

DATE OF MEETING | August 13, 2018 |

AUTHORED BY | LAUREN WRIGHT, PLANNER, CURRENT PLANNING AND SUBDIVISION |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP354 – 703 HECATE STREET** |

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to reduce the required front yard and rear yard setbacks and increase the permitted projection of an open deck into the rear yard setback to allow for the relocation of an existing dwelling onto the currently vacant property. |

Recommendation

That Council issue Development Variance Permit No. DVP354 for 703 Hecate Street with the following variances:

- reduce the minimum front yard setback from 6m to 4.5m;
- reduce the minimum rear yard setback from 7.5m to 7.14m; and
- increase the maximum projection of an open deck into a rear yard setback from 2m to 2.44m. |

BACKGROUND

A development variance permit application, DVP354, was received from Ms. Debbie Redlick to vary the provisions of City of Nanaimo “Zoning Bylaw 2011 No. 4500” to accommodate the placement of a single residential dwelling at 703 Hecate Street.

Subject Property

<i>Zoning</i>	R14 – Old City Low Density (Fourplex) Residential
<i>Location</i>	The subject property is located on the corner of Hecate Street and Sophia Lane.
<i>Total Area</i>	436m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use – Neighbourhood

The subject property is a vacant undersized lot located within a predominantly low-density (single residential) neighbourhood in the Old City area. Sophia Lane flanks the north side of the lot and the E&N Rail line is located across Hecate Street and runs through a large undeveloped parcel.

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

DISCUSSION

Proposed Development

The applicant proposes to relocate an existing dwelling to the property. The dwelling (approximately 111.5m² in floor area) was built in the 1950s and the applicant proposes several façade and landscaping improvements to ensure the dwelling and property will compliment the existing residential character of the area.

The existing lot was created in 1925 and is non-conforming in size (436m² instead of the minimum 750m² in the R14 Zone). The required setbacks, if applied, would significantly restrict the building envelope; therefore, variances are proposed to achieve a more functional building envelope to accommodate the house relocation.

Proposed Variances

Minimum Front Yard and Minimum Rear Yard Setbacks

The minimum required front yard setback is 6m. The proposed setback is 4.5m, a proposed variance of 1.5m.

The minimum required rear yard setback is 7.5m. The proposed setback is 7.14m, a proposed variance of 0.36m.

Due to the small size of the lot, the proposed variances accommodate a more functional building envelope. The proposed front and rear yard setbacks are similar to the requirements for a single family home in the R1 Zone. The reduced setbacks are not anticipated to negatively impact adjacent properties. The proposed house location maximizes separation from existing adjacent residences and allows for the retention of some trees around the perimeter of the lot. Onsite parking will be provided on the south side of the principal dwelling.

Maximum Projection of an Open Deck into the Rear Yard Setback

The maximum projection of an open deck into the rear yard setback is 2m. The proposed setback is 2.44m, a proposed variance of 0.44m.

Due to the distance from neighbouring residences, the proposed second storey open deck is not anticipated to negatively impact surrounding property owners. The rear yard of the subject property faces the rear yard of 604 Kennedy Street and the visibility of the deck will be limited by the existing fence and mature trees. |

See the Attachments for more information.

SUMMARY POINTS

- Development Variance Permit No. DVP354 proposes variances to the front yard setback, rear yard setback, and the projection of an open deck into the rear yard setback.
- The proposed variances would allow a more functional building envelope on an existing undersized lot.
- Façade and landscape improvements to the dwelling and property are planned to ensure it complements the character of the neighbourhood.
- The requested variances are not anticipated to negatively impact adjacent properties.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Plan
ATTACHMENT D: Photo of Proposed Dwelling
ATTACHMENT E: Aerial Photo

Submitted by:

L. Rowett
Manager, Current Planning & Subdivision

Concurrence by:

