

DATE OF MEETING | May 17, 2021 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP416 – 701 & 702 FERN RIDGE PLACE, 1031-1047 HAREWOOD MINES ROAD, 1018-1046 PALOMINO PLACE, AND 703 & 729 TRAILSIDE ROAD** |

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to increase the maximum permitted building height and reduce the minimum rear yard setback for recently created properties on Fern Ridge Place, Harewood Mines Road, Palomino Place, and Trailside Road (parent parcel formerly addressed at 1045 Harewood Mines Road).

Recommendation

That Council issue Development Variance Permit No. DVP416 with variances to:

- increase the maximum permitted building height from 9.0m to 10.4m on Lots 1-6 and Lots 12-19; and
- reduce the minimum rear yard setback from 7.5m to 3.0m on Lots 6, 11, 20, and 30.

BACKGROUND

A development variance permit, DVP416, was received from Williamson & Associates on behalf of Rega Properties Ltd. to vary the provisions of “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) in order to increase the permitted building height and reduce the rear yard setback requirement for 17 recently created properties. The parent parcel at 1045 Harewood Mines Road was subdivided into 30 lots in 2020 (SUB01279). The proposed variances will facilitate the development of single residential and attached two-unit dwellings on the lots.

Subject Property and Site Context

<i>Zoning</i>	R10 – Steep Slope Residential
<i>Location</i>	Lots 1-6 are located on the east side of Harewood Mines Road, south of Trailside Road; Lots 12-19 are located on the east side of Palomino Place; and Lots 11, 30, and 30 are located on the west side of Palomino Place.
<i>Total Lot Area</i>	Lots ranging in size from 600m ² to 824.9m ² .
<i>Official Community Plan Future Land Use Designation</i>	Neighbourhood
<i>Neighbourhood Plan Land Use Designation</i>	n/a

The properties are located off of Harewood Mines Road, just south of the Nanaimo Parkway. The lots are generally sloping downhill from west to east. Lots 12-19 back onto Harewood Creek and its associated wetland. None of the recently created lots are occupied.

Outside of the 30-lot subdivision, surrounding land uses include large single residential dwelling lots to the south, Nanaimo Lakes Road Park across Harewood Mines Road to the west, undeveloped lands along Lotus Pinnatus Way to the north, and Lotus Pinnatus Park to the east.

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

DISCUSSION

Proposed Development

The recently completed subdivision has created a low-density neighbourhood in the R10 zone. Most lots will accommodate a single residential dwelling, while Lots 6, 11, 20, 24-26, and 30 will allow two dwelling units.

Proposed Variances

The table below describes the 17 lots where variances are sought.

Lot Number	Civic Address	Lot Area	Variance Request
Lot 1	1047 Harewood Mines Road	600.0m ²	Building Height
Lot 2	1043 Harewood Mines Road	600.0m ²	Building Height
Lot 3	1039 Harewood Mines Road	600.0m ²	Building Height
Lot 4	1035 Harewood Mines Road	600.0m ²	Building Height
Lot 5	1031 Harewood Mines Road	600.0m ²	Building Height
Lot 6	729 Trailside Road	682.5m ²	Building Height; Rear Yard Setback
Lot 11	705 Trailside Road	682.5m ²	Rear Yard Setback
Lot 12	1018 Palomino Place	653.3m ²	Building Height
Lot 13	1022 Palomino Place	640.5m ²	Building Height
Lot 14	1026 Palomino Place	617.3m ²	Building Height
Lot 15	1030 Palomino Place	623.6m ²	Building Height
Lot 16	1034 Palomino Place	644.8m ²	Building Height
Lot 17	1038 Palomino Place	824.9m ²	Building Height
Lot 18	1042 Palomino Place	763.2m ²	Building Height
Lot 19	1046 Palomino Place	642.6m ²	Building Height
Lot 20	701 Fern Ridge Place	692.4m ²	Rear Yard Setback
Lot 30	702 Fern Ridge Place	677.1m ²	Rear Yard Setback

No variances are requested for the remaining 13 lots.

Maximum Building Height

The maximum permitted height for a building with a sloped roof (equal to or greater than a 4:12 roof pitch) in the R10 zone is 9.0m. The applicant is proposing a maximum building height of 10.4m on Lots 1-6 and Lots 12-19; a requested height variance of 1.4m on each lot.

In residential subdivisions, building height is measured from the final lot grading plan. In the case of this subdivision, the final lot grading was left close to its natural grade. In order to construct homes on 14 of the steeper lots, fill will be required to establish a finished grade at the same height as the adjacent streets (see “Attachment F”). On these lots, only one storey will appear above grade facing the street, and the houses will present a two-storey elevation to the rear. If the buildings were measured from average finished grade, the building height would be calculated as 9.0m.

