

REGIONAL DISTRICT OF NANAIMO

**ELECTORAL AREA PLANNING COMMITTEE
TUESDAY, JUNE 10, 2008**

**CIRCULATED REPORT
FOR AGENDA**

PAGES

PLANNING

OTHER

2-6

Request for Relaxation – JE Anderson, BCLS on behalf of Arthur & Diablo
Arthur – Caledonia, Sontera & Bratt Roads – Area ‘A’.



KUN REPORT	
CAC APPROVAL	
EAP	✓ JUN 10 10 11
COW	
JUN 05 2008	
RHD	
BOARD	

MEMORANDUM

TO: Geoff Garbutt
Manager, Current Planning

DATE: June 4, 2008

FROM: Susan Cormie
Senior Planner

FILE: 3320 30 27856

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement
Applicant: JE Anderson, BCLS on behalf of J Arthur and B Diablo Arthur
Electoral Area 'A' – Caledonia, Sontera, & Bratt Roads, South Wellington

PURPOSE

To consider a request to relax the minimum 10% perimeter frontage requirement in conjunction with a 3-lot subdivision proposal in the South Wellington area of Electoral Area 'A'.

BACKGROUND

This is a request to relax the minimum 10% perimeter frontage requirement as part of a 3-lot subdivision for the property legally described as Lot 1, Sections 11 & 12, Ranges 6 & 7, Cranberry District, Plan VIP72470, and located adjacent to Caledonia, Sontera, & Bratt Roads in the South Wellington area of Electoral Area 'A' (see Attachment No. 2 for location of parent parcel).

The parent parcel is zoned Residential 2 (RS2) and is within Subdivision District 'F' (1.0 ha minimum parcel size with or without community services) pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The applicant is proposing to subdivide the parent lot into three lots. All the proposed parcels will meet the minimum parcel size provisions pursuant to Bylaw No. 500 (see Attachment No. 1 for proposed plan of subdivision).

The parent parcel, which is 3.21 ha in size, currently supports one dwelling unit, an accessory building, horses, and a riding ring. There is also a wetland located within a portion of the parent parcel. Surrounding land uses include a residential zoned parcel to the northwest, industrial zoned parcels and Bratt Road to the northeast, residential zoned parcels and Caledonia Avenue to the south and southwest, and Sontera Road and residential zoned parcels to the west.

Documents registered on title include a covenant to protect a future road alignment and building setbacks along the northwest property line and a covenant for no removal of vegetation or placement of buildings or structures within 7.5 metres of the wetland located on the parent parcel.

The parent parcel is designated within the Fish Habitat Protection Development Permit Area (DPA) for the protection of fish habitat. As there is an open water wetland located within the parent parcel, a riparian assessment was conducted by a Qualified Environmental Professional who determined that this wetland area is not considered fish habitat or provides connectivity to fish habitat. As a result this application will meet the exemption provisions of the DPA.

The parcels are proposed to be served by individual wells and septic disposal systems. The parent parcel is located within an RDN Building Services Area.

10% Minimum Perimeter Frontage Requirement

Proposed Lot 2, as shown on the plan of subdivision submitted by the applicant, does not meet the minimum 10% perimeter frontage requirement pursuant to section 944 of the *Local Government Act*. The requested frontage is as follows:

<i>Proposed Lot No.</i>	<i>Required Frontage</i>	<i>Proposed Frontage</i>	<i>% of Perimeter</i>
Lot 2	46.7 m	20.1 m	4.3 %

As this proposed parcel does not meet the minimum 10% perimeter frontage requirement, approval from the Regional Board of Directors is required.

In addition, the applicant provided a completed Sustainability Checklist as per Board policy and there are no implications related this application.

ALTERNATIVES

1. To approve the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 2.
2. To deny the request for a relaxation of the minimum 10% perimeter frontage requirement.

DEVELOPMENT IMPLICATIONS

There is an existing access driveway which will be able to access proposed Lot 2 from Bratt Road. This driveway is approximately 6.0 metres in width and is located outside of the existing protective covenant area for the wetland. With respect to the Ministry of Transportation covenant for future road, the Ministry has indicated that they have no plans to extend the road at this time, but will retain the covenant on title. Proposed Lot 2 will be able to support the intended uses under the Residential 2 zone including a dwelling unit and accessory buildings and structures despite the narrow access. MOT staff indicated that they have no concern with the request for frontage relaxation.

The proposed subdivision is not expected to negatively impact surrounding industrial or residential zoned properties.

Site Servicing Implications

The applicant has applied for septic disposal approval to the Central Vancouver Island Health Authority.

The applicant is proposing an individual well for each proposed parcel. Proof of potable water is subject to the approval of the Approving Officer.

The Ministry of Transportation is responsible for the storm drainage. As part of the subdivision review process, the Regional Approving Officer will examine the storm water management of the parent parcel and impose conditions of development as required.

VOTING

Electoral Area Directors – one vote, except Electoral Area ‘B’.

