
TO: Electoral Area Services Committee **DATE:** September 9, 2020
FROM: Stephen Boogaards
Planner **FILE:** PL2020-031
SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage
Requirement in relation to Subdivision Application No. PL2020-031
760, 770, 772, 780 Horne Lake Road, Electoral Area H

RECOMMENDATION

That the Board approve the request to relax the minimum 10% perimeter frontage requirements for proposed Lot 4 in relation to Subdivision Application No. PL2020-031.

SUMMARY

The applicant proposes a four-lot subdivision and request a relaxation of the 10% frontage requirement of the *Local Government Act*. The proposal uses a panhandle for proposed Lot 4 rather than dedicate and construct additional road.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of J & B Enterprises Ltd., Clifford and April Gilchrist and Gordon Price to relax the minimum 10% perimeter frontage requirement in relation to a proposed four-lot subdivision (Application No. PL2020-031). The subject property is legally described as Lot 1, Block 347, Newcastle and Alberni Districts, Plan 33670 Except Part in Plan VIP61037; is approximately 17.5 hectares in area and is zoned Rural 1 Zone (RU1), Subdivision District 'CC', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The subject property is approximately 17.55 hectares in area and contains six dwelling units and accessory buildings. The property is adjacent to Horne Lake Road to the east, the Agricultural Land Reserve (ALR) to the north and west, and 2.0 hectare Rural zoned parcels to the south (see Attachment 1 – Subject Property Map). The northeastern portion of the property is also affected by a BC Hydro statutory right-of-way. The property recently received approval of a zoning amendment for the purpose of allowing a four-lot subdivision (Application Number PL2019-037).

Proposed Development

The applicant proposes to subdivide the parent parcel into four lots with a minimum parcel size of 4.0 hectares (see Attachment 2 – Proposed Plan of Subdivision). Three of the properties currently contain two dwellings and accessory buildings, many of which are proposed to be removed. Each lot will be serviced by a well and onsite sewage disposal. The applicant proposes a 20.0 metre wide road dedication along the southern boundary of the subdivision to

comply with Ministry of Transportation and Infrastructure (MOTI) access requirements. Proposed Lot 4 will be accessed through a 10.0 metre wide panhandle.

Minimum 10% Perimeter Frontage Requirement

Proposed Lot 4 does not meet the minimum 10% perimeter frontage requirement pursuant to Section 512 of the *Local Government Act*. The applicant has requested approval of the RDN Board to reduce the frontage requirement as follows:

Proposed Lot No.	Required Frontage (m)	Proposed Frontage (m)	% of Perimeter
4	111.6	18.5	1.6

Land Use Implications

The applicant proposes a subdivision configuration that would not meet the road frontage requirements in the *Local Government Act*. To demonstrate compliance with “Board Policy B1.4 Frontage Requirements for Rural Lots”, the applicant has submitted a land use justification that a change in the required width of the road dedication would affect the location of an existing accessory building. At the time of the zoning amendment, a 12.5 metre road right-of-way with cul-de-sac was anticipated. Since the subdivision application was made, the MOTI required a 20.0 metre road right of way, which would result in the accessory building on Lot 3 encroaching by 1.2 metres. The justification reflects that the panhandle will avoid the need to remove a building that is in good condition; the new lot does not need road dedication since there is only traffic from the property, and the shorter road will have less stormwater runoff.

The only change to the proposal since the zoning amendment stage is the length of the road and the panhandle. A frontage relaxation of 5.6% would have been required under the previous proposal, whereas the current proposal requires it to be relaxed to 1.6%. As per Board Policy, there will be sufficient space to accommodate the two dwellings, secondary suites and agricultural uses permitted under zoning. The lot could also not be further subdivided, so further access would not be necessary.

The subdivision was referred to RDN Emergency Services and the Bow Horn Bay Fire Department, and no concern was expressed with the width of the panhandle for emergency vehicle access. The only concern expressed at the Public Information Meeting for the zoning amendment was with the potential for stormwater from the road affecting the wetland and other properties. The proposal would decrease the amount of road required and the potential for stormwater runoff.

Intergovernmental Implications

MOTI has not yet issued Preliminary Layout Review for the proposed subdivision. However, MOTI staff have confirmed that they have no concerns with the proposed frontage relaxation.

ALTERNATIVES

1. To approve the request for relaxation of the minimum 10% perimeter frontage requirement for proposed Lot 4 as shown on Attachment 2.
2. To deny the request for relaxation of the minimum 10% perimeter frontage requirement.

FINANCIAL IMPLICATIONS

The proposed development has no implications related to the Board 2020 – 2023 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The proposed development has been reviewed and has no implications for the 2019 – 2022 Board Strategic Plan.



