

DATE OF MEETING | December 21, 2020 |

AUTHORED BY | LAINY STEVENSON, PLANNER, CURRENT PLANNING |

**SUBJECT | DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP409 –  
3358 STEPHENSON POINT ROAD |**

## **OVERVIEW**

### **Purpose of Report**

To present for Council’s consideration, a development variance permit application to allow an over-height accessory building at 3358 Stephenson Point Road. |

### **Recommendation**

That Council approve Development Variance Permit No. DVP409 at 3358 Stephenson Point Road with the following variance:

- increase the maximum allowable accessory building height from 7.0m to 7.31m. |

## **BACKGROUND**

A development variance permit application, DVP409, was received from Barnaby (Blu) Dill to vary the provisions of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to increase the maximum allowable height for a proposed accessory building at 3358 Stephenson Point Road.

A previous development variance permit (DVP392) was approved by Council on 2020-JAN-13 to increase the total gross floor area (GFA) for accessory buildings on the subject property from 90m<sup>2</sup> to 171.8m<sup>2</sup> to permit the proposed building. No other variances were requested; however, based on the plans submitted for the building permit application, the proposed building is over height. Instead of redesigning the building, the applicant is requesting a height variance.

### **Subject Property and Site Context**

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located on the south side of Stephenson Point Road, approximately 730m east of the Pacific Biological Station.
<i>Total Lot Area</i>	0.63ha
<i>Official Community Plan</i>	Map 1 – Future Land Use – Neighbourhood

The subject property is a large residential lot located in an area primarily characterized by single dwelling residential uses. The lot slopes downward north to south from Stephenson Point Road toward the ocean. There is an existing house on the property, as well as an accessory boathouse (to be removed).

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

## **DISCUSSION**

### **Proposed Development**

The proposed development is a two-storey accessory building containing a secondary suite on the upper floor (90m<sup>2</sup> in floor area) and unenclosed storage space on the lower level (81.8m<sup>2</sup>), with a combined gross floor area of 171.8m<sup>2</sup>. The lower floor is approximately 3.05m in height, while the upper floor ranges from approximately 3.96m to 4.88m in height, with a low roof pitch.

### **Proposed Variance**

#### *Maximum Height for Accessory Buildings*

Where an accessory building is located within the permitted setbacks of the principal dwelling, the maximum permitted height for an accessory building is 7m. The proposed height of the accessory building is 7.31m; a proposed variance of 0.31m.

Staff have confirmed the proposed building plans comply with all other conditions of the previously approved variance (DVP392). No negative impact on adjacent properties is anticipated.

## **SUMMARY POINTS**

- The applicant is requesting to increase the maximum allowable accessory building height from 7.0m to 7.31m. This represents a variance of 0.31m.
- No negative impact on adjacent properties is anticipated.
- Staff support the proposed variance.

## **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Context Map  
ATTACHMENT C: Location Plan  
ATTACHMENT D: Site Survey  
ATTACHMENT E: Conceptual Building Elevations  
ATTACHMENT F: Aerial Photo

### **Submitted by:**

Lainya Rowett  
Manager, Current Planning

### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services

# **ATTACHMENT A PERMIT TERMS AND CONDITIONS**

## **TERMS OF PERMIT**

The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 6.6.5.1. b) Maximum Height of an Accessory Building* – to increase the maximum allowable height of the proposed accessory building from 7m to 7.31m.

## **CONDITIONS OF PERMIT**

1. The subject property shall be developed in accordance with the Site Survey prepared by McElhanney Associates Land Surveying Ltd., dated 2020-AUG-04, as shown on Attachment D.
2. The subject property shall be developed in accordance with the Conceptual Building Elevations prepared by Inside Out Architecture Inc., dated 2020-JUN-25, as shown on Attachment E.

