

DATE OF MEETING [June 21, 2021]

AUTHORED BY [LAINY STEVENSON, PLANNER, CURRENT PLANNING]

SUBJECT [DEVELOPMENT PERMIT APPLICATION NO. DP1205 –  
478 MACHLEARY STREET]

## **OVERVIEW**

### **Purpose of Report**

To present for Council’s consideration, a development permit application for a proposed duplex at 478 Machleary Street.

### **Recommendation**

That Council issue Development Permit No. DP1205 at 478 Machleary Street with the following variances to:

- increase the maximum allowable principal building height from 7.75m to 8.75m; and
- increase the maximum allowable fence height within the front yard setback from 1.2m to 2.2m for the proposed decorative arbours.

## **BACKGROUND**

A Development Permit application, DP1205, was received from Sun Porch Homes Ltd. for a proposed duplex at 478 Machleary Street.

### **Subject Property and Site Context**

<i>Zoning</i>	R13 – Old City Duplex Residential
<i>Location</i>	The subject property is located in the 400 block of Machleary Street between Albert Street and Franklyn Street.
<i>Total Area</i>	872m <sup>2</sup>
<i>Official Community Plan (OCP)</i>	Map 1 – Neighbourhood; Map 3 – Development Permit Area DPA No. 8 – Old City Neighbourhood; Development Permit Area No. 9 - Commercial, Industrial, Institutional, Multiple Family, and Mixed Commercial/Residential development.
<i>Old City Neighbourhood Plan</i>	Sub Area 1a Single Family / Duplex
<i>Relevant Design Guidelines</i>	General Development Permit Area Design Guidelines Old City Multiple Family Residential Design Guidelines

The subject property is located within the Old City Neighborhood Plan area. The neighbourhood plan encourages sensitive infill that is consistent with the historical, architectural character of the neighbourhood.

The lot is rectangular in shape and slightly sloped upward from south to north. No buildings or structures are currently located on the property. The subject property formerly contained a duplex that was damaged by a fire and later demolished in 2014. The surrounding area is predominantly characterized by established single family residential properties.

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to construct a two-storey side-by-side duplex with a detached garage. The building contains 2 four-bedroom units, approximately 188.25m<sup>2</sup> in floor area, with a total gross floor area (GFA) of approximately 423m<sup>2</sup>.

#### *Site Design*

The proposed duplex is set back 10.55m from the front property line on Machleary Street, which is consistent with the siting of other homes along the street. Each unit has a covered porch facing Machleary Street with direct pedestrian access to the street and to the rear of the building.

A two-car detached garage is located at the rear of the lot, and is accessed by the lane. Two additional parking spaces are located on either side of the detached garage, providing the required four parking spaces. There are also two roughed-in electric vehicle (EV) charging stations proposed for the parking area and secure bike storage within the garage. Garbage and recycling bins will be stored to the rear of each unit.

#### *Building Design*

The proposed building faces Machleary Street and provides a visual connection to the street. Finishing materials include board and batten, horizontal vinyl siding, vinyl shingles, and wood. Gable and hip roofs with a steep pitch (8:12), heavy trim, and rectangular windows reflect the residential character of the Old City neighbourhood in accordance with the City's design guidelines. Southern-facing windows and projecting features provide articulation and interest.

#### *Landscape Design*

The proposed landscape plan includes a private yard for each unit with flowering trees, shrubs, and perennials. A terraced boulder garden wall with supplemental plantings is provided in front of Unit B. The planting list predominantly features indigenous and drought-tolerant plants to reduce water consumption. Aggregate concrete walkways and patios are provided with supplemental gravel edging around the building.

A wooden fence is proposed to be located along the perimeter of the property. Two decorative arbours with gates are proposed at the walkway entrances to each unit along Machleary Street. Lighting is provided both on the building and along the pathways for wayfinding.

## Design Advisory Panel

The Design Advisory Panel, at its meeting held on 2020-OCT-22, accepted DP001205 as presented with support for the proposed variances. The following recommendation was provided:

- Consider the addition of more trees and landscape features to the property.

The applicant responded to the DAP recommendations by adding more trees to the landscape plan.

## Proposed Variances

### *Maximum Building Height*

A variance is required to increase the maximum allowable building height from 7.75m to 8.75m; a proposed variance of 1.0m. The additional height is requested in order to accommodate the steep roof pitch (8:12) that is intended by the Old City Multiple Family Residential Design Guidelines and is consistent with the character of the surrounding neighbourhood. Staff support the proposed variance.

### *Maximum Fence Height*

A variance is required to increase the maximum allowable fence height within the front yard setback from 1.2m to 2.2m, a proposed variance of 1.0m, in order to add two decorative arbours with gates adjacent to the sidewalk. The remainder of the proposed fencing complies with the maximum permitted fence height. These landscape features will identify the unit entries from the street and add interest to the property frontage as intended by the Old City Multiple Family Residential Design Guidelines. Staff support the proposed variance.

## **SUMMARY POINTS**

- Development Permit Application No. DP1205 is for a proposed duplex at 478 Machleary Street.
- Variances are requested to increase the maximum allowable principal building height and fence height for the proposed decorative arbours.
- The proposed development meets the City's design guidelines and Staff support the proposed variances.

