



CITY OF WEST KELOWNA  
PLANNING DEPARTMENT

ATTACHMENT: 1

FILE NO.: Z 20-05 (PH)



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 26, 2021

From: Hailey Rilkoff, Planner II

File No: Z 20-05

Subject: **Z 20-05, Zoning Amendment Bylaw No. 154.100 (1st and 2nd), 2485 Hayman Road**

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### RECOMMENDATION

**THAT** Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.100, 2021 (File: Z 20-05); and

**THAT** Council direct staff to schedule the proposed bylaw amendment for Public Hearing.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity – Quality, innovative urban development (Council's 2020-2022 Strategic Priorities).

### BACKGROUND

This application proposes to amend the zoning designation of a portion of the subject property from the R1 – Single Detached Residential Zone to the RC3 – Single Detached Compact Residential Zone to support a future subdivision. The applicant is proposing to create one additional residential lot within the RC3 Zone, which could be developed with a Single Detached Dwelling. If the rezoning is successful, the applicant could apply for subdivision. The applicant has also applied for a setback variance for the proposed new lot which would be considered by Council following adoption of a successful rezoning.

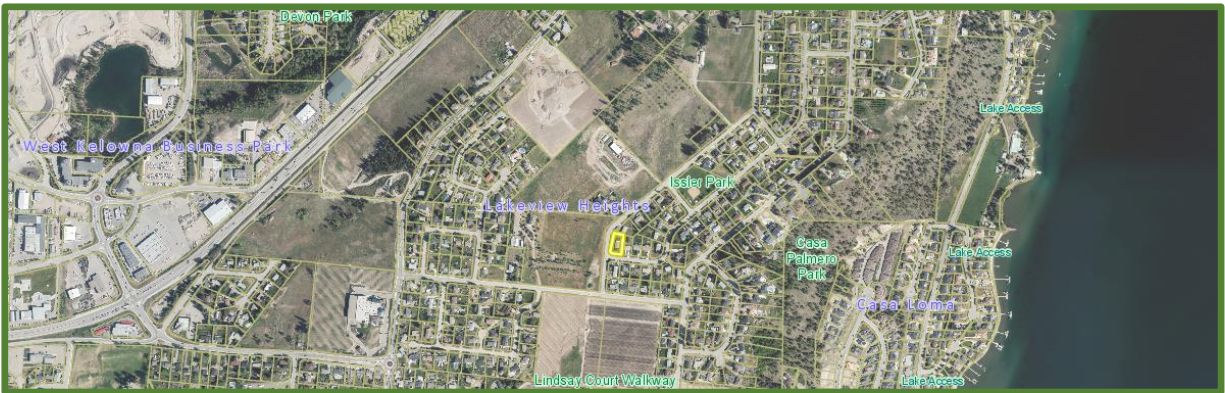
PROPERTY DETAILS			
Address		2485 Hayman Road	
PID		006-793-339	
Folio		36414409.156	
Lot Size		~0.35 Acres (1,428 m <sup>2</sup> )	
Owner	1254449 B.C. Ltd	Agent	Lorn Humenuik
Current Zoning	R1 – Single Detached Residential	Proposed Zoning	R1 – Single Detached Residential & RC3 –

		Single Detached Compact Residential
<b>Current OCP</b>	SFR – Single Family Residential	<b>Proposed OCP</b> -
<b>Current Use</b>	Residential	<b>Proposed Use</b> Residential
<b>Development Permit Areas</b>	None	
<b>Hazards</b>	N/A	
<b>Agricultural Land Reserve</b>	Adjacent to ALR (across Hayman Road)	

#### ADJACENT ZONING & LAND USES

<b>North</b>	^	R1 - Single Detached Residential
<b>East</b>	>	R1 - Single Detached Residential
<b>West</b>	<	A1 – Agricultural (ALR)
<b>South</b>	v	R1 - Single Detached Residential

