

DATE OF MEETING | June 18, 2018 |

AUTHORED BY | CALEB HORN, PLANNING ASSISTANT, CURRENT PLANNING AND SUBDIVISION |

SUBJECT | DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP352 – 5030 HAMMOND BAY ROAD |

OVERVIEW

Purpose of Report

To present, for Council’s consideration, a development variance permit application to reduce the rear yard setback of an existing single residential dwelling to be retained within a subdivision of the subject property located at 5030 Hammond Bay Road. |

Recommendation

That Council issue Development Variance Permit No. DVP351 at 5030 Hammond Bay Road with the following variance:

- reduce the minimum rear yard setback requirement from 6m to 4.9m for proposed Lot 3. |

BACKGROUND

A development variance permit application, DVP352, was received from Mark Warbrick of Newcastle Engineering Ltd. to vary the provisions of City of Nanaimo “Zoning Bylaw 2011 No. 4500” to reduce the minimum rear yard setback from 6m to 4.9m to allow the existing house to be retained within proposed Lot 3 of the proposed subdivision at 5030 Hammond Bay Road.

The subject property was rezoned from R1 – Single Dwelling Residential to R2 – Single Dwelling Residential Small Lot on 2017-SEP-11 in order to facilitate a five-lot subdivision. It was noted to Council at the time that a variance would be required as a condition of subdivision approval in order to retain the existing house on the property. There is an active subdivision application (SUB1311) for this property.

Subject Property

<i>Zoning</i>	R2 – Single Dwelling Residential - Small Lot
<i>Location</i>	The property is located at the corner of Williamson Road and Hammond Bay Road, across from Dunn Place.
<i>Total Lot Area</i>	2,044m ²
<i>Proposed Lot Area</i>	416.7m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use Plan - Neighbourhood

The subject property is a large rectangular lot that contains an existing single residential dwelling. The property borders Harry Wipper Park to the north and a small lot subdivision fronting Renee Place to the west.

The surrounding area is primarily comprised of single dwelling residential properties, with a duplex lot to the west and a church to the east of the property across Williamson Road. A recent subdivision along Dunn Place is located to the south across Hammond Bay Road.

Statutory Notification has taken place prior to Council's consideration of the variance. |

DISCUSSION

Proposed Development

The requested variance will allow the applicant to retain the existing house in its current location and subdivide the property into five small lots. The siting of the existing house currently conforms to the Zoning Bylaw requirements as the front lot line is considered to be the Hammond Bay Road frontage and the side yard is measured along the west lot line. Once subdivided, the house will be located on Lot 3 with frontage on Williamson Road. Consequently, the west lot line will become a rear lot line due to the new lot orientation.

Proposed Variance

Minimum Rear Yard Setback

The minimum rear yard setback for a principal building in the R2 zone is 6m. The proposed subdivision will result in a rear yard setback of 4.9m for proposed Lot 3, a proposed variance of 1.1m.

As the existing house is already located 4.9m from the west lot line, no negative impacts to adjacent properties are anticipated. An existing deck on the east side of the house is oriented to the Williamson Road frontage. An existing deck along the south side of the house will be removed in order to meet the required side yard setbacks. The proposed variance will allow the existing house to be retained within an infill subdivision, providing a mix of housing in the neighbourhood. The small lot subdivision will meet all other requirements of the R2 zone.

See Attachments for more information.

SUMMARY POINTS

- Development Variance Permit Application No. DVP352 proposes a variance to reduce the minimum rear yard setback requirement from 6m to 4.9m for proposed Lot 3.
- The proposed variance will allow the existing house to be retained in its current location within a five lot subdivision.
- No negative impacts are anticipated to adjacent properties as the existing house will maintain its current location.

ATTACHMENTS

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

Submitted by:

L. Rowett
Manager, Current Planning and Subdivision |

Concurrence by:

