

DATE OF MEETING | April 23, 2018 |

AUTHORED BY | DAVE STEWART, PLANNER, CURRENT PLANNING AND SUBDIVISION |

SUBJECT DEVELOPMENT PERMIT APPLICATION NO. DP1068 – 11 ROBERTA ROAD EAST

OVERVIEW

Purpose of Report

To present for Council’s consideration a development permit for a 26-lot steep slope subdivision with 8 duplex lots, parkland dedication, and a culverted creek crossing. |

Recommendation

That Council issue Development Permit No. DP1068 at 11 Roberta Road East with the following variance:

- reduce the watercourse setback from 15m to 0m as measured from top of bank to permit a creek crossing. |

BACKGROUND

A development permit application, DP1068, was received from Aqua Residences Ltd., to permit a 26-lot steep slope subdivision, including 8 duplex lots, parkland dedication and a culverted creek crossing, to support the proposed road at 11 Roberta Road East.

Site Context

The subject property is located at the far end of Roberta Road East, predominately on the eastern side of Richards Creek and associated wetland. The proposed subdivision also includes a portion of dedicated (unconstructed) road right-of-way that extends from Beadall Road. This portion of road is subject to an active road closure and land exchange application that is to be considered by Council in advance of the development permit. Approximately one-third of the property is protected as riparian area.

Subject Property

<i>Zoning</i>	R10- Steep Slope Residential
<i>Location</i>	The subject property is located at the eastern end of Roberta Road East within the Chase River Neighbourhood Area.
<i>Total Area</i>	4.6ha
<i>Official Community Plan</i>	Map 1 - Future Land Use- Neighbourhood Map 3 – Development Permit Area No. 1 – Watercourse; Development Permit Area No. 5- Steep Slope Residential
<i>Relevant Design Guidelines</i>	Steep Slope Development Permit Area Guidelines

DISCUSSION

Proposed Development

The applicant is proposing to develop a 26-lot subdivision with 8 duplex lots and parkland dedication. The proposed parkland dedication located outside of the watercourse setback area amounts to 0.93ha, or approximately 20% of the property. Approximately 6,998m² of this park area is provided in excess of the 5% statutory park dedication requirement. When combined with the watercourse setback areas, which are also to be dedicated as park and riparian areas, approximately 65% of the subject property will remain undeveloped.

Proposed Lots 2, 3, 6, 17, 19, 20, 21, and 26 are designated as duplex lots, and the lot sizes vary from 375.9m² to 1,123.6m² in order to maximize the permitted density (16uph) in the R10 Zone. Even still, the excess park dedication would allow an additional density of 11 units, 7 of which have been transferred to duplex lots. The park area includes a 4 meter wide pedestrian trail accessed from Beadall Road that runs in a north-south direction just outside of the 15m watercourse setback and may allow for future connectivity to Richards Marsh to the southwest.

All but one of the proposed lots will be on the eastern side of Richards Creek. In order to access the eastern portion of the lot, the applicant plans to extend Roberta Road East across Richards Creek. The crossing will be constructed as a 12 meter wide span across the creek with an open bottom steel bridge-plate box culvert. The stream channel at the crossing location is 7m to 8m wide, and as such, the applicant's environmental professional advises the crossing structure will completely span the channel 2m to 2.5 above the high watermark. No other development will occur within the watercourse setbacks.

The extension of Roberta Road East terminates at the southern property line of the subject property and will include a temporary fire truck turn around. It is expected the road may be extended further in the future to support adjacent development, including the eastern residential portion of the proposed Sandstone development.

Proposed Lot 1 is zoned Single Dwelling Residential (R1). The lot will be accessed from Beadall Road and is to be acquired through a road closure and land exchange in which the applicant will be given title to an existing undeveloped road area in exchange for an equal amount of parkland. The road closure bylaw received third reading on 2018-MAR-19 and is included on tonight's Council agenda for adoption. This portion of road is not subject to the Steep Slope Development Permit Area and will be consolidated into the subject property at the time of subdivision registration (SUB1276).