No negative impacts are anticipated, and the proposed houses reflect the character of a typical single residential dwelling neighbourhood.

Minimum Rear Yard Setback

The minimum rear yard setback in the R10 zone is 7.5m. The applicant is proposing a rear yard setback of 3.0m on Lots 6, 11, 20, and 30; a requested setback variance of 4.5m on each lot.

The four lots where the rear yard setback variance is requested are all corner lots and are eligible for two residential dwelling units. On each of these lots, the two dwelling units are proposed in attached (duplex) form to fit the site, and both units will face their front door and driveway towards a different street. The rear yard setback variance is requested to accommodate the additional dwelling unit on these lots and allow the garage locations to align with the existing on-street driveway letdowns.

With the additional dwelling unit, the rear yards will appear as side yards when viewed from the flanking streets, as they will abut a neighbouring side yard. The side yard setback on adjacent lots will be 1.5m. Functional yard space will be provided for each dwelling unit, and no negative impacts are anticipated.

Staff support the proposed variances.

SUMMARY POINTS

- Development Variance Permit No. DVP416 proposes variances to increase the maximum permitted building height from 9.0m to 10.4m on Lots 1-6 and Lots 12-19; and to reduce the minimum rear yard setback from 7.5m to 3.0m on Lots 6, 11, 20, and 30.
- The proposed variances will facilitate the development of single residential and attached two-unit dwellings on the lots.
- Staff support the proposed variances.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Proposed Site Plans
ATTACHMENT E: Conceptual Building Elevations
ATTACHMENT F: Site Section
ATTACHMENT G: 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

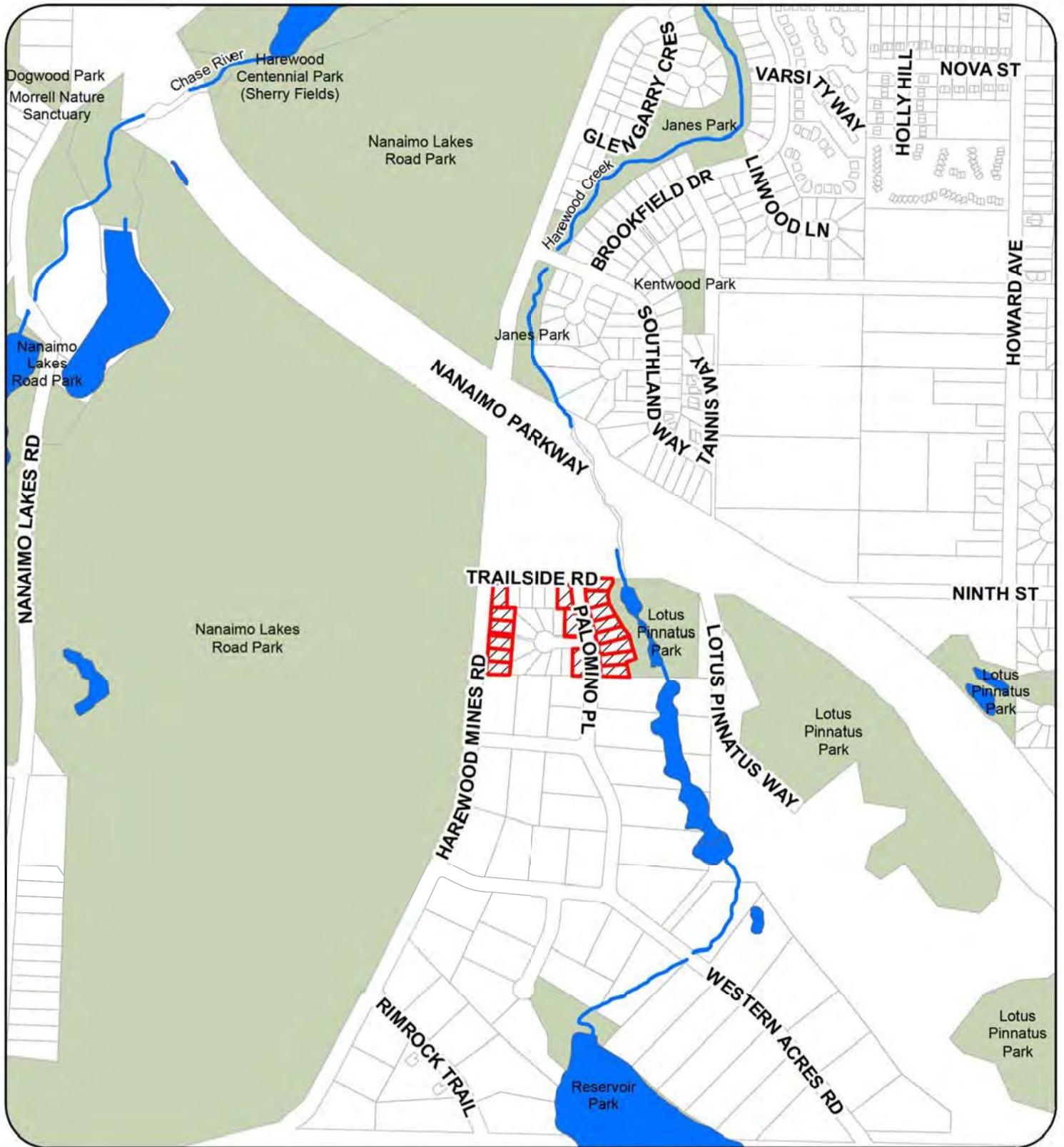
The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 7.6.1 Siting of Buildings* – to reduce the minimum required rear yard setback from 7.5m to 3.0m on Lots 6, 11, 20, and 30.
2. *Section 7.6.1 Size of Buildings* – to increase the maximum permitted height of a principal building with a sloped roof (equal to or greater than 4:12 roof pitch) from 9.0m to 10.4m on Lots 1-6 and Lots 12-19.

