



STAFF REPORT TO COMMITTEE

DATE OF REPORT January 8, 2024

MEETING TYPE & DATE Electoral Area Services Committee Meeting of February 7, 2024

FROM: Development Services Division
Land Use Services Department

SUBJECT: Application No. SA21C08 (3668 Telegraph Road/PID: 006-658-555)

FILE: SA21C08

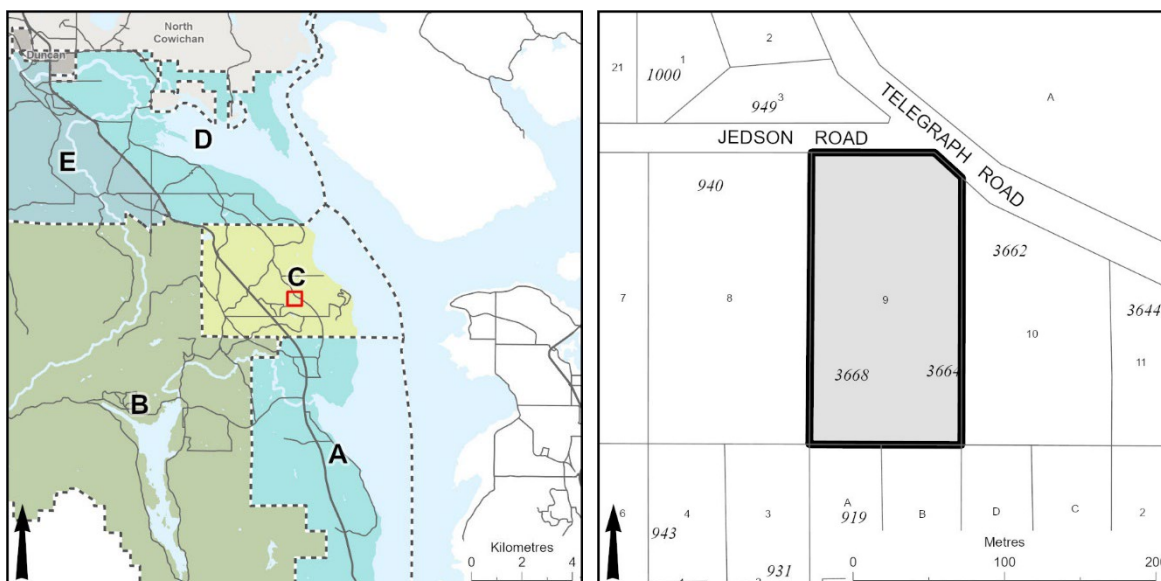
PURPOSE/INTRODUCTION

The purpose of this report is to present a lot frontage exemption request for a proposed two (2) lot subdivision at 3668 Telegraph Road.

RECOMMENDED RESOLUTION

That it be recommended to the Board that Proposed Lot 2 in Subdivision Application No. SA21C08 (3668 Telegraph Road/PID: 006-658-555), be exempted from the minimum parcel frontage requirement in accordance with Section 512 of the *Local Government Act*.

LOCATION MAP



BACKGROUND

The subject property is located at 3668 Telegraph Road. The total area of the property is approximately 1.933 hectares (ha), with road frontage on Telegraph Road and Jedson Road. Access to the property is by way of an existing driveway that exits onto Jedson Road, adjacent (and west) of the intersection of Jedson and Telegraph Road.

An application has been submitted to the Ministry of Transportation and Infrastructure (MOTI) to subdivide the subject property into 2 lots – Proposed Lot 1 with 0.41 ha parcel area and Proposed Lot 2 with 1.52 ha parcel area. As part of a subdivision application to the west of the subject property, the portion of Jedson Road fronting the subject property will be developed to Ministry of Transportation and Infrastructure (MOTI) standards.

Existing buildings are a single-family dwelling, accessory dwelling unit and accessory buildings that will be sited on Proposed Lot 2. Proposed Lot 1 is undeveloped. Surrounding properties are residential parcels.