Proposed Variances

The required watercourse setback is 15m as measured from the top of bank of the creek. The proposed setback is 0m to support the creek crossing. The variance is required to support road construction and servicing only, and no other development will occur within the watercourse setback.

Typically, public works and services, including road construction, are exempt from the DPA1 watercourse protection requirements where carried out by the City; however; as the applicant's contractor is constructing the road and creek crossing prior to the City assuming ownership of the road, a variance is required.

The applicant's environmental professional notes "there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed." The Ministry of Environment has also reviewed and accepted the proposed crossing design.

Staff support the proposed watercourse variance. |

SUMMARY POINTS

- Development Permit Application No. DP1068 is for a 26-lot steep slope development subdivision that includes 8 duplex lots and parkland dedication.
- A watercourse variance is required to permit the construction of an open culvert creek crossing to support the extension of Roberta Road East. Staff supports the proposed watercourse variance.
- The proposed subdivision includes an R1 zoned lot which is subject to a road closure and land exchange application. |

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Location Plan
ATTACHMENT C: Proposed Subdivision Plan
ATTACHMENT D: Aerial Photo |

Submitted by:

Lainya Rowett, Manager
Current Planning and Subdivision

Concurrence by:

Dale Lindsay, Director
Community Development

ATTACHMENT A PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

The City of Nanaimo “Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 6.3.1.5 Location and Siting of Buildings and Structures to Watercourses* – to reduce the watercourse setback from the top of bank of a creek from 15m to 0m to allow a culverted creek crossing.

CONDITIONS OF PERMIT

1. The subject property is developed in accordance with the proposed Subdivision Plan prepared by Mark Garrett, dated 2018-MAR-16.
2. The density will be transferred as per the tables below:

6,998m² of park area available for density transfer. Available density transfer is 11 units, 7 are allocated.