CONDITIONS OF PERMIT

1. Lots 6, 11, 20, and 30 shall be developed in accordance with the Site Plan prepared by C.A. Design, dated 2021-MAR-15, as shown on Attachment D.
2. Proposed Lots 1-6 and 12-19 are developed generally in accordance with the Site Section prepared by C.A. Design, dated 2021-MAR-15, as shown on Attachment F.

ATTACHMENT B CONTEXT MAP



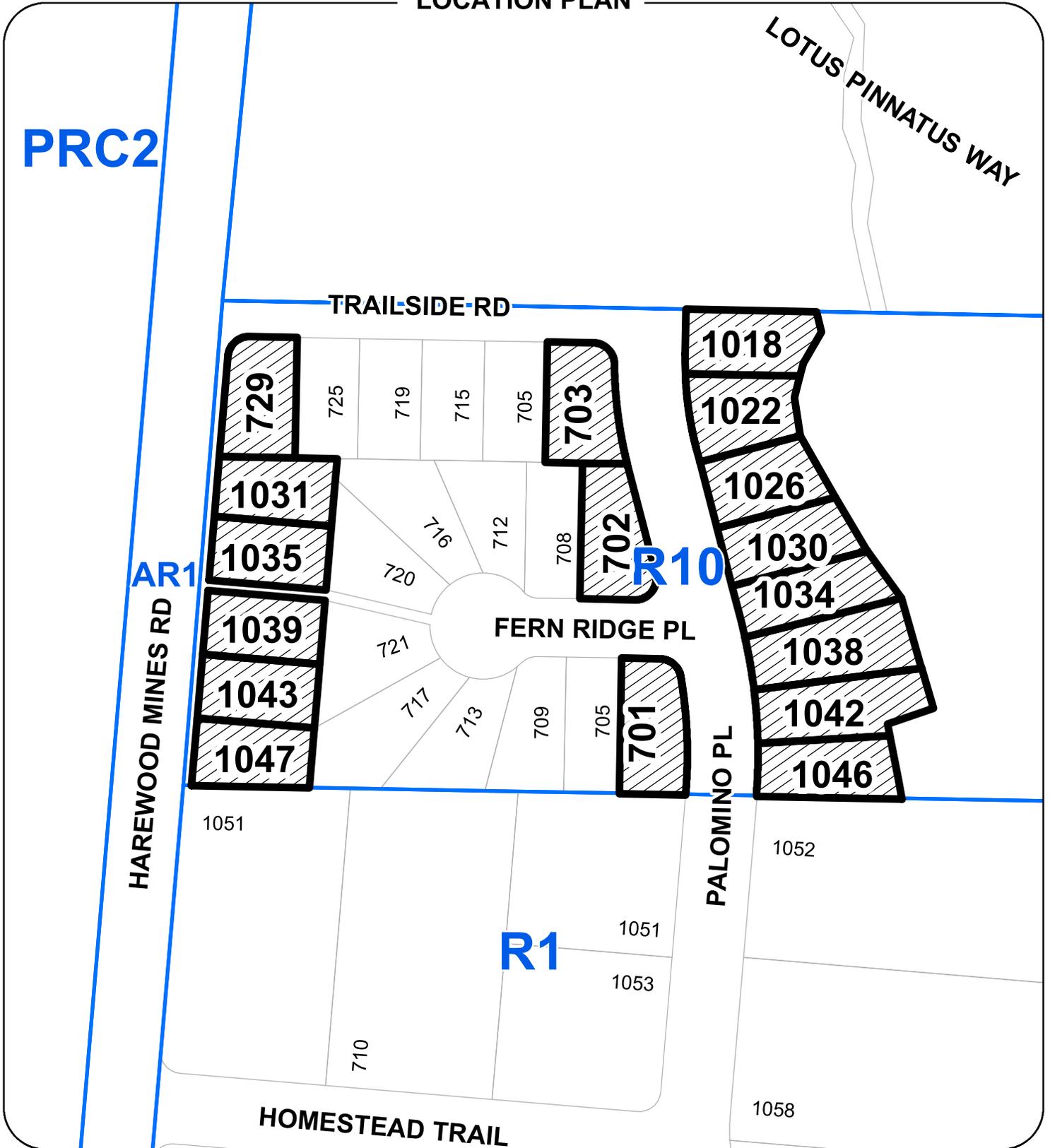
DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00416

