



STAFF REPORT

Date: September 9, 2011

File No.: GB-RZ-2010.1
(Beckstead &
Littlejohn)

To: Gabriola Island Local Trust Committee
For the meeting of September 22, 2011

From: Kaitlin Kazmierowski
Island Planner

CC: Chloe Fox, Island Planner
Chris Jackson, Regional Planning Manager

Re: Update and APC referral for application GB-RZ-2010.1

OVERVIEW:

This staff report builds upon two previous staff reports (dated October 13, 2010 and April 14, 2011) in order to provide additional information to the Gabriola Island Local Trust Committee (LTC) regarding this application, and recommendations for next steps. The applicants are seeking a rezoning in order to increase the density potential of their property on Mudge Island to permit a four lot subdivision and increase permitted residential density from one to four. This report will provide the LTC with a new conceptual lot configuration plan as proposed by the applicant, will outline the regulatory considerations of such a plan, and will outline future considerations and steps.

SUMMARY:

In early 2011, staff sent the original proposed lot configuration to the Vancouver Island Health Authority (VIHA) and Snuneymuxw First Nation for comment. The Ministry of Transportation and Infrastructure (MOTI) were asked to verify the status of the road (Coho Blvd.) currently traversing the property and linking the east and west portions of Mudge. The original proposed lot configuration (figure 1) was deemed inadequate by VIHA for properties serviced by private water supplies due to small lot areas. No comment was received from Snuneymuxw, and as per the April 14, 2011 staff report, MOTI responded that the road was not a section 42 road, and as such they would require full dedication of Coho Boulevard through any future subdivision.

