

## **Staff Report**

File Number: DP000990

DATE OF MEETING October 16, 2017

AUTHORED BY GARY NOBLE, DEVELOPMENT APPROVAL PLANNER, CURRENT

PLANNING AND SUBDIVISION

SUBJECT DEVELOPMENT PERMIT APPLICATION NO. DP990 -

**510 WOODHAVEN DRIVE** 

#### **OVERVIEW**

#### **Purpose of Report**

To present for Council's consideration a development permit application for a single residential dwelling within the 15m setback from the wetland and boundary of Long Lake at 510 Woodhaven Drive.

#### Recommendation

That Council issue Development Permit No. DP990 at 510 Woodhaven Drive with the following variances:

- reduce the watercourse setback from 15m to 9.8m;
- reduce the front yard setback for the single residential dwelling from 4.5m to 1.06m;
- reduce the front yard setback for the garage within the single residential dwelling from 6m to 0.33m;
- increase lot coverage from 40% to 45%;
- increase building height above the curb from 3m to 4.29m; and,
- increase the perimeter wall height on the south, east, and west elevations from 7.32m to 12.56m.

#### **BACKGROUND**

A development permit application, DP990, was received from Ms. Catherine Power to construct a single residential dwelling on the subject property with variances in order to allow the proposed building to be sited within the watercourse setback.

#### **Subject Property:**

Zoning	R1 – Single Dwelling Residential
Location	The vacant subject property is located at the east end of
	Woodhaven Drive, adjacent to the north side of Long Lake.
	Woodhaven drive dead ends just past the subject property.
Total Area	493.8m <sup>2</sup>
Official Community Plan	Map 1 – Future Land Use Plan – Neighbourhood; Map 3 –
_	Development Permit Area No. 1 – Watercourses
Relevant Design Guidelines	Development Permit Area Design Guidelines



The subject property is located within Long Lake Heights, a bare land strata which is authorized under Land Use Contract 1706. The managing agents of Council, Strata Plan VIS830, have reviewed and approved the proposed building siting and design.

#### **DISCUSSION**

#### **Proposed Development**

The proposed development is a four-storey single residential dwelling that is to be constructed on the vacant subject property.

- Small lot 493.8m<sup>2</sup> (approximately 19m wide and 26m deep)
- 53% grade drop from the strata road to the wetland boundary of Long Lake

The proposed variances regarding site coverage (setback and perimeter wall height variances) are a result of designing a single residential dwelling to meet the applicant's needs, while minimizing the encroachment into the 15m watercourse setback. The building encroachments are:

- 100m<sup>2</sup> ground floor encroachment
- 22m<sup>2</sup> aerial encroachment of the cantilevered fourth-storey balcony

#### Development Permit Area No. 1 – Watercourses

An Environmental Summary (see Attachment D) has been prepared by a Qualified Environmental Professional (QEP). Staff supports the building design and location, which requires a watercourse setback reduction to 9.8m, based on the Environmental Summary. The building is designed to minimize impact within the watercourse setback.

The total area of the ground floor intrusion is 100m<sup>2</sup>, of which 20m<sup>2</sup> will be a pervious patio.

The reduction of the watercourse setback does not impact any significant trees along the lake edge.

The QEP has provided a landscape plan (Figure 1, Environmental Summary) which conforms to the Watercourse Guidelines. The property owner will undertake the re-vegetation plan.

For more information, see the Attachments.

#### **PROPOSED VARIANCES**

#### **Watercourse Setback**

The required watercourse setback from the natural boundary of Long Lake is 15m. The proposed setback is 9.8m; a proposed variance of 5.2m.



#### **Front Yard Setback**

#### Single Residential Dwelling

The required setback for the house is 4.5m, the proposed setback is 1.06m; a proposed variance of 3.44m.

#### Garage

The required setback for the garage is 6m, the proposed setback is 0.33m; a proposed variance of 5.67m.

Staff supports the proposed yard variances as the building is sited away from the lake and the building design accommodates sufficient off-street parking.

#### Lot Coverage

The maximum lot coverage is 40%. The proposed lot coverage is 45%; a proposed variance of 5%.

Staff supports the increased lot coverage due to the small, steep lot and house not being overbuilt for the site; and in keeping with neighbouring properties.