# ATTACHMENT B CONTEXT MAP



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# ATTACHMENT D SITE SURVEY

B.C. LAND SURVEYOR'S CERTIFICATE OF PROPOSED LOCATION OF BUILDING ON LOT 3, DISTRICT LOT 29, WELLINGTON DISTRICT, PLAN 14237

P.I.D. 004-360-915



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF

THE INTENDED PLOT SIZE OF THIS PLAN IS 432 mm IN WIDTH BY 590 mm IN HEIGHT (C-SIZE) WHEN PLOTTED AT A SCALE OF 1:400

### LEGEND:

SYMBOLS	DESCRIPTION
●	IRON PIN - FOUND
⊕	POLE - HYDRO/TELEPHONE POLE
⊖	GUY POLE
⊕	ANCHOR
⊗	METER - WATER
⊙	MAN-HOLE - WATER
---	CENTERLINE
---	EDGE OF PAVEMENT
---	EDGE OF GRAVEL
---	TOP OF BANK
---	BOTTOM OF BANK
---	BREAKLINE
	BUILDING
---	FENCELINE
---	HYDRO LINE

### NOTE:

PARCEL DIMENSIONS ARE DERIVED FROM EXISTING LAND TITLE OFFICE RECORDS, BEING PLAN V1P14237

DATE OF FIELD SURVEY: APRIL 12 & 15, 2019 - JULY 30, 2020

ELEVATIONS ARE IN METRES AND BASED ON INTEGRATED MONUMENT 82340751, ELEVATION = 42.751m

CONTOUR INTERVAL: 1.0m

### NOTE:

TITLE SUBJECT TO:  
STATUTORY RIGHT OF WAY 2388970

PROPOSED ACCESSORY BUILDING HEIGHT	
AVERAGE NATURAL GRADE = 20.38	
MAX BUILDING HEIGHT BY BYLAW = 7.00	
MAX ALLOWABLE ROOF ELEVATION = 27.38	
AVERAGE FINISHED GRADE = 20.81*	
PROPOSED SLAB ELEVATION = 19.37*	
PROPOSED MAIN FLOOR ELEVATION = 21.94*	
PROPOSED ROOF ELEVATION DWELLING = 27.88*	
*DESIGN BY INSIDEOUT ARCHITECTURE	

THIS PLAN IS PREPARED SOLELY FOR A LIMITED CONTRACTUAL USE BETWEEN McElhanney ASSOCIATES AND OUR CLIENT.

THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE SURVEYED STRUCTURES AND FEATURES WITH RESPECT TO THE BOUNDARIES OF THE PARCEL DESCRIBED ABOVE. THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

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CERTIFIED CORRECT THIS 4th DAY OF AUGUST, 2020.

