



**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, JANUARY 17, 2017**

SUBJECT Frontage Exemption for District Lot 17, Renfrew District, Except Parts in Plans 347R, 11387, 12480, 13240, 14961, 17256, 32241, VIP53493, VIP53494, VIP57304, VIP58154 and Except Parcel A (DD 301804I) Thereof (PID: 007-903-634) – Powder Main Road

ISSUE

A request has been made for an exemption from the statutory requirement that the minimum frontage on the highway must be 10% of the perimeter of the lot, pursuant to Section 512 of the *Local Government Act (LGA)*, for the purpose of permitting a boundary adjustment subdivision at 6504 Powder Main Road in Port Renfrew.

BACKGROUND

The subject property is located at Powder Main Road in Port Renfrew and is zoned Tourist Commercial One (TC-1) in the Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 3109 (Appendix 1). Adjacent properties are also zoned for tourist commercial uses.

The owners have applied for a boundary adjustment subdivision with the adjacent property at 6504 Powder Main Road (Lot 5, District Lot 17, Renfrew District, Plan VIP57304) (S-14-11). The boundary adjustment will result in a reduction of the road frontage for District Lot 17, as shown on the Proposed Subdivision Plan prepared by J.E. Anderson & Associates, dated September 25, 2015 (Appendix 2). The applicants are requesting an exemption from the statutory requirement that the minimum frontage on the highway must be 10% of the perimeter of the lot, pursuant to Section 512 of the *LGA*.

ALTERNATIVES

That the Land Use Committee recommends to the Capital Regional District Board:

1. That Frontage Exemption VA000141, for District Lot 17, Renfrew District, Except Parts in Plans 347R, 11387, 12480, 13240, 14961, 17256, 32241, VIP53493, VIP53494, VIP57304, VIP58154 and Except Parcel A (DD 301804I) Thereof (PID: 007-903-634) to reduce the minimum frontage requirement from 205 m to 22.5 m be granted for the purpose of registering a boundary adjustment subdivision as shown on the Proposed Subdivision Plan, prepared by J.E. Anderson & Associates, dated September 25, 2015.
2. That Frontage Exemption VA000141 be denied.
3. That the application be referred back to staff for additional information.

LEGISLATIVE IMPLICATIONS

Section 512 of the *LGA* outlines requirements for minimum parcel frontage on a highway. If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of 10% of the perimeter of the lot or the minimum frontage that the local government bylaws provide. The Port Renfrew Comprehensive Community Development Plan,

Bylaw No. 3109, does not specify a minimum frontage requirement. Therefore, the requirement is 10% of the perimeter of the lot must front on the highway. A local government may exempt a parcel from the statutory or bylaw minimum frontage provided for in Section 512(1).

PUBLIC CONSULTATION IMPLICATIONS

There is no statutory public notification requirement for requests for local governments to grant frontage exemptions pursuant to Section 512 of the *LGA*. Capital Regional District Bylaw No. 3110, Fees and Procedures Bylaw, does not include public notification requirements for adjacent property owners. The request will be included on the Land Use Committee agenda which will be posted on the CRD website. Any responses received from the public will be presented at the January 17, 2017 Land Use Committee meeting.

LAND USE IMPLICATIONS

Lot 5 (6504 Powder Main Road) is currently being used as a recreational vehicle park with access off Powder Main Road. Lot 5 is currently 2 ha with 53 m of road frontage on Parkinson Road, which is approximately 7.5% of the perimeter of the lot. The proposed boundary adjustment will expand the size of Lot 5 to 4.07 ha and provide an additional 152.6 m of road frontage, resulting in approximately 36% of the perimeter as road frontage. Therefore, no frontage exemption is required for Lot 5.

District Lot 17 is approximately 28 ha in size, and is currently vacant. The parcel has 70.7 m of frontage on Parkinson Road and approximately 135.3 m of frontage on Powder Main Road, which is approximately 6.75% of the perimeter of the lot. The boundary adjustment subdivision would reduce the parcel to 25.9 ha and dedicate 0.359 ha as public road right-of-way to extend Powder Main Road. The resulting road frontage, however, would be 22.5 m on Powder Main Road, which is approximately 1%. Therefore, the applicant has requested an exemption from the statutory frontage requirements for District Lot 17.

While the frontage reduction from 6.75% to 1% is a considerable reduction, as noted above, the proposal does dedicate an extension of Powder Main Road. Also, there is still significant development potential on the 25.9 ha property and future subdivision of the land would result in additional dedication and alignment of Powder Main Road. As further rationale, the proposed boundary adjustment subdivision will facilitate development of the recreational vehicle park at 6504 Powder Main Road outside of the riparian setbacks adjacent to Defiance Creek.

The Port Renfrew Comprehensive Community Development Plan does not outline any criteria for considering frontage requirements. The Ministry of Transportation and Infrastructure has jurisdiction over the roads in the electoral area and is the approving authority for subdivision. The proposed frontage reduction is not anticipated to create a hardship to adjacent properties. Therefore, staff recommend approval of the frontage exemption subject to public consultation.

