

DATE OF MEETING September 11, 2017

AUTHORED BY DAVE PADY, PLANNER, CURRENT PLANNING AND SUBDIVISION

SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP321 - 897 HOWARD AVENUE

OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit application to reduce the minimum lot depth requirement to facilitate a 30-lot subdivision of the subject property at 897 Howard Avenue.

Recommendation

That Council issue Development Variance Permit No. DVP321 at 897 Howard Avenue with the following variances:

- reduce the minimum lot depth requirement for lots within a proposed subdivision as follows:
 - Lots 2 and 3 from 30m to 28.09m;
 - Lots 4 and 5 from 30m to 28.10m;
 - Lots 6 and 7 from 30m to 28.11m;
 - Lot 8 from 30m to 28.13m;
 - Lots 9 to 23 and 29 from 30m to 28m;
 - Lot 24 from 30m to 28.4m; and,
 - Lot 28 from 30m to 28.6m.

BACKGROUND

A development variance permit application, DVP321, was received from J.E. Anderson & Associates, on behalf of Mr. Gordon Gliege, to vary the provisions of the City of Nanaimo "Zoning Bylaw 2011 No. 4500" to reduce the minimum lot depth for 26 proposed lots within a 30-lot subdivision (SUB1271) at 897 Howard Avenue.

Subject Property

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located on the northwest corner parcel at the intersection of Howard Avenue and Eighth Street
<i>Total Lot Area</i>	2.02 hectares
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan - Neighbourhood

The subject property is one of the original five-acre parcels in the Harewood neighbourhood area. The property immediately to the north contains a multi-family townhouse development,

and properties to the east and west are primarily single-family lots. Properties to the south include larger parcels which have future subdivision potential.

Statutory notification has taken place prior to Council's consideration of the requested variance.

DISCUSSION

Proposed Development

The proposed subject property is within the Neighbourhood designation of the Official Community Plan (OCP) and the Harewood Neighbourhood Plan which allows a density range of 10-50 units per hectare (uph). The proposed infill subdivision achieves a density of 15uph. The minimum parcel depth within the R1 zone is 30m. The proposed internal road achieves a traditional grid layout, as required by policies within the Harewood Neighbourhood Plan and Nanaimo Transportation Master Plan (NTMP). This results in a double row of internal lots, as well as a row of lots fronting on Eighth Street. The depth of the entire subject property is approximately 101m, which is consistent with original parcels in the Harewood neighbourhood. This depth, combined with a 16.5m road dedication requirement and three rows of residential lots, makes subdivision layouts anticipated by policies difficult to achieve without a variance.

If the developer is required to meet lot depth requirements of the R1 zone and the required road width dedication for the subject property, it would result in far fewer and larger lots. The lots would grossly exceed the minimum lot area, resulting in an inefficient subdivision of this property, and the development would not achieve the density goals of the OCP. The applicant has instead been able to make up the shortfall in lot depth by providing increased lot frontage. The minimum frontage in the R1 zone is 15m and the minimum proposed lot frontage is 15.89m with the majority of frontages exceeding 16m and 17m. All of the proposed lots within the subdivision meet the minimum 450m² lot area requirement. The minor reduction in proposed lot depths, combined within an increase in lot widths will ensure adequate building envelopes for the intended residential use.

PROPOSED VARIANCES

The minimum lot depth in the R1 zone is 30m. The applicant proposes to reduce the lot depths in accordance with the following table:

Variations Requested		
Lot Number	Proposed Lot Depth	Variance Requested
2, 3	28.09m	1.91m
4, 5	28.10m	1.90m
6, 7	28.11m	1.89m
8	28.13m	1.87m
9-23, 29	28.00m	2.00m
24	28.40m	1.60m
28	28.60m	1.40m

Staff supports the proposed lot depth variances which will facilitate an efficient infill subdivision, including the provision of park dedication, and meets the density and road network objectives of the OCP and NTMP.