#### NEIGHBOURHOOD MAP



#### PROPERTY MAP



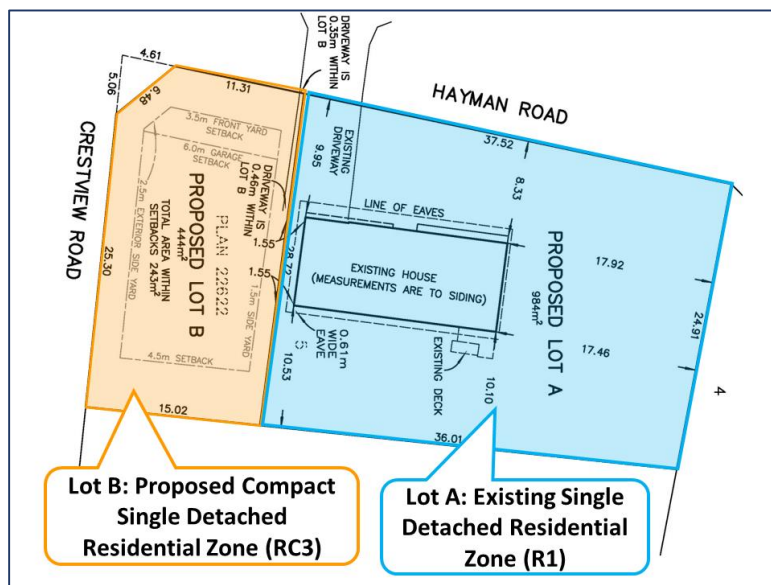
## Subject Property

The subject property is ~0.35 acres (1,428 m<sup>2</sup>), located on the corner of Hayman and Crestview Road. The subject property is located in the Lakeview Heights neighbourhood and is zoned R1 - Single Detached Residential. The property is currently developed with a single detached dwelling. The subject property is located nearby agricultural properties (ALR parcel across Hayman Road) and is surrounded by residential and agricultural land uses.

## Proposal

The applicant is proposing to rezone a portion of the subject property to the RC3 – Single Detached Compact Residential Zone to facilitate a 2 lot subdivision.

The new proposed parcel would have the RC3 zoning, while the remainder parcel, with the existing home, would retain the R1 zoning. The applicant has submitted a proposed plan of subdivision (Attachment 2) which shows the proposed new and remainder lot area and dimensions. This proposed plan is subject to an additional subdivision process.



The applicant has also applied for a Development Variance Permit to reduce the required building setback from parcels in another zone on the proposed RC3 lot from 4.5 m required to 1.5 m proposed. This reduction would apply to the property boundary between the proposed new and remainder lots.

## Bylaw & Policy Review

### *Official Community Plan Bylaw No. 0100*

The property is within the City's *Neighbourhood Growth Management Designation*. This designation anticipates low and medium density residential areas, ground oriented residential, slower traffic movement, and a system of safe bicycle & pedestrian pathways.

The property is within the City's *Single Family Residential* future Land Use Designation which permits single detached, duplex and carriage house building forms including compact or clustered housing. The purpose of this designation is to provide traditional single family housing opportunities and encourage more land efficient compact housing forms.

The OCP encourages sensitive integration of different housing forms in support of neighbourhood diversity and healthy communities<sup>1</sup>. Infill development is also supported within existing Neighbourhood GMD areas to permit smaller lot sizes through zoning amendment applications<sup>2</sup>.

The property does not fall within any of the City's Development Permit Areas and as there is only one additional residential unit proposed a Form & Character Development Permit is not required.

#### *Zoning Bylaw No. 0154*

The proposal meets the minimum subdivision regulations for both the remainder lot (R1 Zone) and the proposed new lot (RC3 Zone).

Subdivision Regulation	R1 Zone	Remainder Lot	RC3 Zone	Proposed New Lot
Min Parcel Area	550 m <sup>2</sup>	984 m <sup>2</sup>	325 m <sup>2</sup>	444 m <sup>2</sup>
Min Usable Parcel Area	330 m <sup>2</sup>	984 m <sup>2</sup>	195 m <sup>2</sup>	444 m <sup>2</sup>
Min Parcel Frontage	16.0 m	37.52 m	12.0 m	15.92 m (Hayman) 30.36 m (Crestview)

The RC3 Zone provides for a more compact single detached dwelling development pattern with a smaller parcel area than the R1 Zone. Attachment 3 includes excerpts from the Zoning Bylaw for the R1 and RC3 Zone subdivision and development regulations.

The Siting Regulations within the RC3 Zone requires a 4.5m setback from parcels in another zone; the applicant proposes to reduce this setback from the proposed remainder R1 lot to 1.5 m, which is the existing interior side setback. A 4.5m setback will be maintained from the parcel boundary with the existing R1 Zoned lot to the East of the subject property (2540 Crestview Road).

