fencing, and siting	Included are photos from both Royston Road and Small Road vantage points, the new building is not visible from either roadway, the only vantage point is at the existing front gate. We have included a quote with our application	See 3(a)
c)	Fencing as required in 1.8.5(2)(b) above shall be a minimum of 2.5metres in height.	Existing site is fully fenced.	None
d)	All waste disposal and recycling bins shall be screened on three sides within a solid walled animal-proof enclosure, not less than 2.0metres in height.	Disposal to remain as is for the existing site, no new disposal bins.	None
e)	Such elements as shipping and loading areas, outdoor storage areas, transformers, and meters shall be additionally screened landscaping, solid fencing, and appropriate siting.	All areas noted are existing within the Emcon / Mainroad property.	None
f)	Building footprints should be located to create opportunities for plazas, courtyards, or garden patio areas with appropriate site furniture and lighting.	N/A	None
g)	The appearance of the both the buildings and the site landscaping should have a strong emphasis toward public street views, incorporating a concept that emphasizes the public realm.	No public street view, building construction will be a mix of architectural steel and hardy board.	See 3(a)

DP Language		How does this proposal meet or exceed the guidelines?	DP Condition
10.5.5 Industrial DPA			
	h)	Landscape plans will be provided at the developer's expense, which have been prepared by registered professional utilizing plants appropriate to the growing conditions. The plan shall include a complete plant list and cost estimate. A performance security will be required before the Permit is issued.	Included with application package. See 3(a)
3) Accessibility			
	a)	Accessibility features shall be integrated into the overall design concept and identified on the site plans.	N/A None
	b)	Accessible travel routes shall be provided from adjacent roadways and parking areas to the main building entry and should incorporate barrier-free universal design principles.	N/A - Raylec is a commercial / industrial electrical company, not open to public traffic. None
	c)	Accessible travel routes shall be of a hard, slip-resistant surface with a minimum width per requirements of the most current edition of the British Columbia Building Code (BCBC).	N/A None
	d)	Accessible travel routes shall conform to the requirements of the most current edition of the BCBC.	N/A None
4) Building Form and Character			
	a)	Buildings shall be sited to ensure that any adjacent residential properties have visual privacy, as well as protection from site illumination and noise.	No adjacent residential properties, noise levels are not expected to increase from what is already present on the site. None
	b)	All buildings and expansions thereto, storage, parking, and supply yards shall be designed to be compatible with surrounding land uses and the major roads fronting the property.	N/A None
	c)	The use of smooth surfaced, wood, concrete board, acrylic stucco, brick, baked enamel-finished metal siding, or metal panels are encouraged.	Building construction will be a mix of architectural steel and hardy board. See 3(a)
	d)	Rooftop mechanical equipment shall be hidden behind screens or parapets designed as an integral part of a building to conceal such equipment.	N/A None
	e)	Building design should include a variety of architectural design treatments, including articulated building footprints to reduce massing and to promote architectural definition and interest.	N/A None

DP Language		How does this proposal meet or exceed the guidelines?	DP Condition
10.5.5 Industrial DPA			
f)	Building massing shall consider the preservation or enhancement of view corridors to open areas and mountain vistas.	N/A	None
g)	Building massing should respond to a human scale with materials and details that are proportionate to human height and provide visual interest at the street and sidewalk level.	No street or sidewalk adjacent, building is set back and not accessible to the public.	None
h)	Building elevations fronting and visible to the street are encouraged to include offices, showrooms, pitched roofs and decorative design elements.	N/A	None
i)	Buildings shall be designed to mitigate the effect of internal noise from mechanical and other industrial equipment.	No industrial equipment, office space only.	None
5) Signs			
a)	Sign illumination for new signs shall be exterior, from the front and downcast. Internally illuminated signs may include halo lighting or the direct back lighting, only for individual letters and logos, subject to any Sign Bylaw.	The only signage will be a non-illuminated company sign attached to the building to identify Raylec Power.	See 3(a)
b)	Sign heights and size shall be in context with the neighbourhood, subject to the applicable bylaw provisions.	Company Sign will be non-illuminated and no larger than	See 3(a)
c)	No signs shall be equipped with flashing, oscillating or moving lights or beacons.	Confirmed.	See 3(a)
6) Lighting			
Natural cycles of day and night lighting are important for human health, the natural environment, astrophysical endeavors, and the conservation of energy. To minimize these impacts, outdoor lighting should be regulated to control both the quantity and quality of night lighting.		Exterior lighting will be minimal, 2-3 100W LED downlighting luminaires.	See 3(b)(i)
a)	All site lighting installations shall be fully shielded (full cutoff).	Confirmed.	" "
b)	Light shall be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter.	Confirmed.	" "
c)	Security and other lighting shall be placed so as not to shine directly into residential properties or to reduce the separation effectiveness of any landscaped buffer.	Confirmed.	" "
d)	Exterior building lighting should generally be concealed in soffits or other similar architectural features.	Exterior lighting to be surface mounted, powder coated and cast light toward the ground only.	" "

