

DATE OF MEETING December 19, 2016

AUTHORED BY BRIAN ZUREK, SUBDIVISION PLANNER, CURRENT PLANNING AND SUBDIVISION

SUBJECT **DEVELOPMENT VARIANCE PERMIT NO. DVP297 – 3736 BELAIRE DRIVE**

OVERVIEW

Purpose of Report

To present for Council's consideration a development variance permit application to allow the construction of a dwelling unit with variances to perimeter wall height and to the side yard setback at 3736 Belaire Drive.

Recommendation

That Council issue Development Variance Permit No. DVP297 at 3736 Belaire Drive with the following variances:

- reduce the side yard setback for steps and landings from 1.5m to 0m; and,
- increase perimeter wall height as follows:
 - rear elevation – from 9.14m to 14.02m;
 - right-side (west) elevation – from 7.32 m to 11.74m; and,
 - left-side (east) elevation – from 9.14m to 10.44m.

BACKGROUND

A development variance permit application, DVP297, was received from 0978993 BC Ltd. (Sukhminder Nagra), on behalf of Kulbir Nagra, to vary the provisions of the City of Nanaimo "Zoning Bylaw 2011 No. 4500" to construct a residential dwelling with steps and landings in a side yard; and, an over-height perimeter wall on the rear and sides of the building.

Subject Property

<i>Zoning</i>	R1 - Single Dwelling Residential
<i>Location</i>	The subject property is located between Linley Valley and Pipers Lagoon in northeast Nanaimo.
<i>Total Area</i>	807m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use Plan – Neighbourhood

The vacant R1 property is located in a single family residential neighbourhood on a south-facing slope with views over Departure Bay. The grade falls approximately 15m from Belaire Drive to the rear lot boundary shared with parcels located on Wiltshire Drive.

Special Council Meeting
2016-DEC-19

DISCUSSION

The steeply sloping (37.5%) parcel affords both desirable views and challenging building conditions. To maximize views and to design with site topography, the applicant proposes a multi-storey structure consistent with the size and scale of other dwellings along the street.

The proposed residence is well detailed with layered shed roofs and breaks in wall-massing to reduce the scale of the building and add visual interest to the structure. The roof form also allows for views over the dwelling from existing up-slope properties on Belaire Drive.

Side Yards Setbacks

The applicant has requested a variance to allow steps and landings within the left-side (east) yard setback. The steps and landings would provide access to a secondary suite located on the lowest floor and rear of the building.

The dwelling on the (eastern) adjacent lot is located approximately 3m from the shared side yard boundary. The wall of the adjacent building is largely blank with minimal openings; it is not anticipated that the proposed steps and landings would have a negative impact on the adjacent residents' privacy.

Perimeter Wall Height

Due to the design and siting of the proposed dwelling, the maximum rear and left-side (east) wall height is 9.14m, while the maximum right-side (west) wall height is 7.32m in accordance with Zoning Bylaw 4500. The Bylaw measures shed roofs differently than standard hip or gabled roofs, which results in a more restrictive (lower maximum) perimeter wall height.

The greatest variance is proposed on the rear elevation. Given the presence of an easement in the rear yard, the site grades cannot be built up with retaining walls in order to reduce the height of the building. Instead, the vertical scale of the rear elevation is minimized by integrating the open decks into the design of the building itself. Through a high level of design and architectural detailing, the massing of the proposed residence is consistent with other dwellings along the street and the structure maintains some of the view corridor from Belaire Drive.

PROPOSED VARIANCES

Minimum Side Yard Setback

The minimum side yard setback is 1.5m. The applicant proposes to locate steps and landings entirely within the left-side (east) yard, thereby reducing the side yard setback from 1.5m to 0m. The steps and landings are designed to be generally at-grade and are not anticipated to negatively impact the privacy of adjoining properties.

Maximum Perimeter Wall Height

Rear Elevation

The maximum allowable perimeter wall height is 9.14m. The applicant proposes a rear perimeter wall height of 14.02m, a proposed variance of 4.88m. Existing trees and vegetation on the neighbouring parcel down-slope can mitigate a potential loss in privacy resulting from the proposed dwelling.

Right Side Elevation

The maximum allowable perimeter wall height is 7.32m. The requested perimeter wall height is 11.74m, a proposed variance of 4.42m. The right side elevation is well articulated, with four visual planes breaking up the building massing. In Staff's opinion, the applicant's design meets the intent of the Bylaw.

Left Side Elevation

The maximum allowable perimeter wall height is 9.14m. The requested perimeter wall height is 10.44m, a proposed variance of 1.30m.

Statutory Notification has taken place prior to the consideration of the variance.

