



**REQUEST FOR RELAXATION OF THE MINIMUM 10% PERIMETER FRONTAGE REQUIREMENT
IN RELATION TO SUBDIVISION APPLICATION NO. PL2022-109
1303 WOODLAND DRIVE, ELECTORAL AREA G**

RECOMMENDATION

1. That the Board approve the request to relax the minimum 10% perimeter frontage requirements for proposed Lot 1 in relation to Subdivision Application No. PL2022-109.

BACKGROUND

The Regional District of Nanaimo has received an application from Rachel Hamling on behalf of Karen and David Waugh to relax the minimum 10% perimeter frontage requirement in relation to a proposed two-lot subdivision (Application No. PL2022-109). The subject property; legally described as Lot 13, District Lot 28, Nanoose District, Plan 29661, is approximately 0.17 hectares in area and is zoned Residential 1 (RS1), Subdivision District 'Q', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (Bylaw No. 500). The property is located to the north and east of Woodland Drive, to the west of Barclay Crescent South and surrounded by residential parcels. The subject property is located approximately 220 metres east of French Creek and approximately 275 metres west of Morningstar Creek (see Attachment 1 – Subject Property Map).

The property contains an existing dwelling unit and two sheds and is serviced by Epcor Water and Barclay Crescent Sewer Service.

The proposed development is subject to Freshwater and Fish Habitat, Farmland Protection, Eagle and Heron Nesting Trees, and Aquifer Protection Development Permit Areas (DPA) per the "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008". Given that the subject property meets the exemption criteria for the above listed DPAs, a development permit is not required.

Proposed Development

The applicant proposes to subdivide the parent parcel into two fee simple lots. The existing dwelling with access to Proposed Lot 2 from Woodland Drive is to remain and a new 6.0-metre-wide panhandle is proposed for access to Proposed Lot 1 (see Attachment 2 – Plan of Subdivision). Both parcels exceed the minimum parcel size requirement (700 square metres) providing adequate site area for the intended residential use and sufficient buildable area; and will be serviced by community water and sewer.

Despite the reduced frontage for Proposed Lot 1, negative land use implications are not anticipated. The proposed frontage meets the criteria outlined in "Board Policy B1.4: Frontage Requirements for Rural Lots" (Policy B1.4) and is consistent with the zoning bylaw requirements for panhandle lots. Therefore, the recommendation is to approve the requested frontage relaxation.

Minimum 10% Perimeter Frontage Requirement

Proposed Lot 1 does not meet the minimum 10% perimeter frontage requirement pursuant to Section 512 of the *Local Government Act (LGA)*. 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
1	11.88	6.0	5.1%

Land Use Implications

The applicant has submitted a site plan which demonstrates the requirement for a frontage relaxation. Proposed Lot 1 will provide adequate frontage (6.0 metres) to accommodate the panhandle for access to a new lot where there is no further subdivision potential. The subject property is rectangular in shape. In order to maximize the subdivision potential and not create two long narrow lots fronting Woodland Drive, Lot 1 is proposed as a panhandle lot adjacent to Lot 2 (see Attachment 2 – Proposed Plan of Subdivision). As a result, the proposed Lot 1 would not meet the 10% road frontage requirement as per Section 512 of the *LGA*. Pursuant to Bylaw No. 500, Part 4, Subdivision Regulations, no panhandle lot shall be created with less than 6.0 metres road frontage where further subdivision is not possible. As Proposed Lot 1 would not have future subdivision potential, the proposed panhandle meets the provision of the subdivision regulations for minimum panhandle width.

Based on the existing shape of the lot, it would not be possible to maximize the subdivision potential without achieving a road frontage relaxation. The panhandle configuration results in the plan of subdivision having reasonably uniform and straight lot lines and a reasonable buildable site area. Negative land use implications are not anticipated as a result of the proposed frontage relaxation for Proposed Lot 1. As the frontage relaxation meets the criteria outlined in Policy B1.4, and the subdivision requirements of Bylaw No. 500, it is recommended that the Board Approve the frontage relaxation as proposed.

Intergovernmental Implications

The Ministry of Transportation and Infrastructure has reviewed the application and has issued Preliminary Layout Review (PLR) for the proposed subdivision. As a condition of subdivision approval, MOTI requires written confirmation from the RDN that all applicable bylaws and regulations have been complied with.

FINANCIAL IMPLICATIONS

The proposed development has no implications related to the Board 2023 – 2027 Financial Plan.

STRATEGIC PLAN ALIGNMENT

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

REVIEWED BY:

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File No. PL2022-109

ATTACHMENTS:

1. Subject Property Map
2. Proposed Plan of Subdivision