



*Corporation of the  
Village of Cumberland*

**Advisory Planning  
Commission  
Meeting Agenda**

A meeting of the APC will be held on Tuesday July 5, 2017 in Council Chambers located at 2675 Dunsmuir Avenue, commencing at 11am.

1. **CALL TO ORDER:** Time: \_\_\_\_\_am
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
  - a) The minutes of the meeting held June 6, 2017
4. **REFERRALS FROM COUNCIL**
  - c) 2017-08-DV – 2742 Keswick Avenue – Development Variance Permit
  - b) 2017-07-DP and 2017-09-DV – 3216 Sutton Road (deferred to August meeting)
  - b) 2017-08-DP – 2956 Ulverston Avenue (deferred to August meeting)
  - c) Increase of Retroactive Variance Requests  
Council is seeking comments from the APC on the increase of retroactive variance requests.
5. **OLD BUSINESS**

None
6. **NEXT REGULAR MEETING**

Tuesday August 1, 2017 at 11am.
8. **TERMINATION:** Time: \_\_\_\_\_pm

Lunch has been ordered.



*Corporation of the  
Village of Cumberland*

**Advisory Planning  
Commission  
Meeting Minutes**

Minutes of the Advisory Planning Commission held on Tuesday June 5, 2017 in Council chambers located at 2675 Dunsmuir Avenue, Cumberland BC.

**PRESENT:** Amanda Howe  
Eric Krejci  
Jaye Mathieu  
Jason Ross

**ABSENT:** Meaghan Cursons  
Vickey Brown  
Evan Loveless

**STAFF** Joanne Rees, Planner

**1. Assumption of the Chair**

Amanda Howe assumed the Chair for this meeting.

**2. CALL TO ORDER:** Time: 11:04am

**3. APPROVAL OF AGENDA**

Ross/Mathieu: "THAT the agenda be accepted as presented."

CARRIED

**4. APPROVAL OF MINUTES**

Ross/Krejci: THAT the minutes of the meeting held May 2, 2017 be accepted as presented."

CARRIED

**5. REFERRALS FROM COUNCIL**

**a) Development Variance Permit 2017-04-DV –3019 Royston Road**

Krejci/Ross: "THAT the Advisory Planning Commission recommends that Council grant the Development Variance Permit for property described as Lot 4, District Lot 24, Nelson District, Plan 38778 (3019 Royston Road) to vary the following:

a) Combined Floor Area from the permitted 100.0metres<sup>2</sup> to 130.0metres<sup>2</sup>; and

b) Left Side Setback from the permitted 1.5metres to as close as 1.0metre;

for accessory buildings as shown on the survey drawing prepared by Steve Hoerburger, BCLS dated April 10, 2017."

CARRIED

**b) Development Variance Permit 2017-06-DV 2541 Kendal Avenue –**

Ross/Mathieu: “THAT the Advisory Planning Commission recommends that Council grant the Development Variance Permit for property described as Lot 27, District Lot 24, Nelson District, Plan EPP53358 (2541 Kendal Avenue) to vary the following:

- a) a fence on top of a landscape wall sited on the exterior right side of the property, from the permitted maximum height from natural grade shall not exceed 2.7metres (9.0feet) in height;

as shown on the survey drawing prepared by Colin Burrige, BCLS on April 3, 2017 which is attached to the draft Development Variance Permit.

CARRIED

**c) 2017-07-DV – 2618 Dunsmuir Avenue – Development Variance Permit**

Mathieu/Ross: “THAT the Advisory Planning Commission recommends that Council grant the Development Variance Permit for property described as Lot 29, District Lot 24, Nelson District, Plan 13640 (2618 Dunsmuir Avenue) to vary the following:

- a) Left side yard setback from the permitted 1.5metres to as close as 1.3metres ; and
- b) Lot coverage from the permitted maximum of 40% to 45%;

buildings as shown on the site drawing attached to the draft Development Variance Permit, to be confirmed and replaced by the required survey drawing at footings stage of the Building Permit.

CARRIED

**6. OLD BUSINESS**

None

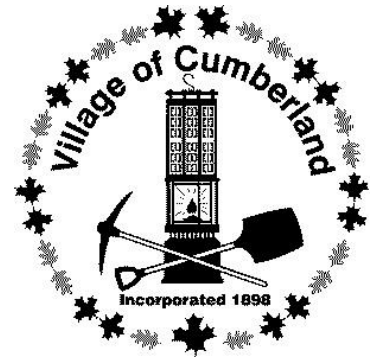
**7. NEXT REGULAR MEETING**

Tuesday July 4, 2017 at 11am.

