



September 11, 2024

LONG BEACH ADVISORY PLANNING COMMISSION

A meeting has been scheduled for **Monday, September 16, 2024 at 7:00 pm.**

Please find enclosed the following application for your review and consideration:

- DVC24010 – 1185 7th Avenue, Salmon Beach (Subin)

Your recommendations will be provided to the Board of Directors at the September 25, 2024 Board meeting.

If you have any questions or need additional information, please reach out to the ACRD Planning Department.

Phone: 250-720-2700

Email: planning@acrd.bc.ca



To: ACRD Board of Directors

Meeting Date: September 25, 2024

From: Brooke Eschuk, Planner I

Voting Structure: Electoral Area Directors

Electoral Area: 'C' Long Beach

Subject: Development Variance Permit Application DVC24010 – 1185 7th Avenue, Salmon Beach (Subin)

Recommendation:

THAT the Board of Directors consider issuing Development Variance Permit DVC24010 subject to neighbouring properties being notified as per Local Government Act s. 499.

Development Variance DVC24010:

- i. Development variance of the Zoning Bylaw, Section 143.3(10) to increase the permitted building height in the Salmon Beach (SB) District for a cabin on the subject property from 5.8 m (19 ft) to 6.1 m (20 ft).

Development Proposal: The property owners are applying for a development variance permit to increase the permitted maximum height of a constructed cabin in the Salmon Beach neighbourhood. The applicants were issued a variance in 2022 to increase the height from 5.5 m (18 ft) to 5.8 m (19 ft). An error in measurement during construction has resulted in the cabin being constructed to a finished height of 6.1 m (20 ft).

Advisory Planning Commission Recommendation: The Long Beach Advisory Planning Commission (APC) will review this application at their September 16, 2024 meeting and provide their recommendation to the ACRD Board.

Property Owners/Applicants: Miodrag and Dragan Subin

Property Information:

Civic Address	1185 Seventh Avenue, Salmon Beach						
Legal Description	LOT 2, BLOCK 40, SECTION 49, CLAYOQUOT DISTRICT, PLAN 510						
PID	008-363-463	Folio	003220.025	ALR? (Y/N)	N	Lot Size	0.08 ha (0.2 ac)
Current Zoning	Salmon Beach (SB) District			Proposed Zoning	n/a		
Current OCP	Salmon Beach Neighbourhood			Proposed OCP	n/a		
Development Permit Area(s)	n/a						
Current Use & Description	The 18.3 m (60 ft) wide by 48.77 m (160 ft) deep property is accessed from Seventh Avenue in the north west corner of the Salmon Beach community. The applicants were issued a development variance for the building height in February 2022 and a building permit in October 2022 for the construction of a small cabin on the property. The cabin has 560 square feet of floor area on the main floor with a half storey above. The Building Inspector has completed a number of inspections of the building over the course of construction. Upon receipt of a BC Land Surveyor						

PL20240065 / DVC24010

site survey as a condition of final occupancy of the structure, it was identified that the finished height of the building exceeded the 5.7 m (19 ft) maximum permitted in the variance.

Surrounding Zoning and Land Use			
North	Salmon Beach (SB) District	South	Salmon Beach (SB) District
East	Salmon Beach (SB) District	West	Toquaht Nation Lands

Services:

- a) **Sewage Disposal:** Community pump and haul septic system.
- b) **Water Supply:** On-site water.
- c) **Fire Protection:** Not within a fire protection area.
- d) **Access:** Seventh Avenue.

Planning Policy Discussion:

- a) **Official Community Plan (OCP):** The South Long Beach OCP designates the parcel as Salmon Beach Neighbourhood. The land use designation is intended to support recreational residential uses. The parcel is not within a Development Permit Area.

The proposal complies with the South Long Beach Official Community Plan.

- b) **Zoning:** Salmon Beach (SB) District. This District provides for seasonal recreational use. Properties in this zone have limited community services provided and are permitted to have either one cabin or one recreational vehicle per lot to be used for seasonal, temporary accommodation, and one storage building.

	Current: A1	Proposed:
Minimum Lot Area (ha)	0.08	-
Minimum Lot Width (m)	18	-
Principal & Accessory Front Yard Setback (m)	6.1	-
Principal Side Yard Setback (m)	3	-
Principal Rear Yard Setback (m)	6.1	-
Building Height (m)	5.8	6.1
Watercourse Setback (m)	30	-

The Salmon Beach (SB) District requires a maximum building height of 5.5 m (18 ft) for a cabin, measured from average natural grade to the roof peak. The applicant received a variance in 2022 to permit an increase to the maximum height to 5.8 m (19 ft). A building permit was issued for the cabin in October 2022 and at the final stages of the construction, a BCLS site survey was provided by the applicants which indicates that the cabin was constructed to a height of 6.1 m (20 ft).