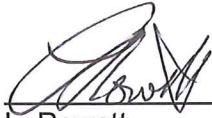
SUMMARY POINTS

- The steeply sloping parcel affords desirable views and challenging building conditions.
- The applicant proposes to construct a dwelling with well articulated exterior walls and roof lines to minimize potential impacts on views or privacy of surrounding properties.
- Staff supports the proposed variances to perimeter wall height as well as the steps and landings within the side yard setback.

ATTACHMENTS

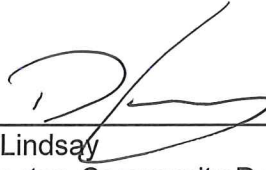
ATTACHMENT A: Terms and Conditions
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Plan
ATTACHMENT D: Conceptual Elevation – Front Yard
ATTACHMENT E: Conceptual Elevation – Rear Yard
ATTACHMENT F: Rear Elevation
ATTACHMENT G: Right Side Elevation
ATTACHMENT H: Left Side Elevation
ATTACHMENT I: Letter of Rationale
ATTACHMENT J: Aerial Photo

Submitted by:



L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:



D. Lindsay
Director, Community Development

ATTACHMENT A

TERMS OF PERMIT

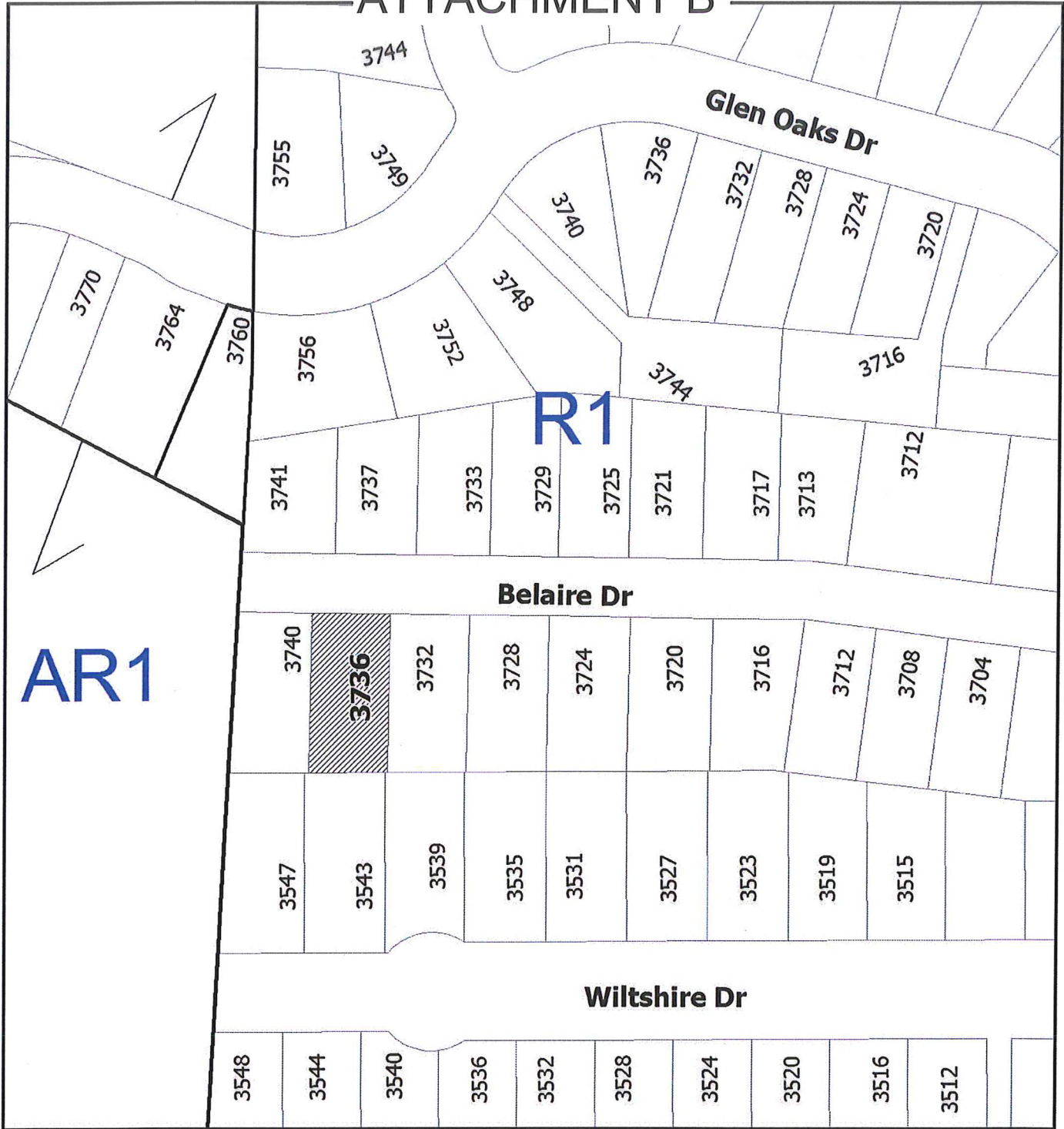
The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is varied as follows:

1. *Section 7.5.1 – Side Yard* – reduce the minimum side yard setback from 1.5m to 0m for the proposed steps and landings within the left-side (east) yard setback.
2. *Section 7.6.6 – Size of Buildings* to increase the maximum perimeter wall height as follows:
 - a. Rear Elevation from 9.14m to 14.02m;
 - b. Right-Side (west) Elevation from 7.32m to 11.74m; and
 - c. Left-Side (east) Elevation from 9.14m to 10.44m.