#### **Building Height**

The allowed building height above the curb is 3m. The proposed building height is 4.29m; a proposed variance of 1.29m.

Staff supports the variance as the increased height improves the roof design and does not impact upland views.

#### **Perimeter Wall Height**

The required perimeter wall height is 7.32m. The proposed perimeter wall height for the south, east, and west elevations is 12.56m; a proposed variance of 5.24m.

Staff supports the perimeter wall height variance as the building addresses the wall faces in a successful manner with necessary articulation.

#### **SUMMARY POINTS**

- DP000990 is a single family dwelling unit within the Neighbourhood designation.
- The proposed development meets the Watercourse Design Guidelines.
- Staff supports the variances to the watercourse setbacks, the front yard setbacks, and the increase to the perimeter wall heights for the south, east, and west elevations.



### **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions

ATTACHMENT B: Location Plan ATTACHMENT C: Site Plans

ATTACHMENT D: Environmental Summary
ATTACHMENT E: Strata Approval Letter
ATTACHMENT F: Building Elevations
ATTACHMENT G: Building Renderings
ATTACHMENT H: Landscape Plans
ATTACHMENT I: Aerial Photo

Submitted by: Concurrence by:

L. Rowett D. Lindsay

Manager, Current Planning and Subdivision Director, Community Development

# ATTACHMENT A PERMIT TERMS AND CONDITIONS

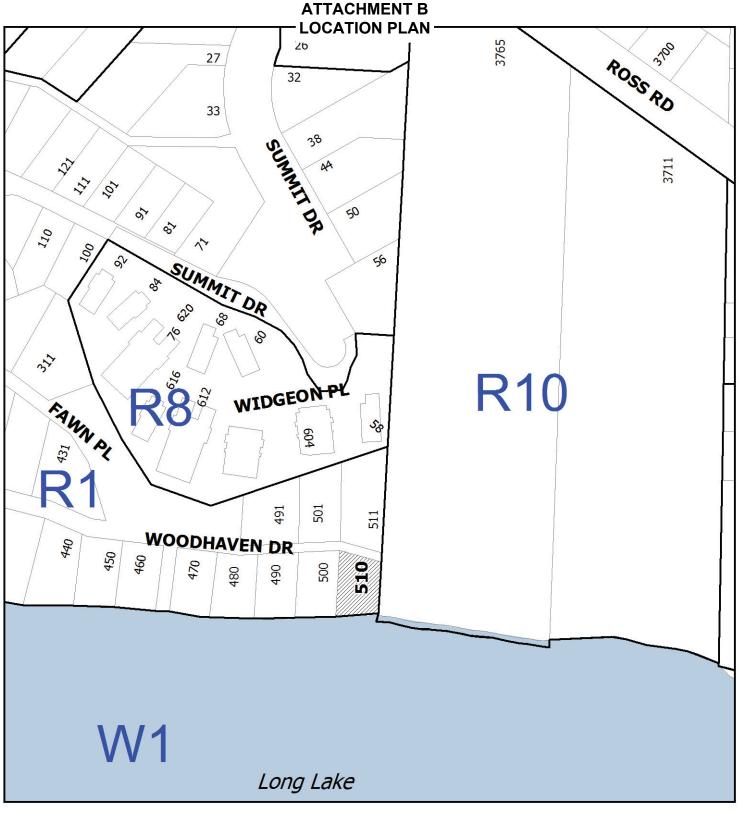
#### **TERMS OF PERMIT**

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

- 1. Section 6.3.1.5 to reduce the watercourse setback measured from the top of bank from 15m to 9.8m.
- 2. Section 7.5.1 to reduce the front yard setback from 4.5m to 1.06m for the single residential dwelling.
- 3. Section 7.5.3 to reduce the front yard setback from 6m to 0.33m for the garage.
- 4. Section 7.6.1 to increase the lot coverage from 40% to 45%.
- 5. Section 7.6.1 to increase the perimeter wall height from 7.32m to 12.56m on the south, east and west elevations.