DP Language			How does this proposal meet or exceed the guidelines?	DP Condition
10.5.5 Industrial DPA				
	e)	Lamp poles and luminaries used for site area lighting should be complementary to the form and character of adjacent sites and Village streetlighting standards.	N/A	None
	f)	There should be sufficient on-site illumination for pedestrian/vehicle safety. Illumination shall not encroach onto adjacent properties.	Confirmed.	None
	g)	Adhering to the principles of Crime Prevention through Environmental Design Principles (CPTED), lighting for pedestrian pathways, building entrances and parking areas should be designed at a human scale (i.e., low level bollards) and address pedestrian safety.	The proposed building is behind a fenced and gated compound and not accessible to pedestrians or the general public.	None
7)	Access & Parking			
	Large surface parking areas may be broken down into smaller parking lots evenly dispersed throughout the development and integrated with planted, landscaped areas.		N/A	None
	a)	Parking areas shall clearly identify pedestrian circulation areas, preferably with different paving and landscaping treatment.	The proposed building is behind a fenced and gated compound and not accessible to pedestrians or the general public.	None
	b)	Parking areas should be surfaced with a paving treatment (including: pervious paving, cellular paving and concrete unit pavers). Parking aisles shall provide a hard travel surface.	N/A – Parking area will remain as existing. Crush gravel.	None
	c)	Developers are encouraged to use permeable surface treatments for roadways, parking areas and other surfaced areas within a development, where appropriate.	The area beneath and surrounding the new building site will remain as they are, crush gravel.	See 3(b)(ii)
	d)	Building entrances should be prominent and clearly visible from access driveways.	Confirmed.	None
	e)	Site designs should include provisions for multi-modal transportation.	N/A - The proposed building is behind a fenced and gated compound and not accessible to pedestrians or the general public.	None
	f)	All parking requirements for the development shall be met on-site.	Confirmed.	None
	g)	All paved parking areas shall be included within the context of the required stormwater management plan and shall incorporate oil/water separators which meet current Ministry of Forest Lands and Natural Resource Operations and Department of Fisheries and Oceans criteria or a bio-filtration facility constructed by a qualified professional.	N/A – No pavement or concrete to be installed.	See 3(b)(ii)

DP Language			How does this proposal meet or exceed the guidelines?	DP Condition
10.5.5 Industrial DPA				
	h)	Site Designs should include provisions for controlled access.	Site is fenced and gated.	None
8)	Energy Conservation & Reduction Of Greenhouse Gas Emissions			
	a)	Building design should include passive heating, lighting and cooling design features.	Building frontage will face the morning sun and the rear captures the setting sun providing both passive heating and lighting.	None
	b)	Landscaping and building design should consider the incorporation of natural daylight and seasonal shade needs.	Confirmed.	None
	c)	Building orientation should, where practical, be designed to optimize the benefits of solar orientation.	Confirmed.	None
	d)	Building design should incorporate solar ready features.	N/A	None
	e)	Sheltered and secure bicycle parking shall be provided to a level that is consistent with the proposed use.	N/A - The proposed building is behind a fenced and gated compound and not accessible to pedestrians or the general public.	None
	f)	Electric Vehicle Plug-ins should be provided for new developments.	N/A – Raylec is <u>not open to the public</u> and does not employ electric vehicles.	None
	g)	All buildings shall be designed and engineered to be solar ready	N/A	None
	h)	Adaptive reuse of buildings and on-site materials is encouraged, where permitted within the BC Building Code and under relevant legislation	N/A	None
9)	Water Conservation			
	a)	Development projects should incorporate rainfall capture systems for irrigation where feasible.	N/A – Any watering required to be via Drip Line.	None
	b)	Development projects should minimize impervious areas and incorporate on-site integrated stormwater management solutions that maintain pre-development infiltration rates and site hydrology.	See Stormwater Management Plan.	See 3(b)(ii)
	c)	Landscape planting should be designed to reduce water consumption through the use of native and drought-tolerant plant species suitable for the growing area	Drought-tolerant plants to be utilized.	See 3(b)(ii)
	d)	Landscaped areas should be watered by an automatic irrigation system, complete with an automated 'smart' controller	N/A	See 3(b)(ii)
	e)	High water use turf, sod and lawn are discouraged.	No turf, sod or lawn will be installed.	None
10)	Stormwater			