CONDITIONS OF PERMIT

1. The subject property is developed in accordance with the Site Plan prepared by Nathan Middleton dated 2016-NOV-02.
2. The development is in general compliance with the elevations prepared by Nathan Middleton dated 2016-DEC-01.

ATTACHMENT B



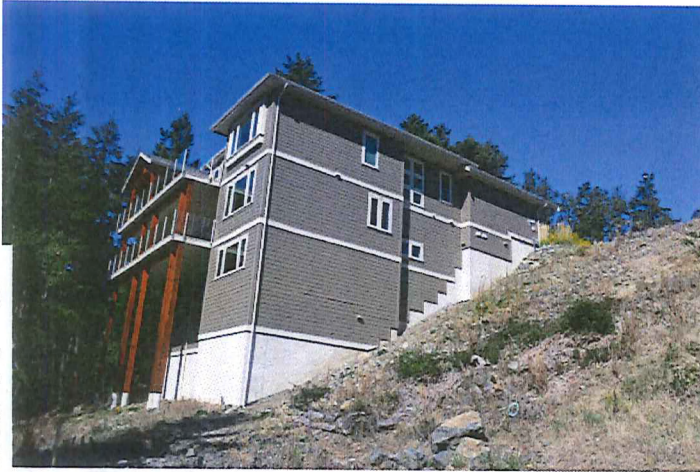
DEVELOPMENT VARIANCE PERMIT NO. DVP00297

LOCATION PLAN

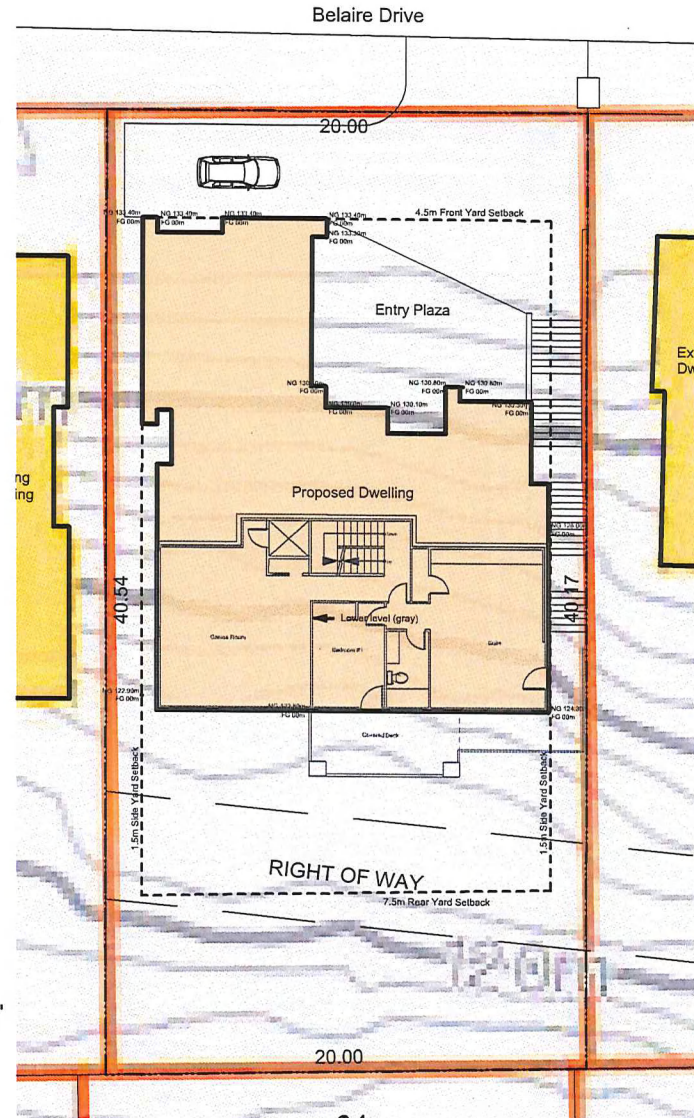
Civic: 3736 Belaire Drive
Lot 10, District Lot 29, Wellington District,
Plan VIP62182