SUMMARY POINTS

- Development Variance Permit Application No. DVP321 proposes a variance to reduce lot depth requirements to facilitate a 30-lot subdivision.
- The proposed infill subdivision will create lots consistent in size to other single-family lots in the immediate area.
- The requested lot depth variances are not anticipated to negatively impact the use of the proposed residential lots or adjacent properties.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Survey/Proposed Subdivision
ATTACHMENT D: Letter of Rationale
ATTACHMENT E: Aerial Photo

Submitted by:



L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:



For D. 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:

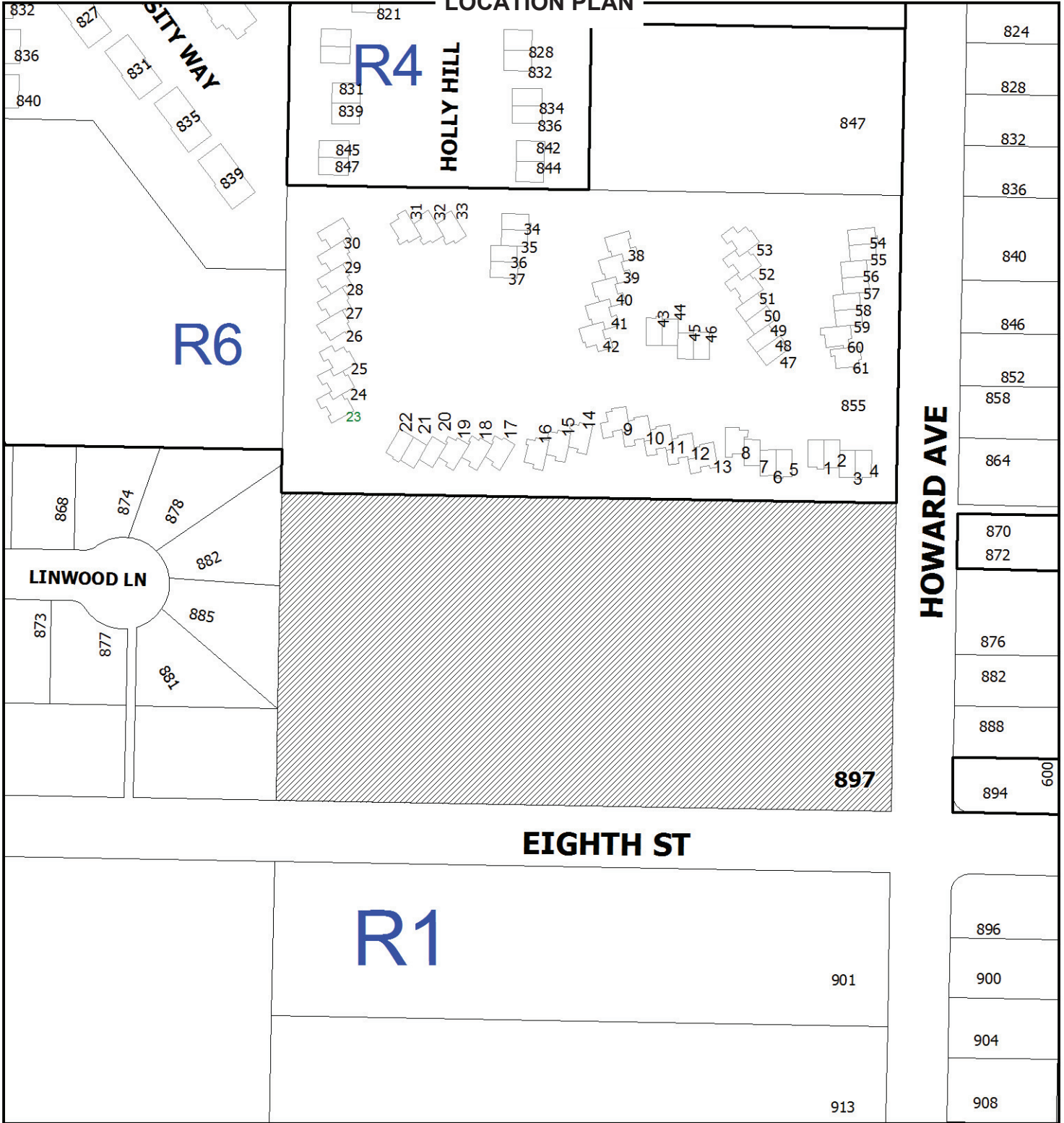
1. *Section 7.4.1 – Minimum Lot Depth* to reduce the minimum lot depth requirement from 30 metres as follows:

Variances Requested		
Lot Number	Proposed Lot Depth	Variance Requested
2, 3	28.09m	1.91m
4, 5	28.10m	1.90m
6, 7	28.11m	1.89m
8	28.13m	1.87m
9-23, 29	28.00m	2.00m
24	28.40m	1.60m
28	28.60m	1.40m

CONDITIONS OF PERMIT

1. The subject property is developed in accordance with the proposed subdivision plan prepared by J.E. Anderson & Associates dated 2017-MAY-17, as shown on Attachment C.
2. The applicant is to obtain the necessary building permits for the demolition of the existing accessory buildings, located on proposed Lots 14-16, in order to facilitate the proposed subdivision.