Siting Regulation	RC3 Zone Required	Proposed New Lot
Front Parcel Boundary	3.5 m or 6.0 m for a front entry garage/carport	6.0 m
Exterior Side Parcel Boundary	2.5 m or 6.0 m for a front entry garage/carport	2.5 m
Rear Parcel Boundary	3.0 m	>3.0 m
Any Other Zone (North)	4.5 m	1.5 m (Variance Requested)
Any Other Zone (East)	4.5 m	4.5 m
A1 Zone or ALR	15.0m	>18.0m

<sup>1</sup> Section 3.3.1 Residential Objectives

<sup>2</sup> Section 3.3.1 Residential Policies 10.

Section 3.21 of the Zoning Bylaw requires setbacks and buffers from agricultural land. A 15.0 m setback (49.2 ft) is required from the A1 Zone or land within the Agricultural Land Reserve (ALR). When a road separates a parcel from the A1 Zone or ALR land, the road forms part of the required minimum distance. The road right-of-way of Hayman Road is approximately 18 m wide fronting the subject property, therefore the minimum setback from Agricultural land would be met by any development on the proposed new lot.

Section 2.3 of the Zoning Bylaw requires that for split zoned parcels, each zone area shall be treated as a separate parcel for the purposes of determining compliance with its zone. This section of the Zoning Bylaw was not intended for newly created split zoned parcels but rather for existing parcels that have split zoning due to historic subdivisions.

### Technical Review

#### *Planning*

The existing lot is 1,428 m<sup>2</sup>, which would support a two lot subdivision within the R1 Zone. However, the existing house on the property is proposed to remain, and is currently undergoing renovations which includes legalizing a secondary suite. The location of the existing house on the lot makes it challenging to subdivide within the R1 Zone, as the minimum parcel area of 550 m<sup>2</sup> is difficult to achieve with a standard rectangular lot (Figure 2).



**Figure 3 - R1 Zone Minimum Lot Area of 550 m<sup>2</sup> Intersects Existing House**



**Figure 2 - Proposed Lot Areas (RC3 & R1 Zone)**

The reduced setback along the North parcel boundary of the new proposed RC3 lot is not anticipated to create negative impacts. The increased setback from parcels in another zone is intended for large compact residential developments with multiple lots being created adjacent to an existing residential subdivision. This setback was not intended for infill development at the scale as is proposed by this application. Staff do not anticipate this variance application to result in significant negative impacts as one owner is involved and any future owners of either lot would be aware of the reduced setback. The proposed

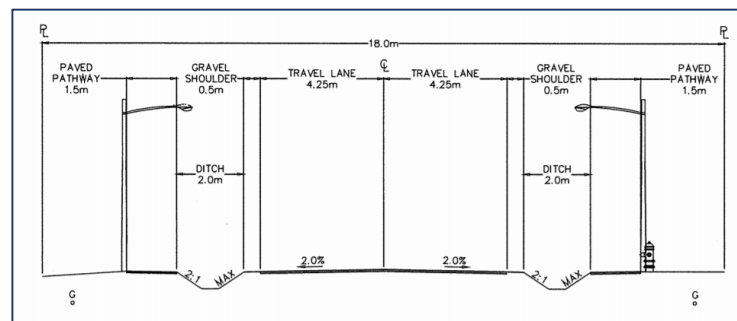
variance would be specifically brought forward to Council for consideration at the time of adoption of the Zoning Bylaw Amendment.

The applicant is proposing to rezone a portion of the subject property to the RC3 Zone to facilitate a two-lot subdivision. This would create a split zoned parcel until the proposed subdivision is created. In order to prevent a situation of a split zoned lot with multiple residences, each built within the different zone areas, it is recommended that a no-build covenant is registered on the property as a condition of rezoning approval. This covenant would be discharged upon subdivision and would be used as a temporary assurance between the time the Zoning Amendment is adopted and final subdivision registration.

This would be the first property in the Lakeview Heights neighbourhood to rezone to the compact residential zoning. The closest area with similar compact residential zoning is in the Boucherie Centre neighbourhood, along Ross, Brentwood and Ponderosa Roads.

#### *Development Engineering*

The applicant has provided a Functional Servicing Report (FSR), prepared by ARDA Consultants Ltd., which does not identify any new servicing concerns. A new fire hydrant is proposed, which is located at the corner of Hayman and Crestview Roads.



**Figure 4 - Rural Minor Collector Road - 18.0 m ROW Standard**

The FSR proposes cash-in-lieu for the frontage works to bring Hayman and Crestview roads up to the required standard of Rural Minor Collector road which requires pavement widening, ditching and a pathway. The required upgrades will be considered under a future subdivision application, and the City's Subdivision Approving Officer would determine whether to require the works or to accept cash-in-lieu.

