

DATE OF MEETING JUNE 18, 2018

AUTHORED BY LAUREN WRIGHT, PLANNER, CURRENT PLANNING AND SUBDIVISION

SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP353 – 5414 BAYSHORE DRIVE

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to allow a heat pump on the west side of the principal dwelling at 5414 Bayshore Drive.

Recommendation

That Council issue Development Variance Permit No. DVP353 at 5414 Bayshore Drive with the following variances:

- allow a heat pump to be located on the west side of the principal dwelling; and
- reduce the required side yard setback for a heat pump from 4.5m to 3.3m.

BACKGROUND

A development variance permit application, DVP353, was received from George Hrabowych to vary the provisions of City of Nanaimo “Zoning Bylaw 2011 No. 4500” to install a heat pump on the west side of the single residential dwelling at 5414 Bayshore Drive.

Subject Property

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located on the north side of Bayshore Drive adjacent to the ocean.
<i>Total Lot Area</i>	2300m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use - Neighbourhood

The subject property is a large waterfront lot with a single residential dwelling located at the south end of the property; and is adjacent to single residential zoned lots.

Statutory Notification has taken place prior to Council’s consideration of the variances.

DISCUSSION

Proposed Development

The Zoning Bylaw requires heat pumps to be located to the rear of the principal building with a minimum 4.5m side yard setback. The applicant is seeking variances to locate a heat pump on the west side of the single residential dwelling with a 3.3m side yard setback.

The heat pump is proposed to be sited in the side yard adjacent to 5418 Bayshore Drive. The proposed heat pump location is beside a less active area of the neighbouring property (adjacent to the garage), and there is an existing hedge between the two properties that will provide a buffer for the heat pump. The location of the proposed heat pump would be approximately 15m from the street of the subject property, and approximately 1.5m below street level, so it will not be visible from Bayshore Drive.

A letter of support for the proposed heat pump location has been received from the adjacent property owners at 5418 Bayshore Drive.

Proposed Variances

Location and Minimum Side Yard Setback for Heat Pump

Heat pumps are required to be located to the rear of a principal building and to have a minimum 4.5m side yard setback. The heat pump is proposed to be located on the west side of the principal building with a side yard setback of 3.3m, a proposed variance of 1.2m.

The proposed heat pump location is not anticipated to negatively impact the neighbouring property and the unit will be screened from the neighbour and the street.

See Attachments for more information.

SUMMARY POINTS

- Development Variance Permit No. DVP353 proposes variances to allow a heat pump to be located to the side of the principal building with a reduced side yard setback.
- The proposed heat pump will be located 1.5m below the elevation of the street and in an area that will not negatively impact the neighbouring property.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions

