

DATE OF MEETING | August 13, 2018 |

AUTHORED BY | TAMERA ROGERS, PLANNER, CURRENT PLANNING AND
SUBDIVISION |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP360 –
422 HOWARD AVENUE** |

OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit application to allow an over-height accessory building at 422 Howard Avenue. |

Recommendation

That Council issue Development Variance Permit No. DVP360 at 422 Howard Avenue with the following variance:

- increase the maximum accessory building height for a roof pitch less than 6:12 from 4.5m to 4.62m. |

BACKGROUND

A development variance permit application, DVP360, was received from Mr. Paul Jones to vary the provisions of City of Nanaimo "Zoning Bylaw 2011 No. 4500" to allow an over-height accessory building at 422 Howard Avenue.

The applicant obtained a building permit (BP124000) to construct a detached garage on the subject property. The garage was constructed according to the submitted plans, which complied with all Zoning Bylaw regulations. Due to the finished grade at the northwest corner of the building and the BC Building Code requirement for the concrete foundation to be located 0.2m above the finished grade, the garage was constructed 0.12m over height. Building occupancy cannot be received until the height conforms to the bylaw or a variance is granted.

Subject Property

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located at the corner of Renfrew Street and Howard Avenue.
<i>Total Area</i>	768m ²
<i>Official Community Plan</i>	Map 1 - Future Land Use - Neighbourhood

The subject property is relatively flat in a primarily single dwelling residential neighbourhood.

Statutory notification has taken place prior to Council's consideration of the proposed variance.

DISCUSSION

Proposed Development

The proposed development is a one-storey, 81m² accessory building with a 4:12 roof pitch to be used as a garage. The accessory building has already been constructed to the rear of the property and requires a height variance to allow building occupancy to be granted.

Proposed Variances

Maximum Accessory Building Height

The maximum accessory building height for a roof pitch less than 6:12 is 4.5m. The proposed accessory building height is 4.62m, a proposed variance of 0.12m.

The Zoning Bylaw allows accessory buildings with an 8:12 roof pitch or greater to be up to 5.5m in height, or if the accessory building is located within the principal building setbacks, up to 7m in height regardless of roof pitch. Because the owner has selected a 4:12 roof pitch to match the pitch of his house, he requires a height variance.

The proposed 4.62m accessory building height is not anticipated to negatively impact adjacent properties.

See Attachments for more information.

SUMMARY POINTS

- Development Variance Permit Application No. DVP360 proposes a variance to increase the maximum accessory building height to allow building occupancy to be granted for a recently-constructed accessory building.
- The requested height variance is not anticipated to negatively impact adjacent properties.

ATTACHMENTS

ATTACHMENT A: Permit Terms
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Survey
ATTACHMENT D: Building Section Illustrating Height Variance
ATTACHMENT E: Context Photo
ATTACHMENT F: Aerial Photo

Submitted by:

L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:

D. Lindsay
Director, Community Development

ATTACHMENT A PERMIT TERMS

TERMS OF PERMIT

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

1. *Section 6.6.5 Accessory Building Height* – increase the maximum accessory building height from 4.5m to 4.62m for a roof pitch less than 6:12.

**ATTACHMENT B
LOCATION PLAN**



DEVELOPMENT VARIANCE PERMIT NO. DVP00360

LOCATION PLAN

Civic: 422 HOWARD AVENUE
Legal Description: LOT 12, SECTION 1,
NANAIMO DISTRICT , PLAN 1751



Subject Property



**J.E. ANDERSON
& ASSOCIATES**
SURVEYORS - ENGINEERS

TEL: 250-758-4631 FAX: 250-758-4660
NANAIMO - VICTORIA - PARKSVILLE - CAMPBELL RIVER

ATTACHMENT C

**SITE SURVEY JRVEYOR'S BUILDING
LOCATION CERTIFICATE**

File: 89078

Civic: 422 Howard Avenue, Nanaimo, B.C.

Legal: Lot 12, Section 1, Nanaimo District, Plan 1751.

Dimensions are in metres and are derived from Plan 1751 and field survey.

This sketch does not constitute a redefinition of the legal boundaries hereon described and is not to be used in any matter which would assume same.

This building location certificate has been prepared in accordance with the Professional Reference Manual and is certified correct this 2nd day of May, 2018.


B.C.L.S.

This document is not valid unless originally signed and sealed or digitally signed by BCLS

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The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decision made, or actions taken based on this document.