 **Subject Property**

ATTACHMENT C



Site Plan
Scale: 1/16" = 1'-0"

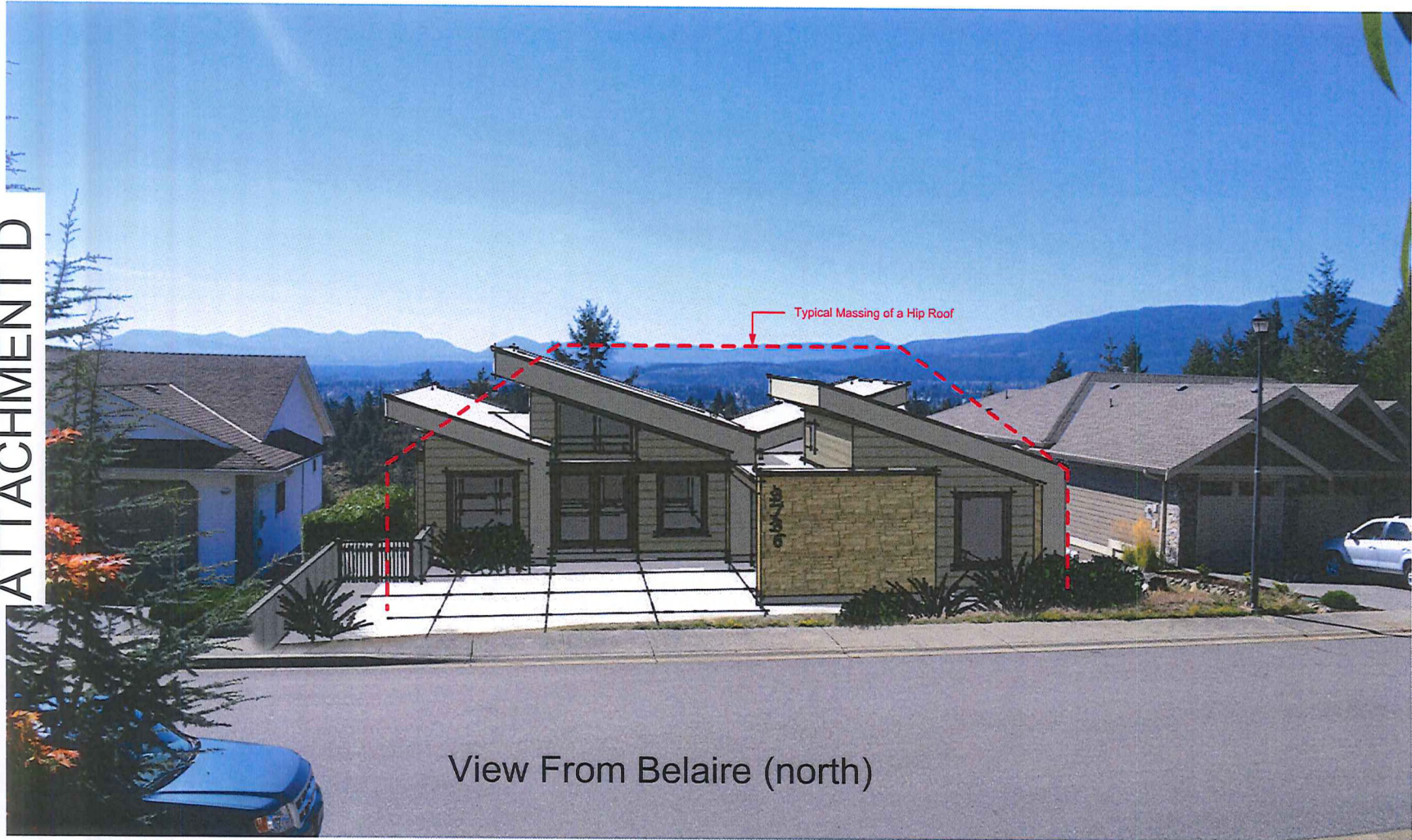


A1.1

Issue:	Schematic Design	Nov. 02 2016
Residence for Sukhi Nagra 3736 Belaire, Nanaimo, B.C.		

architecture & design
Middleton
nemida@glorus.net
web: http://nemiddesign.com
593 Laro Street Nanaimo, B.C. Canada V9B 2G2 (250) 795-1150

ATTACHMENT D



View From Belaire (north)

A3.1

Issue:	Schematic Design	Nov. 02 2018	Residence for Sukhi Nagra 3736 Belaire, Nanaimo, B.C.

architecture & design
Middleton
 www.middletondesign.com
 nanaimo@middletondesign.com
 593 Lantz Street Nanaimo, B.C. Canada V9B 2G2 (250) 753-1150