N



SUBJECT PROPERTIES

ATTACHMENT C
LOCATION PLAN



DEVELOPMENT VARIANCE PERMIT NO. DVP00416

LOCATION PLAN

Civic: 1031, 1035, 1039, 1043, 1047 HAREWOOD MINE ROAD

703 & 729 TRAILSIDE ROAD

701, 702 FERN RIDGE PLACE

1018, 1022, 1026, 1030, 1034, 1038, 1042, & 1046 PALOMINO PLACE

Legal: SEE NEXT PAGE FOR LEGAL DESCRIPTIONS



SUBJECT
PROPERTIES

SUBJECT PROPERTIES

031-195-920 (1047 Harewood Mines Road)
LOT 1 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-195-938 (1043 Harewood Mines Road)
LOT 2 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-195-946 (1039 Harewood Mines Road)
LOT 3 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-195-954 (1035 Harewood Mines Road)
LOT 4 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-195-962 (1031 Harewood Mines Road)
LOT 5 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-195-971 (729 Trailside Road)
LOT 6 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-021 (703 Trailside Road)
LOT 11 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-039 (1018 Palomino Place)
LOT 12 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-047 (1022 Palomino Place)
LOT 13 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-055 (1026 Palomino Place)
LOT 14 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-063 (1030 Palomino Place)
LOT 15 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-071 (1034 Palomino Place)
LOT 16 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-080 (1038 Palomino Place)
LOT 17 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-098 (1042 Palomino Place)
LOT 18 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-101 (1046 Palomino Place)
LOT 19 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-110 (701 Fern Ridge Place)
LOT 20 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

031-196-217 (702 Fern Ridge Place)
LOT 30 SECTION 1 NANAIMO DISTRICT PLAN EPP103273

ATTACHMENT D PROPOSED SITE PLANS

C.A. DESIGN

1 250 752 2222 F (250) 752 0111
184 - C West Second Ave. Qualicum Beach, V9K 2E5

REVISION:
05.15.21
REVISION:
07.21.21
REVISION:
11.18.20
ISSUED FOR CLIENT REVIEW
11.03.20
Revisions:
Notes:

Disclosure:
This drawing as an instrument of service is the exclusive property of C.A. Design and may not be used in any way without the prior written permission of this office. The reproduction of this plan in part or whole is prohibited.

Consultants

Project Title
TRAILSIDE
1045 HAREWOOD MINES ROAD
NANAIMO, B.C.

Client
Rega Properties Ltd.
Nanaimo, B.C.