## **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Context Map  
ATTACHMENT C: Location Plan  
ATTACHMENT D: Survey Plan  
ATTACHMENT E: Building Elevations and Details  
ATTACHMENT F: Landscape Plan and Details  
ATTACHMENT G: Aerial Photo

### **Submitted by:**

Lainya Rowett  
Manager, Current Planning

### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services

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# ATTACHMENT A

## PERMIT TERMS AND CONDITIONS

### TERMS OF PERMIT

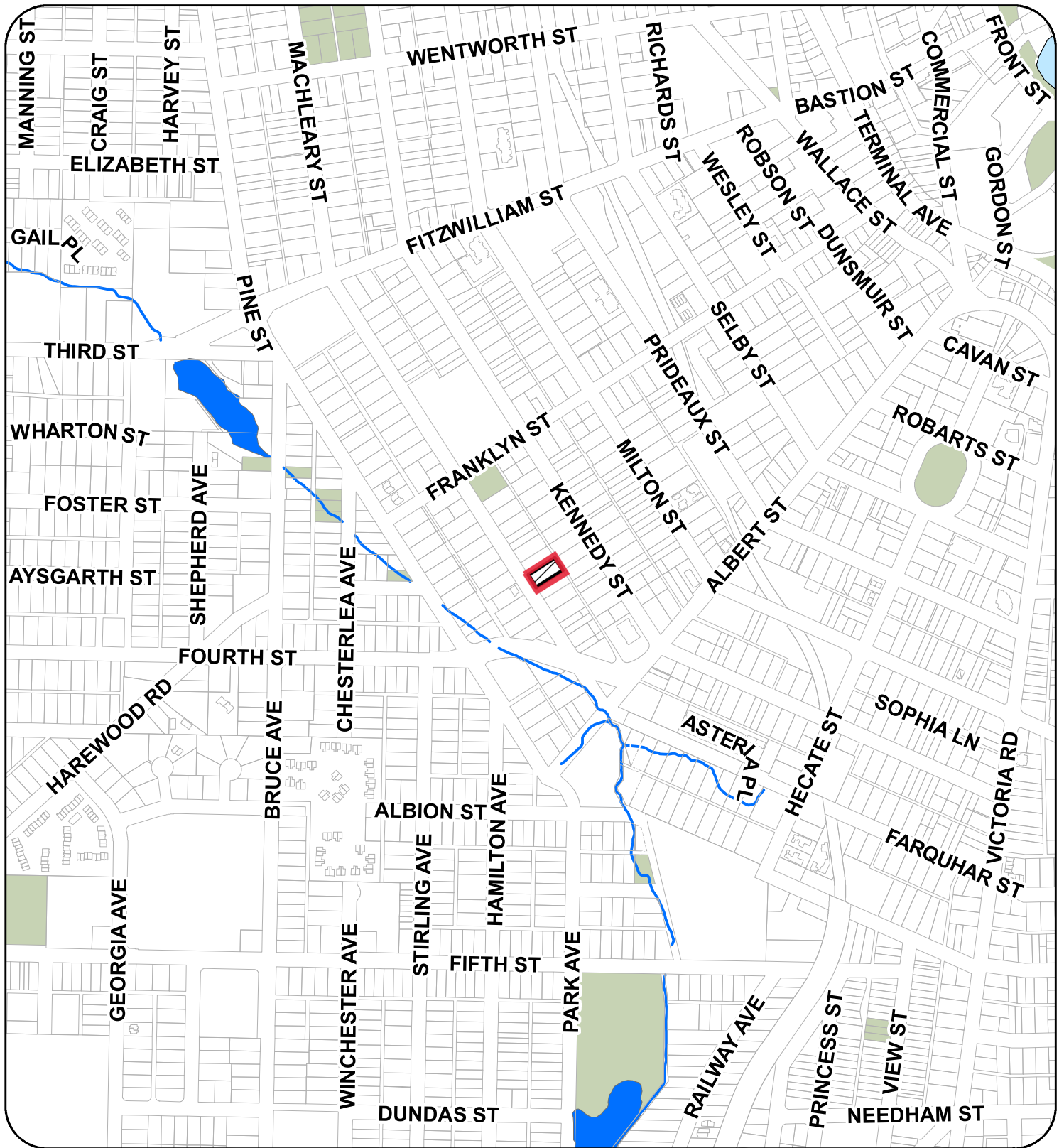
The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 7.6.1 Size of Buildings* – to increase the maximum allowable principal building height from 7.75m to 8.75m.
2. *Section 6.10.2 Fence Height* – to increase the maximum allowable fence height within the front yard setback from 1.2m to 2.2m for the proposed decorative arbours with gates.

### CONDITIONS OF PERMIT

1. The subject property is developed in substantial compliance with the Site Survey prepared by Harbour City Land Surveying Ltd., dated 2021-MAY-06, as shown on Attachment D.
2. The development is in substantial compliance with the Building Elevations and Details prepared by Sun Porch Homes Ltd. received 2020-JUL-23, and 2021-MAY-12, as shown on Attachment E.
3. The subject property is developed in substantial compliance with the Landscape Plan and Details prepared by Sun Porch Homes Ltd. received 2021-MAY-13, as shown on Attachment F.