**PRELIMINARY**

BRODY PHILLIPS, BCLS

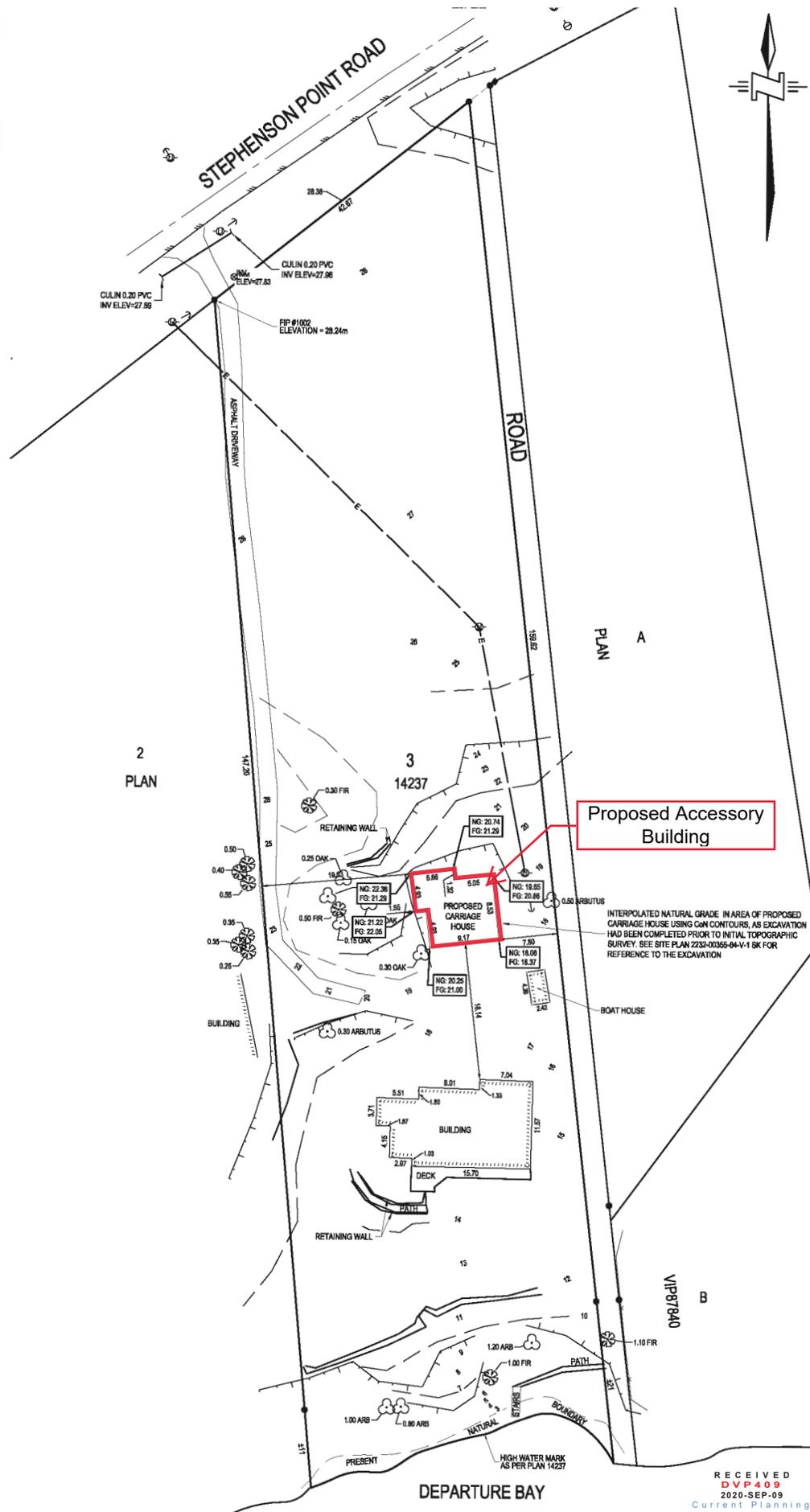
THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED

**McElhanney**  
McElhanney Associates Land Surveying Ltd.  
SUITE 1 - 1351 ESTEVAN ROAD Tel 250 716 3336  
NANAIMO, BC V9S 3Y3

BLU DILL  
Client

**BUILDING LOCATION CERTIFICATE**  
3358 STEPHENSON POINT ROAD

Date: AUGUST 4, 2020	MCSL Project No. <b>2232-00355-64</b>
Scale: 1:400	
Drawn: BP	Drawing No. <b>00355-64-V-3 BLC</b>
Checked: BP	



