Damm Decision – 28 Aug 2025

The applicants have a difficult, oddly shaped lot through no fault of their own. The proposed subdivision exacerbates several issues including the odd shape of the lot (Bylaw 7.1.1). Of particular concern is the requirement for 300 feet of road frontage in Rural I (Bylaw 4.4), though this is not the only challenge posed by the proposed subdivision. The DRB did not find that the applicants presented a compelling case for granting the requested waiver and subdivision permit.

Damm subdivision draft decision, 8 Sep 2025

The DRB denies the application for a subdivision waiver under provisions in section 7.3 of the Unified Bylaw as the applicants did not make a case for the waiver being needed to preserve public health, safety, and the general welfare. Additionally, the proposed subdivision would create a second irregularly shaped lot. Such lots are prohibited under section 7.1.1 of the Unified Bylaw.

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Section 4.4 of the Unified Bylaw requires lots in Rural I to have a road frontage of 300 feet. The proposed subdivision creates 2 lots with road frontages of 198 and 152 feet respectively. Neither lot created by the proposed subdivision has sufficient road frontage. The DRB did not find that the proposed subdivision met one or more of the eight waiver standards in section 8.2.2 of the Unified Bylaw required to waive dimensional requirements.