DP Language			How does this proposal meet or exceed the guidelines?	DP Condition
10.5.5 Industrial DPA				
	a)	A stormwater management plan shall be required as prepared by a registered professional engineer that has as its goal the maintenance of post-development flows equivalent to those of pre-development flow patterns and volumes over the entire wet weather season.	See Stormwater Management Plan.	See 3(b)(ii)
	b)	Stormwater management shall follow source control (on-site) principles and practices and minimize the use of conventional pipe and pond techniques, and avoid direct discharges to streams and other waterbodies.	See Stormwater Management Plan.	See 3(b)(ii)
	c)	Stormwater management shall take advantage of on-site opportunities to recycle water to absorbent soils, wetlands, and forests.	See Stormwater Management Plan.	See 3(b)(ii)
11)	Soil Erosion and Sediment Control			
		A sediment and erosion control plan shall be prepared by a registered professional for the construction and operational phases of the development.	See Stormwater Management Plan.	See 3(b)(ii)

STORMWATER MANAGEMENT PLAN

To Raylec Power LP Attn: Brad Jackson	From Neil Penner, P. Eng. 2211 - Courtenay / Engineering
Re 3190 Royston Road – Updated Stormwater Management Plan	Date June 3, 2020

McElhanney has prepared the following updated stormwater management plan for the above client and the 3190 Royston Road site, in support of a Village of Cumberland Industrial Development Permit to allow for the placement of a modular building on the site.

This report is an update to McElhanney's previous stormwater management brief for the subject property, dated November 15, 2018. There are also two other stormwater management plans associated with the site: Kootenay Engineering Ltd. Storm Water Management Planning Report dated June 2003 and Anderson Civil Engineering Draft Storm Water Management Planning Report dated April 2003. This report was created to align with the recommendations in each of the three previous reports, which are attached in **Appendix B**.

This stormwater management plan discusses the following:

- 1) Existing site conditions.
- 2) The proposed development.
- 3) Existing runoff and performance targets.
- 4) Post-development runoff.
- 5) Stormwater management requirements.
- 6) Suggested sediment and erosion control measures.

1. Existing Site Conditions

The subject property is located at 3190 Royston Road in Cumberland, BC, and currently contains a large office /workshop and a number of small out-buildings including the new salt shed constructed as part of McElhanney's 2018 Stormwater Management Brief. The property is zoned I-1 Light Industrial Zone, which supports a number of uses as well as light industrial. The neighbouring property to the north and west is zoned C-3 Commercial Three Zone and contains a hardware store. The property to the south is

zoned IMU-4 and is undeveloped. The properties to the east, located in the Comox Valley Regional District, are zoned CR-1 Country Residential One, and contain a farm and an utility infrastructure, respectively.

The subject property is 3.743 ha in size, has been partially developed, and contains the following (areas approximated from the client supplied Site Plan in **Appendix A**):

- Existing buildings, concrete pads and pavement (0.512 ha).
- “Holding Pond” (0.083 ha).
- Existing gravel area (1.621 ha).
- 2018 installed salt shed with concrete apron (0.082 ha).
- Existing vegetated/ treed area (1.445 ha).

Please see **Appendix A** for the existing site plan that also includes markup of the proposed modular building location.

The “holding pond” in the southwestern corner of the subject property is an area that was flattened out and had berms built around it to create an area to store water mixed with chloride for use on dusty roads (site is leased by Mainroad Contracting). The berms and the liners are in the process of being removed. This “holding pond” was not used for stormwater management and can be removed. **Figure 1** below shows part of the berm removed revealing gravel underneath.



Figure 1 - Existing "Holding Pond" Looking Southeast



1.1. EXISTING ONSITE SOILS

Based on the soil conditions described in the Anderson Civil Engineering report (**Appendix B**), the existing site soils as follows:

The site and adjacent lands are covered by a thin layer of sandy gravel that is underlain with glacial till. The till is described as strongly cemented gravelly to very gravelly sandy loam with low permeability. The sandy gravel surface material ranges from 0.5m to 1.0m deep. This layer is key to the development of the site, and contains all the opportunity for stormwater management.

No reports of localized ponding have occurred related to the site and the onsite soils appear to be well drained.