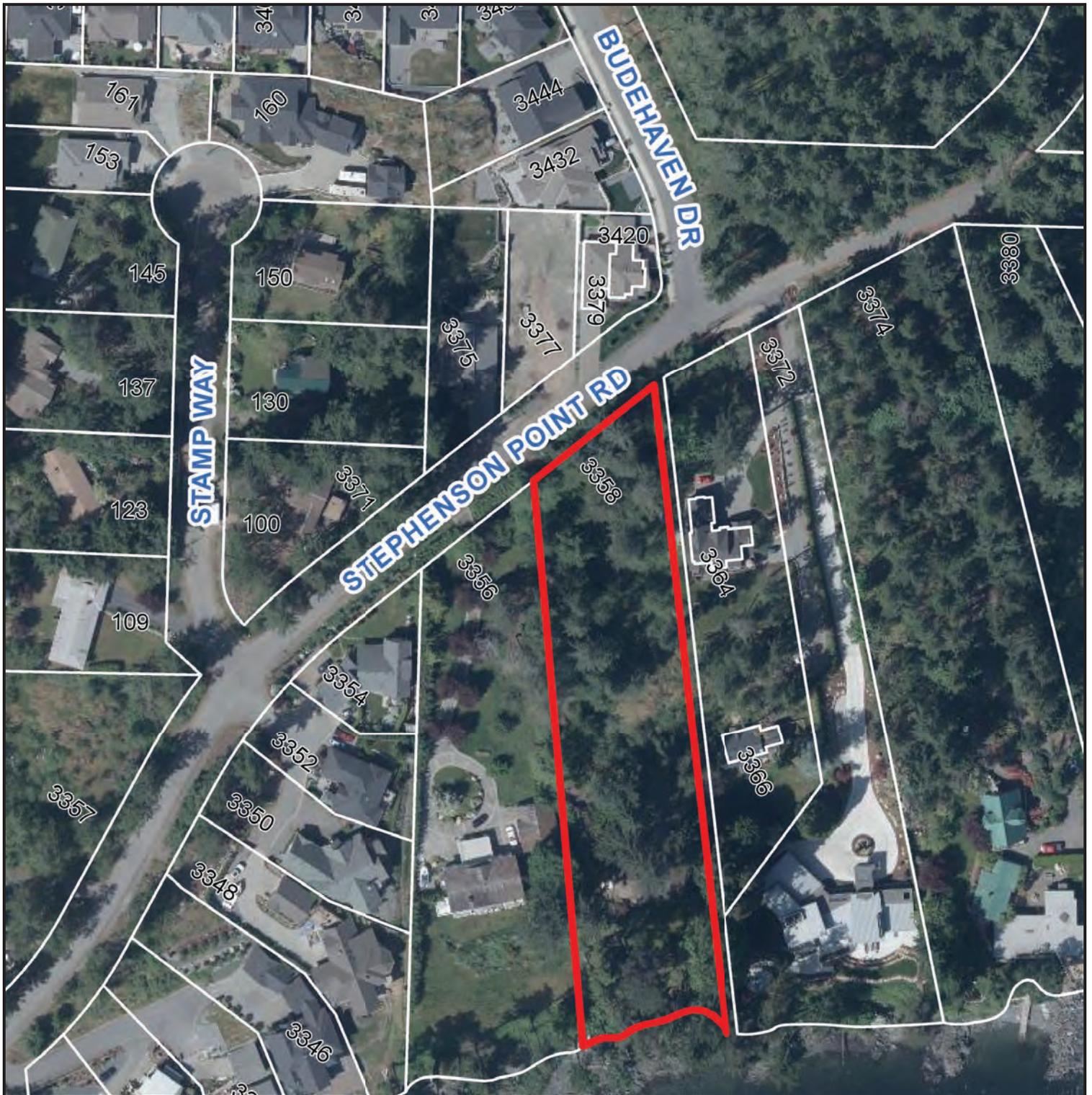
Proposed Accessory Building

INTERPOLATED NATURAL GRADE IN AREA OF PROPOSED CARRIAGE HOUSE USING CON CONTOURS, AS EXCAVATION HAD BEEN COMPLETED PRIOR TO INITIAL TOPOGRAPHIC SURVEY. SEE SITE PLAN 2232-00355-64-V-1 BK FOR REFERENCE TO THE EXCAVATION

RECEIVED  
DVP 409  
2020-SEP-09  
Current Planning



ATTACHMENT F  
AERIAL PHOTO



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