

City of Nanaimo
REPORT TO COUNCIL

DATE OF MEETING: 2012-OCT-15

AUTHORED BY: SHEILA HERRARA, PLANNER, PLANNING & DESIGN SECTION

RE: DEVELOPMENT VARIANCE PERMIT NO. DVP00201 –
945 HOWARD AVENUE

STAFF'S RECOMMENDATION:

That Council direct Staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP00201 at 945 Howard Avenue, that would legalize a secondary suite in an accessory building on a lot less than 800 m².

BACKGROUND:

In November 2011, the City of Nanaimo received a complaint regarding a secondary suite in the accessory building at 945 Howard Avenue. As a result, the City of Nanaimo has received a development variance permit application from Stephanie Konefall to vary the minimum lot size requirement to legalize a secondary suite within an accessory building, as regulated in Part 6, Section 6.15 "Secondary Suites" of Zoning Bylaw 4500.

Subject Property

The property, located at 945 Howard Avenue (Schedule A) is within the Single Dwelling Residential Zone (R1) and is designated as Neighbourhood within the Official Community Plan (OCP). The surrounding area is primarily single dwelling residential. The subject property has a total lot area of 705 m² and is oriented east/west with a lot depth of 39.98 m. There is 17.64 m of frontage along Howard Avenue. An existing single family dwelling is sited mid-lot and the accessory building in which the secondary suite is located, is within the rear yard. Parcel coverage equates to approximately 20%.

The neighbouring lot, immediately behind the subject property, is a 8,199 m² panhandle, R1 zoned lot, with a single family residential dwelling. The lot adjacent to the north is a 711 m² rectangular lot and the lot adjacent to the south is a 705 m² – both of which are R1 zoned lots – each have a single family residential dwelling (Schedule B).

DISCUSSION:

Proposed Development

The applicant wishes to legalize the existing secondary suite in the existing accessory building located in the northwest corner of the property. The floor area of the suite is approximately

30 m². The single-storey accessory building, in which the suite is contained within, complies with the maximum floor area restrictions and parcel coverage requirements of the Zoning Bylaw 4500.

Applicants Rationale

A copy of the owner's letter of rationale is attached as Schedule C.

Proposed Variances

Section 6.15.3 of Zoning Bylaw 4500, specifies that a secondary suite can be included within an accessory building, providing that the accessory building is located on a corner lot, a lot whose side or rear lot line abuts a lane, or a lot that is greater than 800m². The subject property is not a corner lot, nor does it abut a lane. As the lot size is 705m², the applicant is requesting that the requirement that interior lots containing a detached secondary suite must be a minimum of 800 m² in area be waived in the case of Lot A, Plan 34530 (945 Howard Ave).

Staff Comment

A secondary suite is a permitted use in the zone. Zoning Bylaw 4500 further states for a secondary suite to be located within an accessory building the lot must be greater than 800 m². Interior lots which are between 370 m² and 800 m² allow for a secondary suite, but limits the suite location to be within the principal dwelling. The intention of the minimum lot size was to ensure privacy, adequate space for parking, and access to and from the property.

The subject property is 705 m². The small accessory building is an existing structure that will not negatively impact the character of the surrounding neighbourhood as it is set to the rear north corner of the lot with minimal visibility from the street. Further, existing homes on adjacent lots, to the north and rear of the subject property, are set at a distance from this secondary suite in the accessory building. In terms of the parking arrangements, there is sufficient on-site parking for both the principal dwelling and the secondary suite.

Respectfully submitted,

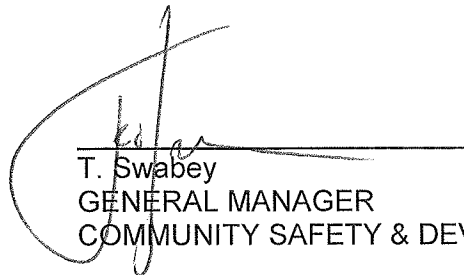


B. Anderson, MCIP
MANAGER
PLANNING & DESIGN SECTION

Concurrence by:

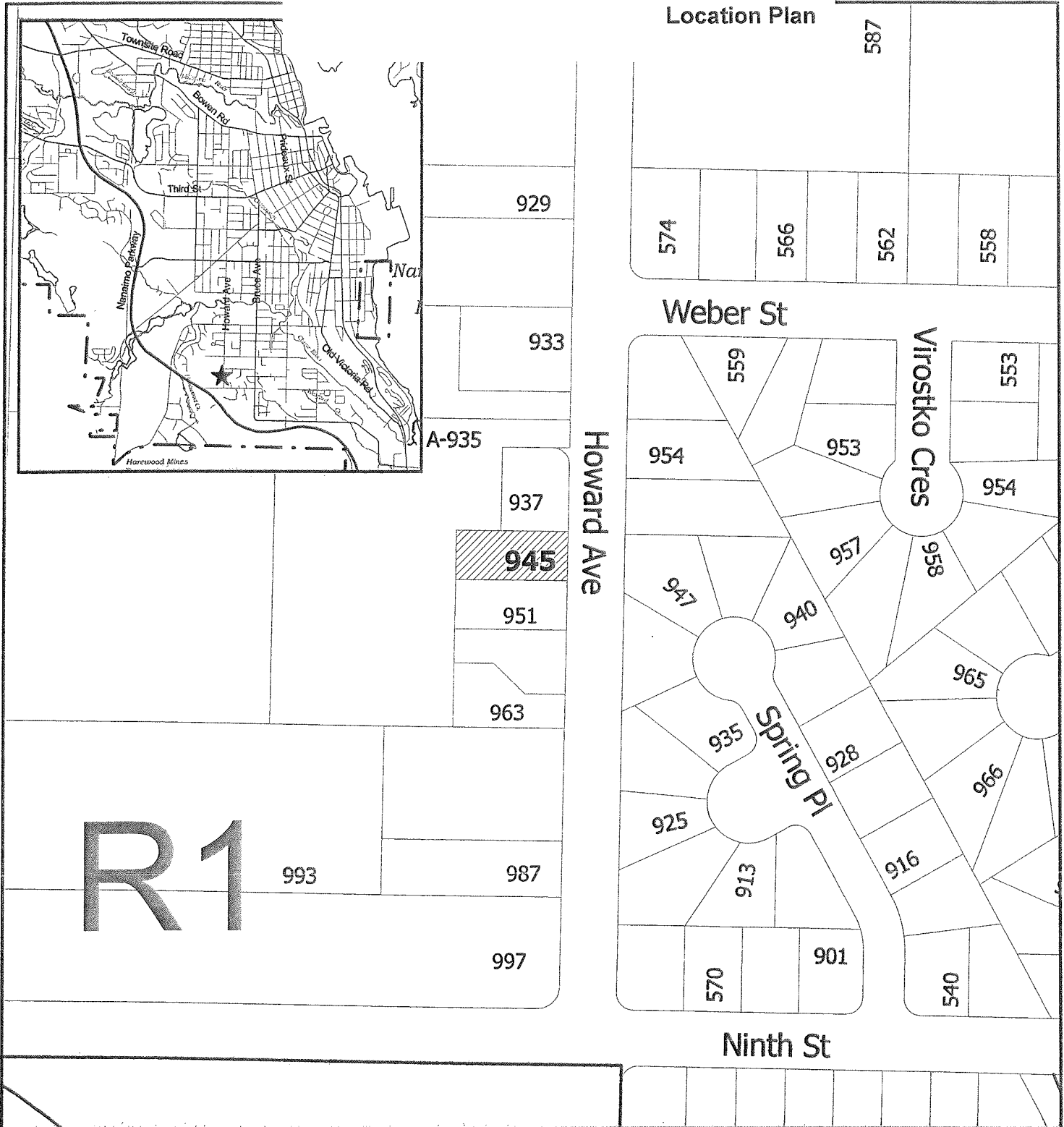


A. Tucker, MCIP
DIRECTOR
PLANNING



T. Swabey
GENERAL MANAGER
COMMUNITY SAFETY & DEVELOPMENT

Location Plan



DEVELOPMENT VARIANCE PERMIT NO. DVP00201



LOCATION PLAN

Civic: 945 Howard Avenue



Subject
Property

Subject Accessory Building /w Secondary Suite



Rationale

Re: 945 Howard Avenue Nanaimo BC V9R 3T4

I am hopeful that the variance application to legalize the suite at the above address will be granted as it is in an ideal location for students and supports affordable housing in the area. The suite is a detached and private space accessible to bus and amenities. Parking, garbage collection and separate utilities are established.

The suite has been used in the past to house International home stay students living with the family in the main home but afforded them a private space.

As a single parent I am hopeful that the variance application will be granted so I am better able to support my children and utilize the space more fully on the property.