ATTACHMENT B  
CONTEXT MAP



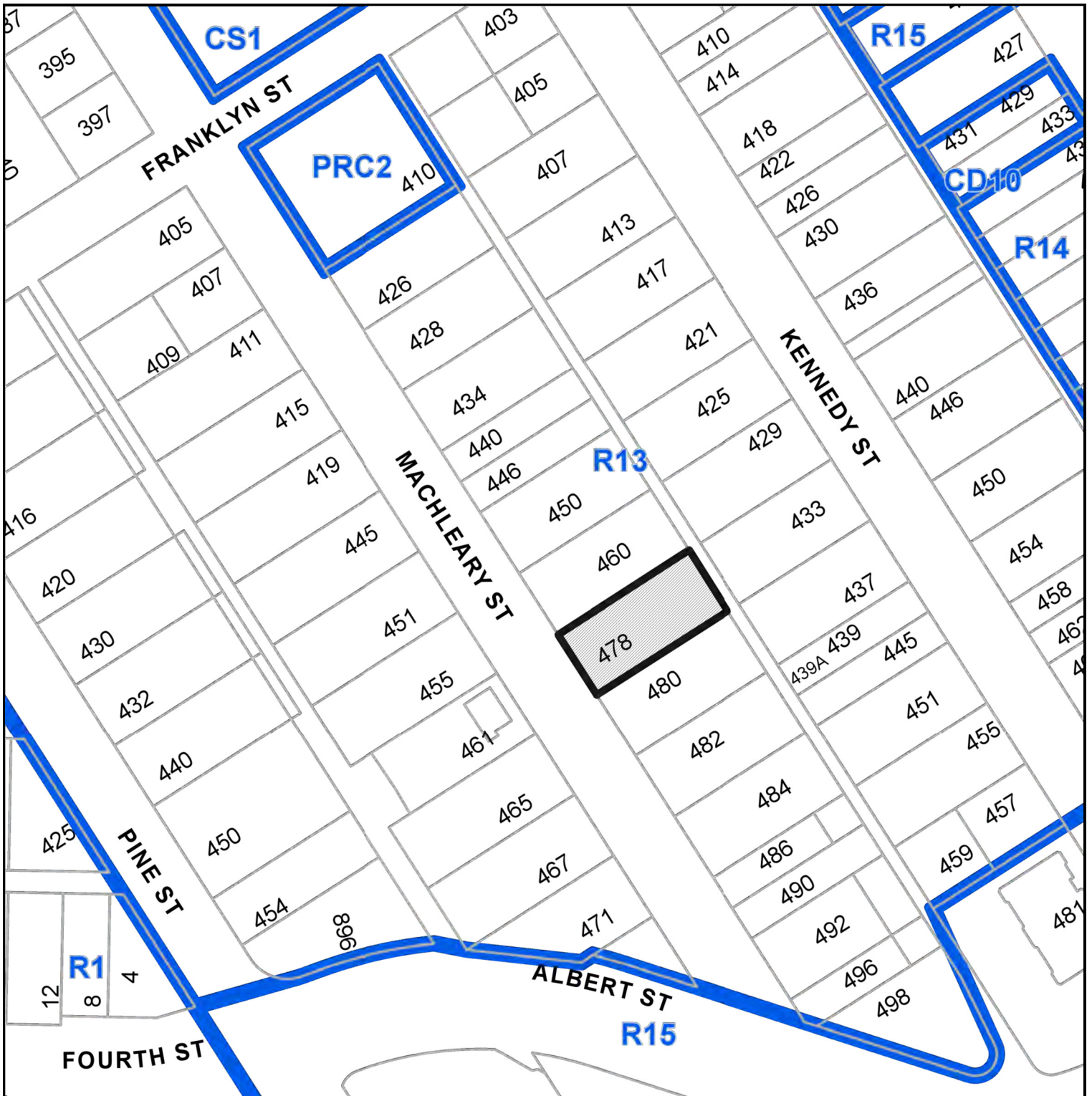
DEVELOPMENT PERMIT APPLICATION NO. DP001205

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478 MACHLEARY STREET

ATTACHMENT C  
LOCATION PLAN



 **Subject Property**

**DEVELOPMENT PERMIT APPLICATION NO. DP001205**

CIVIC: 478 MACHLEARY STREET

LEGAL: SECTION D, LOT 8, BLOCK W, SECTION 1, NANAIMO DISTRICT, PLAN 584

# ATTACHMENT D SURVEY PLAN

B.C. LAND SURVEYOR'S CERTIFICATE OF PROPOSED LOCATION ON:  
**SECTION D, LOT 8, BLOCK W, SECTION 1, NANAIMO DISTRICT, PLAN 584.**



ALL DISTANCES AND ELEVATIONS ARE IN METRES AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.

THE INTENDED PLOT SIZE OF THIS PLAN IS 432 mm IN WIDTH BY 279 mm IN HEIGHT (B SIZE), WHEN PLOTTED AT A SCALE OF 1:250.

LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS.

CIVIC ADDRESS: 478 MACHLEARY STREET, NANAIMO.

PID: 003-462-120 ZONING: R-13.

**LEGEND:**

- X DENOTES SPOT ELEVATION;
- FG DENOTES FINISHED GRADE;
- NG DENOTES NATURAL GRADE.

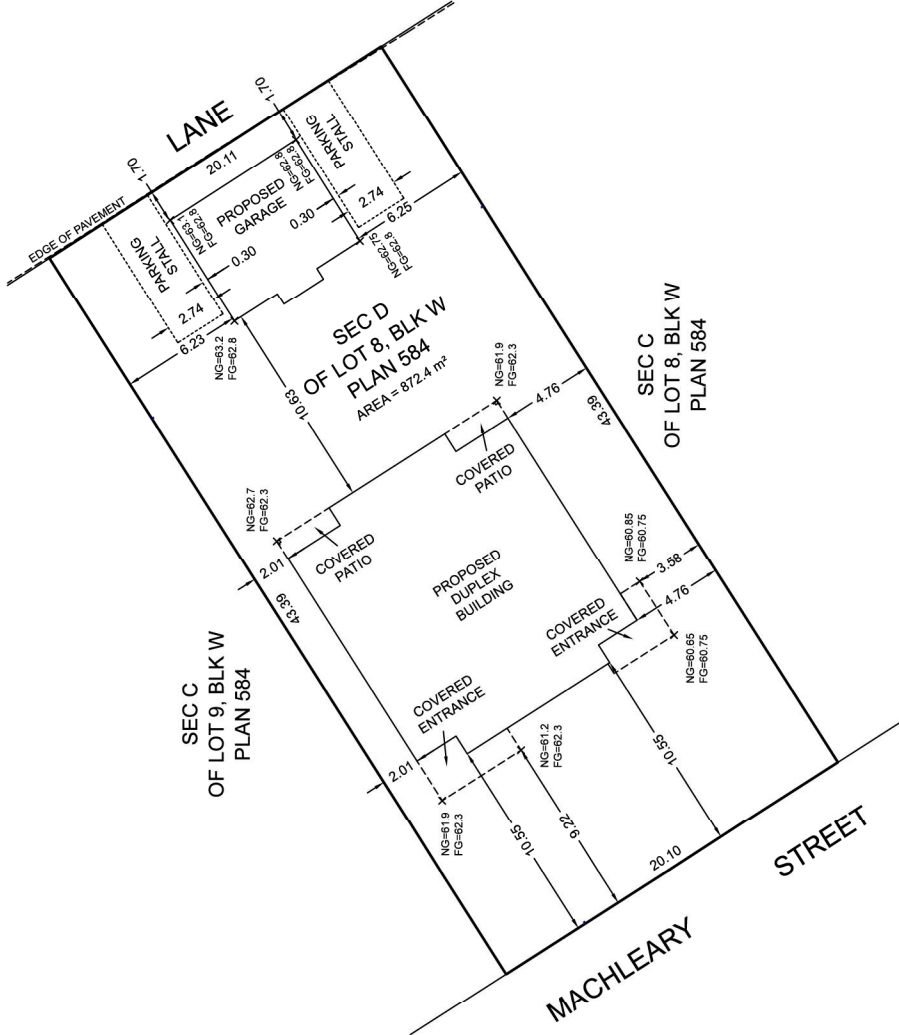
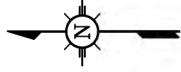
ELEVATION DATUM IS DERIVED FROM OBSERVATION TO GEODETIC MONUMENT 77H5102.