#### **CONDITIONS OF PERMIT**

- 1. The subject property shall be developed in accordance with the site plans prepared by Raymond de Beeld Architect Inc. dated 2017-SEP-14 as shown on Attachment C.
- 2. The subject property shall be developed generally in accordance with the environmental summary report prepared by Toth and Associates Environmental Services, dated 2017-SEP-15 as shown on Attachments D.
- 3. The development is in general compliance with the building elevations prepared by Raymond de Beeld Architect Inc. dated 2017-SEP-14 as shown on Attachment F.
- 4. The subject property is in general compliance with the landscape plans prepared by Raymond de Beeld Architect Inc. dated 2017-APR-26 as shown on Attachment G.



DEVELOPMENT PERMIT NO. DP000990

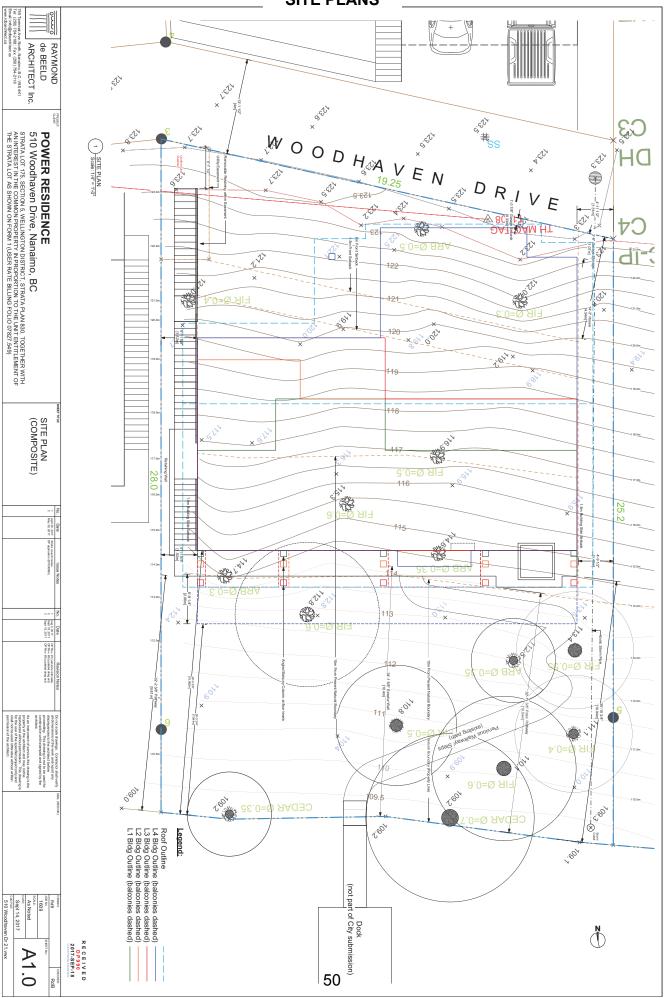


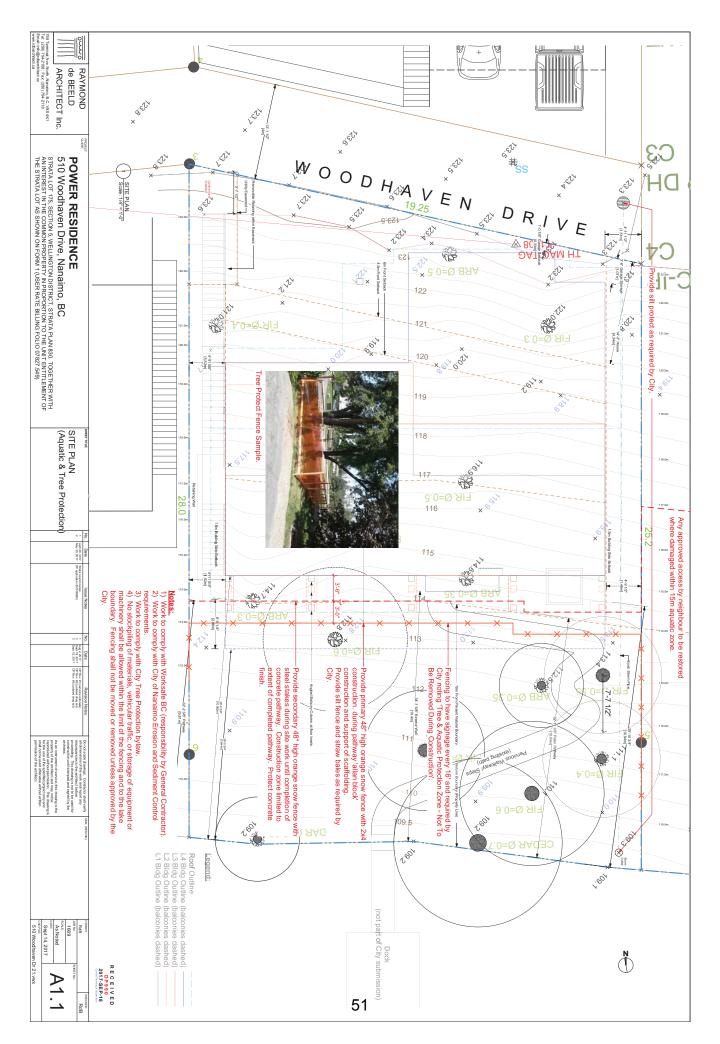
## **LOCATION PLAN**

Civic: 510 Woodhaven Drive
Strata Lot 175, Section 5, Wellington District,
Strata Lot 830, (Phase 3), together with an interest in the common property in proportion to the unit entitlement of the Strata 49 ot as shown on Form 1



#### ATTACHMENT C SITE PLANS





# ATTACHMENT D ENVIRONMENTAL SUMMARY

# RIV.

## Toth and Associates Environmental Services

6821 Harwood Drive, Lantzville, B.C. VOR 2H0

Tel: (250) 390-7602 E-mail: stoth@shaw.ca

October 1, 2017

Catherine Power 5690 Vanderneuk Road Nanaimo B.C. V9T 5H4

Re: Summary of results for the Environmental Surveys conducted on 510 Woodhaven Drive, Nanaimo (PID 000-273-341).

Toth and Associates Environmental Services conducted a detailed *Riparian Areas Regulation* (RAR) assessment (#3966) of 510 Woodhaven Drive on the north side of Long Lake on March 14, 2016 and a tree survey on April 27, 2017. The development proposal includes construction of a single family residence on the property. The subject property is very small at approximately 5,306 square feet (493 m<sup>2</sup>), or roughly 26 m deep by 19 m wide. Average slope on the property is 52% grade.