Subject to charges, legal notations, and interests shown on: Title No. CA2505617 (P.I.D. 004-814-681)

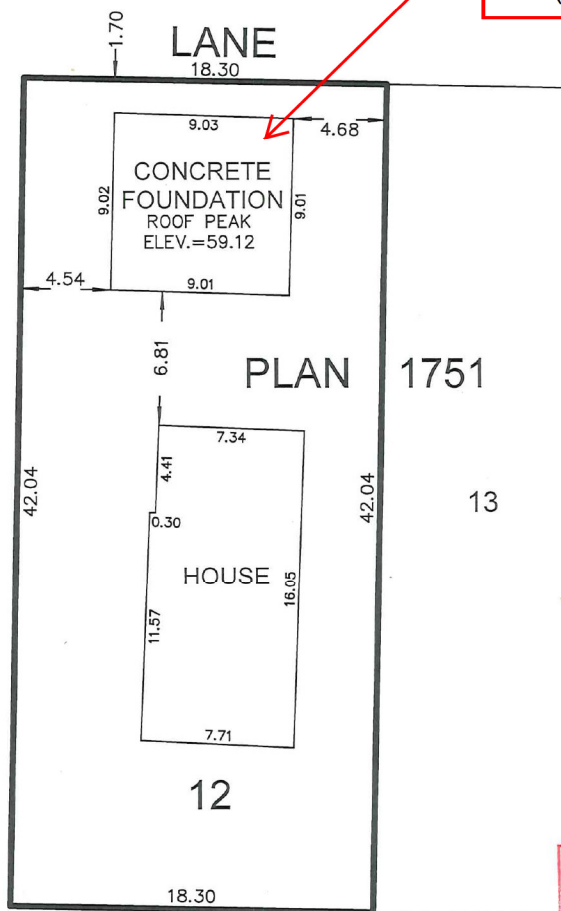
Scale 1:300



Datum for elevations, in metres, is geodetic



HOWARD AVENUE



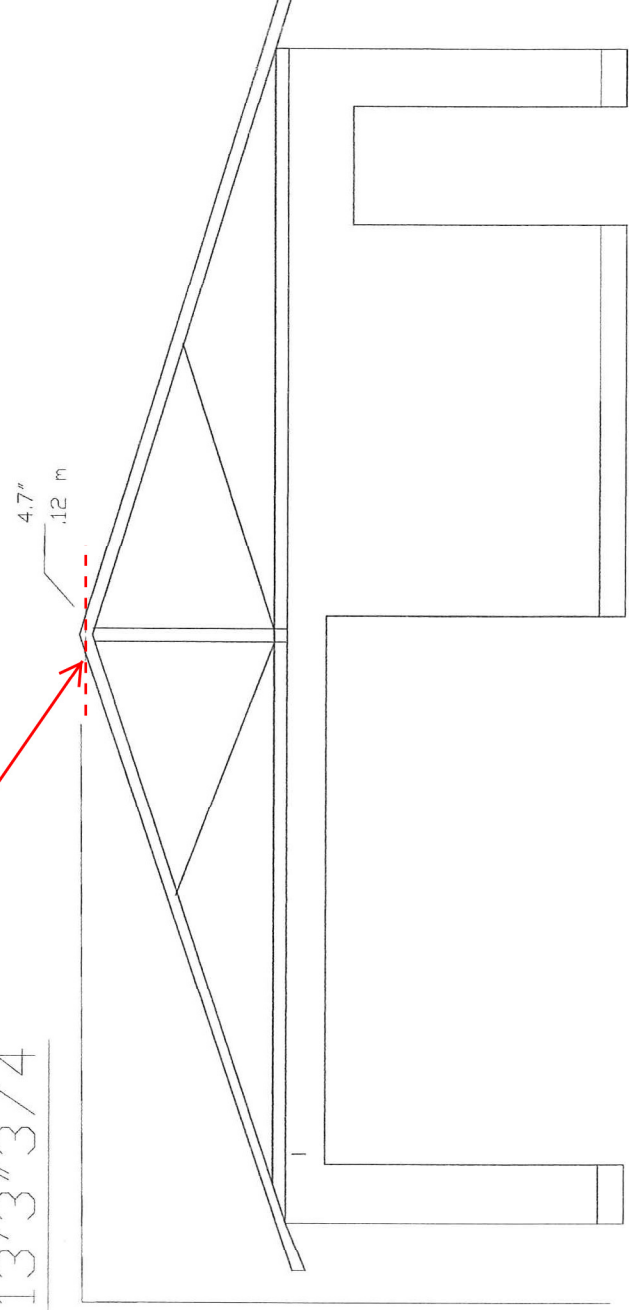
Location of
accessory building
(Garage)

RECEIVED
JUL 05 2018
DVP 360
CITY OF NANAIMO
COMMUNITY DEVELOPMENT

**ATTACHMENT D
BUILDING SECTION ILLUSTRATING HEIGHT VARIANCE**

Proposed Height
Variance

13'3"3/4



RECEIVED

JUL 05 2018
Project 30' by DNP 360
30' storage
CITY OF NAINAIMO
COMMUNITY DEVELOPMENT
specifications

- framing
- exterior walls 2X6
- studs 2X6 at 16" OC
- 1/2 exterior plywood sheathing
- hardy plank exterior siding
- 3/8 interior drywall
- exterior wall insulation
- 2500 PSI reinforced concrete footings
- roofing membrane asphalt shingles 1/4 pitch
- engineered roof trusses

scale
1:40

DRAWN BY
PAUL JONES

ATTACHMENT E
CONTEXT PHOTO



**ATTACHMENT F
AERIAL PHOTO**



DEVELOPMENT VARIANCE PERMIT NO. DVP00360