ATTACHMENT B: Location Plan

ATTACHMENT C: Site 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

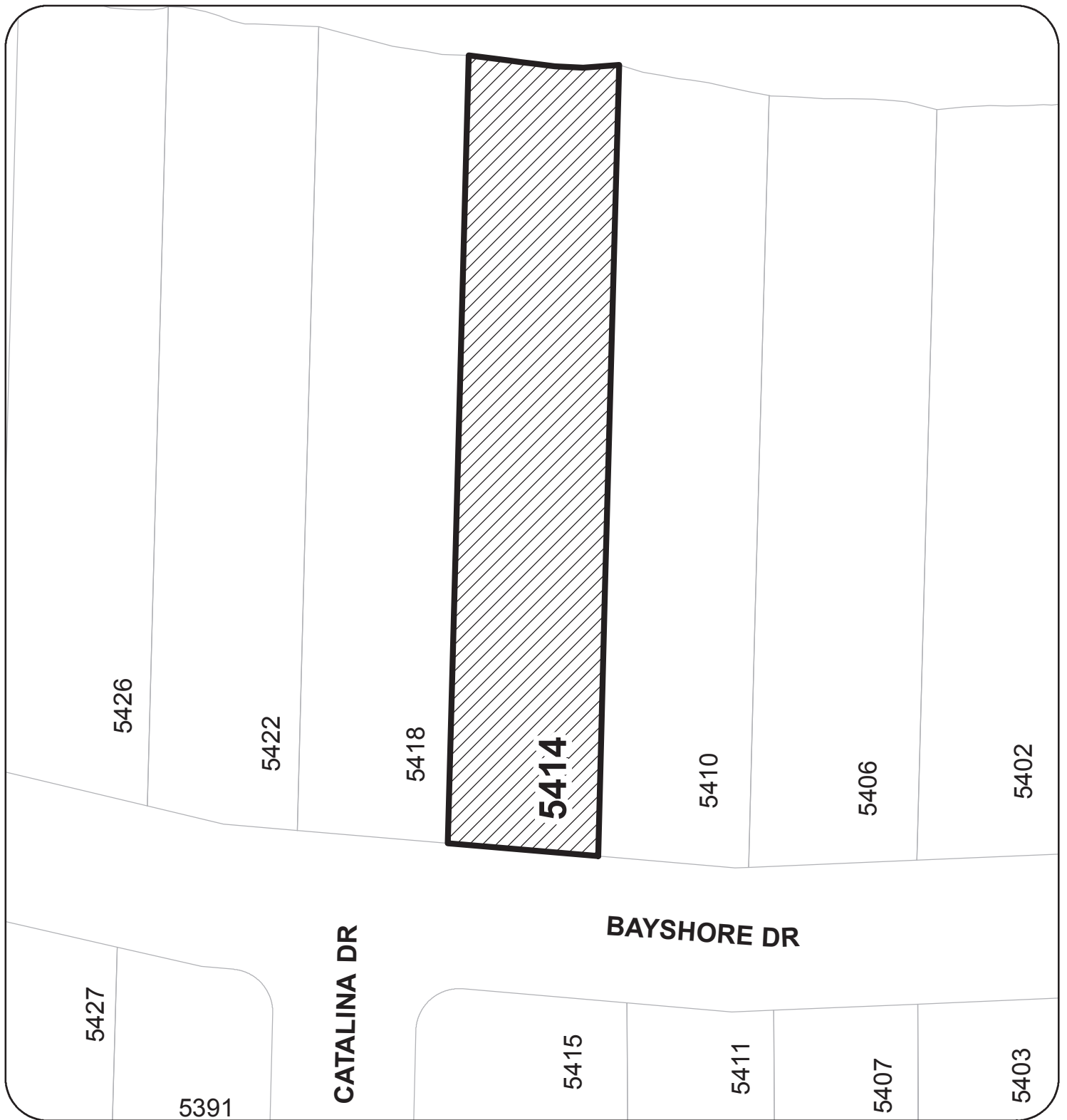
The City of Nanaimo “ZONING BYLAW 2011 NO. 4500” is varied as follows:

1. *Section 6.5.2 Projections into Yards* – to allow a heat pump to be located on the west side of the principal dwelling.
2. *Section 6.5.2 Projections into Yards* – to reduce the required side yard setback for a heat pump from 4.5m to 3.3m.

CONDITIONS OF PERMIT

1. The heat pump shall be located on the west side of the principal dwelling in accordance with the Site Plan, dated 2018-MAY-10, as shown on Attachment C.