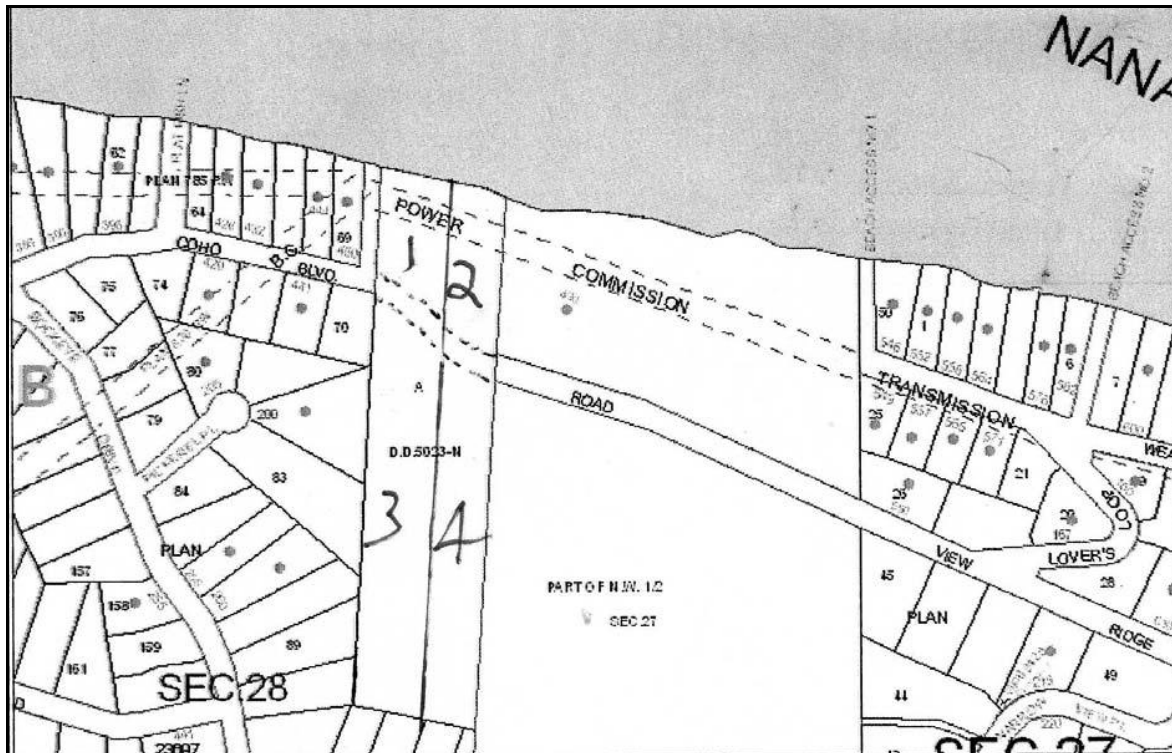


Figure 1: Original lot configuration as supplied by applicant

In May 2011, the applicant supplied a second conceptual subdivision plan (figure 2). Again, this plan was referred to VIHA, Snuneymuxw and MOTI for any additional comment. VIHA responded that the proposal could be reconsidered if it was revised to the new lot lay-out plan. Snuneymuxw did not provide any comment, and MOTI added to their previous comment that a 10 metre wide road dedication to water access along the western boundary of the property may be requested at the time of a future subdivision, and that other requirements may arise upon field review.

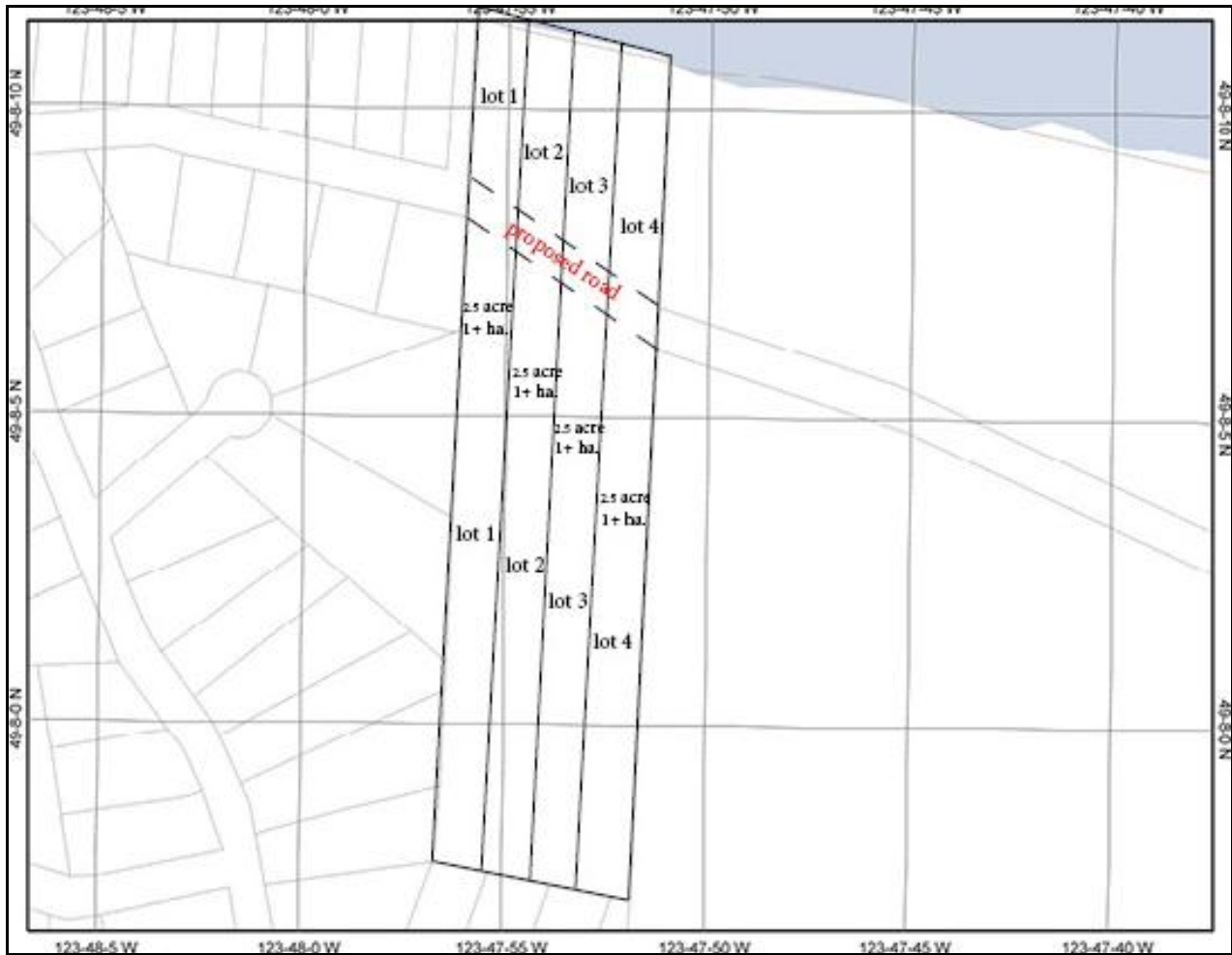


Figure 2: Current conceptual subdivision plan

ISSUES:

