

City of Nanaimo
REPORT TO COUNCIL

DATE OF MEETING: 2013-OCT-7

AUTHORED BY: GARY NOBLE, PLANNER.
PLANNING & DESIGN SECTION

RE: DEVELOPMENT VARIANCE PERMIT NO. DVP213 – 610 MILLER FARM DRIVE

STAFF RECOMMENDATION:

That Council issue Development Variance Permit No. DVP213 at 610 MILLER FARM DRIVE.

PURPOSE:

The purpose of this report is to seek Council authorization to vary the provisions of "ZONING BYLAW 2011 NO. 4500", in order to vary the height calculation for 11 proposed residential lots.

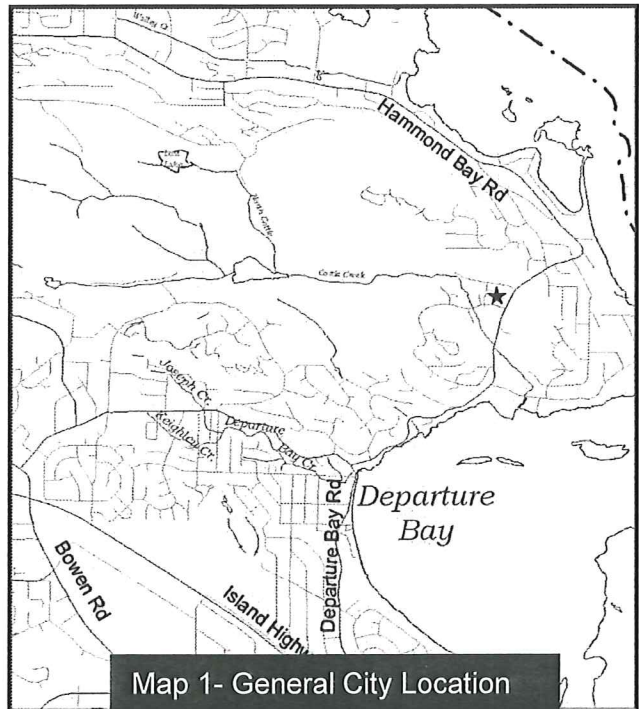
BACKGROUND:

A Development Variance Permit (DVP) application was received from Mr. Ron Smith, on behalf of NOTTINGHAM PROPERTIES, to vary the provisions of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" to permit the construction of a two-storey housing form, with height measured from 0.3 m above the fronting existing sidewalk grade.

At the Council Meeting held 2013-SEP-23, Council approved Statutory Notification for Development Variance Permit DVP00213. Statutory Notification must take place prior to Council's consideration for approval of the variance.

Subject Property

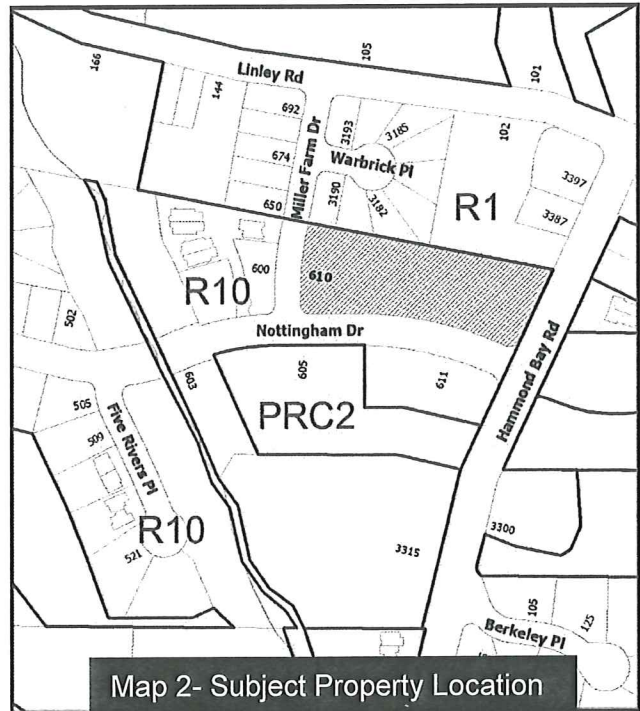
The subject property, located at 610 Miller Farm Drive is a vacant parcel with a total area of 0.77 ha and is zoned R10-Steep Slope Residential. The intent is to subdivide the land mass into 11 Single Family Dwelling (SFD) lots.



The surrounding area is residential with a phased construction, multi-family development (5 units in 3 two-storey buildings, completed) across the street – 610 Miller Drive. A residential (SFD) subdivision abuts the north property line, with a park and future fire hall site across the street at 611 and 605 Nottingham Drive.