This report utilizes the above description of onsite soils, which is seconded by the Kootenay Engineering report. Based on the above, McElhanney has assumed an infiltration rate of 50 mm/hr for the onsite sandy gravel, which is on the low end of the typical range for well drained sand and gravels as noted in Table 5-3 of “Soils and Foundations” by Liu and Evett, 2008. The conservative value was used to account for variability in onsite soils.

2. Proposed Development

Raylec Power is proposing the placement of a modular office building on the lot in the southwestern corner, as shown on **Appendix A**. The modular building is 18.3m long by 8.53m wide and is being placed within the area of the existing holding pond.

This report addresses only the stormwater management aspects of the building being placed on the site.

Proposed site parameters in **Section 4** consider the changing of the “holding pond” area into a gravel area with a building. There will be an increase in runoff due to the proposed building and the loss of inadvertent detention of some runoff in the “holding pond” area. In the previous 2018 McElhanney stormwater brief, the holding pond area was assumed to be 20% impervious to account for some inadvertent detention of runoff while still accounting for overflows to the surface of the site.

3. Existing Runoff and Performance Targets

A hydraulic model was developed using SWMM software, enabling analysis of existing and post-development site response to a variety of design rainfall events. Simulations were completed for the 24-hour Mean Annual Rainfall (MAR), 2, 5, 10 and 100-Year SCS Type 1A rainfall events. Design storms were obtained from Environment Canada’s 2019 Courtenay Puntledge BHP rain gauge (1021990). Model input parameters, based on existing site conditions, are summarized in the following **Table 1**. To account for climate change, a 10% increase was added to all design rainfall events.



Table 1 - SWMM Model Parameters: Existing Site

PARAMETER	EXISTING CONDITIONS
Area (ha)	3.743
Width (m)	350
Slope (%)	5.5
% Impervious	50.0
N Imperv	0.013
N Perv	0.03
Dstore Imperv (mm)	2
Dstore Perv (mm)	5
Zero % Imperv	25
Outlet Routing	Pervious
SCS Curve Number	79

The results of the modeled existing site responses are summarized in **Table 2** below, showing the existing runoff targets from the subject property.

Table 2 - Estimated Existing Runoff Targets

24 HOUR DISTRIBUTION	TOTAL PRECIPITATION	EXISTING RUNOFF	
		PEAK RATE (L/S)	TOTAL VOLUME (m ³)
MAR Event +10%	54mm	62.4	1315
1 in 2-Year +10%	80mm	101.4	2187
1 in 5-Year +10%	104mm	138.4	3004
1 in 10-Year +10%	120mm	163.4	3555
1 in 100-Year +10%	170mm	243.9	5322



4. Post-Development Runoff

The post-developed site was modeled using SWMM software. Simulations were completed for the 24-hour MAR, 2, 5, 10 and 100-Year SCS Type 1A rainfall events based on Environment Canada's Courtenay Puntledge BHP rain gauge (1021990). Post-development model input parameters for the subject property are summarized in **Table 3** and include mitigation measures described in **Section 5** further in this report. A premium of 10% was added to all design rainfall events to account for climate change.

The SWMM Model separates the proposed building from the rest of the site (the remainder). The proposed building runoff is directed towards the stormwater management infrastructure provided in **Section 5**.

Table 3 - Post Development SWMM Model Parameters

PARAMETER	PROPOSED BUILDING	POST-DEV REMAINDER
Area (ha)	0.016	3.727
Width (m)	18.3	350
Slope (%)	2	5.5
% Impervious	95.0	50.7
N Imperv	0.013	0.013
N Perv	0.013	0.03
Dstore Imperv (mm)	2	2
Dstore Perv (mm)	3	5
Zero % Imperv	25	25
Outlet Routing	Outlet	Pervious
SCS Curve Number	98	79

Table 4 below compares existing runoff to total post-development runoff (proposed building and remainder) for the subject property. The table indicates that the stormwater management requirements described in **Section 5** can maintain post-development flows to existing levels up to and including the 1-in-100-year return period event and volumes at or near existing levels up to the 100-year storm event. **Figures 2-6** further demonstrate the effects of the proposed stormwater management requirements.