**ATTACHMENT B
LOCATION PLAN**



DEVELOPMENT VARIANCE PERMIT NO. DVP00321

LOCATION PLAN

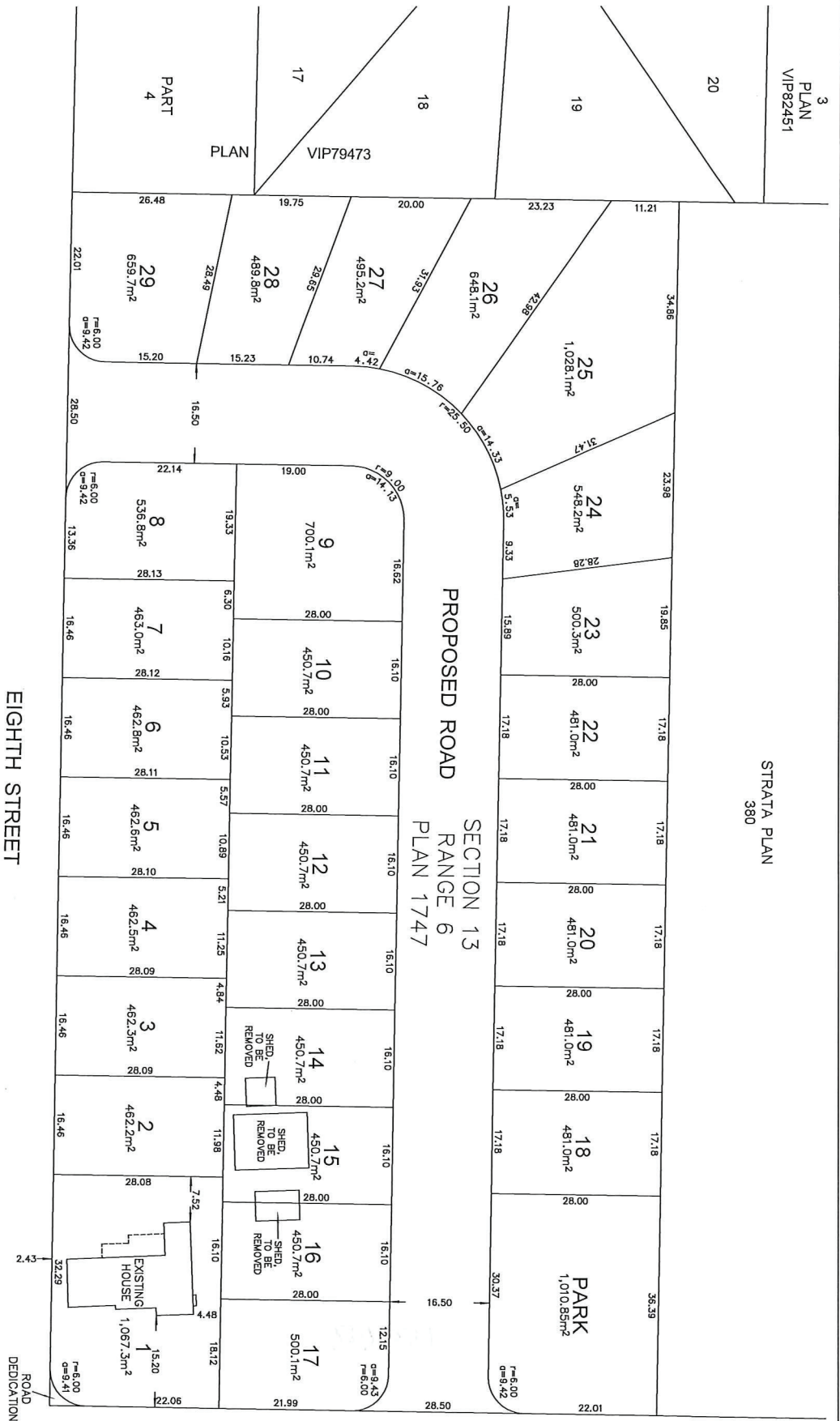
Civic: 897 Howard Avenue
Section 13, Range 6, Section 1,
Nanaimo District, Plan 1747