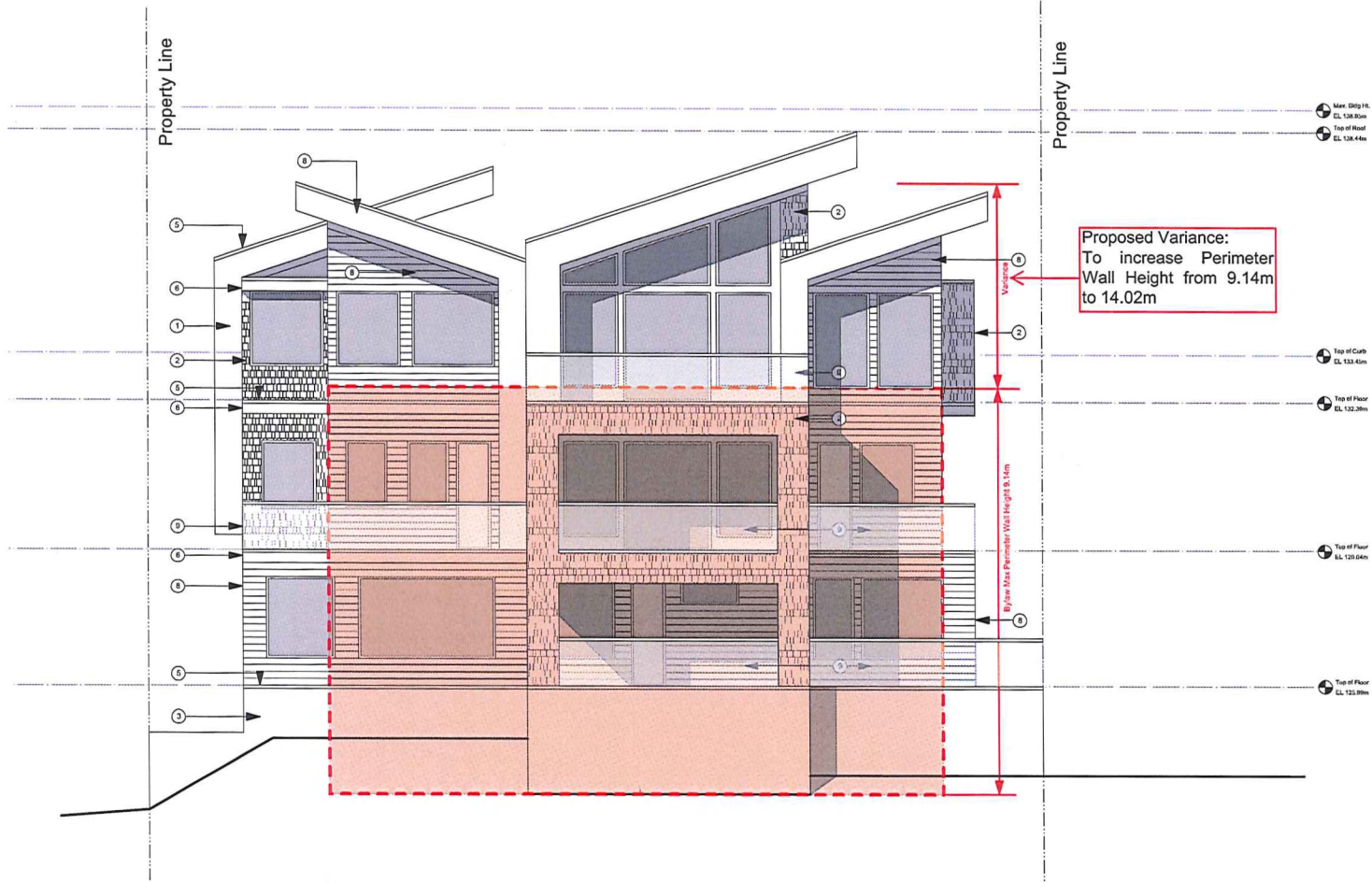
ATTACHMENT E

View From South



Issue:	Schematic Design	Nov. 02 2016	Residence for Sukhi Nagra 3736 Belaire, Nanaimo, B.C.

ATTACHMENT F



Rear Elevation
Scale: 1/8" = 1'-0"