HOUSE DESIGN FROM SUN PORCH HOMES. DRAWINGS DATED JUNE 2020.

MAX. GARAGE SLAB ELEVATION PER CITY OF NANAIMO GUIDELINES FOR SINGLE FAMILY ACCESSES	62.9
EDGE OF PAVEMENT ELEVATION	0.16
MAXIMUM RECOMMENDED RISE	63.16
MAX. GARAGE SLAB ELEVATION	62.90

MAXIMUM HOUSE HEIGHT CALCULATION	
MEAN FG	61.78
MEAN NG	61.53
MAXIMUM HEIGHT PER BYLAW	7.75
MAXIMUM MID-ROOF	69.28
PROPOSED MAIN FLOOR	62.50
HEIGHT MAIN TO MID-ROOF	7.69
PROPOSED MID-ROOF	70.19
<b>VARIANCE REQUIRED</b>	<b>0.91</b>

MAXIMUM GARAGE HEIGHT CALCULATION	
MEAN FG	62.86
MEAN NG	62.80
MAXIMUM HEIGHT PER BYLAW (8/12)	5.5
MAXIMUM ROOF PEAK	68.30
PROPOSED SLAB FLOOR	62.80
HEIGHT SLAB TO PEAK	4.77
PROPOSED ROOF PEAK	67.67



THE UNDERSIGNED CONFIRMS THAT HE HAS BEEN RETAINED BY SUN PORCH HOMES TO PROVIDE FOUNDATION LAYOUT IN ACCORDANCE WITH THE FOUNDATION LOCATION SHOWN ON THIS PLAN.

THIS PARCEL MAY BE SUBJECT TO REGISTERED CHARGES, INTERESTS AND LEGAL NOTATIONS AS SHOWN ON TITLE NO. CA5914893.

THIS PLAN DOES NOT PURPORT TO VERIFY COMPLIANCE WITH THE RESTRICTIONS THEREIN.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE AND IS CERTIFIED CORRECT THIS DATE OF: MAY 6, 2021.



Andre McNicoll Chartered Surveyor  
1205  
Chartered Surveyor, Chartered Member  
of the Association of Professional Surveyors  
of British Columbia  
1000-11th Street, Nanaimo, BC V9S 5H2  
Phone: 250-758-4180  
Email: andre@mcnicollsgis.com

ANDRE MCNICOLL  
THIS DOCUMENT IS INVALID UNLESS ELECTRONICALLY SIGNED.  
B.C.L.S.

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THIS PLAN PURPORTS TO POSITION ONLY THE ACTUAL AND/OR PROPOSED IMPROVEMENTS; SHOWN RELATIVE TO ONLY THE BOUNDARIES SHOWN OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S). THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY OTHER ACTUAL OR PROPOSED IMPROVEMENTS SHOWN ON THIS PLAN OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S). THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.

Harbour City Land Surveying Ltd.  
1825 LATIMER ROAD  
NANAIMO BC V9S 5H2  
PHONE: 250-758-4180