Table 4 - Estimated Existing and Post-Development Runoff Comparison

24 HOUR DISTRIBUTION	TOTAL PRECIPITATION	EXISTING RUNOFF		TOTAL POST-DEVELOPMENT RUNOFF	
		PEAK RATE (L/S)	TOTAL VOLUME (m ³)	PEAK RATE (L/S)	TOTAL VOLUME (m ³)
MAR Event +10%	54mm	62.4	1315	62.4	1317
1 in 2-Year +10%	80mm	101.4	2187	101.3	2186
1 in 5-Year +10%	104mm	138.4	3004	138.4	3001
1 in 10-Year +10%	120mm	163.4	3555	163.4	3551
1 in 100-Year +10%	170mm	243.9	5322	244.0	5312

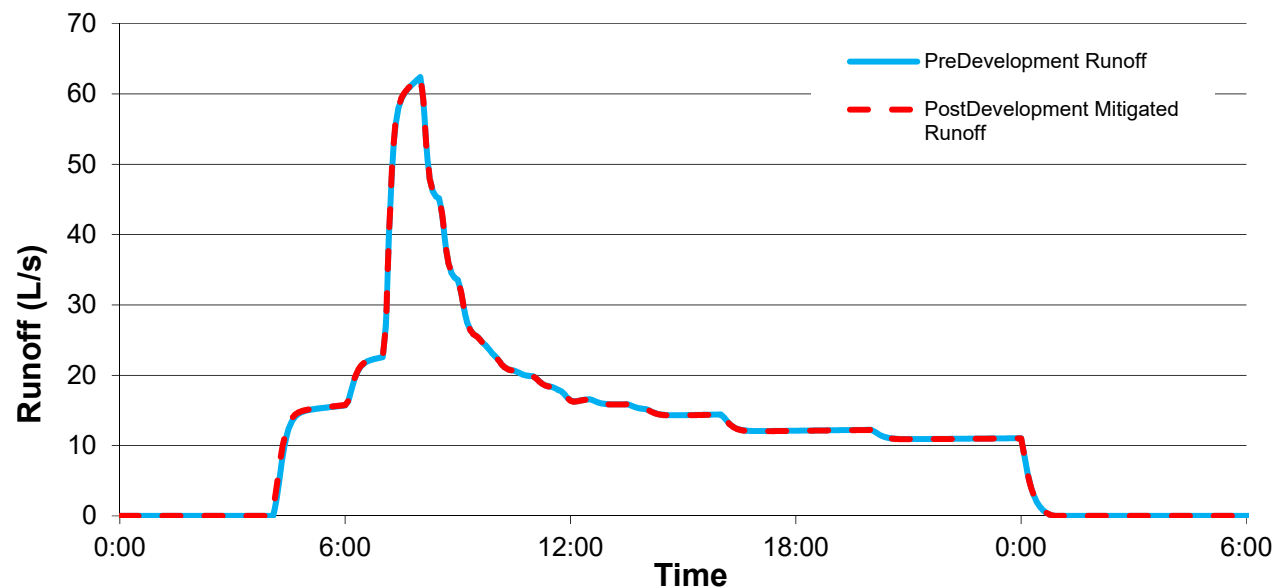


Figure 2 - MAR Rainfall Event Hydrograph



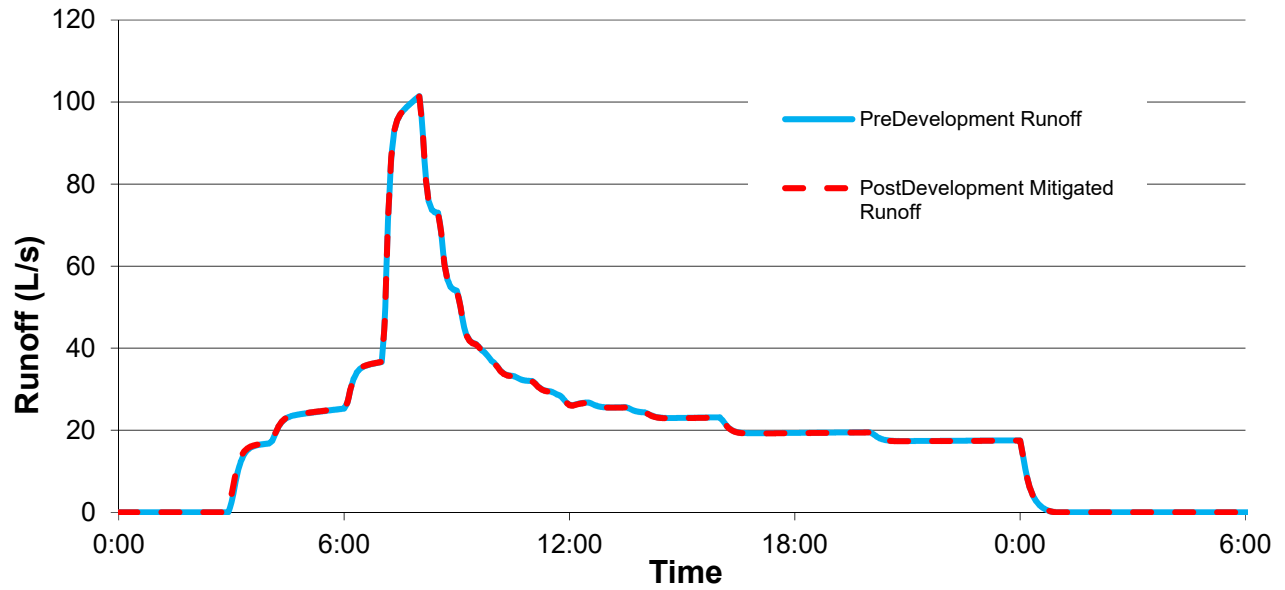


Figure 3 - 1 in 2 Year Rainfall Event Hydrograph

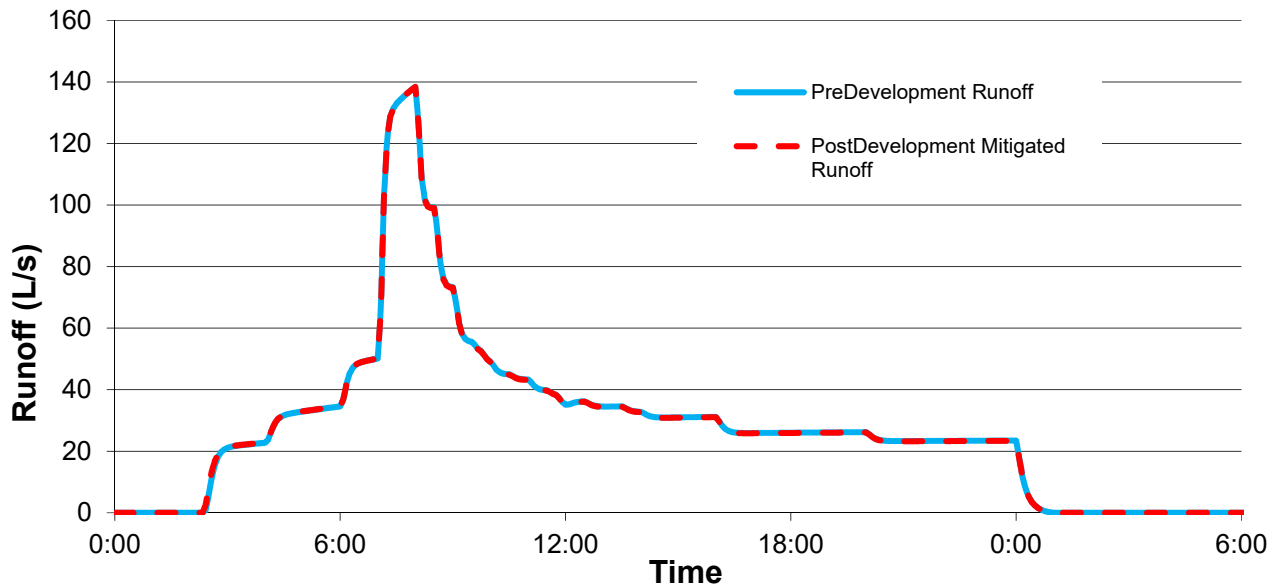


Figure 4 - 1 in 5 Year Event Runoff Hydrograph



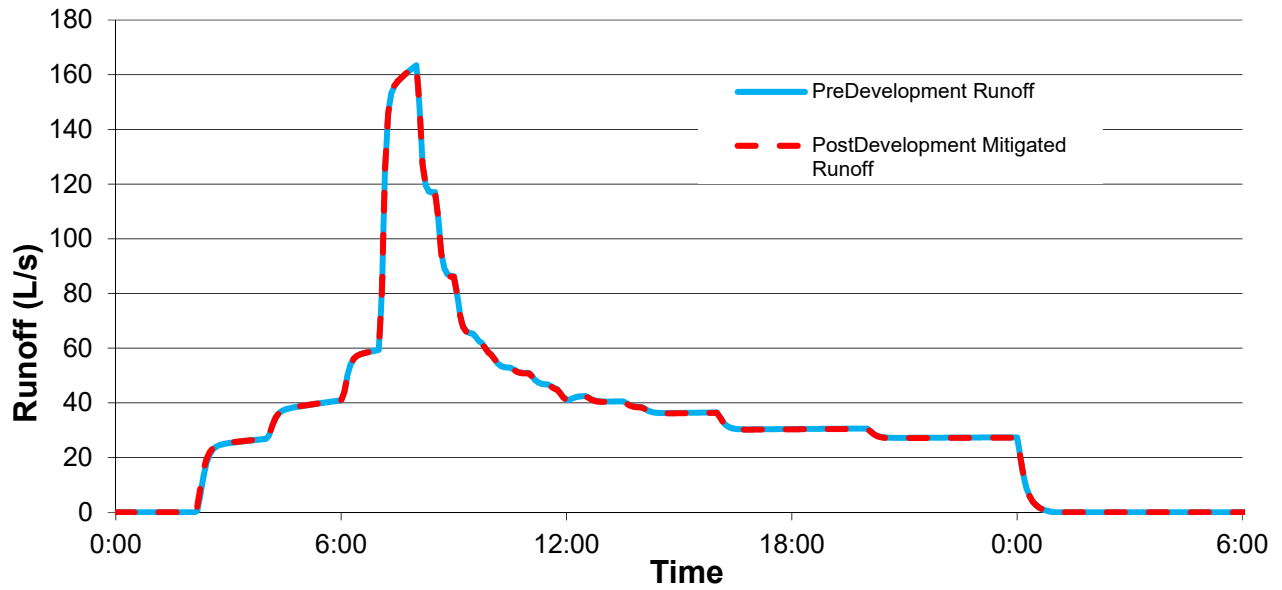


Figure 5 – 1 in 10-Year Event Runoff Hydrograph