Stephen Boogaards
sboogaards@rdn.bc.ca
August 19, 2020

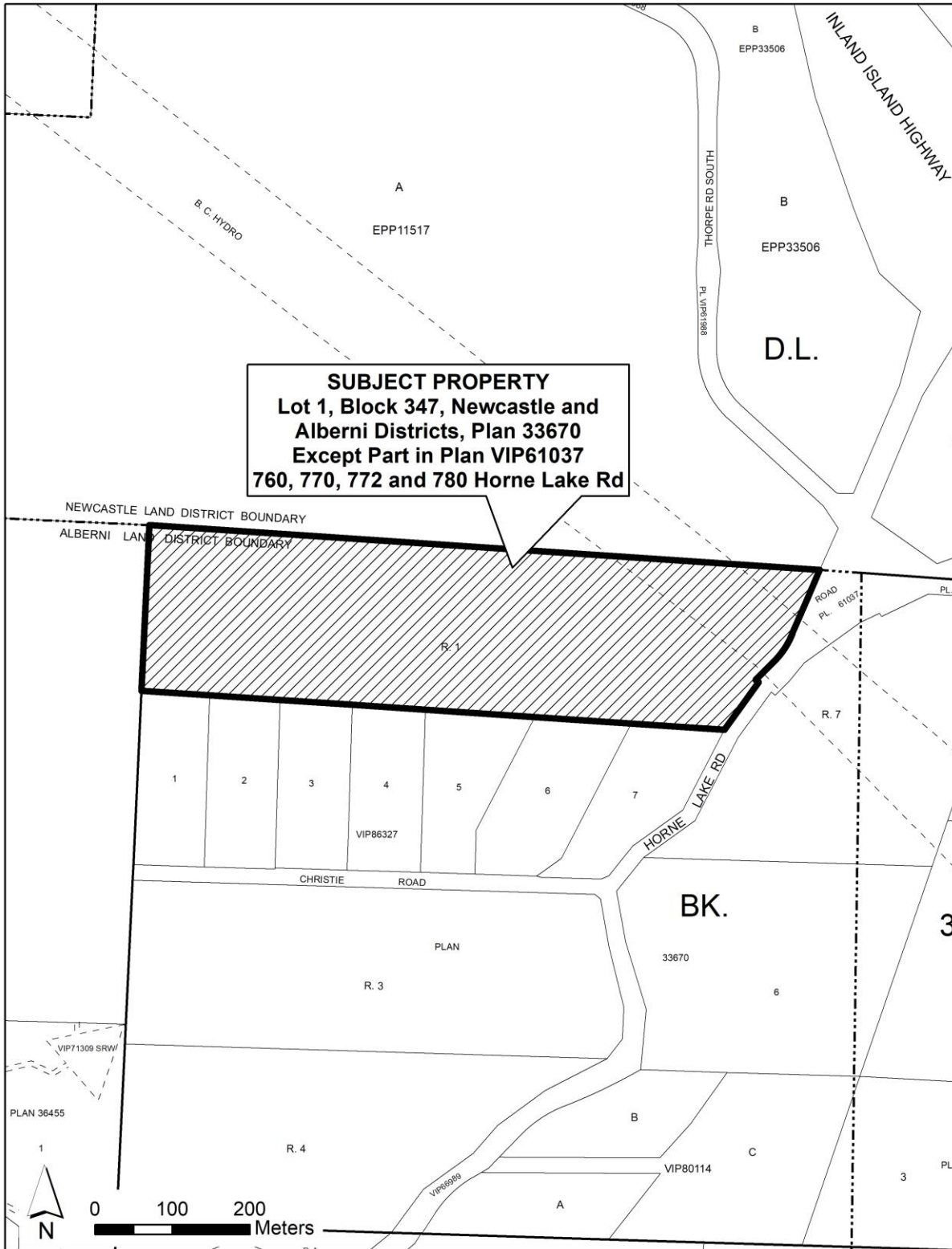
Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