The development plan proposes a reduction in the watercourse setback from 15 m to 9.8 m at the building's closest point to Long Lake in the southwest corner of the property, with a minor area of intrusion into the 9.8 m setback for a 4<sup>th</sup> floor cantilevered balcony (22 m²). City Staff have reviewed the proposal and indicated that a 9.8 m aquatic setback could be supported as long as there are no ground level intrusions into the 9.8 m setback. The upper storey balcony will be located approximately 8.84 m above ground level on a southerly aspect and therefore will not impede growth of shrub, herb and low growing tree species beneath the balcony. The total area of ground floor intrusion into the City's 15 m watercourse setback proposed by the development plan is 100 m² of which 20 m² will be pervious patio.

The tree survey and Tree Management Plan indicated that development of the property will require removal of 24 trees, of which 18 are <30 cm diameter. No Significant Trees will be removed and only one tree will be removed from within the proposed 9.8 m setback. The City's Management and Protection of Trees Bylaw 2013 (No. 7126) requires 28 trees to be replaced for the 24 trees to be removed. As there is insufficient space on the subject property for replacement of all the trees, cashin-lieu for trees not replaced will be paid to the City.

City staff requested a compensation plan for the encroachment created by the watercourse setback variance. Currently there is little in the way of shrub or herbaceous vegetation on the property due to the shading created by trees within the watercourse setback. I have provided a landscape plan (Figure 1) that requires the planting of 125 native plants (1 plant / 0.75 m²) within the 9.8 m watercourse setback including 74 herbs, 45 shrubs and 6 trees (Table 1). Native plant species appropriate for the site are indicated in Table 1.

It is our understanding that the landowner will undertake the re-vegetation.

A single pervious soft surface pathway will provide access to water. The trail has been aligned to avoid damage or removal of existing trees and vegetation (Figure 1).

R E C E I V E D D P 9 9 0 2017-OCT-02 A fence will be installed along the 9.8 m setback boundary prior to the start of construction to prevent intrusion within the setback area.