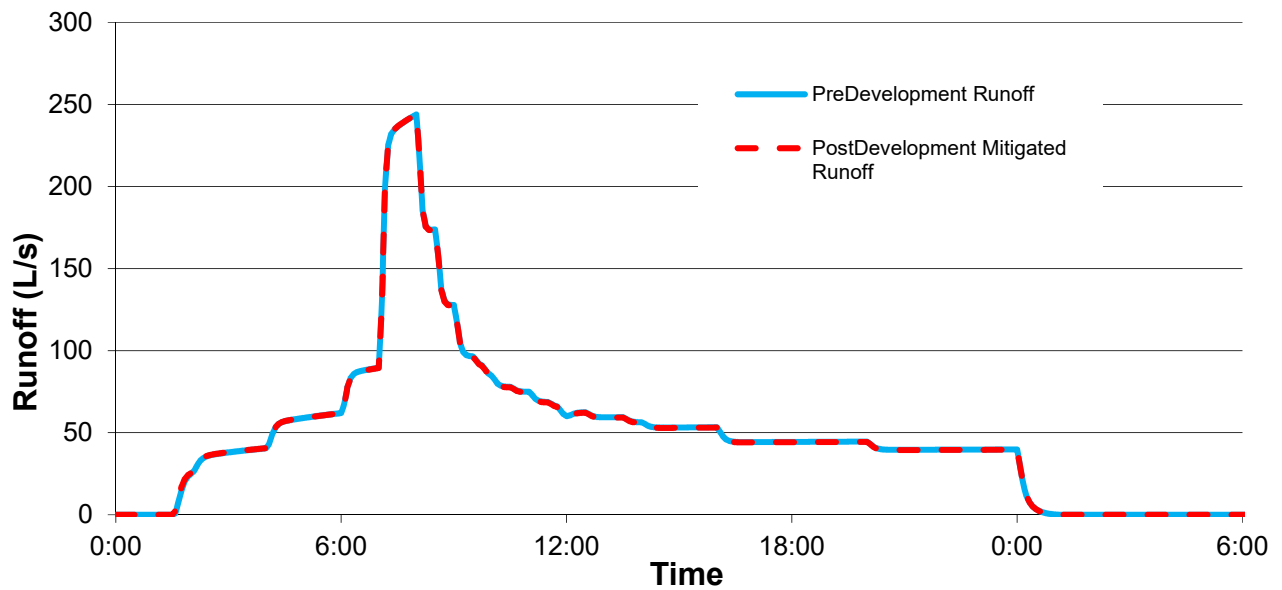


Figure 6 - 1 in 100-Year Event Runoff Hydrograph



5. Stormwater Management Requirements

The following stormwater management requirements are based on the existing and post-development site conditions noted above in **Sections 3 and 4**. If the post-development conditions differ from those provided in this report, McElhanney should be notified so that this report may be updated.