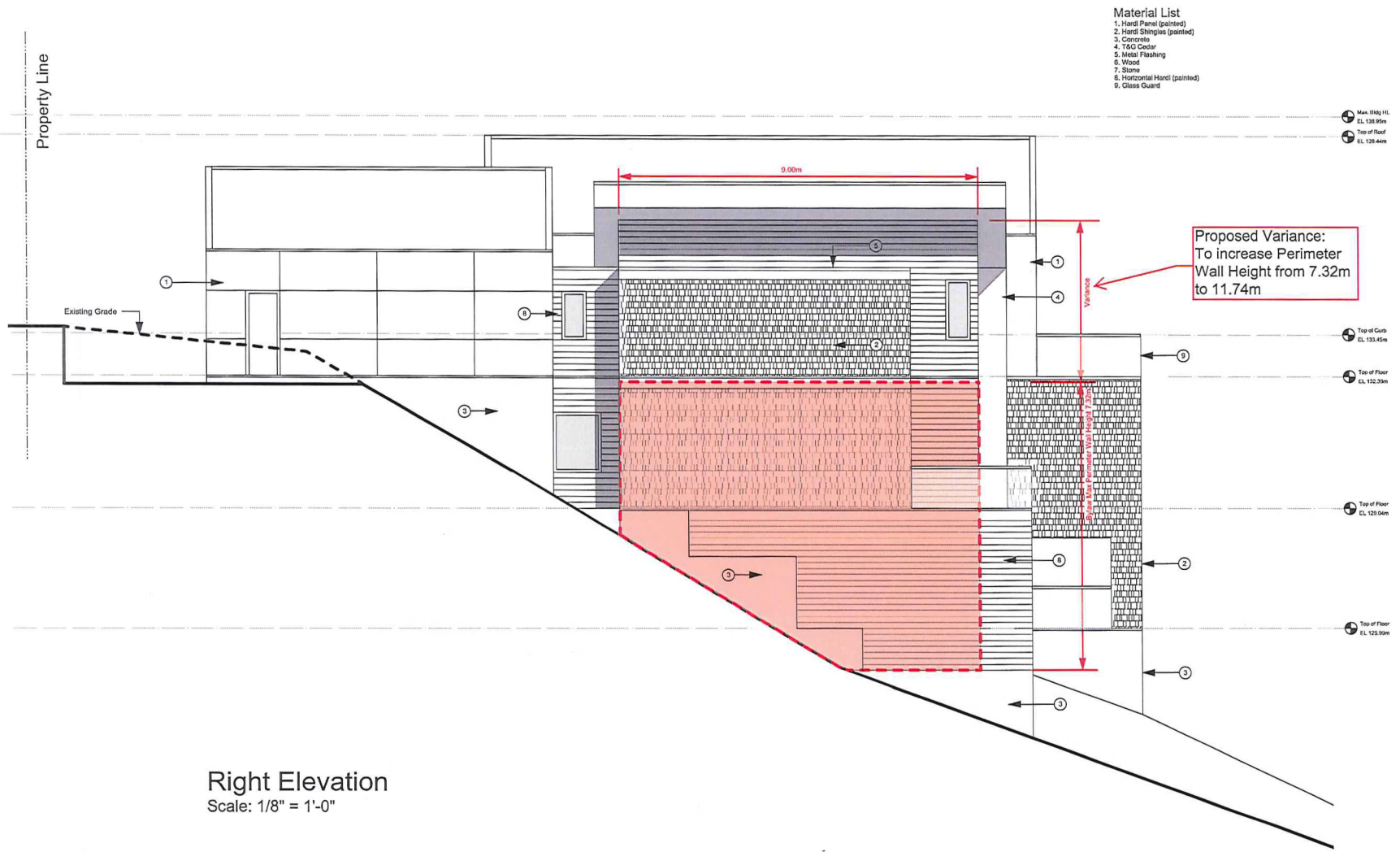
RECEIVED
By Current Planning at 11:45 am, Dec 01, 2016

A4.3

Issue:	Schematic Design	Dec. 01 2016	Residence for Sukhi Nagra 3736 Belaire, Nanaimo, B.C.

architecture & design
Middleton
www.middletonarchitecture.com
353 Larch Street, Nanaimo, B.C. Canada V9S 2G1 (250) 758-4168

ATTACHMENT G



- Material List**
1. Hard Panel (painted)
 2. Hard Shingles (painted)
 3. Concrete
 4. T&G Cedar
 5. Metal Flashing
 6. Wood
 7. Stone
 8. Horizontal Hard (painted)
 9. Glass Guard

Right Elevation
Scale: 1/8" = 1'-0"