**ATTACHMENT B
LOCATION PLAN**



DEVELOPMENT PERMIT NO. DVP00353

LOCATION PLAN



Civic: 5414 Bayshore Drive
Legal Description: Lot 4, District Lot 42,
Wellington District, Plan 44070
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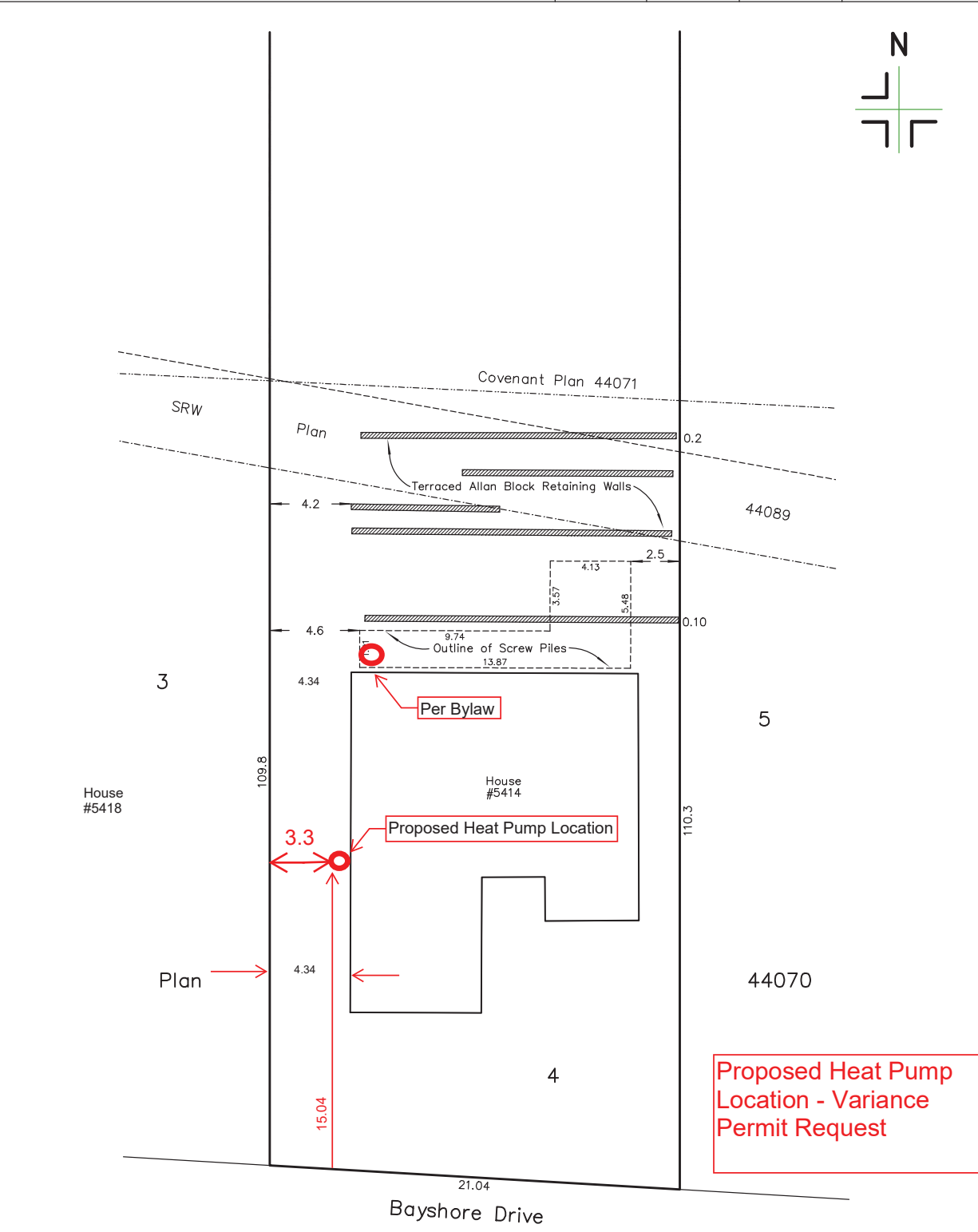


Subject Property

ATTACHMENT C SITE PLAN

SITE PLAN SHOWING PART OF:
LOT 4, DISTRICT LOT 42,
WELLINGTON DISTRICT, PLAN 44070.

Client: GEORGE HRABOWYCH		
Civic Address: 5414 BAYSHORE DRIVE, NANAIMO		
File: 18-085	Scale: 1:200	Drawn by: DRW



This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners. Turner Land Surveying inc. accepts no responsibility for and hereby disclaim all obligations and liabilities for damages arising out of or in connection with any direct or indirect use or reliance upon the plan beyond it's intended use.



NOTE:
THIS PROPERTY IS AFFECTED BY
THE FOLLOWING REGISTERED DOCUMENTS:
M76300, R69921, R72370 & R72696.

Turner + land surveying™
250.753.9778
605 Comox Road
Nanaimo, BC V9R 3J4
www.turnersurveys.ca

Certified correct this 10th day of May, 2018.

Ryan Turner
YNBXB2

Digitally signed by Ryan Turner YNBXB2
DN: c=CA, cn=Ryan Turner YNBXB2, o=BC
Land Surveyors, ou=Verify ID at
www.turnersurveys.com/L&U/P, cn=3d=YNBXB2
Date: 2018.05.10 16:33:23 -07'00'

B.C.L.S.

(This document is not valid unless originally signed and sealed.)

**ATTACHMENT D
AERIAL PHOTO**



DEVELOPMENT VARIANCE PERMIT NO. DVP00353