D. Lindsay
Director, Community Development |

ATTACHMENT A PERMIT TERMS & CONDITIONS

TERMS OF PERMIT

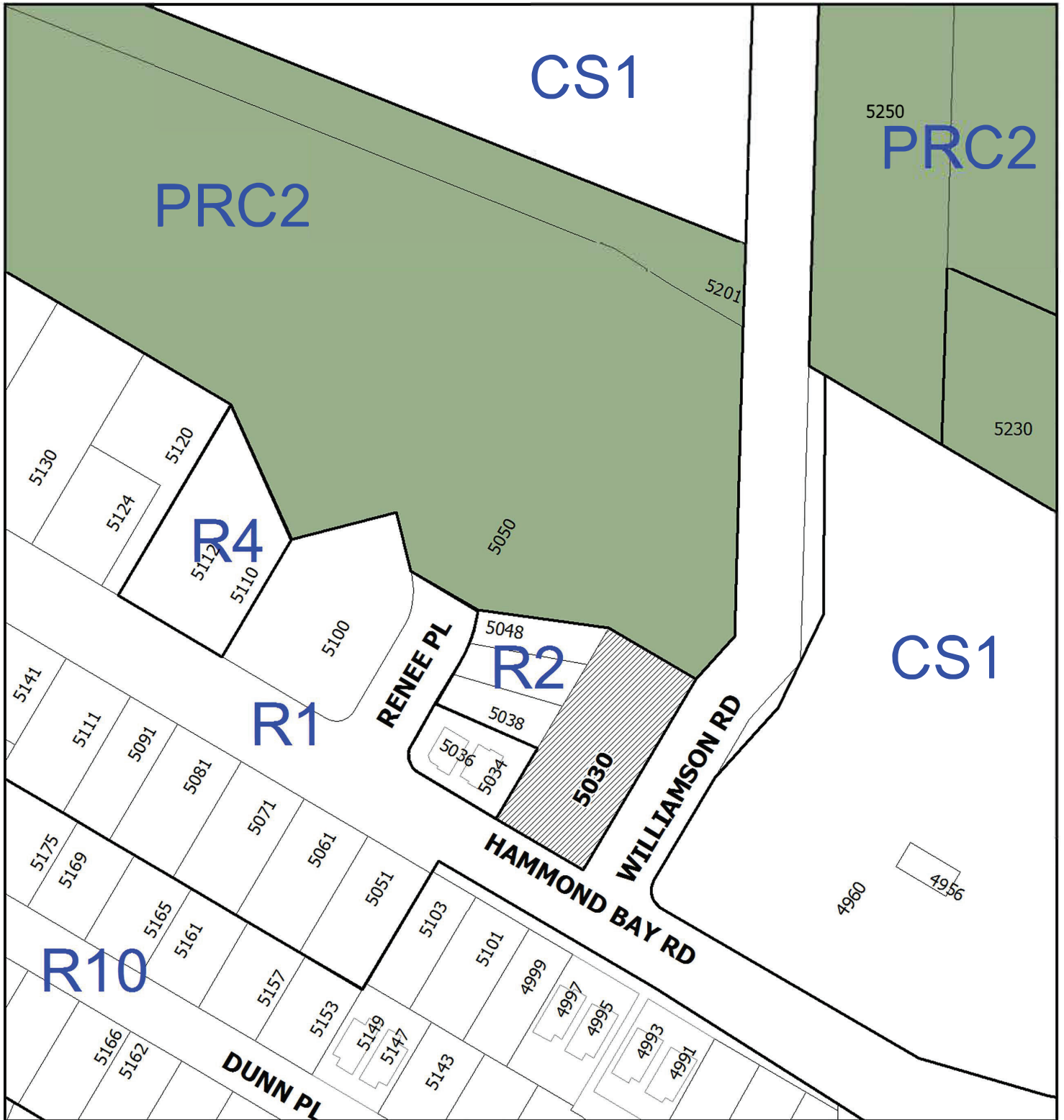
The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is varied as follows:

1. *Section 7.5.1 Siting of Buildings* – to reduce the minimum rear yard setback in the R2 Zone from 6m to 4.9m for an existing dwelling to be retained within proposed Lot 3.

CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the proposed subdivision plan prepared by Harbour City Land Surveying Ltd., dated 2017-JAN-11, as shown on Attachment C.