It is our professional opinion that the proposed construction of a home on the property involving a  $100~\text{m}^2$  intrusion inside the 15 m Streamside Protection Enhancement Area (SPEA) setback associated with the Zones of Sensitivity for Large Woody Debris and Bank Stability, and Litter Fall and Insect Drop will not have a significant impact on the riparian function of Long Lake.

Please contact us if you require any additional information.

Sincerely,

Steve Toth, AScT, R.P.Bio.

**Toth and Associates Environmental Services** 



Table 1. Recommended native plant species for restoration of the watercourse setback on 510 Woodhaven Drive

Species	Common Name	Size	\$/each	Quantity	\$ Cost	Sun	Moisture
		Tree	es				
Taxus brevifolia	Western Yew	5 gal	\$28.00	2	\$56.00	Low	Low
Conus nuttallii	Pacific Dogwood	5 gal	\$28.00	2	\$56.00	Mod	Mod
Malus fusca	Pacific Crab Apple	5 gal	\$18.00	2	\$36.00	Mod	High
		Shru	bs			•	
Amelanchier alnifolia	Saskatoon	2 gal	\$8.50	6	\$51.00	High	Low
Mahonia nervosa	Dull Oregon Grape	2 gal	\$5.50	12	\$66.00	Mod	Low
Vaccinium ovatum	Evergreen Huckleberry	2 gal	\$6.00	5	\$30.00	Mod	Mod
Holodiscus discolor	Ocean Spray	2 gal	\$8.50	5	\$42.50	High	Low
Ribes sanguineum	Red Flowering Currant	2 gal	\$9.50	5	\$47.50	Mod	Mod
Symphoricarpos albus	Snowberry	2 gal	\$8.50	6	\$51.00	Mod	Mod
Vaccinium parvifolium	Red Huckleberry	1 gal	\$6.00	3	\$18.00	Mod	Mod
Lonicera ciliosa	Western Trumpet Honeysuckle	1 gal	\$6.00	3	\$18.00	Mod	Low
	T	Herk	os	T	T 4		T
Polystichum munitum	Sword Fern	1 gal	\$4.75	25	\$118.75	Mod	Mod
Asarum caudatum	Wild Ginger	1 gal	\$2.75	5	\$13.75	Mod	Low
Aster douglasii	Douglas' Aster	1 gal	\$2.75	5	\$13.75	High	Mod
Dicentra formosa	Bleeding Heart	1 gal	\$2.25	5	\$11.25	Mod	Mod
Digitalis purpurea	Common Foxglove	1 gal	\$2.25	5	\$11.25	High	Mod
Disporum hookeri	Hooker's Fairybells	1 gal	\$2.75	5	\$13.75	Mod	Mod
Heuchera micrantha	Small-flowered Alumroot	1 gal	\$2.25	5	\$11.25	Low	Mod
Linnaea borealis	Twinflower	1 gal	\$2.25	5	\$11.25	Low	Low

Satuieja douglasii	Yerba Buena	1 gal	\$2.75	5	\$13.75	Mod	Low
Tellima grandiflora	Fringecup	1 gal	\$2.25	5	\$11.25	Low	Mod
Tiarella trifoliata	Foamflower	1 gal	\$2.25	5	\$11.25	Low	Mod
Total:				125	\$713.25		

Note: Costs are based on wholesale prices indicated on the Streamside Native Plant's website (http://streamsidenativeplants.com/)

Table 2. Map symbols used on landscape plan

Species	Common Name	Quantity	Symbol
Taxus brevifolia	Western Yew	2	*
Conus nuttallii	Pacific Dogwood	2	**
Malus fusca	Pacific Crab Apple	2	*
Amelanchier alnifolia	Saskatoon	6	S.S.S.
Mahonia nervosa	Dull Oregon Grape	12	*
Vaccinium ovatum	Evergreen Huckleberry	5	
Holodiscus discolor	Ocean Spray	5	4
Ribes sanguineum	Red Flowering Currant	5	***
Symphoricarpos albus	Snowberry	6	ANN ANN ANN ANN ANN ANN ANN ANN ANN ANN
Vaccinium parvifolium	Red Huckleberry	3	
Lonicera ciliosa	Western Trumpet Honeysuckle	3	$\Rightarrow$
Polystichum munitum	Sword Fern	25	***
Asarum caudatum	Wild Ginger	5	L
Aster douglasii	Douglas' Aster	5	
Dicentra formosa	Bleeding Heart	5	
Digitalis purpurea	Common Foxglove	5	*
Disporum hookeri	Hooker's Fairybells	5	
Heuchera micrantha	Small-flowered Alumroot	5	<b>*</b>
Linnaea borealis	Twinflower	5	8
Satuieja douglasii	Yerba Buena	5	*
Tellima grandiflora	Fringecup	5	**
Tiarella trifoliata	Foamflower	5	**