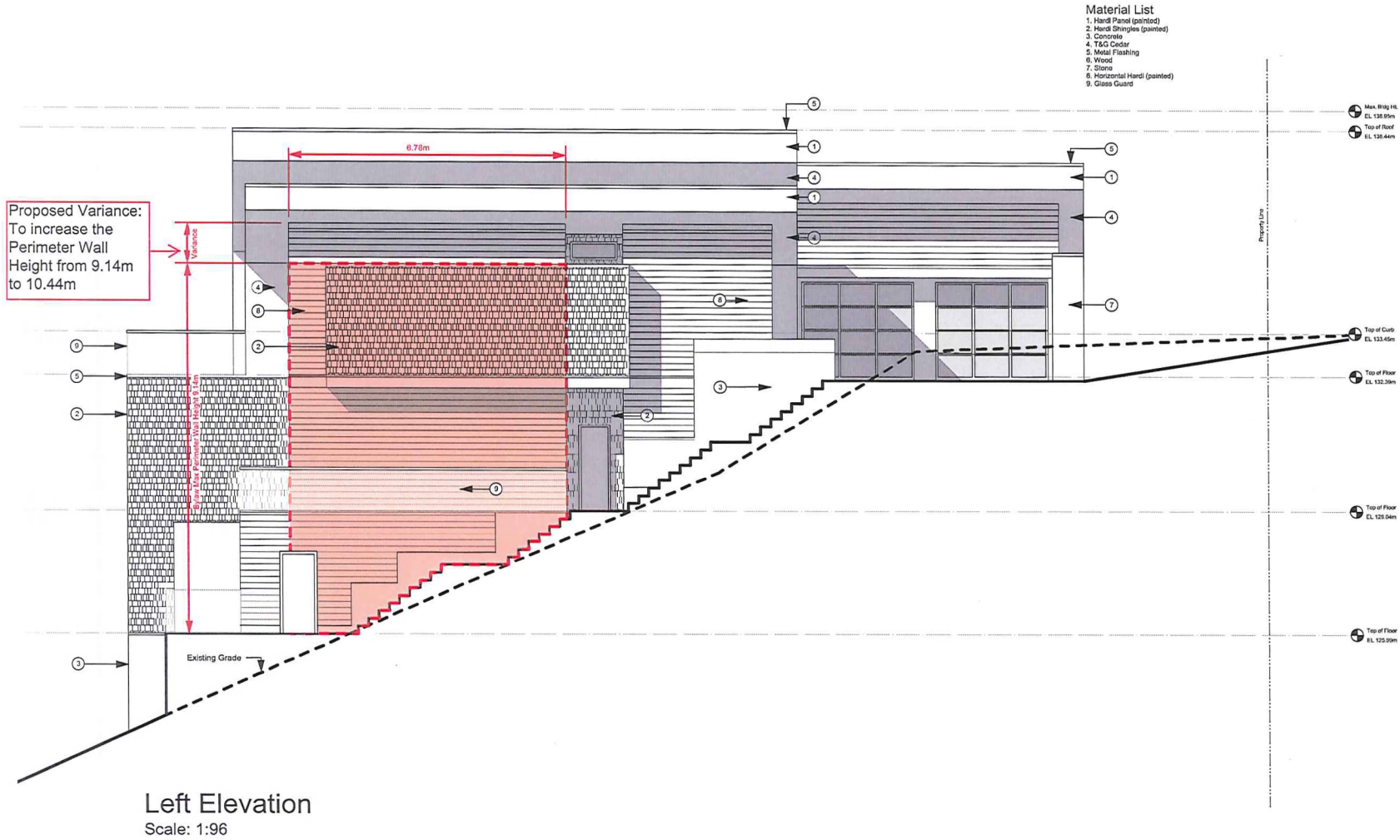
A4.4

Issue:	Schematic Design	Dec. 01 2016
Residence for Sukhi Nagra	3736 Belaire, Nanaimo, B.C.	

architecture & design
Middleton
residents@middleton.ca
583 Laram Street Nanaimo, B.C. Canada V9S 2G2 (250) 853 4160

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By Current Planning at 11:45 am, Dec 01, 2016

ATTACHMENT H



Left Elevation
Scale: 1:96

A4.5

Issue:	Schematic Design	Dec. 01 2016
Residence for Sukhi Nagra 3736 Belaire, Nanaimo, B.C.		

architecture & design
Middleton
 web: <http://www.middletondesign.ca>
 email: middleton@middletondesign.ca
 553 Laramie Street Nanaimo, B.C. Canada V9R 2G2 (250) 753-4700

RECEIVED
By Current Planning at 11:45 am, Dec 01, 2016

ATTACHMENT I

3736 Belaire Development Variance Rationale Letter

Variance:

Perimeter Wall Height variance required.

Right elevation 13'6"+ construction tolerance of 1' = 14'6" .

Left elevation 3'3" + construction tolerance of 1' = 4'3" .

Rear elevation 15' + construction tolerance of 1' = 16'0" .

Design

This home was designed with a comfortable main floor layout containing all amenities for a couple to live primarily on the main floor. On a steep sloping site, to reach ground level for the foundations, a main floor layout like this requires 2 levels of building below, as well as building the site grades up using retaining walls. In this respect this design and its context are similar to the majority of homes already on this street.

Roof Form

The four individual roof forms break up the building mass while creating grand vaulted spaces within the dwelling. The direction of the main sloping roof (North to South) accentuates the tall interior space, simultaneously connecting the entry to the spectacular views beyond. Furthermore, this roof form enables better views over top of the home for the properties across the street. The current bylaw measures a shed roof differently from a standard hip or gabled roof consequently, this roof has additional perimeter wall height measurements to account for.