The cabin height does not comply with the ACRD Zoning Bylaw or with Development Variance DVC21005 issued in February 2022. A development variance permit is required to increase the permitted height of the cabin from 5.8 m (19 ft) to the finished construction elevation of 6.1 m (20 ft).

Comments:

The applicants began construction on the cabin after receiving the building permit in October 2022. As a condition of the building permit, a BC Land Surveyor site plan was required to confirm setbacks and overall building height. The Building Inspector completed five inspections of the construction project during which the requirement for a BCLS survey was identified in the footings and drainage inspection report. The applicants provided the BCLS survey, dated June 21, 2024, following the framing and insulation of the cabin. The survey confirms that the location of the cabin complies with the minimum setbacks and that the overall building height exceeded the maximum permitted height by 0.3 m (1 foot).

Prior to construction, the property owners were issued a development variance permit to increase the proposed building height from the 5.5 m (18 ft) required in the SB District zoning to 5.8 m (19 ft). The finished height of the cabin was further increased as a result of an error in measurement from a benchmark placed on the property. The Building Inspector identified the error and required the applicants to apply for a second development variance to account for the difference in building height before receiving a final occupancy permit for the cabin.

The property is located in the northwest corner of the Salmon Beach development which limits the potential impact of the increased building height on neighbouring properties. During the previous development variance application, public notice was delivered to neighbouring property owners and no correspondence was received at that time. Given the overall increase in the height of a cabin in the SB District from 5.5 m (18 ft) to the finished construction elevation of 6.1 m (20 ft), Planning staff feel that the request is reasonable and recommend the Board consider issuing the development variance permit DVC24010 following an updated neighbourhood notification process.

Reviewed by: *Alex Dyer*
Alex Dyer, MCIP, RPP, Planning Manager

Reviewed by: _____
Cynthia Dick, General Manager of Administrative Services

Approved by: _____
Daniel Sailland, MBA, Chief Administrative Officer



Framed cabin at 1185 Seventh Avenue looking southwest from the road.



Framed cabin at 1185 Seventh Avenue looking east from the rear of the property.

BC LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE
ON LOT 2, BLOCK 40, SECTION 49, CLAYOQUOT DISTRICT, PLAN 510.

SCALE 1:200

THE INTENDED PLOT SIZE IS 8.5" X 14"

ALL DISTANCES ARE METRIC AND ARE DERIVED FROM PLAN 510.

ELEVATIONS ARE ASSUMED

PID: 008-363-463

ADDRESS: 1185 SEVENTH AVENUE

SALMON BEACH, BC

JURISDICTION: ALBERNI CLAYOQUOT REGIONAL DISTRICT

NOTES:

THIS LOT IS SUBJECT TO THE FOLLOWING
NON-FINANCIAL CHARGES AND INTERESTS:
ED73217 AND EX69483.

THIS PLAN IS FOR THE USE OF THE BUILDING
INSPECTOR AND/OR MORTGAGEE ONLY AND IS
NOT TO BE USED FOR THE
RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