The subject property grade is lower than the constructed public sidewalk grade on the abutting public right-of-ways: Miller Farm Drive, Nottingham Drive and Hammond Bay Road. The applicant is in the process of elevating the existing grade with structural fill to create future lots with a finished grade of 0.3 m above the existing sidewalk grade.

Building height for SFDs is calculated, in this situation, based on average natural grade. The height calculation limits building forms to one-storey and would require removal of structural fill to allow construction of two-storey SFDs. The applicant wants to have each lot ready for construction without site manipulation, and with site conditions which encourage a two-storey built form. The submitted site grading plan and roof height variance table identifies the proposed height variance and this concept plan will become part of the future approved subdivision.



DISCUSSION

Required Variances

Section 5 – Definitions of the City’s Zoning Bylaw requires the height of each SFD of the proposed 11 lots be based on average natural grade. The height variance is to be calculated 0.3 m above the sidewalk grade. The following table identifies the height calculation methodology and the required height variances for each lot.

ROOF HEIGHT VARIANCE TABLE					
LOT No.	STRUCTURAL FILL/DG PAD ELEVATION	MAXIMUM ALLOWABLE TOP OF ROOF ELEV.	DESIGN GRADE (BACK OF S/W PWS 0.3m)	DESIGN GRADE MAXIMUM TOP OF ROOF ELEVATION	VARIANCE REQUESTED (DIFFERENCE)
1	43.45m	52.45m	44.76m	53.76m	1.31m
2	43.47m	52.47m	44.7Bm	53.7Bm	1.31m
3	43.60m	52.60m	44.87m	53.87m	1.27m
4	43.79m	52.79m	44.9Bm	53.98m	1.19m
5	43.62m	52.62m	44.8Bm	53.88m	1.26m
6	43.47m	52.47m	44.79m	53.79m	1.32m
7	43.51m	52.51m	44.83m	53.83m	1.32m
8	44.15m	53.15m	45.02m	54.02m	0.87m
9	44.45m	53.45m	45.92m	54.92m	1.47m
10	44.59m	53.59m	46.04m	55.04m	1.45m
11	45.02m	54.02m	46.15m	55.15m	1.13m

DESIGN GRADE AT BACK OF SIDEWALK IS AT CENTER OF LOT

Staff supports the requested variance and recommends that Council approve this application.

Respectfully submitted,

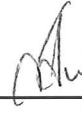


B. Anderson, MCIP
MANAGER
PLANNING & DESIGN SECTION

Concurrence by:



A. Tucker, MCIP
DIRECTOR
PLANNING



T. Seward
ACTING GENERAL MANAGER
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

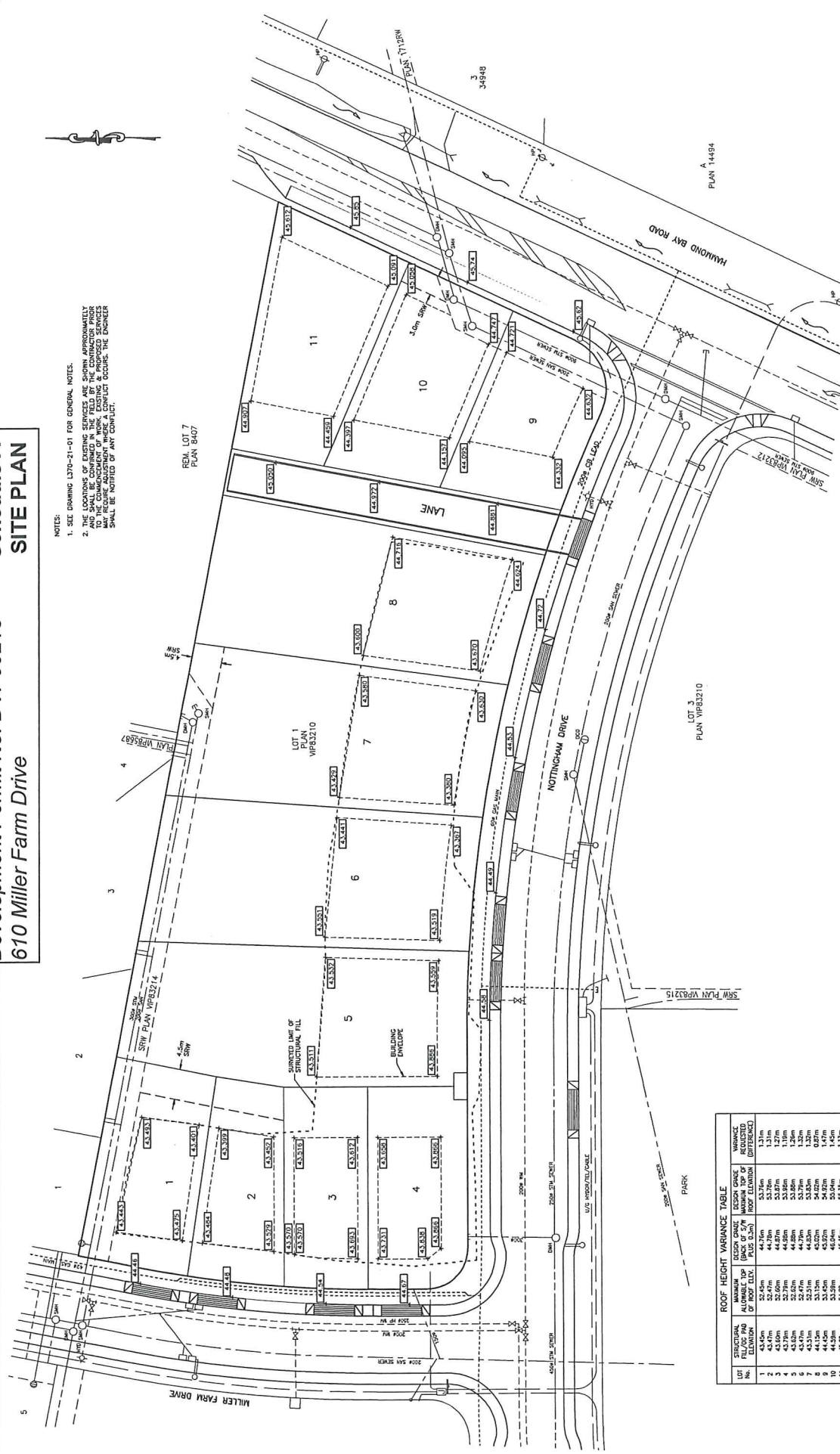
I concur with the staff recommendation.