SUMMARY

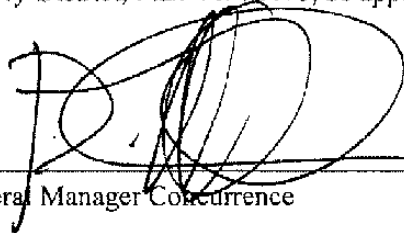
This is a request to relax the minimum 10% perimeter frontage requirement for one of the proposed parcels as part of a 3-lot subdivision development on property in the South Wellington area of Electoral Area 'A'. Despite the narrow frontage, Proposed Lot 2 will be able to support the permitted residential uses. The proposed subdivision is not expected to impact surrounding uses. Given that the Ministry of Transportation is satisfied with access to Proposed Lot 2, as the parcel will be able to support permitted residential uses, and as the request is in keeping with the OCP policies, staff recommends approval of the requested frontage relaxation for Proposed Lot 2.

RECOMMENDATION

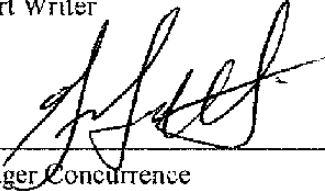
That the request to relax the minimum 10% frontage requirement for Proposed Lot 2, submitted by JE Anderson, BCLS on behalf of J Arthur and B Diablo Arthur, in conjunction with the proposed subdivision of Lot 1, Sections 11 & 12, Ranges 6 & 7, Cranberry District, Plan VIP72470, be approved.



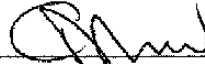
Report Writer



General Manager Concurrence



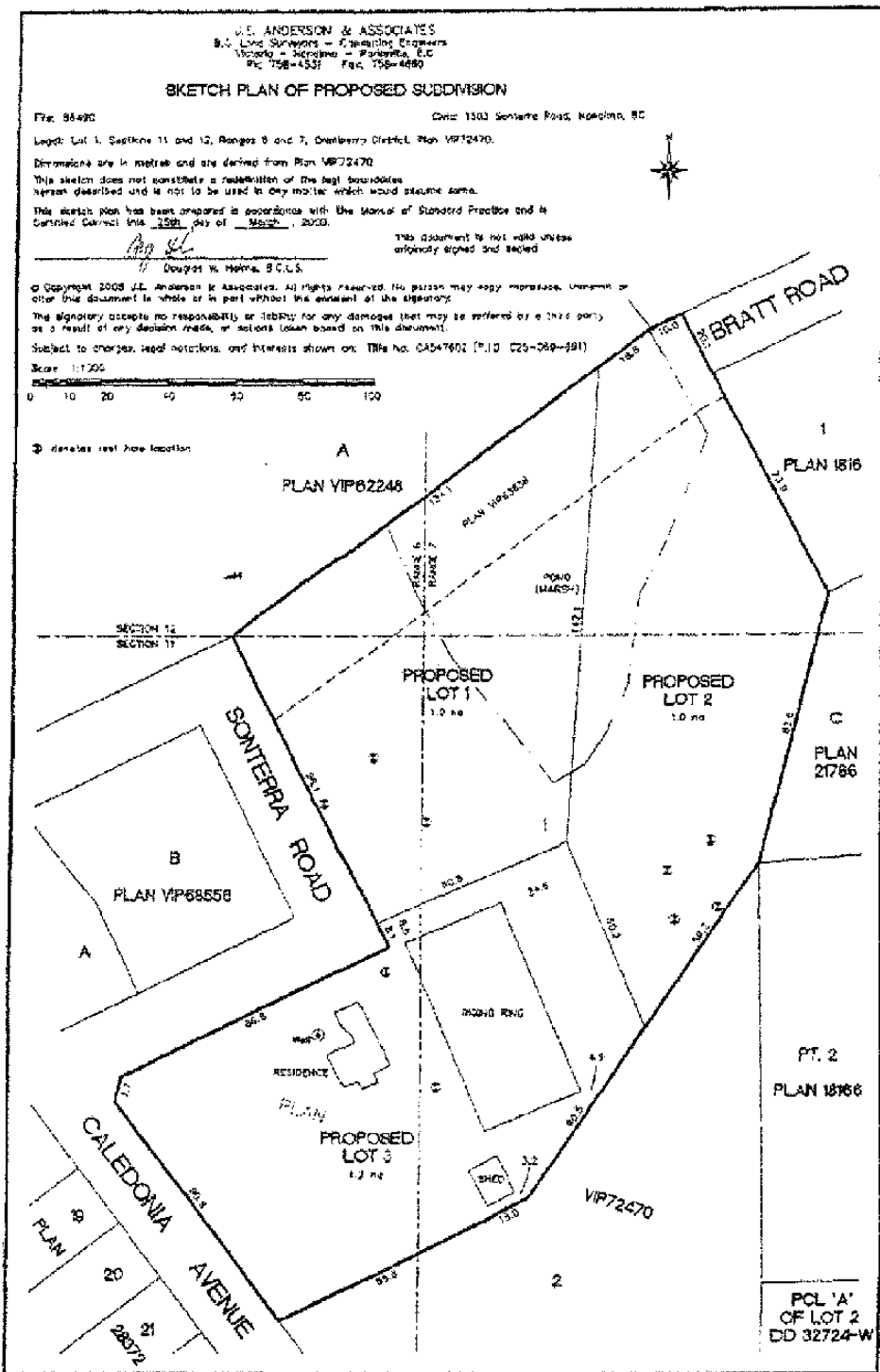
Manager Concurrence



CAO Concurrence

COMMENTS:

Attachment No. 1
Subdivision Application No. 27856
Proposed Plan of Subdivision
(as submitted by applicant / reduced for convenience)



Attachment No. 2
Subdivision Application No. 27856
Location of Subject Property