D. Lindsay
Director, Community Planning

ATTACHMENT A PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

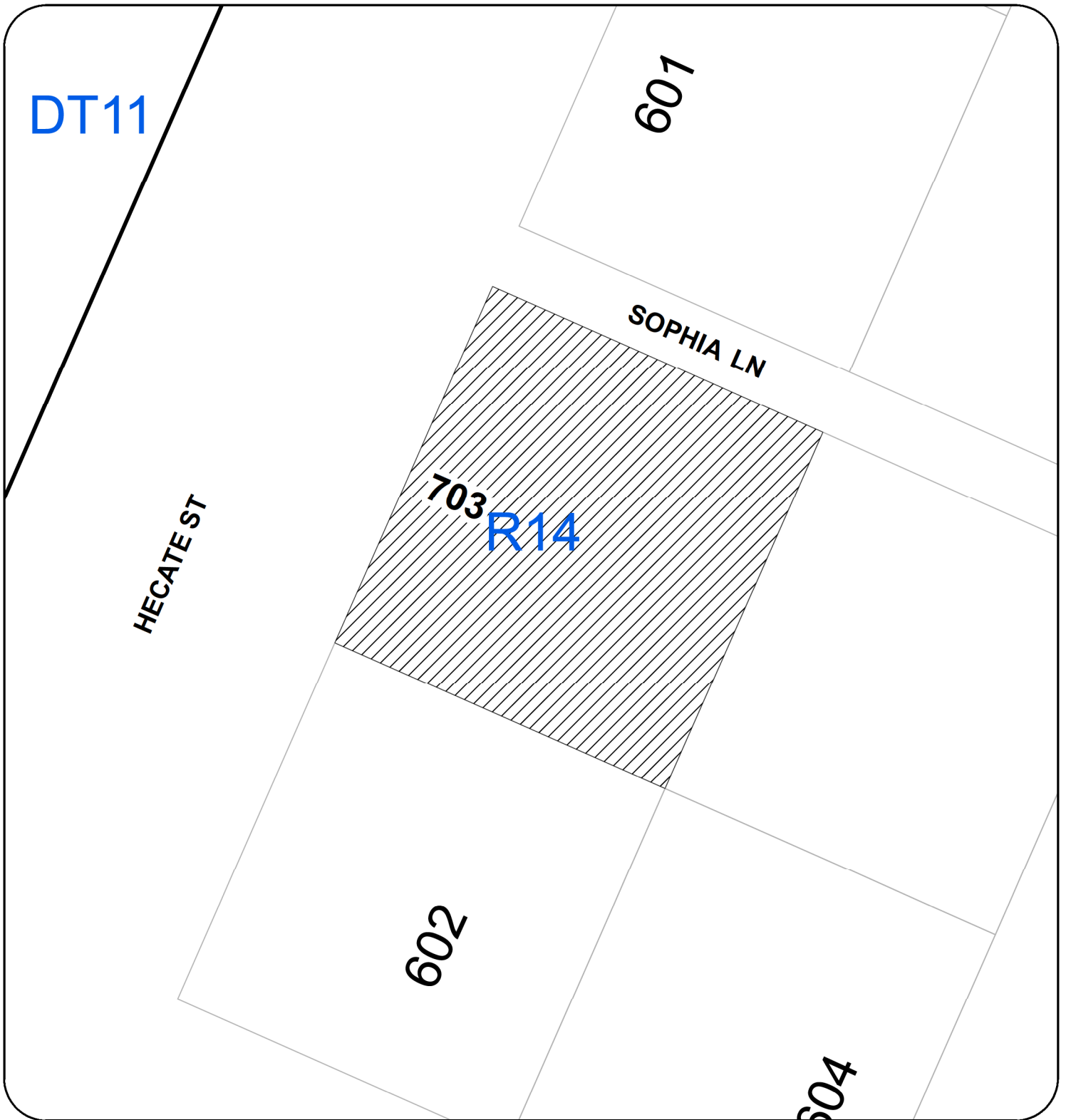
The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is varied as follows:

1. *Section 7.5.1 Siting of Buildings* – to reduce the minimum front yard setback for a principal building from 6m to 4.5m.
2. *Section 7.5.1 Siting of Buildings* – to reduce the minimum rear yard setback for a principal building from 7.5m to 7.14m.
3. *Section 6.5.1 Projections into Yards* – to increase the maximum projection of an open deck into a rear yard setback from 2m to 2.44m.

CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the Site Survey prepared by T.G. Hoyt, B.C. Land Surveyor dated 2018-JUNE-13, as shown on Attachment C.

ATTACHMENT B
LOCATION PLAN



DEVELOPMENT VARIANCE PERMIT NO. DVP00354

LOCATION PLAN



Civic: 703 Hecate Street
Legal Description: THAT PART OF SECTION C, LOT 14, BLOCK F, SECTION 1,
NANAIMO DISTRICT, PLAN 584 LYING TO THE NORTH WEST OF A LINE DRAWN
PARALLEL TO AND PERPENDICULARLY DISTANT 66 FEET FROM THE NORTH
WESTERLY BOUNDARY OF SAID PARCELS