DRAWING: 17014-HS-JUNE 2020.DWG  
LAYOUT: 1

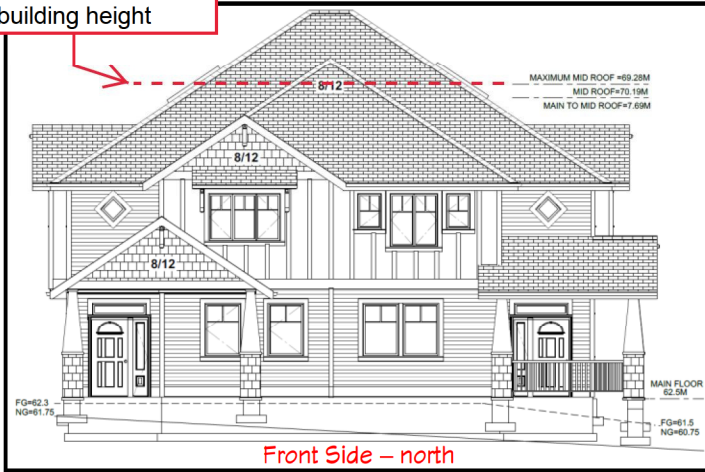


**ATTACHMENT E**  
**BUILDING ELEVATIONS AND DETAILS**  
*478 Machleary Street*

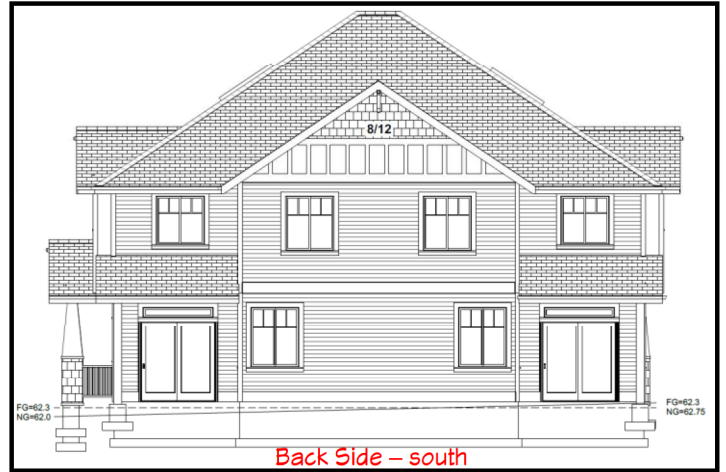


**Two Unit Attached Duplex**

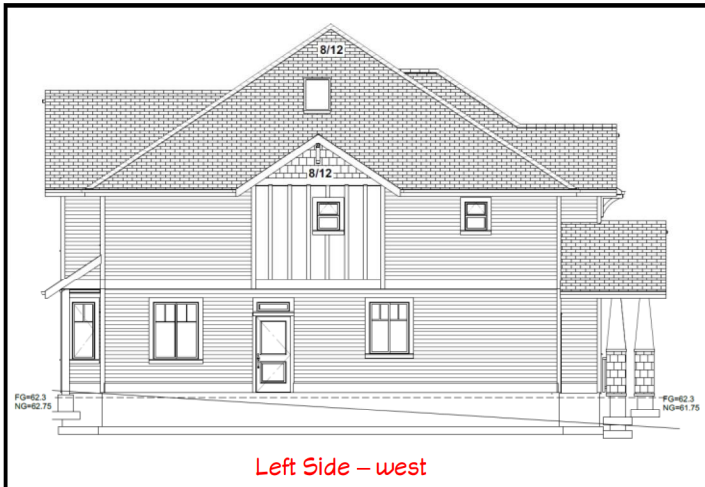
Maximum allowable building height



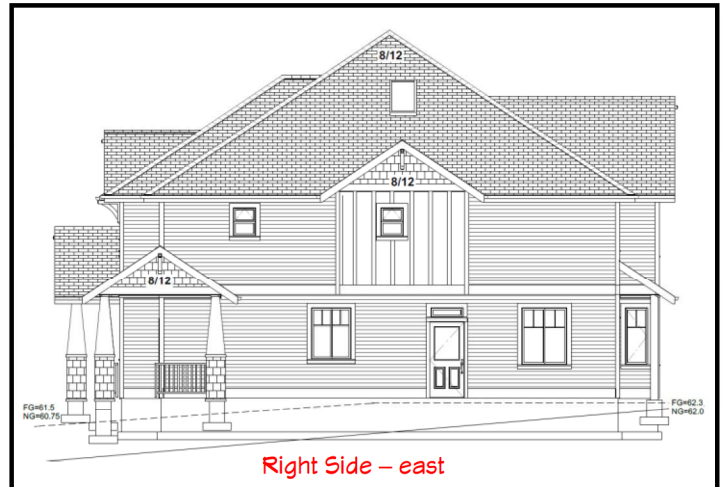
**Front Side – north**



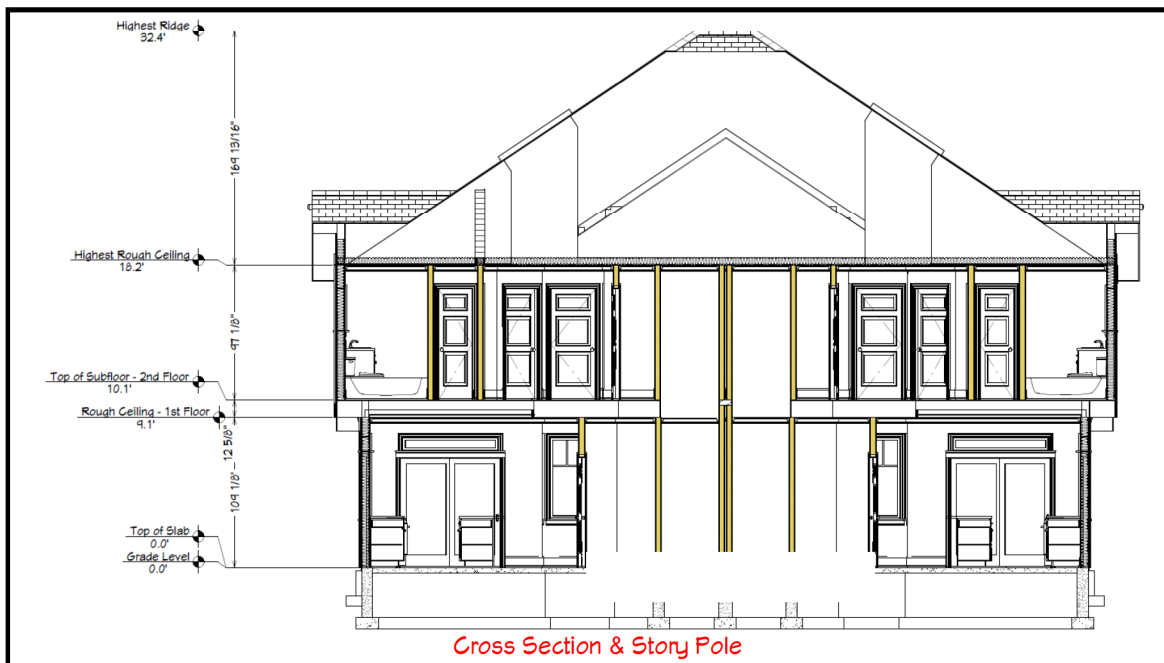
**Back Side – south**



**Left Side – west**



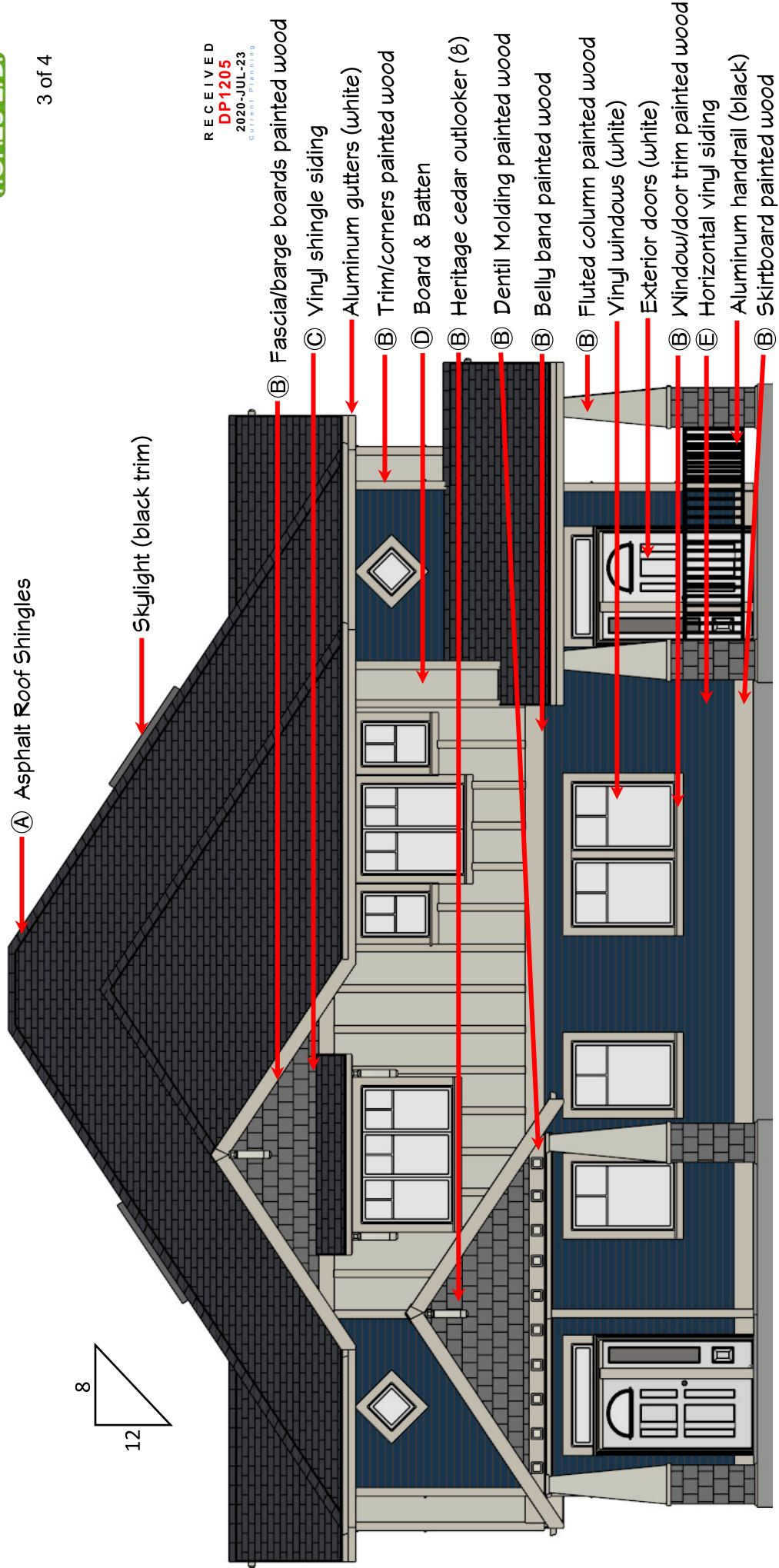
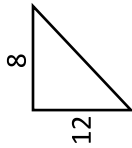
**Right Side – east**



**Cross Section & Story Pole**

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- Ⓐ Roofing: double laminate shingles 'Shadow Black'
- Ⓑ Wood Trim: 'Nicker Caté'
- Ⓒ Shingle Siding: Sequoia Select 'Heritage Grey'
- Ⓓ Board & Batten: Hardie Board 'Canyon Clay'
- Ⓔ Horizontal Siding: Sequoia Select 'Marine Dusk'
- Ⓕ double laminate shingles 'Shadow Black'
- Ⓖ Wood Trim: 'Nicker Caté'
- Ⓗ Shingle Siding: Sequoia Select 'Heritage Grey'
- Ⓙ Board & Batten: Hardie Board 'Canyon Clay'
- Ⓚ Horizontal Siding: Sequoia Select 'Marine Dusk'