ATTACHMENT B
LOCATION PLAN



DEVELOPMENT VARIANCE PERMIT NO. DVP00352

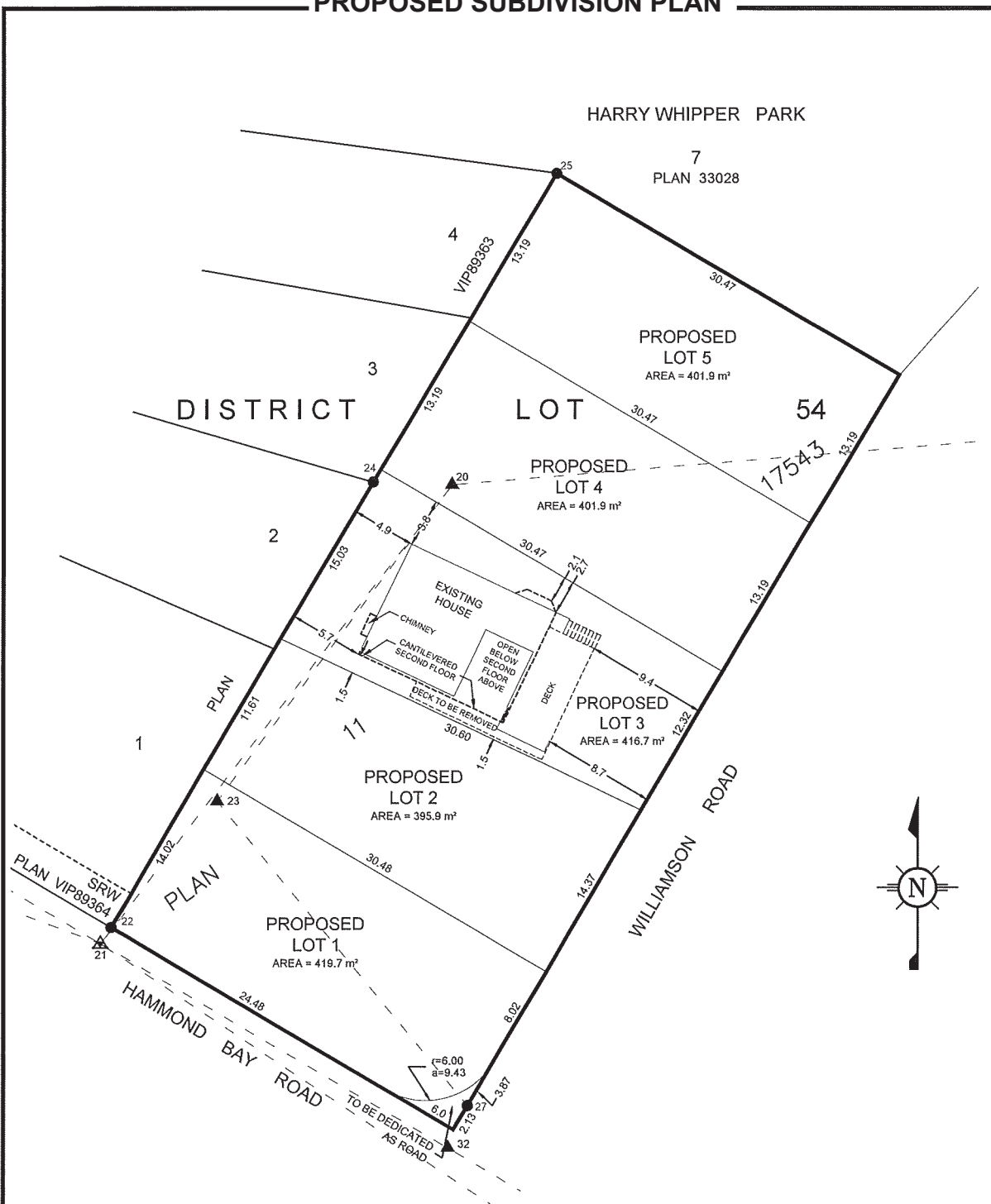


LOCATION PLAN

 **Subject Property**

Civic: 5030 Hammond Bay Road
Lot 11, District Lot 54,
Wellington District, Plan 17543

ATTACHMENT C PROPOSED SUBDIVISION PLAN



The field survey represented by this plan was completed on the 9th day of January, 2017 and was checked on the 11th day of January, 2017 and is hereby certified correct.

Andre McNicoll, BCLS

Scale 1:300



LEGEND:

● DENOTES LEGAL POST FOUND.

SITE STATISTICS		
PARENT PROPERTY	CIVIC ADDRESS	ZONING
LOT 11, PLAN 17543	5030 HAMMOND BAY RD	R1
FEE SIMPLE SUBDIVISION		
CREATE 5 FEE SIMPLE LOT.		
CITY OF NANAIMO FILE NO: _____		

HARBOUR CITY LAND SURVEYING LTD.
1825 LATIMER ROAD
NANAIMO BC V9S 5H2
PHONE: 250-758-4180
FAX: 250-758-4182
EMAIL: HBCLS@SHAW.CA

NOTES:
ALL DISTANCES ARE IN METRES.
LOT ALIGNMENT, DIMENSIONS AND AREAS ARE DERIVED FROM FIELD SURVEY.
FIELD SURVEY PERFORMED ON JANUARY 9, 2017.

PROJECT: 5030 HAMMOND BAY RD, NANAIMO

CLIENT: KENCO ENTERPRISES

SIZE B DRAWN BY: AM DWG NO: 17001-PR-SUB.DWG
2018-MAY-08
Current Planning & Subdivision

SCALE 1:300 DATE: JANUARY 11, 2017. SHEET 1 OF 1 REV. 0

RECEIVED
DVP352
2018-MAY-08

ATTACHMENT D
AERIAL PHOTO



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