# ATTACHMENT E STRATA APPROVAL LETTER

June 1, 2017

#### **VIA MAIL & EMAIL**

Catherine Power 510 Woodhaven Drive Nanaimo, BC V9T 4X5

RE: Strata Plan VIS 830 - Long Lake Heights - SL#175 Building Plan

We write as managing agents on behalf of Council, Strata Plan VIS 830 regarding the above referenced matter.

Council reviewed your building plans and after review and consideration, your plans have been approved.

We appreciate your attention to this matter.

Sincerely,

Beth Kauwell Strata Manager

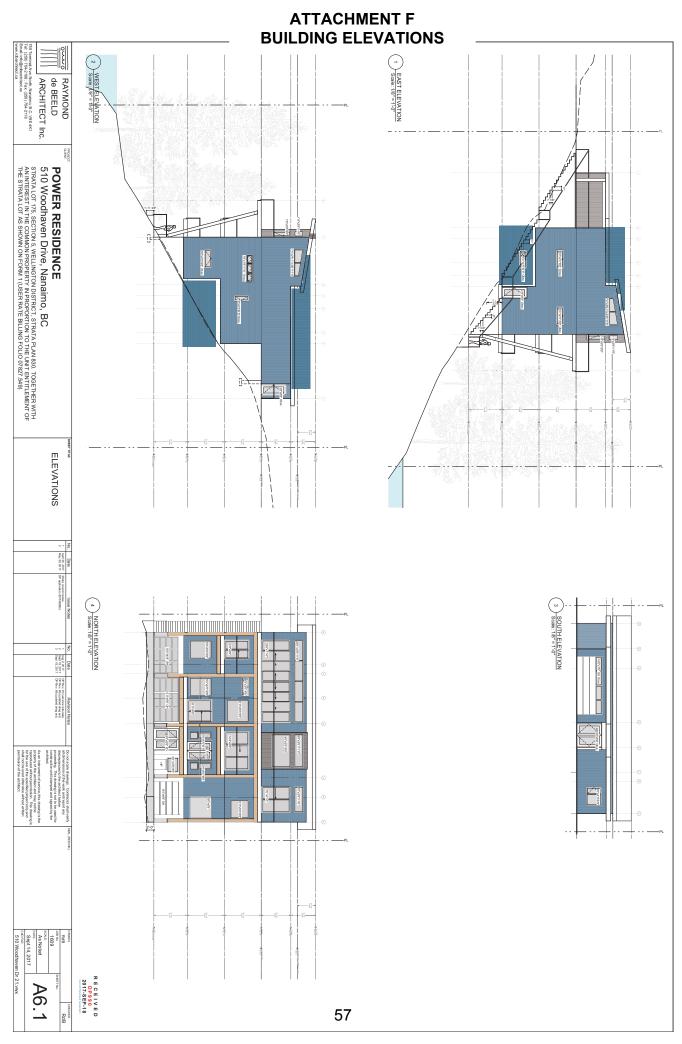
CONCISE STRATA MANAGEMENT SERVICES INC.