**8. TERMINATION: Time: 11:45am**

Certified Correct:  _____	Confirmed:  _____
Chair	Deputy Corporate Officer

# APC REPORT



REPORT DATE: June 29, 2017  
MEETING DATE: July 4, 2017

TO: Chair and Members  
FROM: Joanne Rees, Planner  
SUBJECT: Development Variance Permit Application – 2742 Keswick Avenue

<b>FILE:</b>	2017-08-DV		
<b>OWNER:</b>	Randy Agar and Stacey Harper		
<b>PID:</b>	003-105-237	<b>FOLIO:</b>	516 00690.000
<b>LEGAL DESCRIPTION:</b>	Lot 1, District Lot 21, Nelson District, Plan 23425		
<b>OCP DESIGNATION</b>	Residential	<b>EXISTING ZONE:</b>	Residential One A (R-1A)
<b>CONDITION UNDER APPLICATION</b>	<b>MINIMUM PERMITTED</b>	<b>REQUESTED VARIANCE</b>	
Right side setback for accessory building	1.5metres (4.9feet)	1.19metres (3.9feet)	

## RECOMMENDATION

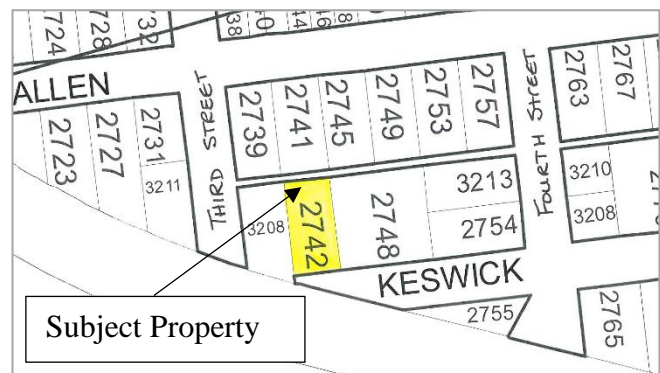
- i) THAT the Advisory Planning Commission receive the report “Development Variance Permit Application 2742 Keswick Avenue” dated June 29, 2017.
- ii) THAT the Advisory Planning Commission recommends that Council grant the Development Variance Permit for property described as Lot 1, District Lot 21, Nelson District, Plan 23425 (2742 Keswick Avenue) to vary the right side setback for an accessory building to be as close as 1.19metres (3.9feet) in accordance with the survey drawing prepared by Eric Hoerburger, BCLS dated May 25, 2017.

## SUMMARY

An application has been received to “legalize” the siting of a partially constructed accessory building in order to allow completion.

## BACKGROUND

In April of this year a Building Permit was issued for the above noted property to construct a 47.4metres<sup>2</sup> (510feet<sup>2</sup>) shed at 1.5metres (4.9feet) to the right side property line, which is the minimum permitted by the Bylaw. Unfortunately the building was actually sited closer than is permitted by bylaw and in order to complete the building, a variance is required.



**CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

Pursuant to the requirements of the *Local Government Act*, notice of Council consideration of a Development Variance Permit must be mailed or otherwise delivered to owners of adjacent properties a minimum of 10 days before the Council considers the application. The required notice was mailed on June 22<sup>nd</sup>, 2017 to the neighboring properties within 75.0 metres of the subject property and at the time of writing this report, no comments or concerns had been received by staff.

**FINANCIAL IMPLICATIONS**

None

**OPERATIONAL IMPLICATIONS**

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

**STRATEGIC OBJECTIVE**

None

**ATTACHMENTS**

Draft Development Variance Permit

**CONCURRENCE**

Rob Crisfield, Manager of Operations

**OPTIONS**

- i) Recommend granting the DVP as presented
- ii) Recommend denying the DVP as presented (must give reasons)
- iii) Any other action deemed appropriate by Advisory Planning Commission.

Respectfully submitted,

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Joanne Rees  
Planner

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Sundance Topham  
Chief Administrative Officer



## Corporation of the Village of Cumberland

## DEVELOPMENT VARIANCE PERMIT

**TO: Randy Agar and Stacey Harper**

**OF: PO Box 518, Cumberland, BC V0R 1S0**

1. This Development Variance Permit (2017-08-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 purpose of allowing the siting of a partially constructed accessory building.
2. 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, District Lot 21, Nelson District, Plan 23425  
**Folio:** 51600690.000 **PID:** 003-105-237  
**Civic Address:** 2742 Keswick Avenue
3. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this permit are varied as follows:  
Section 7.2(7) the right side setback for an accessory building shall not be less than 1.19metres (3.9feet);  
In accordance with the survey drawing prepared by Eric Hoerbunger, BCLS on May 17, 2017 which is attached to this Permit as Schedule A.
4. **Security**  
None
5. **Expiry**  
Subject to the terms of the permit, if the Owner of this Development 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.
6. **Timing and Sequencing of Development**  
None
7. **List of Reports or Plans attached as Schedules**  
Schedule A – Site Drawing
8. **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 Owner has completed a “Site Declaration” for the subject property.