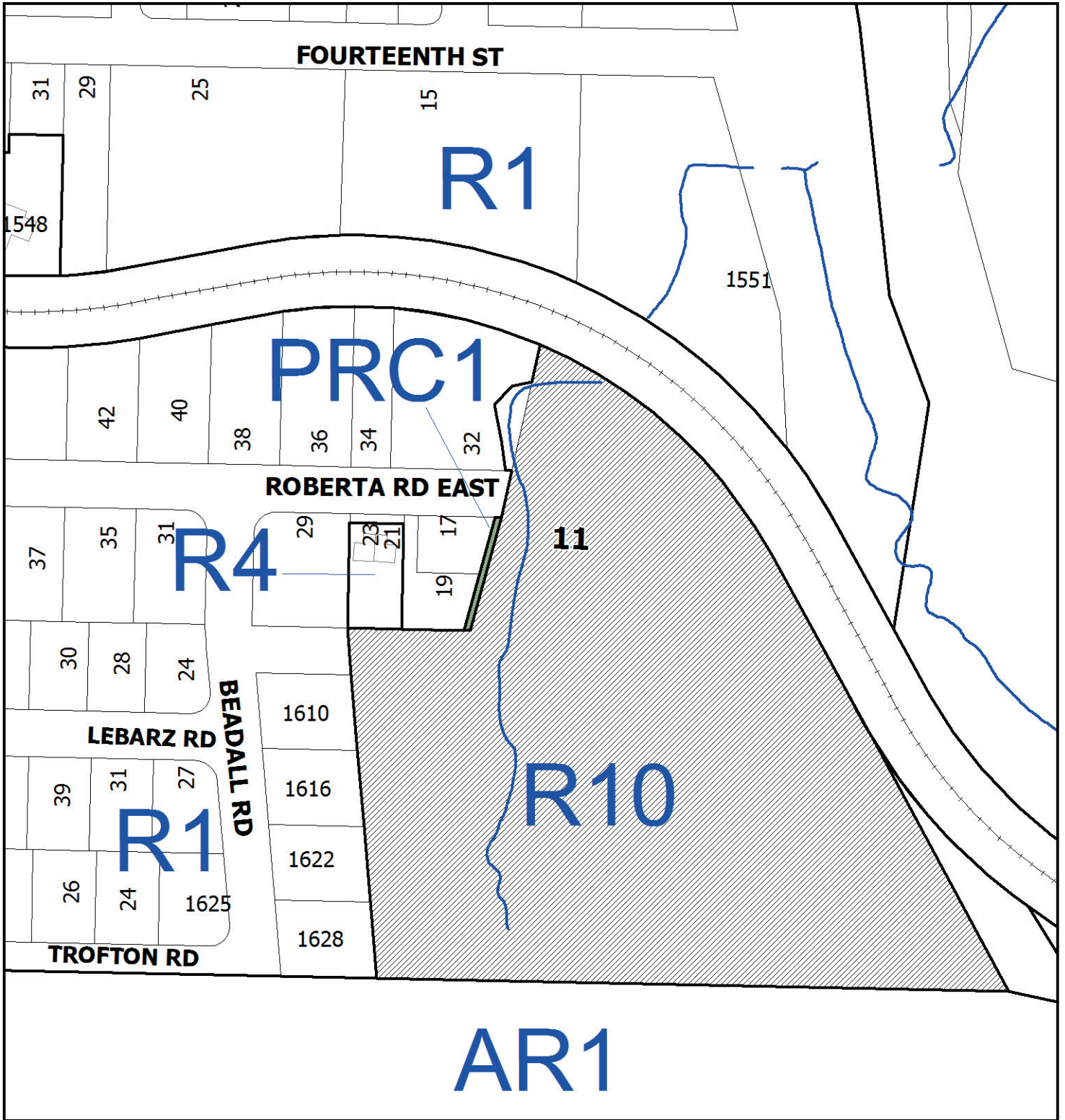
Duplex Lots

<i>Lot #</i>	<i>Lot Size Area (m²)</i>	<i>Total Number of Units</i>	<i>Density Transferred</i>
2	1,456.5	2	0
3	847.3	2	1
6	711	2	1
17	704	2	1
19	884	2	1
20	908	2	1
21	788	2	1
22	1,123.6	2	1
Total # of units transferred			7

Park Area

<i>Description</i>	<i>Area</i>
Total Park Area Provided (not including riparian area)	9,305m ²
Required 5% Park	2,307m ²
Available Park for Density Transfer	6,998m ²
<ul style="list-style-type: none"> • 0.6998ha x 16 = 11 units available for density transfer • 7 allocated / 4 unallocated 	

ATTACHMENT B
LOCATION PLAN



DEVELOPMENT PERMIT NO. DP001068



LOCATION PLAN

 **Subject Property**

Civic: 11 Roberta Road East
Lot 2, Section 2, Nanaimo District, Sections 17 and 18,
Range 4, Cranberry District, Plan 3146, Except those
parts in Plans 8000, 10198, 10500, 13778 and 19183

ATTACHMENT C PROPOSED SUBDIVISION PLAN

Roberta Meadows

Address: 11 ROBERTA ROAD EAST,
NANAIMO, BC CANADA
Folio: 04245.000
Plan: 3146
Size: 9.1 ACRES

Legal Description: LOT 2, SECTION 2,
NANAIMO DISTRICT, SECTIONS 17 AND
18, RANGE 4, CRANBERRY DISTRICT,
PLAN 3146, EXCEPT THOSE PARTS IN
PLANS 8000, 10198, 10500, 13778 AND
19183

Zoning STEEP SLOPE RESIDENTIAL
ZONE - R10

NOTES: DATE:



- DP 1 SITE MASTER PLAN
- DP 1.2 LOT 2
- DP 1.3 LOT 3
- DP 1.4 LOT 18
- DP 1.5 LOT 18-21 PROFILES
- DP 1.6 LOT 22-26 PROFILES
- DP 2 ROAD GRADING PLAN
- PROVIDED BY NEWCASTLE
ENGINEERING
- DP 3 SLOPE ANALYSES

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DRAWN BY: MARK GARRETT
DATE: MAR 2018
SCALE: 1:500

PROJECT NO. DRAWING NO.