Retaining Walls

Because of the easement right of way that runs through the lower property, we cannot build the site grades up with the use of retaining walls as easily as the neighbouring properties have done.

Site Depth

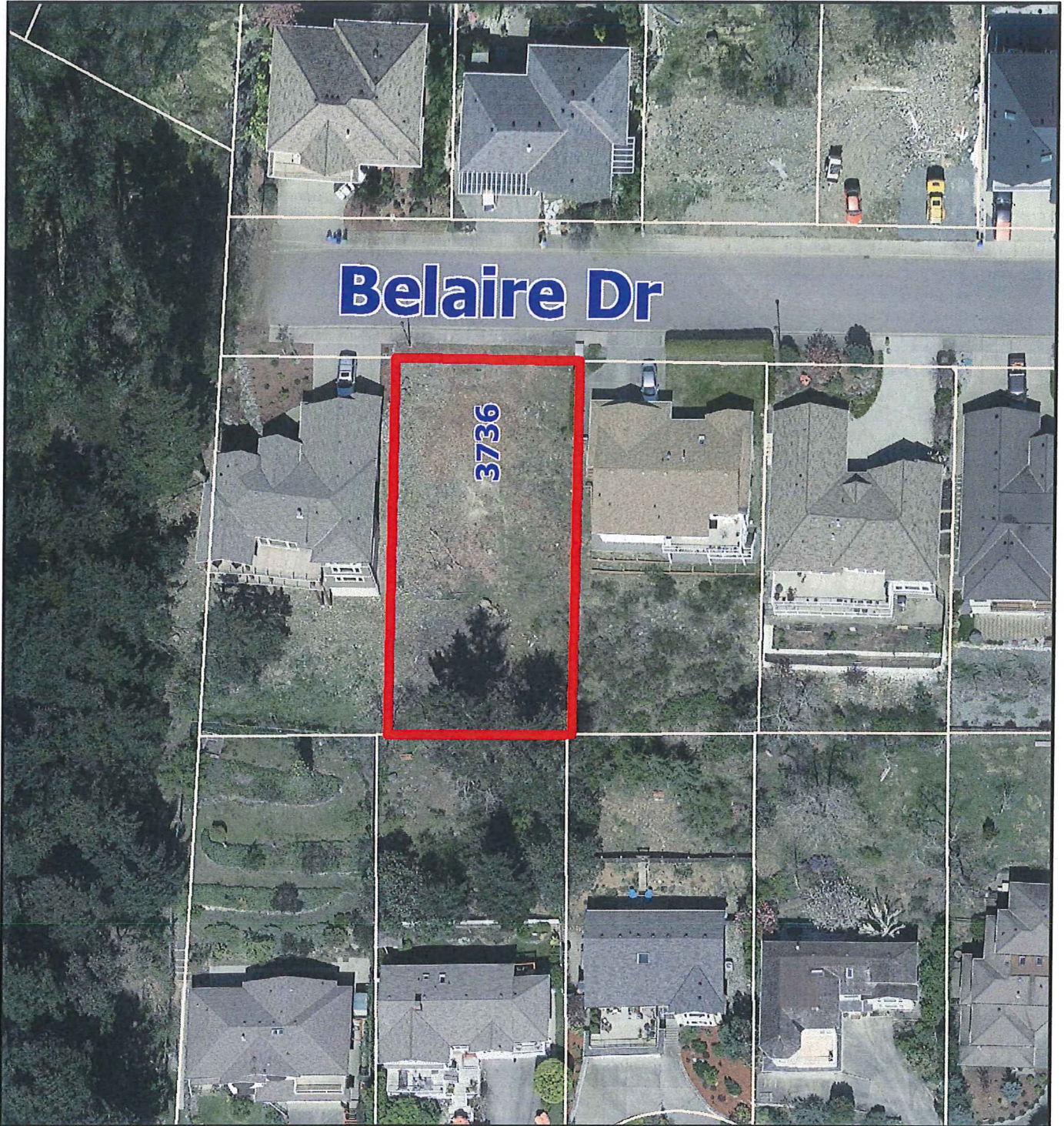
We feel that the perimeter wall height of the rear elevation is not a concern to the lower neighbour. There is a considerable distance between the two homes created by the length of this lot and the length of the lots below. Substantial vegetation and trees located between the buildings add to the visual privacy.

Bylaw Compliance

The intent behind the Perimeter wall height bylaw is to break up massing. We feel that we have achieved this intent.

RECEIVED
By Iromanik at 9:35 am, Nov 29, 2016

ATTACHMENT J



DEVELOPMENT VARIANCE PERMIT NO. DVP00297