Lot Configuration

The new plan proposes four hooked lots, of approximately 1 hectare (2.5 acres) each in area. The Mudge Island Land Use Bylaw speaks to hooked lots in Section 8.2 “Exemptions from Average and Minimum Lot Area Requirements” and Article 8.2(1)(c) states that a lot split by a highway, each of which is 0.5 hectares (1.24 acres) or more in area and each of which was in existence on February 1, 2007, may be subdivided such that the sole effect of the subdivision is to create a single parcel from each of these portions. This regulation permits the subdivision of this property along the road into two contiguous lots. However, this provision does not apply for this application as the road is not a dedicated road. While the Mudge LUB is silent on the creation of hooked lots, they are generally not considered a desirable development pattern as they are not a contiguous use of lot space, and may serve as a precursor to further subdivision in the future.

In addition, Section 8.5 of the Mudge LUB outlines regulation for lot frontage and lot shape by stating that no lot in a proposed subdivision may have a depth greater than three times its width and that the minimum road frontage of a lot must be 10% of the perimeter of that lot. The LTC

can choose to waive the latter regulation; however, the current proposal appears to be in contravention of the width-depth ratio and would require a bylaw amendment.

Amenities

Section 5.3 of the Mudge Island OCP provides guidelines for amenity zoning. These are included below:

5.3 Guidelines for Amenity Zoning

Guideline 1 Subdivision regulations may include provisions that provide increased density in exchange for land dedicated to the community.

Guideline 2 Applications may be considered for an increase in density when one or more of the following community amenities are provided: protection of environmentally sensitive areas, acquisition of parkland, and establishment of a community dock facility, fire hall or community hall.

Guideline 3: Amenity zoning applications must be compliant with all policies of this Plan.

The provision of a road is not included in these guidelines. In addition, the proposed subdivision would require parkland dedication as it is proposing a subdivision that would yield more than three lots. This required parkland dedication cannot be considered an amenity (and is part of a separate subdivision process); however additional parkland dedication could be considered an amenity as part of a rezoning process.

STAFF COMMENT:

The applicants are proposing to substantially increase the density potential on their property in exchange for the dedication of the portion of Coho Blvd that currently traverses it. While the dedication of this road would be required with any subdivision, the applicants have indicated that they would like to pursue a four lot subdivision, with the sole amenity being the road dedication.

Staff have several concerns with this. The applicants are proposing to use the road dedication as an amenity for a substantial increase in density, when the road would already be dedicated via a subdivision yielding fewer potential densities. While the Mudge OCP provides little guidance on suggested additional density yields for a provided amenity, staff feel that since a two lot subdivision would yield the road dedication, further discussion regarding an additional amenity for a four lot subdivision should be explored. Staff also recognize, however, that this portion of Coho Blvd is the only link that connects the east and west sides of Mudge, and that a future landowner may choose to block it off, as it is currently undesignated.

The main question at this time is whether or not the LTC and Mudge community feel that the road dedication is sufficient enough an amenity for the proposed increase in density potential. Staff met with the applicants in early September 2011, at which time the applicants expressed that they were currently not considering further amenities or a reduction in the requested subdivision potential. At this time, the question of community amenity is one that staff feel should be posed to Mudge islanders via a referral to the newly re-appointed Mudge Advisory Planning Commission (APC). Should the LTC feel that the road dedication is a sufficient

amenity for the proposed density potential increase, staff would recommend either a site specific zone, or a site specific text amendment in the Rural Residential (RR) zoning provisions similar to the one that currently exists for the property directly to the east of the subject property.

RECOMMENDATIONS:

THAT the Gabriola Island Local Trust Committee refer this staff report and the staff reports of October 13, 2010 and April 14, 2011 to the Mudge Island Advisory Planning Commission for comment.

Prepared and Submitted by:



Kaitlin Kazmierowski,
Island Planner

September 9, 2011

Date

Concurred in by:

Date