SITE MASTER PLAN

DP 1

- 1.1 ZONING
R10 STEEP SLOPE ZONING
- 1.2 EXISTING LOT SIZE
46,144 METERS SQ.
- 1.3 PARK DEDICATION
REQUIRED 5% / 2,307.2 M. SQ.
GIVEN BEYOND RIPARIAN SETBACK
9,305.1 M. SQ. / 20.18% EXTRA 6,997.9 M. SQ.
- 1.4 ROAD DEDICATION
PROPOSED 18 METER ROAD WIDTH
ROAD DEDICATION 5,585.1 M. SQ.
- 1.4 TOTAL AREA CALCULATION
46,144 M. SQ. EXISTING LESS
ROAD DEDICATION 5,585.1 M. SQ.
RIPARIAN AREA 14,914.9 M. SQ.
REQUIRED PARK 5% / 2,307.2 M. SQ.
NOTE: TRADE OFF AREA OF 6,997.9 M. SQ.
FROM EXTRA PARK DEDICATION
REMAINING AREA 23,336.8 M. SQ.

- 2.1 DENSITY
DENSITY ALLOWABLE IS 2.3368 HA X 16 PER HA.
OR 37 UNITS
- 2.2 PROPOSED DENSITY
26 LOTS
LOTS 1,2,3,6,17,19,20,21 & 26 DUPLEX FOR 18 UNITS
LOTS 7,8,9,10,11,12,13,14,15 & 16 SMALL LOTS
FOR 10 UNITS. NOTE: 5% OR LESS GRADE
FROM PROPERTY CENTER LINE
LOTS 4,5,18,22,23,24 & 25 LARGE LOTS
FOR 7 UNITS
TOTAL UNITS 35
- 2.3 DENSITY TRANSFER
DUPLEX LOTS
LOTS 2,3,6,17,19,20,21 & 26 DUPLEX FOR
8 UNITS EXTRA UNITS
NOTE: TRADE OFF AREA OF 6,997.9 M. SQ.
FROM EXTRA PARK DEDICATION
11 UNITS ALLOWABLE

LOT #	AREA	TYPICAL	LOT #	AREA	TYPICAL
1	821.5m	R1 LOT	14	375.9m	small lot
2	680m	duplex	15	375.9m	small lot
3	847.3m	duplex	16	375.9m	small lot
4	600.3m	single	17	704m	duplex
5	600m	single	18	953.4m	single
6	711m	duplex	19	884m	duplex
7	410m	small lot	20	908m	duplex
8	408m	small lot	21	788m	duplex
9	376m	small lot	22	600m	single
10	375.9m	small lot	23	600m	single
11	375.9m	small lot	24	600m	single
12	375.9m	small lot	25	600m	single
13	375.9m	small lot	26	1123.6m	duplex