 **Subject Property**

ATTACHMENT C PROPOSED SUBDIVISION PLAN

PLAN
VIP82451

STRATA PLAN
380



PROPOSED SUBDIVISION DEVELOPMENTS
SAYWELL
SECTION 13, RANGE 6,
DISTRICT, PLAN 1747
ADDRESS: 897 HOWARD AVE., NANAIMO
PROJECT SURVEYOR: D.W. HOLME
DRAWN BY: DAW DATE: MAY 17/17
OUR FILE: 88652 REVISION:

LEGEND
DIMENSIONS ARE IN METRES
CONTOURS SHOWN ARE CITY OF NANAIMO UDBR CONTOURS
DATE FOR ELEVATIONS: 14 MARCH 2017
S GROUND
CONTOUR INTERVAL = 1 METRE
SUBJECT TO CHANGES SHOWN IN NANAIMO ON THE P.L.D. NO. C2825925 (P.L.D. 007-856-999)
DIPLOMAS IN SURVEYING - ENGINEERS
JEAN ANDERSON & ASSOCIATES

LOT	MIN LOT DEPTH	PROPOSED LOT DEPTH	VARIANCE REQUESTED	LOT	MIN LOT DEPTH	PROPOSED LOT DEPTH	VARIANCE REQUESTED
1	30m	34.22m	-	14	30m	28.00m	2.00m
2	30m	28.09m	1.91m	15	30m	28.00m	2.00m
3	30m	28.09m	1.91m	16	30m	28.00m	2.00m
4	30m	28.10m	1.90m	17	30m	28.00m	2.00m
5	30m	28.10m	1.90m	18	30m	28.00m	2.00m
6	30m	28.11m	1.89m	19	30m	28.00m	2.00m
7	30m	28.11m	1.89m	20	30m	28.00m	2.00m
8	30m	28.13m	1.87m	21	30m	28.00m	2.00m
9	30m	28.00m	2.00m	22	30m	28.00m	2.00m
10	30m	28.00m	2.00m	23	30m	28.00m	2.00m
11	30m	28.00m	2.00m	24	30m	40.70m	-
12	30m	28.00m	2.00m	25	30m	35.98m	-
13	30m	28.00m	2.00m	26	30m	30.28m	1.40m
				27	30m	28.60m	2.00m
				28	30m	28.00m	2.00m
				29	30m	28.00m	2.00m

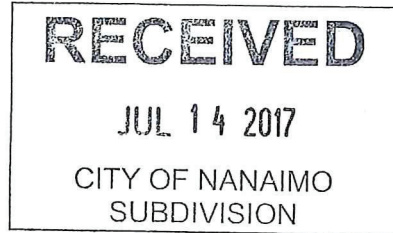
TOTAL LOT AREA OF SECTION 13, RANGE 6 = 20,216.37m²
PARK DEDICATION REQUIRED = 20,216.37x5% = 1,010.82m²

LAND TITLE OFFICE RECORDS
THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL



**ATTACHMENT D
LETTER OF RATIONALE**

LEGAL SURVEYS
MUNICIPAL ENGINEERING
LAND DEVELOPMENT AND MANAGEMENT



July 12, 2017

JEA File No. 88652

City of Nanaimo
Community Development
Current Planning and Subdivision
411 Dunsmuir Street
Nanaimo, BC V9R 0E4

Email: Kris.Sillem@nanaimo.ca

Attn: Kris Sillem

RE: Preliminary Layout Approval and Development Variance Permit Application
LEGAL: Section 13, Range 6, Section 1, Nanaimo District, Plan 1747
CIVIC: 897 Howard Avenue

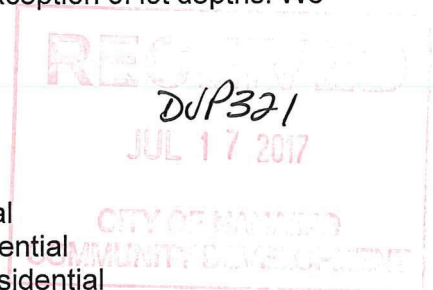
Dear Kris,

Our client, 0699694 BC Ltd. (Don Saywell), has retained J.E. Anderson and Associates (JEA) to prepare and submit an application for Preliminary Layout Approval and Development Variance Permit on a 29-Lot Fee Simple subdivision.