CONCLUSION

The applicants are requesting an exemption from the requirement that 10% of the perimeter of the lot fronts onto a highway in order to proceed with a boundary adjustment subdivision of two parcels located on Powder Main Road in Port Renfrew. The frontage on District Lot 17 would be reduced from 6.75% to 1%. Staff recommend approval subject to public consultation.

RECOMMENDATION

That the Land Use Committee recommends to the Capital Regional District Board:

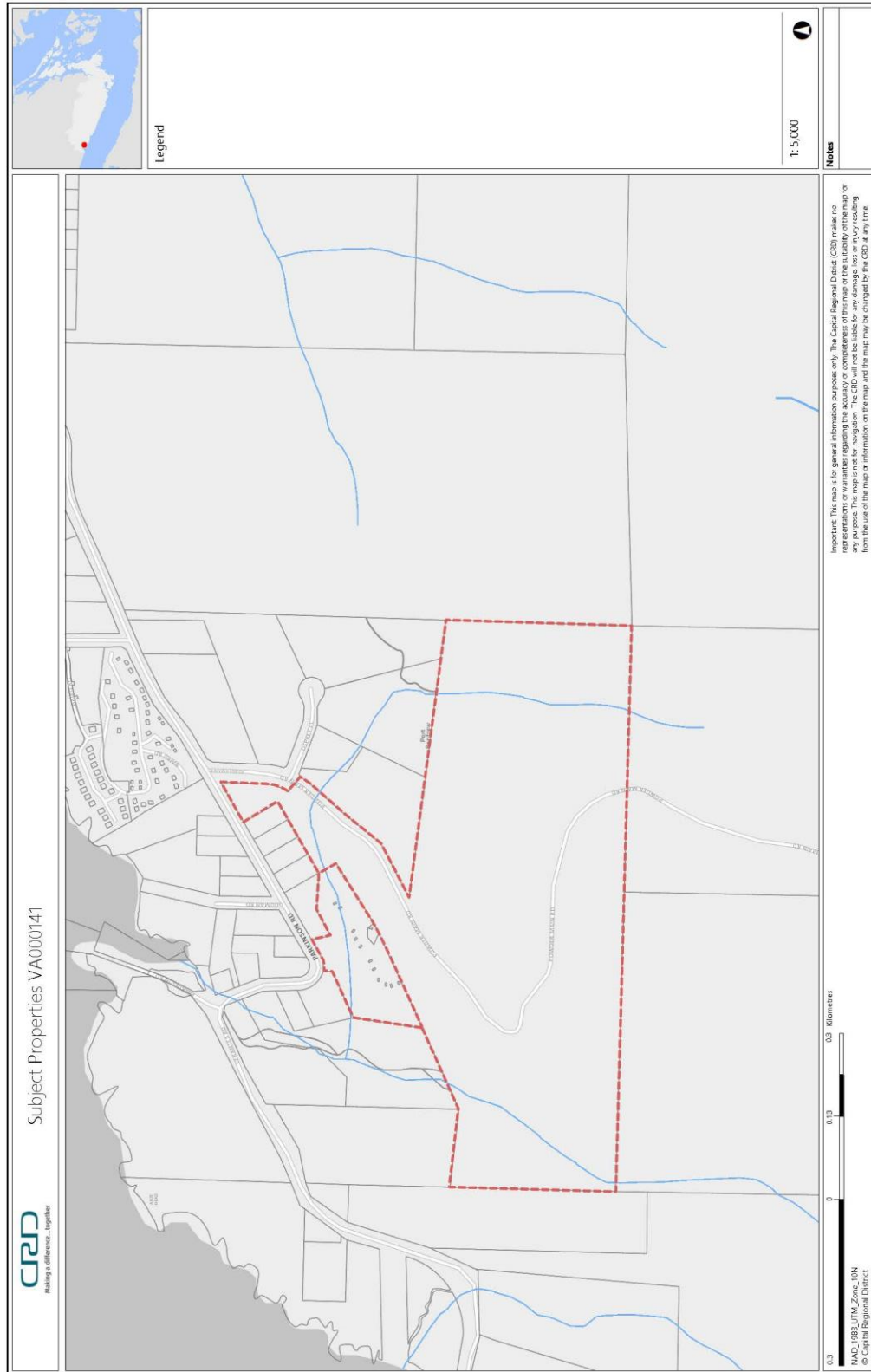
That Frontage Exemption VA000141, for District Lot 17, Renfrew District, Except Parts in Plans 347R, 11387, 12480, 13240, 14961, 17256, 32241, VIP53493, VIP53494, VIP57304, VIP58154 and Except Parcel A (DD 301804I) Thereof (PID: 007-903-634) to reduce the minimum frontage requirement from 205 m to 22.5 m be granted for the purpose of registering a boundary adjustment subdivision as shown on the Proposed Subdivision Plan, prepared by J.E. Anderson & Associates, dated September 25, 2015.

Submitted by:	Emma Taylor, Planner, MA, MCIP, RPP
Concurrence:	Iain Lawrence, Manager, Local Area Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Larisa Hutcheson, P.Eng., Acting Chief Administrative Officer

Appendices:

1. Subject Property Map
2. Proposed Subdivision Plan

Appendix 1: Subject Property Map



Appendix 2: Proposed Subdivision Plan