Managing Agent for Strata Corporation VIS 830

cc: Raymond deBleed

R E C E I V E D
D P 9 9 0
2017-JUN-23
Current Planning & Subdivision

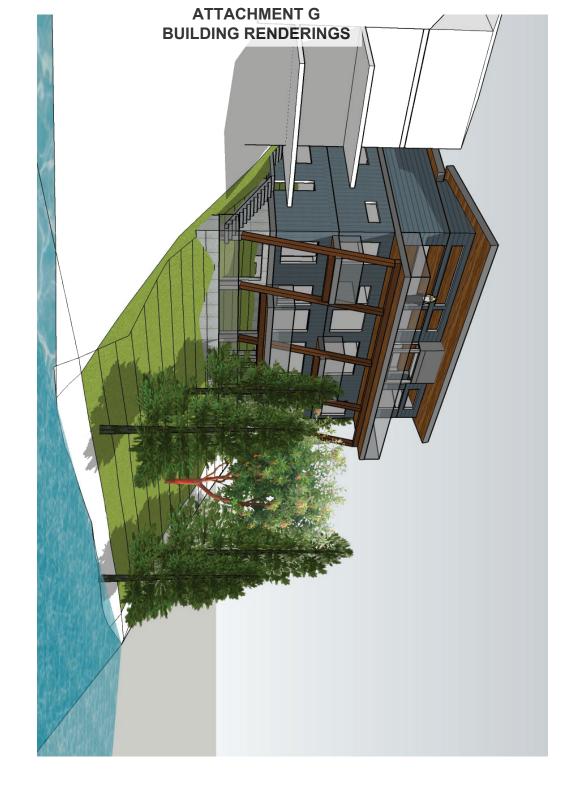






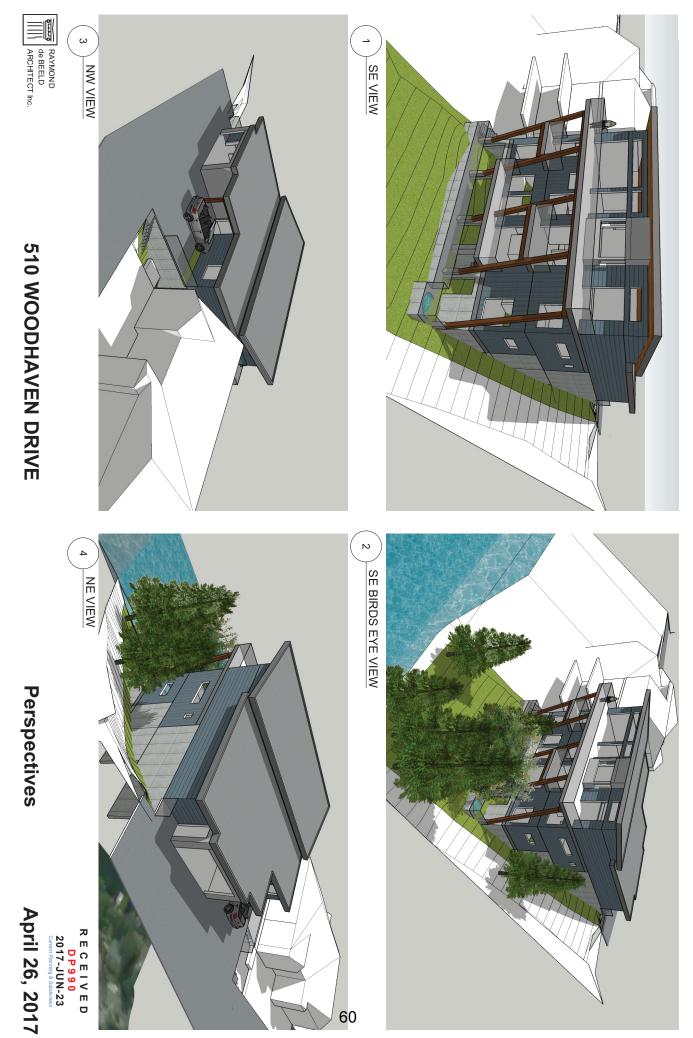
April 26, 2017





Unit Entitlement	Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form 1.
esidential	
m2	
369.0	
477.3	
	Provided
	45% (48.9% if covered main entry)
	mcc.o
	1.06m
	N/A
	1.5m
	>7.5m
D.	yes
	yes
	129m
	2.74m
2m width	12.56m
2m width	±12.56m on the NE corner
2m width	±12.56m on the NW comer
tural boundary	10.00m (10.41 bidg and 7.94 for deck)
	Provided
	2+2
	On Form 1.  81 Single bouling Residential  \$530 82 (\$4000 R)  Geova Feet Ave 1  1.020 1.02

PROJECT DATA



1 of 4

ATTACHMENT H LANDSCAPE PLANS

2 of 4

#### ATTACHMENT I AERIAL PHOTO



DEVELOPMENT PERMIT NO. DP000990