Elevation – 'left side' ~ north/east



Elevation – 'right side' ~ north/west

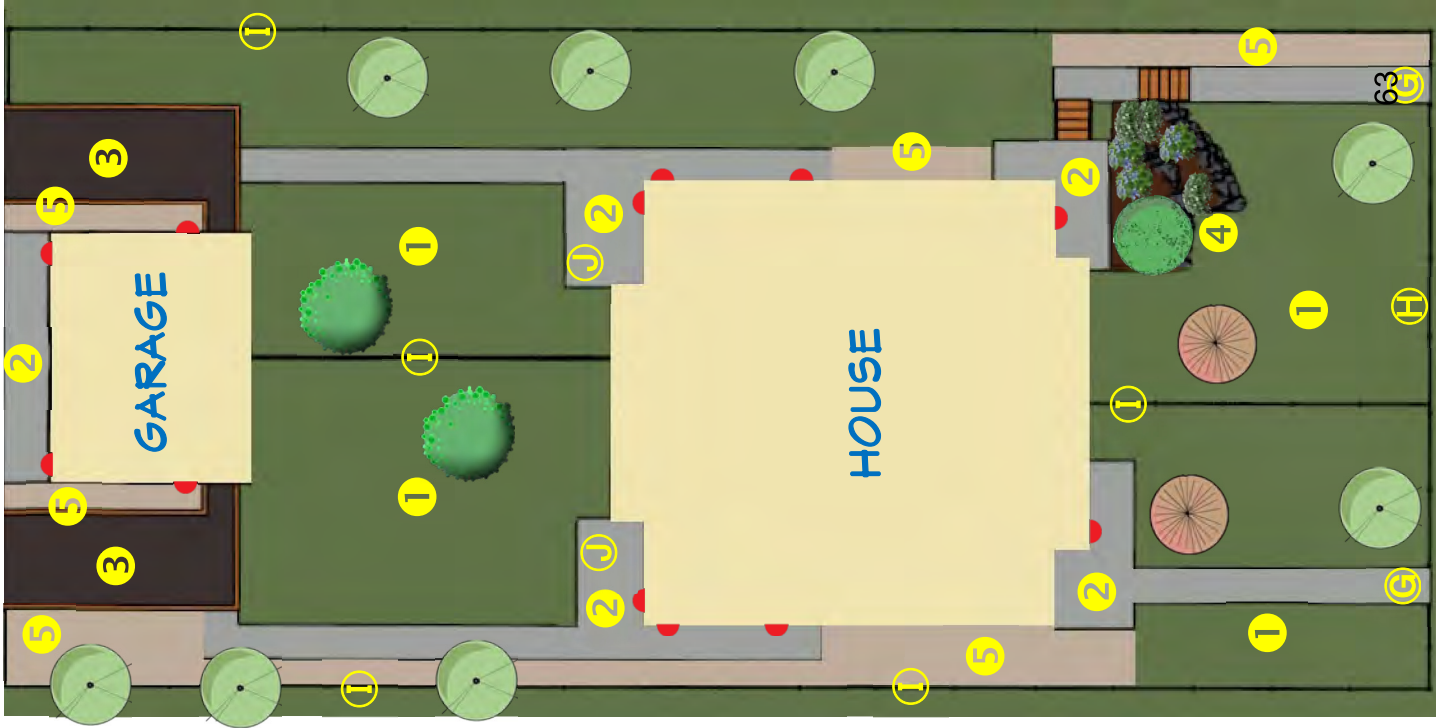


Elevation – 'back of building' ~ north

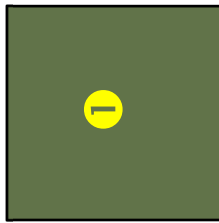


ATTACHMENT F  
LANDSCAPE PLAN AND DETAILS

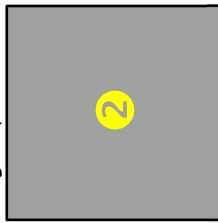
Landscape Plan ~ 478 Machleary Street



1 Lawn: Fescue blend



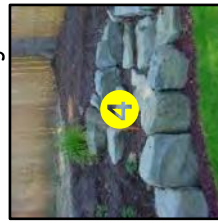
2 Aggregate concrete walkways & patios



3 Driveway & parking driveway chip



4 Basalt boulder garden wall



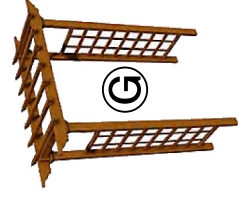
5 Ornamental rocks around building for maintenance



PLANT NAMES, QUANTITIES & SIZES			
TYPE	NAME	#	SIZE
A TREE	CRIMSON SPIRE OAK <small>[Quercus 'Crimson Spire']</small>	8	#7 POT
B FLOWERING TREE	NATIVE RED ELDERBERRY <small>[Sambucus racemosa]</small>	2	#7 POT
C FLOWERING TREE	BARTLETT PEAR <small>[Fyrus communis 'Bartlett']</small>	2	#2 POT
D SHRUB	LIMELIGHT HYDRANGEA <small>[Hydrangea paniculata]</small>	2	#2 POT
E PERENNIALS	DOUGLAS NATIVE ASTER <small>[Aster douglasii subsp.caticus]</small>	3	10CM POT
F PERENNIALS	NOOTKA ROSE <small>[Rose nutkana]</small>	3	10CM POT

PLANT LEGEND			
A	CRIMSON SPIRE OAK	D	LIMELIGHT HYDRANGEA
B	NATIVE RED ELDERBERRY	E	DOUGLAS NATIVE ASTER
C	BARTLETT PEAR TREE	F	NOOTKA ROSE

FENCING & LIGHTING	
ITEM	COMMENTS
G	FRONT ENTRY (2) CLOSING & LOCKING
H	FRONT FENCE 47" (1.2M) HIGH
I	SIDE/REAR FENCE 94.4" (2.4M) HIGH
J	GARBAGE CANS 1 STORAGE AREA PER UNIT
	HOUSE LIGHT 12 WALL/SOFFIT MOUNTED