280



Subject Property

**PLAN OF PROPOSED HOUSE
BLOCK F, SECTION 1, NANA**

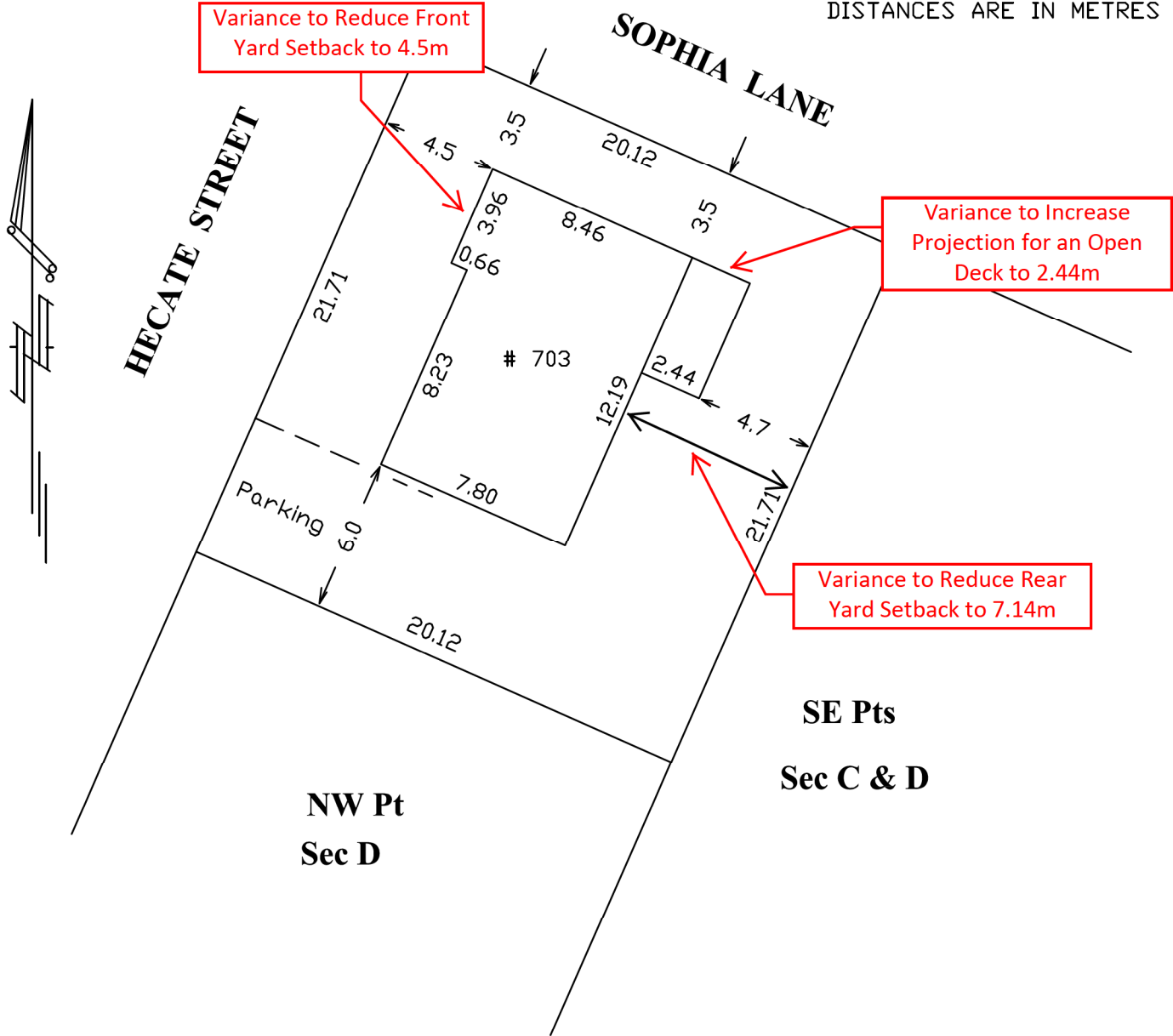
**ATTACHMENT C
SITE PLAN**

**PART OF SECTION C, LOT 14,
584 LYING TO THE**

**NORTHWEST OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY
DISTANT 66 FEET FROM THE NORTHWEST BOUNDARY OF SAID PARCELS**

SCALE 1:250

DISTANCES ARE IN METRES



T.G. Hoyt
B.C. Land Surveyor
2275 Godfrey Road
Nanaimo, B.C.
V9X 1E7
250-753-2921

HOUSE LOCATION TO BE PINNED
PRIOR TO FOUNDATION FORMING

FB 375/281

This 23rd day of July, 2018.

B. C. L. S.

**ATTACHMENT D
PHOTO OF PROPOSED DWELLING**



**ATTACHMENT E
AERIAL PHOTO**



DEVELOPMENT VARIANCE PERMIT NO. DVP00354