NEW LOT LINES

EXISTING LOT LINE

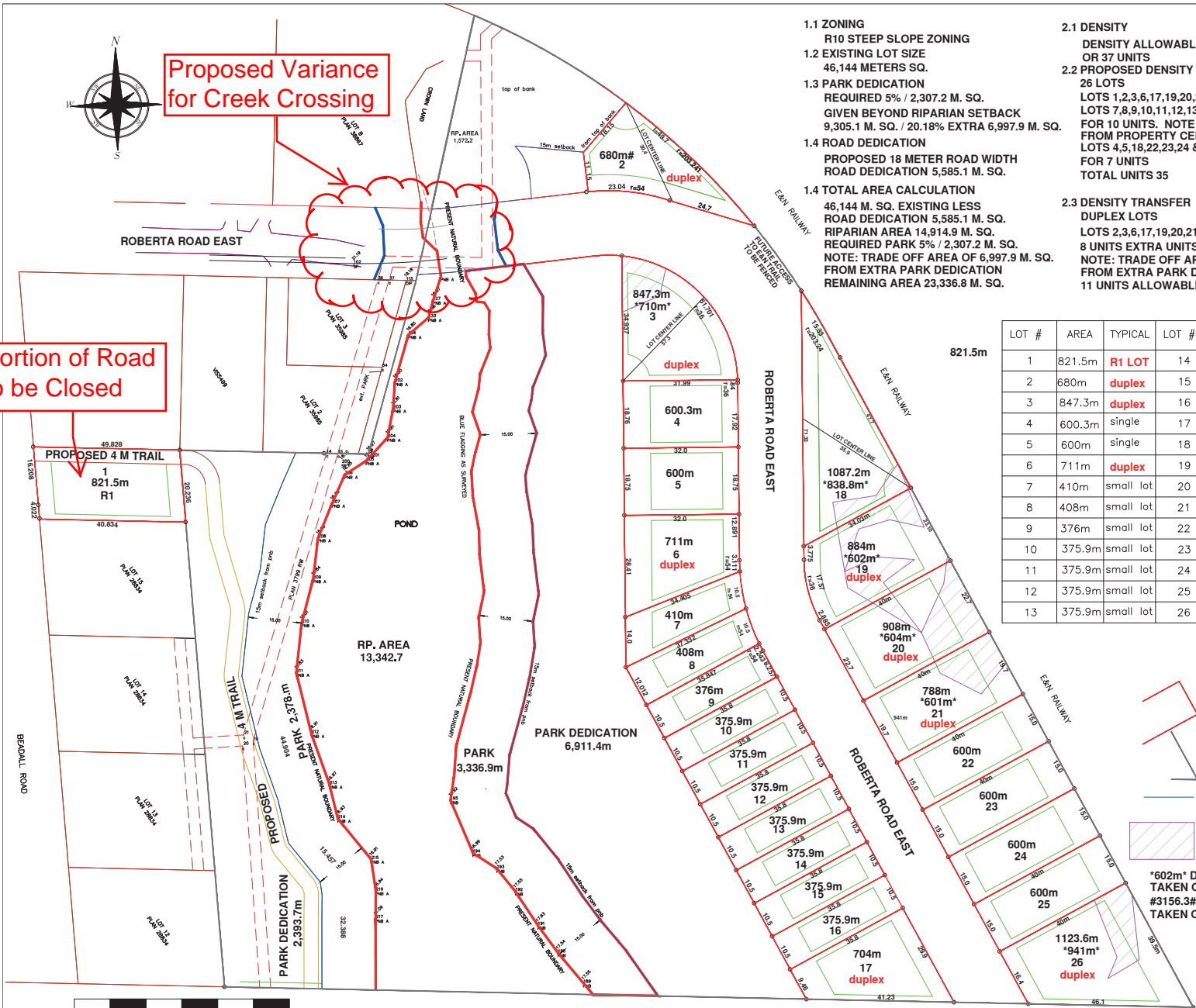
15 METER RIPARIAN
SETBACK

AREA OF STEEP SLOPE

602m DENOTES STEEP SLOPE
TAKEN OF LOT SIZE
#3156.3# DENOTES RIPARIAN AREAS
TAKEN OF LOT SIZE

Proposed Variance
for Creek Crossing

Portion of Road
to be Closed



SCALE:
1-500

PT SECTION 2

revised MAR 16 2017

ATTACHMENT D
AERIAL PHOTO



DEVELOPMENT PERMIT NO. DP001068