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## PLANT PHOTO LEGEND



Ⓐ CRIMSON SPIRE OAK



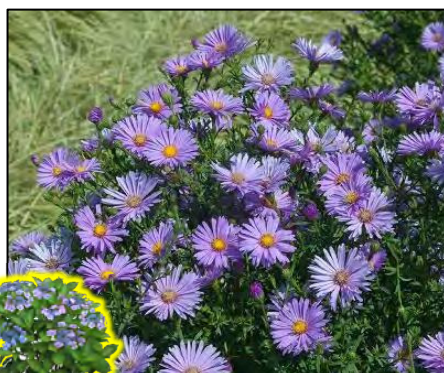
Ⓑ NATIVE RED ELDERBERRY



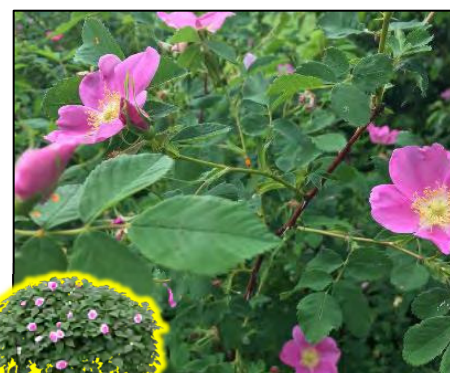
Ⓒ BARTLETT PEAR



Ⓓ LIMELIGHT HYDRANGEA



Ⓔ DOUGLAS NATIVE ASTER



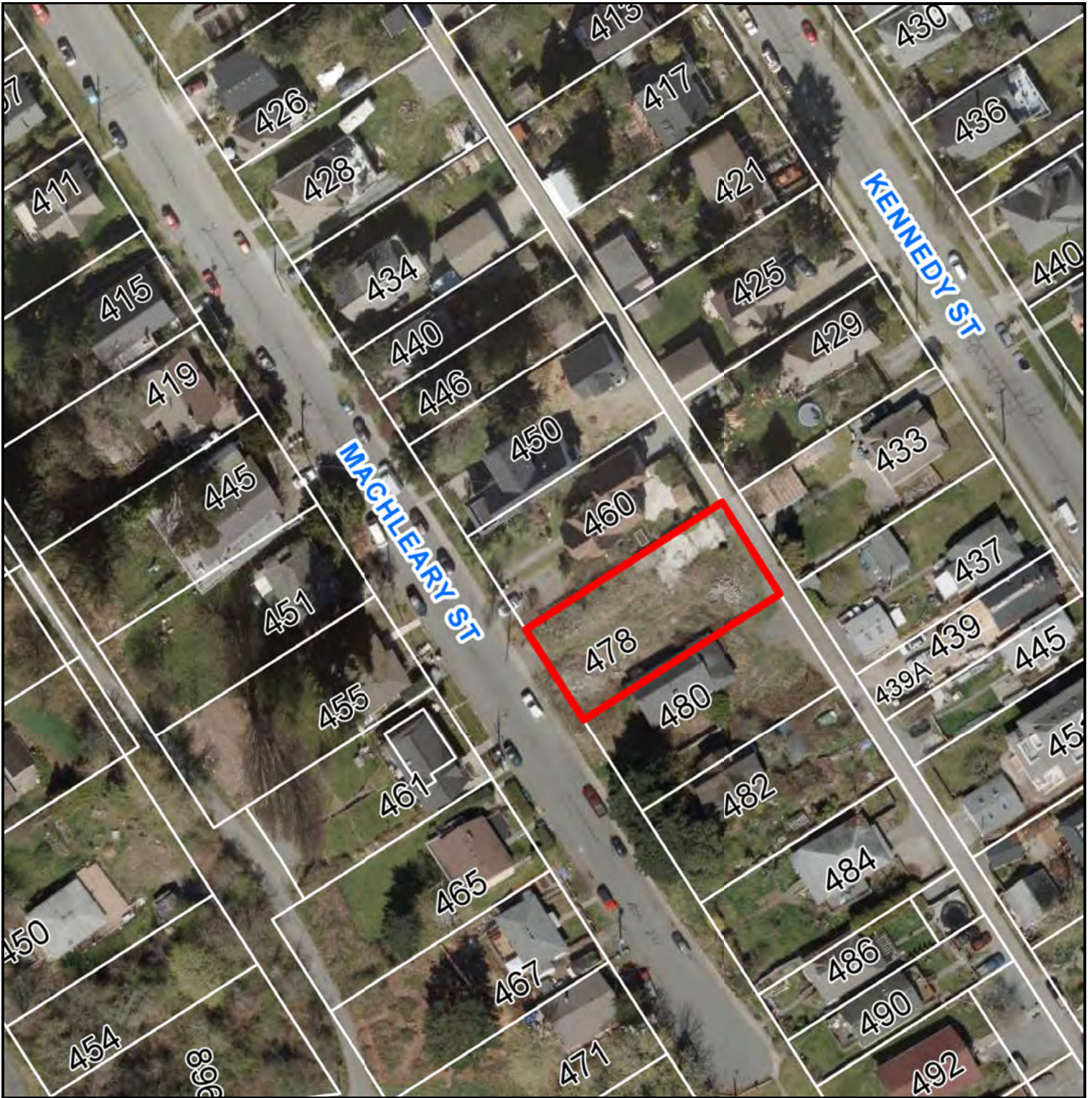
Ⓕ NOOTKA ROSE

**Things to Note:**

1. Predominantly native plants have been selected for the landscaping to reduce water consumption and to encourage better rooting through acclimatization.
2. A low maintenance blend of Fescue grass has been chosen as this grass blend is deep rooted requiring less water while also needing less fertilizer and less maintenance as its maximum growing height is about 6 inches.
3. The circumference of the building is skirted in an ornamental rock covering with a board edging. This rock skirting will prevent moisture and insect damage.
4. An underground sprinkler system was not considered as the property's landscaping plan is orientated toward the reduction of water consumption. Also, four hose bibbs will be installed on this property.
5. As this side-by-side duplex has no common areas, the homeowners of Unit A and Unit B will be able to further develop their own landscaping plans independently.

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ATTACHMENT G  
AERIAL PHOTO



**DEVELOPMENT PERMIT NO. DP001205**

 478 MACHLEARY STREET