#### *Referral Responses*

A referral for this application was circulated to all key departments and agencies. No objections were noted. The subject property is within 800m of a Provincial Highway, therefore Ministry of Transportation and Infrastructure (MOTI) approval is required prior to adoption of the Zoning Amendment. No response has been received from MOTI at the time of writing this report.

In addition to the above Technical Review comments, referral responses have been received from the following departments and agencies who did not advise of any concerns with the proposed rezoning:

- Fire Department
- BC Hydro
- Fortis BC
- TELUS

### *Advisory Committees*

The Advisory Planning Commission (APC) considered this application at the December 16, 2020 APC meeting and carried the following motion:

**THAT** the APC recommend support for the file as presented.

The Agricultural Advisory Committee (AAC) has not considered this application as the committee is currently seeking new members and have not had a scheduled meeting since the application was referred at the beginning of December. However, the AAC was involved in the creation of the agricultural buffer regulations in the Zoning Bylaw which are met by this proposal. The proposal is not anticipated to result in negative impacts to the adjacent agricultural and ALR property.

### Public Notification

A notice of application sign has been placed on the subject property in accordance with the Development Application Procedures Bylaw No. 0260, at the corner of Hayman and Crestview Roads.

### Legislative Requirements

Council has the authority under Part 14 (S.479) of the *Local Government Act* to create and amend its Zoning Bylaw.

## **DISCUSSION**

While this would be the first compact residential zoning in the Lakeview Heights neighbourhood, the proposed rezoning is consistent with the OCP. The rezoning fits within the OCP designations and is in line with residential policies to support sensitive infill and neighbourhood policies which permit smaller lot sizes through zoning amendment applications.

The subject property has adequate parcel area for both an RC3 and R1 parcel, however would not support two R1 parcels with the location of the existing house. A no-build covenant is recommended to be registered on the subject property as a temporary measure to ensure that a second residence is constructed on the split zoned parcel without subdivision being completed.

The applicant is anticipated to apply for Subdivision after a Public Hearing has been held, and after the Zoning Amendment Bylaw receives third reading. Once the subdivision has been completed and registered, the no-build covenant would be discharged to allow for the construction of a new residence on the newly created RC3 lot.

## CONCLUSION

It is recommended that Council give first and second reading to the proposed bylaw amendment (Z 20-05) and direct staff to schedule a Public Hearing to provide an opportunity for residents to provide comments on the proposal.

### Alternate Motion(s):

#### Option 1: Postpone 1st and 2nd Reading

**THAT** Council postpone first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.100, 2020 (File: Z 20-05).

Should Council postpone consideration of the proposed bylaw amendments, further direction to staff on how to proceed is required.

#### Option 2: Deny the Application

**THAT** Council deny File: Z 20-05 for 2485 Hayman Road.

Should Council deny the proposal, the file will be closed. As per the City's Development Applications Procedures Bylaw, the applicant could re-apply for a similar proposal six months after initial Council consideration.

## REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

### Attachments:

1. Zoning Amendment Bylaw No. 0154.100, 2021
2. Applicant's Proposal Summary
3. Proposed Plan of Subdivision
4. RC3 and R1 Zone Excerpts from the Zoning Bylaw

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**CITY OF WEST KELOWNA**

**BYLAW NO. 0154.100**

**A BYLAW TO AMEND "ZONING BYLAW NO. 0154"**

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WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.100, 2021".

2. Amendments

"Zoning Bylaw No. 0154" is hereby amended as follows:

- 2.1 By changing the zoning on Lot 5, District Lot 2689, ODYD, Plan 22622, as shown on Schedule 'A', attached to and forming part of this Bylaw, from Single Detached Residential (R1) to Compact Single Detached Residential (RC3).
- 2.2 By depicting the change on "Zoning Bylaw No. 0154 Schedule B" (Zoning Bylaw map).