*Drafted: 2013-SEP-26
Prospero Attachment: DVP213
GN /lb*

Development Permit No. DVP00213
610 Miller Farm Drive

Schedule A
SITE PLAN

- NOTES:
- SEE DRAWING L370-71-01 FOR GENERAL NOTES.
 - THE LOCATIONS OF BENCHMARKS ARE SHOWN APPROXIMATELY AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORK. EXISTING & PROPOSED BENCHMARKS SHALL BE NOTIFIED OF ANY CONFLICT.



ROOF HEIGHT VARIANCE TABLE

LOT	STRUCTURAL FILL/OP PAD ELEVATION	DESIGN GRADE ALLOWABLE TOP OF ROOF ELEV. PLUS 0.3m	DESIGN GRADE MAXIMUM TOP OF ROOF ELEVATION	VARIANCE REQUESTED (DIFFERENCE)
2	43.97m	44.27m	53.76m	1.31m
3	43.50m	44.87m	53.87m	1.27m
4	43.50m	44.87m	53.86m	1.26m
5	43.50m	44.79m	53.79m	1.32m
6	44.15m	44.15m	54.02m	0.87m
7	44.50m	44.50m	54.02m	1.47m
8	44.50m	46.15m	55.15m	1.15m
11	45.00m	46.15m	55.15m	1.15m

DESIGN GRADE AT BACK OF STRUCTURE IS AT CENTER OF LOT

ENG01149 / SUB00945

PROPOSED BUILDING HEIGHT VARIANCE

NOTTINGHAM PROPERTIES LTD.

PROPOSED SUBDIVISION
610 MILLER FARM DRIVE

PROJECT TYPE: CLEAR L
CLEAR NO.: 370
PROJECT NO.: 21
VARIATION NO.: 06
REVISION NO.: 01

CLIENT NAME: NOTTINGHAM PROPERTIES LTD.
PROJECT NAME: PROPOSED SUBDIVISION 610 MILLER FARM DRIVE

DESIGN: MIV
DRAWN: dp
CHECKED: [blank]
PLOT DATE: 08-13
PRINT DATE: [blank]
VERTICAL SCALE: 1:250

ENGINEER'S SEAL: [blank]
SCALE: 1:250

SITE LEGAL DESCRIPTION: LOT 1, PLAN VPB3210 WELLINGTON LAND DISTRICT

BENCHMARK DESCRIPTION: BENCHMARKS ARE GEODETIC AND ARE REFERRED TO MONUMENT No. E348050 LOCATED AT THE INTERSECTION OF UNLEY ROAD AND HAMMOND BAY ROAD. ELEVATION: 49.188m

LEGEND: [blank]

REVISION DESCRIPTION: [blank]

DATE: 07/09/13 BY: [blank]



NEWCASTLE ENGINEERING LTD.
CERT. PLAN. TEL. No.