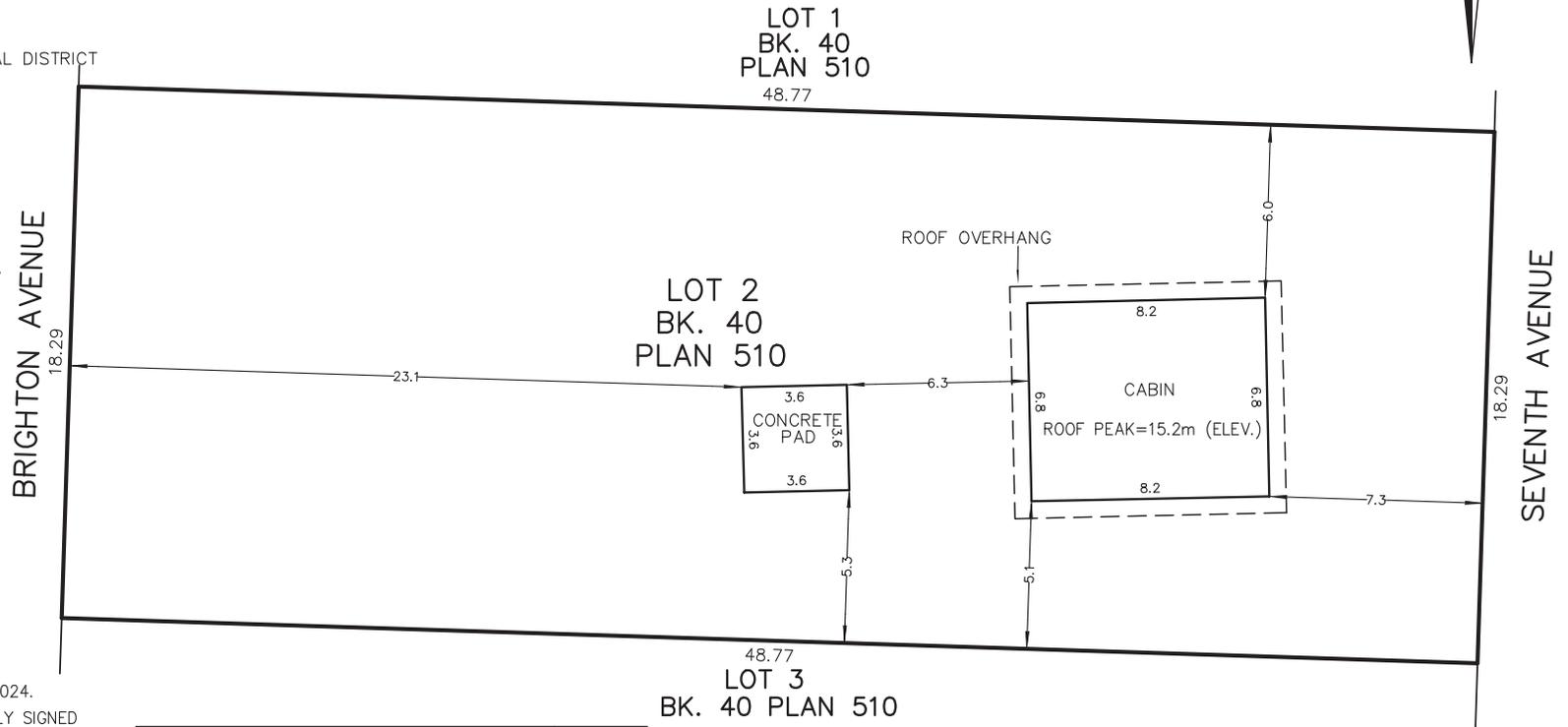
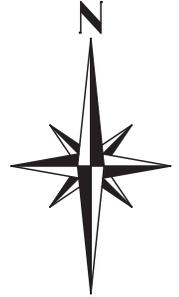
OFFSET DIMENSIONS ARE TO SIDING OF
CABIN AND ARE PERPENDICULAR TO PROPERTY
LINES UNLESS OTHERWISE NOTED.

I HEREBY CERTIFY THAT THE ABOVE
SKETCH SHOWS THE REGISTERED
DIMENSIONS OF THE ABOVE DESCRIBED
PROPERTY AND RELATIVE LOCATION OF
THE CABIN THEREON.

**James
Bruce**
WBNUVN
Digitally signed
by James Bruce
WBNUVN
Date:
2024.06.21
10:25:00 -07'00'

JAMES BRUCE, BCLS #976
CERTIFIED CORRECT THIS 21ST DAY OF JUNE 2024.
THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED

PACIFIC RIM
LAND SURVEYING LTD.
PHONE: 250-248-7268
EMAIL: JAMES@PACIFICRIMSURVEYING.COM
FILE: 1335 BLC1.DWG
DATE: 2024-06-21



<u>HEIGHT INFORMATION</u>	HEIGHT (METRES)
AVERAGE GRADE:	9.1
MAXIMUM BUILDING ELEVATION ALLOWED: (SEE DVP# DVC21005) (5.8m OR 19FT.)	14.9
ELEVATION OF ROOF PEAK:	15.2

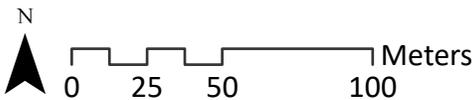
PACIFIC RIM LAND SURVEYING LTD. AND JAMES BRUCE
ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM
ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES
INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT,
SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING
OUT OF OR IN CONNECTION WITH ANY DIRECT OR
INDIRECT USE OR RELIANCE UPON THE PLAN
BEYOND ITS INTENDED USE.

Subject Property

Toquaht Nation.



1189	1190	1189	1190	1192
1185	1186	1185	1186	1185
1181	1182	1181	1182	1181
1177	1178	1177	1178	1176
1173	1174	1173	1172	1178
1169	1170	1169	1170	1174
1165	1166	1165	1164	1168
1161	1160		1164	1166
1157			1162	1160
1153	1154		1154	1158
			1152	1156
				1154
1149	1150	1149	1150	1149
1145	1146	1145	1146	1145
1141	1142	1141	1142	1141
1137	1138	1137	1138	1137
1133	1134	1133	1134	1133
1129	1130	1129	1130	1129
				1130



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