READ A FIRST AND SECOND TIME THIS

PUBLIC HEARING HELD THIS

READ A THIRD TIME THIS

APPROVED BY MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE THIS

ADOPTED THIS

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MAYOR

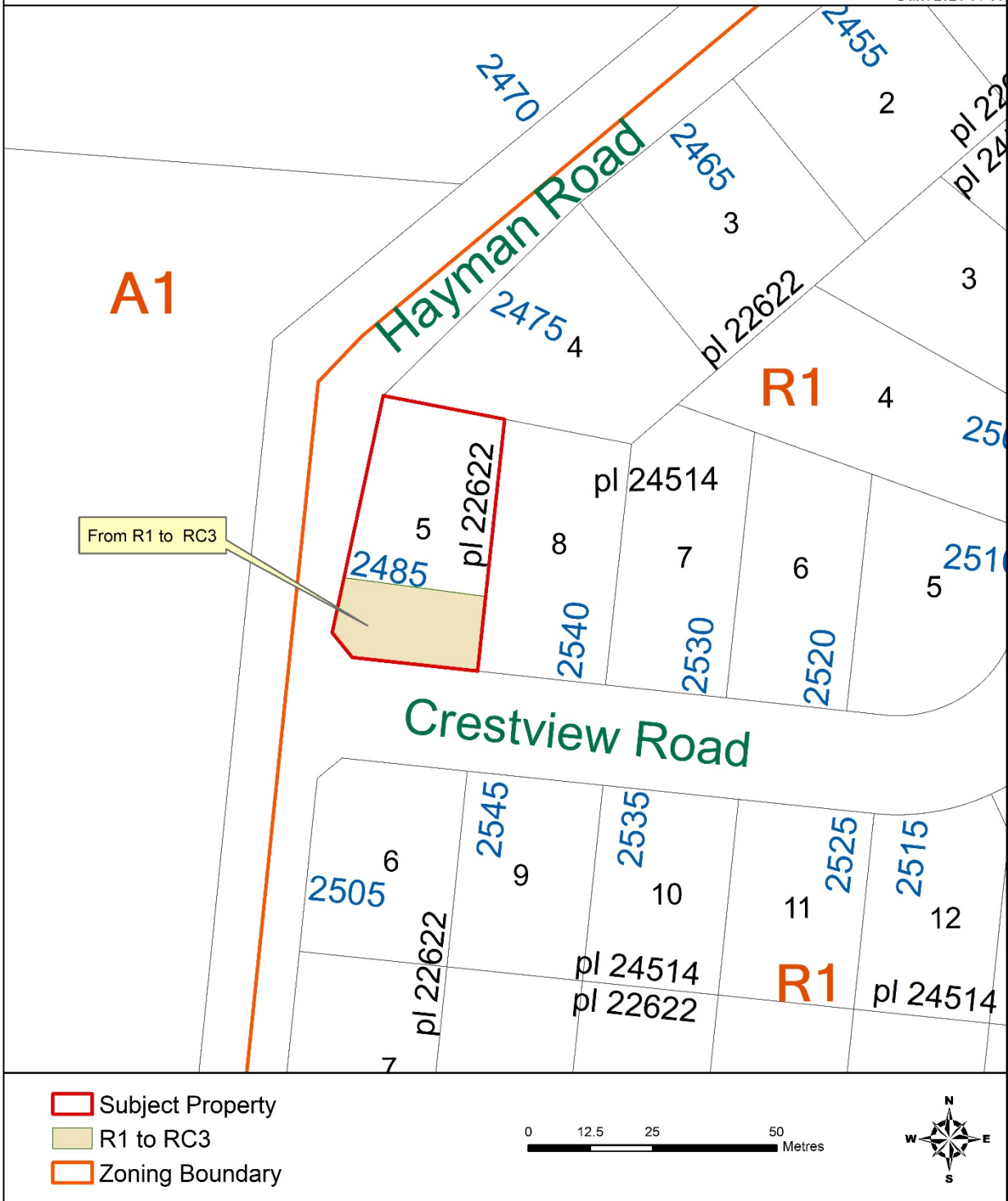
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CITY CLERK



# SCHEDULE 'A' of BYLAW NO. 0154.100

Date: 2021-01-06



**August 13, 2020**

**To: City of West Kelowna  
2760 Cameron Road  
West Kelowna, BC  
V1Z 2T6**

**Re: 2485 Hayman Road**

## **Our Development Plans**

To whom it may concern:

We purchased this house because we saw the opportunity to enhance the value of this property by developing a legal suite in the basement and creating an additional lot that could accommodate a new home. This corner lot is large enough to support this proposal, and we have had a surveyor prepare a proposed subdivision plan for your review. These improvements will substantially increase the value of the property, which in turn will increase your tax revenue... so hopefully we can all win!

We want to make this older home look like new. The roof was replaced within the last few years, but since we will be adding some new windows and door in the basement and building a new deck for the upper level, we will totally refinish the entire home with fresh acrylic stucco. It will look like a new house! The existing garage will be utilized for the basement suite. We want to develop another single car garage under the enclosed sundeck and have applied for another driveway access.