The stormwater management methods proposed have been designed to infiltrate water into the soil and have it travel east along the till layer, as it did in the pre-development condition.

5.1. BEST MANAGEMENT PRACTICES FOR PROPOSED DEVELOPMENT

The following Best Management Practices (BMP's) are proposed for the site:

- Retain/re-establish native vegetation onsite.
- Grade the finished area around all new buildings to provide positive drainage away from the building.
- Excavate/ install a new 20m long by 1.8m wide and 0.3m deep infiltration trench with 3H: 1V side slopes into the existing ground in a 'V' shape. (See **Section 5.2** for details).
- Areas around the proposed building to remain or be reinstated as gravel to maintain existing site runoff characteristics.
- Limit impervious areas to the proposed building. McElhanney to be notified if any additional impervious area is being proposed including paved driveways or parking areas.

5.2. INFILTRATION TRENCH

Surface drainage from the proposed building and area is to be captured and retained in a 20m long by 1.8m wide by 0.3m deep infiltration trench with 3H: 1V side slopes and in a 'V' shape. The trench should be excavated into the existing ground (gravel) onsite and should be positioned approximately parallel to the existing contours. The trench can deflect and should be placed in an area that does not impede access to the proposed building. A suggested location is shown on **Appendix A**. The ditch should be located downstream of the proposed building and a minimum of 5m away from the proposed building and existing structures.

The ultimate location of the trench can differ from the suggested location and can be broken up, as long as there is 20m of trenching into the existing gravels, the trenches have the width, depth and side slopes provided above and that the trenches are located downstream of the proposed building such that all runoff from the building enters the trenches.

The infiltration trench will hold back runoff and help infiltrate runoff into the soil.

The proposed building is assumed to have a flat roof and no roof leaders, meaning that a rock pit could not be used unless roof leaders were installed on the building.



5.3. QUALITY

The runoff quality is not expected to change as the existing runoff regime is not changing as a result of the proposed works.

All roof runoff will continue to either flow to ground or overland and through vegetation, which will trap and remove sediments. Groundwater recharge through infiltration and interflow will serve to further improve/polish this surface runoff. The above noted BMP's and the construction sediment and erosion control measures provided in **Section 6** are expected to limit runoff turbidity to acceptable levels.

6. Erosion and Sediment Control Measures

Prior to, or in conjunction with, any land clearing, grading or construction, sediment and erosion control measures should be implemented to ensure the works will be undertaken in such a manner that will preclude conveyance and discharge of fine silts and clay particles into the receiving environment. Where practical, construction should be scheduled for the drier summer months, which will reduce the chance of rain and erosion. As rain is always a possibility, a sediment and erosion control plan should be in place prior to construction.

As a minimum, sediment and erosion control measures should be implemented based on the requirements of the provincial document entitled "Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia", and in compliance with the WLAP's (former MoELP's) "Environmental Best Management Practices for Urban and Rural Land Developments in British Columbia", June 2004. During construction, a containment system should be employed. The containment system should utilize perimeter silt fencing, which should be installed per Develop with Care 2014 Guidelines.

In general, the following guidelines should be used:

- A containment system should be employed which will eliminate the conveyance and discharge of fine silts and clay particles into the receiving environment.
- Construction activity to be curtailed or postponed completely during periods of wetter weather.
- Stripping of existing organic topsoil should be undertaken during periods of dry weather only.
- Silt fencing should be placed around the perimeter of the construction area as required to prevent construction sediment from being transported into other areas of the site.
- Sediment should be managed onsite and should not be tracked onto Royston Road.
- The contractor should update erosion and sediment control features as required during construction to maintain protection of the environment and existing infrastructure.
- Sweep/clean Royston Road as necessary.

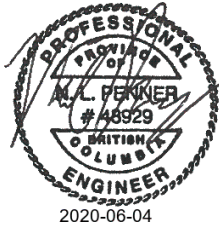


7. Closure

We trust the information provided herein is sufficient to process the development applications.

Yours truly,

MCELHANNEY LTD.



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Reviewed By:

A handwritten signature in black ink, likely belonging to Chris Durupt.

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REVISION HISTORY

Date	Status	Revision	Author
June 3, 2020	Final	0	Neil Penner, P. Eng.

LIMITATION

This report has been prepared for the exclusive use of Raylec Power LP. The material in it reflects the best judgement of the Consultant in light of the information available to the Consultant at the time of preparation. As such, McElhanney, its employees, sub-consultants and agents will not be liable for any losses or other consequences resulting from the use or reliance on the report by any third party