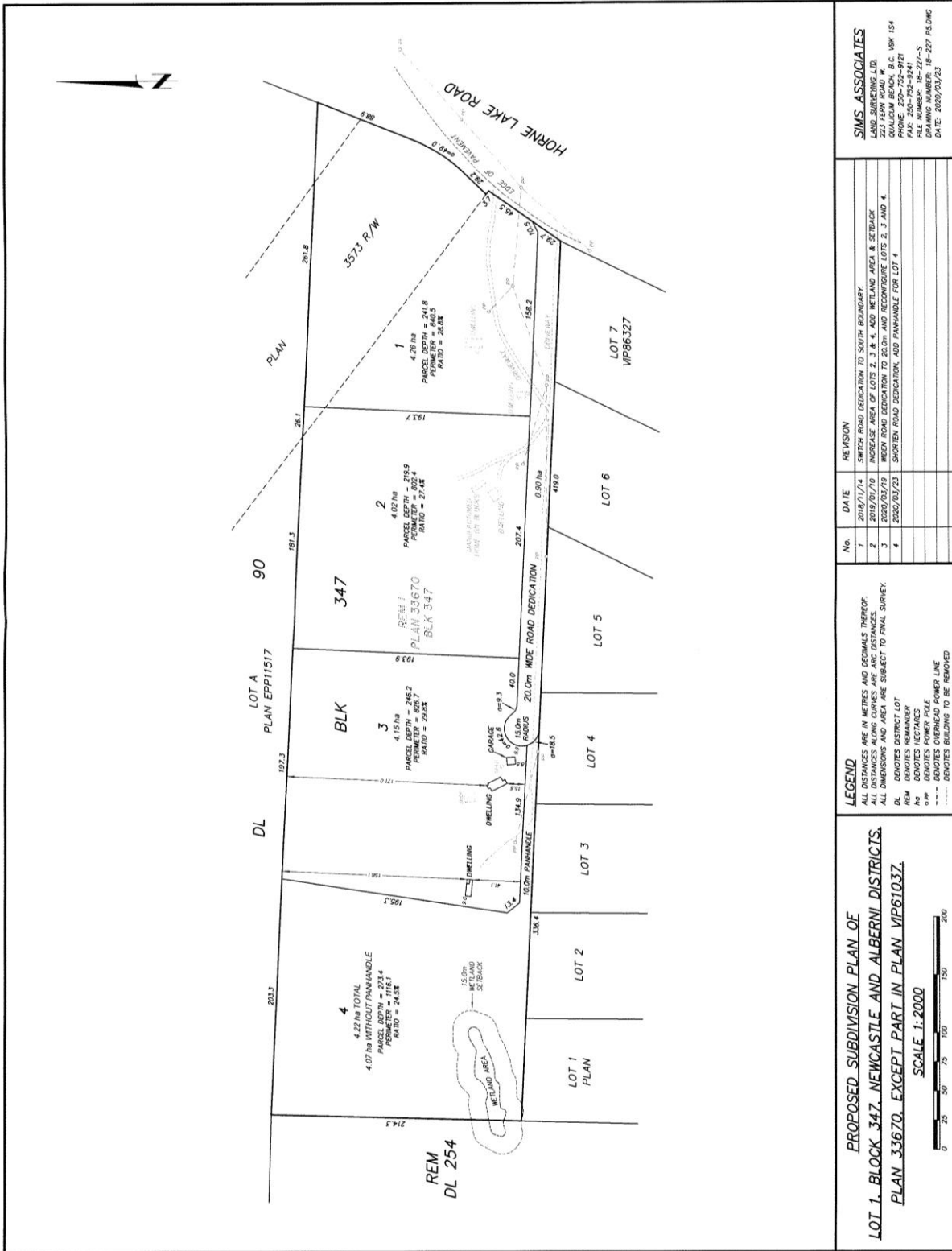
Attachments:

1. Subject Property Map
2. Survey Plan

Attachment 1
Subject Property Map



**Attachment 2
 Survey Plan**



No.	DATE	REVISION
1	2018/07/14	SWITCH ROAD DEDICATION TO SOUTH BOUNDARY.
2	2018/07/14	SWITCH ROAD DEDICATION TO WEST AND AREA & SETBACK.
3	2020/01/19	WEDG ROAD DEDICATION TO 30.0m AND RECONFIGURE LOTS 2, 3 AND 4.
4	2020/01/23	SHORTEN ROAD DEDICATION, AND PARRAMANGLE FOR LOT 4.

LEGEND
 ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
 ALL DIMENSIONS AND AREA ARE SUBJECT TO FINAL SURVEY.
 DL DENOTES DISTRICT LOT
 REM DENOTES REMAINDER
 h/a DENOTES HECTARES
 s/a DENOTES POWER POLE
 --- DENOTES POWER LINE
 --- DENOTES RAILING TO BE REMOVED

**PROPOSED SUBDIVISION PLAN OF
 LOT 1, BLOCK 347, NEWCASTLE AND ALBERNI DISTRICTS,
 PLAN 33670, EXCEPT PART IN PLAN VP61032,
 SCALE 1:2000**

SIMS ASSOCIATES
 223 FERN ROAD W.
 QUALICOM BEACH, B.C. V0K 1S4
 PHONE: 250-253-9971
 FAX: 250-253-9972
 FILE NUMBER: 18-227-S
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