Attached is the Functional Servicing Report for the re-zoning and subdivision of the new lot. In addition to bringing the new power underground to the property and upgrading the fire hydrant to include three ports, we intend to remove most of the fruit trees on the new lot in the area where a house is to be built. So, at the end of the day instead of one home paying taxes on a property valued around \$650,000 the house with a suite will likely be worth around \$900 to \$950,000. A new home on the new lot could easily be in the range of \$750-850,000, so the total value after redevelopment could be close to triple the current value.

I have had considerable experience doing real estate developments on the Westside and in Peachland. I built the Acorn Homes brand and did more than 20 developments, building over 800 homes and condos. We used to have our office in Acorn Plaza on Carrington Road, a 30,000 square foot office rental building we constructed in 1996.

This little project on Hayman Road is a partnership with Richard Provost and our two companies.

Yours truly,

  
**Sherwin Goerlitz**  


**Richard Provost**  


January 11, 2021

To: **City of West Kelowna**  
2760 Cameron Road  
West Kelowna, BC.  
V1Z 2T6

Attention: **Hailey Rilkoff, Planner**

RE: **2485 Hayman Road**  
**Addition of Variance for setback**

As requested, we would like to add a variance application to the rezoning we already have under way with you. We believe that this variance will have minimal impact on the adjacent house next door. That house next door does not have a single window on it's south elevation, so I doubt they will even feel the difference of us even adding this variance.

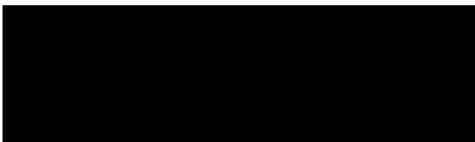
It makes good sense to do this concurrent with our application, so it is ready to go whenever someone is ready to build a new home here.

With the reduced setback it will ensure that if someone wants to have a sundeck on the north east corner of the new home, they may be able to increase the outdoor living space, which will add to their enjoyment of the home.

Thank you again for your help with this application.