The proposed subdivision meets the current Zoning Bylaw 4500 with the exception of lot depths. We are requesting a Development Variance Permit for these lots.

Subject Property

Lot Area	20,216.37m ²
Current Zone	R1 Single Dwelling Residential
Neighbouring Property Zones	North – R6 Townhouse Residential East – R1 Single Dwelling Residential South – R1 Single Dwelling Residential West – R1 Single Dwelling Residential
OCP Designation	Neighbourhood
Development Permit Area	N/A
Existing Structures	1 Residence, 3 Accessory Buildings
Environmental	Soils being reviewed by SLR Environmental Treed No Watercourses



- 1A - 3411 Shenton Road
Nanaimo, BC V9T 2H1
Phone 250-758-4631
nanaimo@jeanderson.com
- 4212 Glanford Avenue
Victoria, BC V8Z 4B7
Phone 250-727-2214
info@jeanderson.com
- 203 - 177 Weld St. PO Box 247
Parksville, BC V9P 2G4
Phone 250-248-5755
parksville@jeanderson.com
- F - 1250 Cedar Street
Campbell River, BC V9W 2W5
Phone 250-287-4865
campbellriver@jeanderson.com



88652
 PLA and DVP Application
 897 Howard Avenue

Proposed Development

Density	29 Residential Lots (31 Dwelling Units)
Developable Area (after roads)	16,519.84m ²
Park	1,010.85m ²
Lots	15,509.50m ² ÷ 29 Lots = 534.8m ² (Average)
Existing Structures	Residence to remain Accessory buildings to be removed

Variance Requested

Minimum Lot Depth		- 30m
Lots Requiring Variance for Lot Depth	2, 3	- 28.09m (1.91m var)
	4, 5	- 28.10m (1.90m var)
	6, 7	- 28.11m (1.89m var)
	8	- 28.13m (1.87m var)
	9 to 23, 29	- 28.00m (2.00m var)
	24	- 28.40m (1.60m var)
	28	- 28.60m (1.40m var)

Variance Request Rationale

The Official Community Plan, planNanaimo, designates this property as 'Neighbourhood', which encourages a mix of residential uses. In addition, the Neighbourhood designation identifies a density of 10-50 units/hectare. The current zone, R1 Single Dwelling Residential, allows for approximately 16 units/hectare density. The parent parcel is 2.02 hectares which would permit 32 units (lots).

The parent parcel is bounded on the south and east by public road, on the west by a developed single family development, and to the north by a multi-family development. So, the boundaries of the parent parcel are fixed, without the opportunity to expand in any direction. The better option for accessing this site is to dedicate a road connecting Eighth Street to Howard Avenue, through the site, eliminating the need for cul-de-sacs. This road dedication creates a depth of subdividable property that doesn't permit back-to-back lots with 30m depths. We have attempted to maximize the depths on the lots by creating a balance where possible. Many of the lots are left with depths shorter than the minimum 30m.

Given the Neighbourhood designation and the R1 Single Dwelling Residential identifies a density of this lot of approximately 32 units, we have proposed lots that will allow for family homes and usable yard area.

- Maximum site coverage 1,940 sq. ft.
- Rear yard / garden area same as or larger than
 30m deep lot (narrowest lot) 1,299 sq. ft.

88652
PLA and DVP Application
897 Howard Avenue

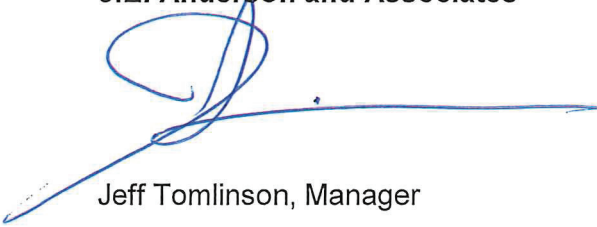
The maximum variance on lot depth requested is 2.00m. Based on this variance, the difference is as follows:

- | | |
|--------------------------------|---------------------------------|
| 1. R1 lot with 30m depth | max house depth: 18m (59.0 ft.) |
| 2. Proposed lot with 28m depth | max house depth: 16m (52.5 ft.) |

The minimum widths proposed on this subdivision are greater than the minimum 15m

The minimum lot width proposed is 16.10m, which is 1.50m wider than the minimum frontage.
If you have any questions please call me.