Under Section 512 of the *Local Government Act (LGA)*, where a parcel being created by subdivision fronts on a highway, the minimum frontage on the highway must be the greater of 10% of the perimeter of the lot, and the minimum frontage required by a local government bylaw, unless exempted by a local government. Proposed Lot 2 does not meet the 10% lot frontage requirement. The CVRD Board is asked to consider waiving the frontage requirement, in order that the proposed 2-lot subdivision may receive approval.

OFFICIAL COMMUNITY PLAN / POLICY CONSIDERATIONS

Official Community Plan for the Electoral Areas Bylaw No. 4270 (OCP):

The subject property is designated Residential regionally and Rural Residential locally, and is not within a Growth Containment Boundary (GCB).

The subject property is within Development Permit Area (DPA) 1 – Riparian Areas Protection and DPA 4 – Aquifer Protection. Development Permit DP22C01 has been issued for the proposed subdivision.

South Cowichan Zoning Bylaw No. 3520:

The property is zoned Rural Residential 3 (RR-3), which permits single-family dwelling as a principal use. The minimum parcel size for the RR-3 zone is as follows:

- With community water connection only – 4,000 m²; and
- Not serviced by a community water system – 1 ha.

An accessory dwelling unit or secondary suite is permitted in the RR-3 zone, subject to the regulations in Section 4.15 (Accessory Dwelling Unit) and Section 4.16 (Secondary Suite).

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS

No comments provided from internal divisions.

PLANNING ANALYSIS

A subdivision application has been submitted to MOTI for a 2-lot subdivision, as permitted under the RR-3 zone regulations. Due to the configuration of the proposed subdivision, Proposed Lot 2 does not meet the 10% frontage requirement of the *LGA*:

Lot	Required frontage (m)	Proposed frontage (m)	Percent frontage (%)
1	26.22	86.18	32.87%
2	55.34	39.26	7.09%

Staff visited the site on March 14, 2023, and observed an existing driveway that exits onto Jedson Road, adjacent (and west) of the intersection of Jedson and Telegraph Roads. The property

slopes up from Telegraph Road to the south/southwest; it is noted the existing driveway currently serves the existing residences on the subject property, which will be on Proposed Lot 2. There appears to be adequate space for a driveway on Proposed Lot 1.

MOTI's [Guide to Rural Subdivision Approvals](#) states that 10% is, "a good rule of thumb for avoiding parcel shapes that would be too small for a building envelope (building site, access, and so on) and for any further development of the parcel". When a Provincial Approving Officer is considering granting a frontage exemption, the Guide notes that they may consider the following:

- Whether the frontage is adequate to provide the access required now?
- Whether the terrain is suitable where the frontage is provided?
- Is there an adequate building envelope?
- Will further subdivision potential be limited by the proposed frontage?

The proposed lots appear to be sufficient in size to accommodate residential development, and there appears to be adequate access for both proposed lots, and specifically for Proposed Lot 2, which is the subject of this report. Staff do not consider subdivision potential to be limited by the proposal; therefore, staff are supportive of the parcel frontage exemption.

OPTIONS

Option 1: (recommended)

That it be recommended to the Board that Proposed Lot 2 in Subdivision Application No. SA21C08 (3668 Telegraph Road/PID: 006-658-555), be exempted from the minimum parcel frontage requirement in accordance with Section 512 of the *Local Government Act*.

Option 2:

That it be recommended to the Board that Proposed Lot 2 in Subdivision Application No. SA21C08 (3668 Telegraph Road/PID: 006-658-555), not be exempted from the minimum parcel frontage requirement in accordance with Section 512 of the *Local Government Act*.

GENERAL MANAGER COMMENTS

Prepared by:



Jaime Dubyna
Planner II

Reviewed by:



Michelle Pressman, RPP, MCIP, MPlan
Manager



Ann Kjerulf, MCP, RPP, MCIP
General Manager

Reviewed for form and content and approved for submission to the Committee:

Resolution:

☒ Corporate Officer

Financial Considerations:

☒ Chief Financial Officer

ATTACHMENTS:

Attachment A – Background Table

Attachment B – Subdivision Plan