Yours truly,

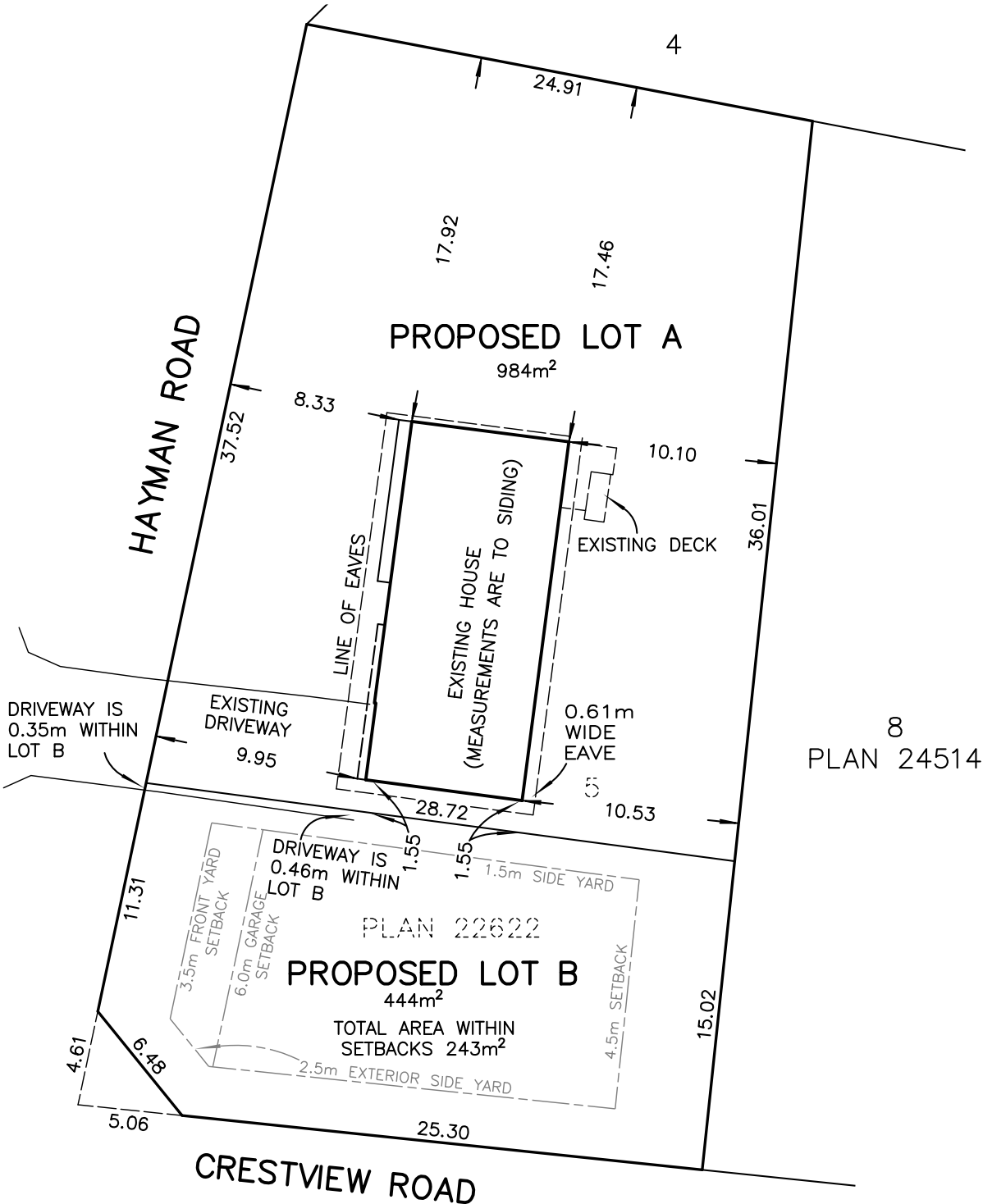
**Sherwin Goerlitz**



# PROPOSED SUBDIVISION PLAN OF LOT 5 DISTRICT LOT 2689 ODYD PLAN 22622

PID: 006-793-339

CIVIC ADDRESS: 2485 HAYMAN ROAD,  
WEST KELOWNA



PROPERTY LINES ARE APPROXIMATE AND  
ARE SUBJECT TO A FULL LEGAL SURVEY

CLIENT: ACORN DEVELOPMENTS

DATE: JUNE 29, 2020

SCALE: 1:300 METRES

FILE: 22223

DRAWN BY: RD

**Ferguson Land Surveying & Geomatics Ltd.**

BC AND CANADA LAND SURVEYORS 404-1630 PANDOSY STREET, KELOWNA, BC  
PHONE: (250) 763-3115 FAX: (250) 763-0321

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THIS PLAN SHOWS REGISTERED CHARGES ON  
TITLE THAT ARE DEFINED BY SURVEY PLAN OR  
DESCRIPTION. UNREGISTERED INTERESTS HAVE  
NOT BEEN INCLUDED OR CONSIDERED.

THIS PLAN IS FOR THE SOLE USE OF THE  
CLIENT ONLY AND IS NOT TO BE USED FOR  
THE RE-ESTABLISHMENT OF PROPERTY  
BOUNDARIES.

### 10.3. COMPACT SINGLE DETACHED RESIDENTIAL ZONE (RC3)

Bylaw No.  
154.36

#### .1 Purpose

To accommodate single detached residential use on parcels of land that are 325 m<sup>2</sup> and larger.

#### .2 Principal Uses, Buildings and Structures

- (a) Single detached dwelling

#### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures  
(b) Care facility, minor  
(c) Home based business, major  
(d) Secondary suite on parcels 550 m<sup>2</sup> (5,920.2 ft<sup>2</sup>) or greater

Bylaw No.  
154.50

#### .4 Site Specific Uses, Buildings and Structures - *Reserved*

#### .5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	325 m <sup>2</sup> (3,498.3 ft <sup>2</sup> )
(b)	Minimum usable parcel area	195 m <sup>2</sup> (2,099.0 ft <sup>2</sup> )
(c)	Minimum parcel frontage	12.0 m (39.4 ft)
DEVELOPMENT REGULATIONS		
(d)	Maximum density:	
.1	Single detached dwelling	1 per parcel
.2	Secondary suite	1 per parcel
(e)	Maximum parcel coverage	40%
(f)	Maximum building height:	9.0 m (29.5 ft) to a maximum of 3 storeys except it is 5.0 m (16.4 ft) for accessory buildings and structures
SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary or private access easement, whichever is closer	3.5 m (11.5 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
.2	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
.3	Interior side parcel boundary	1.5 m (4.9 ft)

Bylaw No.  
154.50

.4	Exterior side parcel boundary or private access easement, whichever is closer	2.5 m (8.2 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
.5	Parcels in another zone	4.5 m (14.8 ft)
.6	A1 Zone or ALR	15.0 m (49.2 ft) except it is 9.0 (24.6ft) if a level 1 buffer is provided.