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

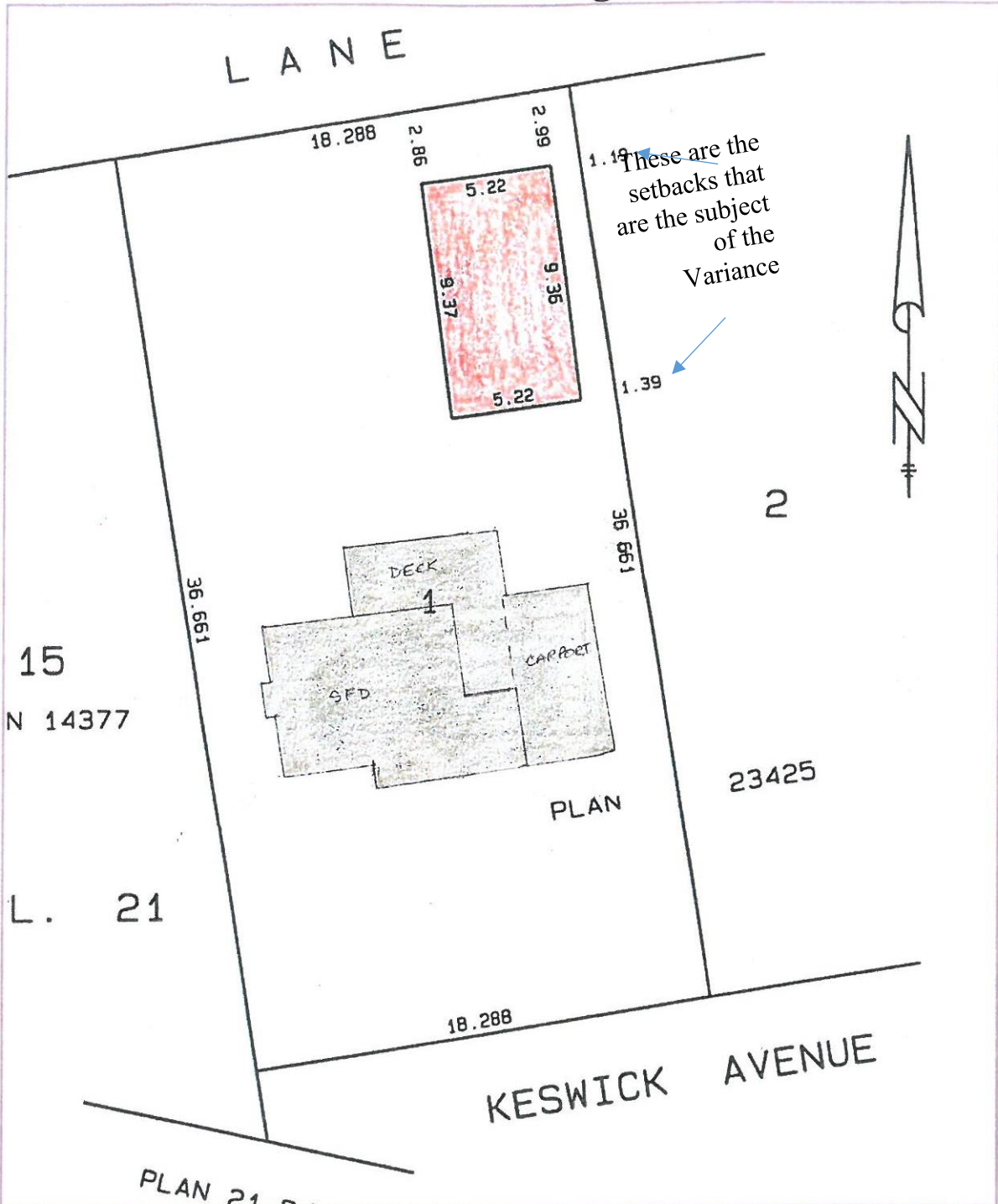
**CERTIFIED** as the **DEVELOPMENT VARIANCE PERMIT** granted by resolution of the Council of the Corporation of the Village of Cumberland on the \_\_\_\_ day of \_\_\_\_\_, 2017 and issued on the \_\_\_\_ day of \_\_\_\_\_, 2017. *(the Council grants the permit, and senior staff shall issue the permit when all the conditions have been met. (such as the landscaping bond, etc)*

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Corporate Officer

# Schedule A f Landscape Wall and Fence

## Site Drawing



This drawing is not to scale.