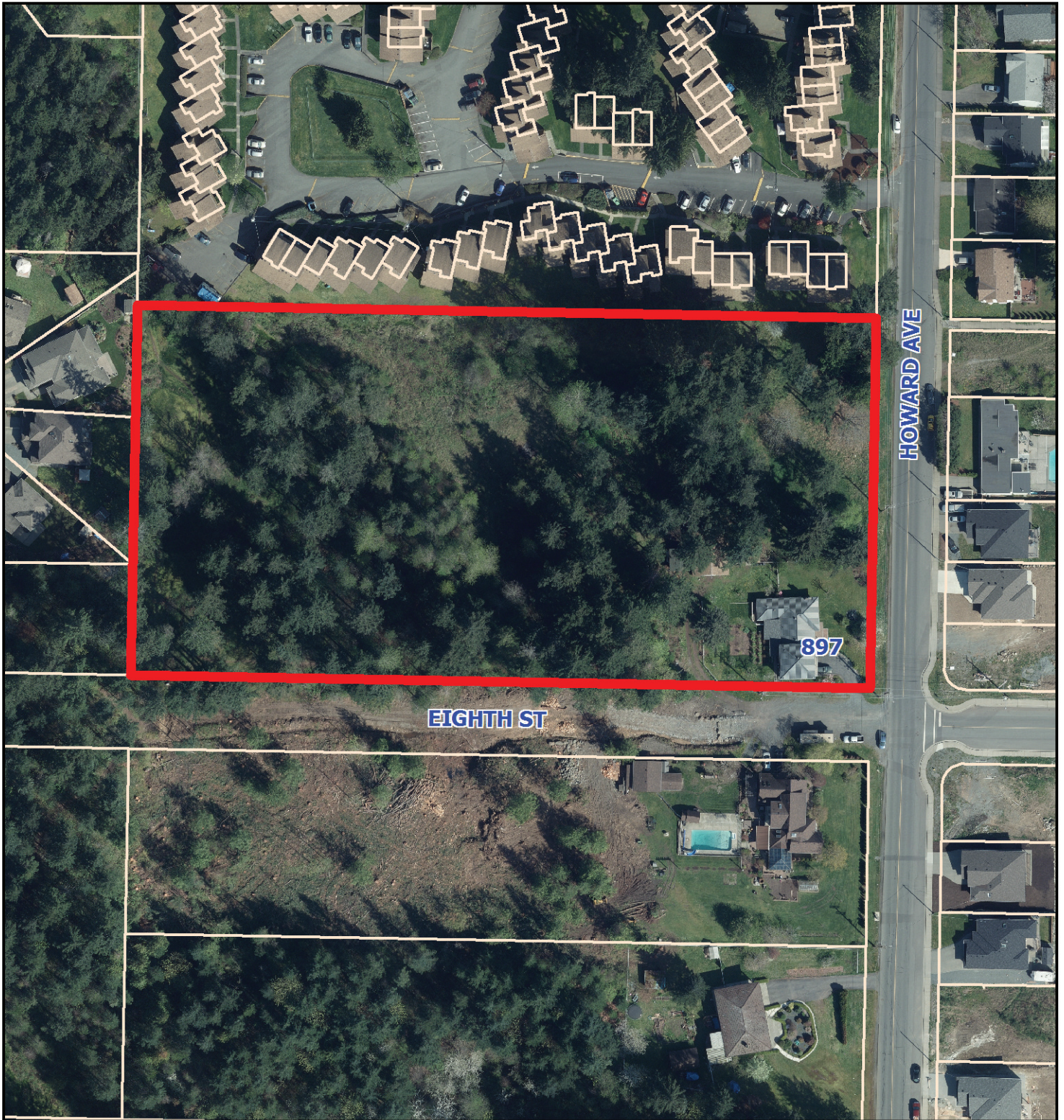
J.E. Anderson and Associates



Jeff Tomlinson, Manager

JWT/dlk
Enclosures

ATTACHMENT E
AERIAL PHOTO



DEVELOPMENT VARIANCE PERMIT NO. DVP00321