## .6 Other Regulations

- (a) Without limiting the application of the height regulation in Section 10.3.5(f), the height of any single building wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 3 storeys or 9 m (29.5 ft).

(b) **Siting Regulations for Approved Subdivisions**

- .1 the regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- .2 the regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.

Bylaw No.  
154.06

Bylaw No.  
154.36

## 10.4. SINGLE DETACHED RESIDENTIAL ZONE (R1)

### .1 Purpose

To accommodate low density single detached residential use on parcels of land that are 550 m<sup>2</sup> and larger.

### .2 Principal Uses, Buildings and Structures

- (a) Single detached dwelling

### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Bed and breakfast
- (c) Care facility, minor
- (d) Carriage house
- (e) Home based business, major
- (f) Secondary suite

### .4 Site Specific Uses, Buildings and Structures

- (a) On Lot 1, Plan 44004, DL 581 ODYD, Except Plans KAP48178 & KAP53981: vineyard and one single detached/caretakers residence.

### .5 Regulations Table

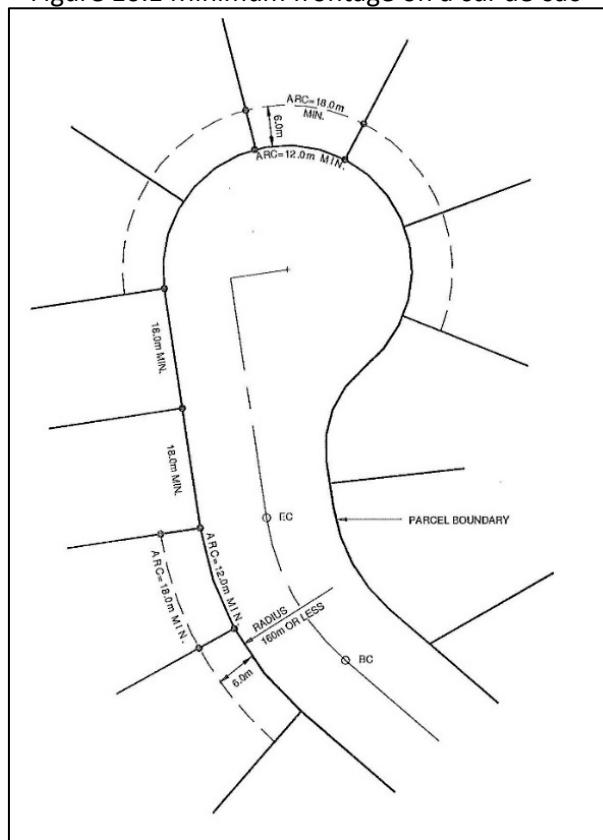
SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	550 m <sup>2</sup> (5,920.2 ft <sup>2</sup> )
(b)	Minimum usable parcel area	330 m <sup>2</sup> (3,552.1 ft <sup>2</sup> )
(c)	Minimum parcel frontage	16.0 m (52.5 ft)
DEVELOPMENT REGULATIONS		
(d)	Maximum density:	
.1	Single detached dwelling	1 per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(e)	Maximum parcel coverage	40%
(f)	Maximum building height:	
.1	Single detached dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Accessory buildings and structures	5.0 m (16.4 ft)
.3	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building

SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
.2	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
.3	Interior side parcel boundary	1.5 m (4.9 ft)
.4	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
.5	A1 Zone or ALR	15.0 m (49.2 ft) except it is 9.0 (24.6ft) if a level 1 buffer is provided.

## .6 Other Regulations

- (a) Without limiting the application of the height regulation in Section 10.4.5(f).1, the height of any single building wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 3 storeys or 9 m (29.5 ft).
- (b) Without limiting the application of the height regulation in Section 10.4.5(f).3, the height of any carriage house wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 1.5 storeys and 6.5 m (21.3 ft).
- (c) Despite Section 10.4.5(c), the parcel frontage may be less than 16.0 m (52.5 ft) for parcels on a cul-de-sac provided that the radius of the curvature along the parcel frontage is less than 160 m (524.9 ft) and the arc length along the parcel boundary is at least 12.0 m (39.4 ft) as illustrated in Figure 10.1.

Figure 10.1 Minimum frontage on a cul-de-sac



## .7 Siting Regulations for Approving Subdivisions

- (a) The regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- (b) The regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.