Sheet Title
**SITE 1 PLAN - DVP
HEIGHT VARIANCE**

Drawn J.L.L.P.
Checked J.L.L.P.
Date 11.04.20
Scale 1:400

Sheet #

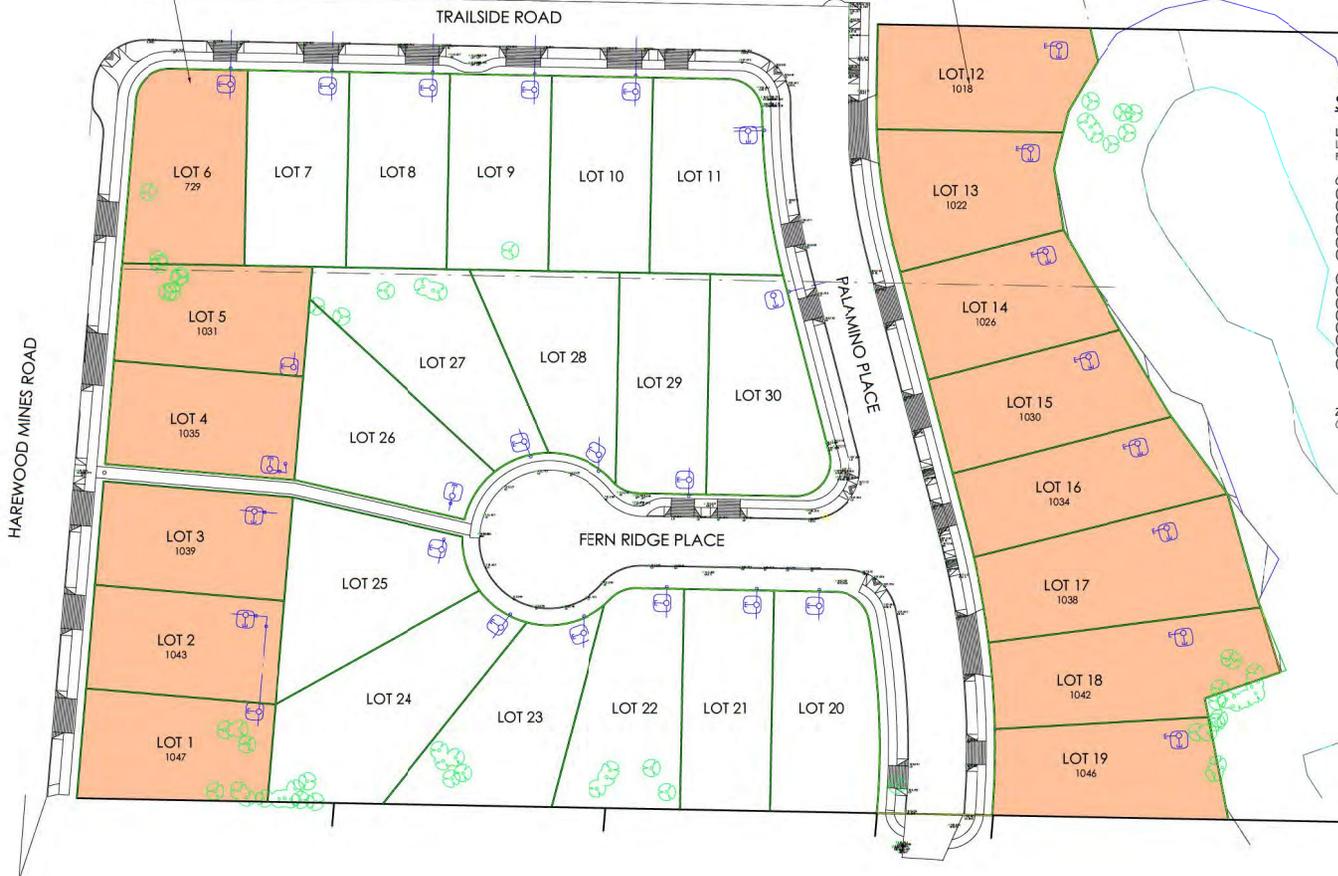
DVP-1.0



Lots where Building Height Variance is Requested

LOTS 1-6
1.4m HEIGHT VARIANCE

LOTS 12-19
1.4m HEIGHT VARIANCE



SITE DATA

LEGAL DESCRIPTION:
LOTS 1-6 & 12-19, PART OF SECTION 1, NANAIMO DISTRICT,
PLAN EPP103273

CMC ADDRESSES:
(LOT 1) 1047 HAREWOOD MINES ROAD
(LOT 2) 1043 HAREWOOD MINES ROAD
(LOT 3) 1039 HAREWOOD MINES ROAD
(LOT 4) 1035 HAREWOOD MINES ROAD
(LOT 5) 1031 HAREWOOD MINES ROAD
(LOT 6) 729 TRAILSIDE ROAD

(LOT 12) 1018 PALAMINO PLACE
(LOT 13) 1022 PALAMINO PLACE
(LOT 14) 1026 PALAMINO PLACE
(LOT 15) 1030 PALAMINO PLACE
(LOT 16) 1034 PALAMINO PLACE
(LOT 17) 1038 PALAMINO PLACE
(LOT 18) 1042 PALAMINO PLACE
(LOT 19) 1046 PALAMINO PLACE

ZONING:
CITY OF NANAIMO - BL-4500, R10
ZONING DETAILS:

REQUIRED SETBACKS:
FRONT = 4.5m EXCEPT FRONT ENTRY GARAGE
 6m FRONT ENTRY GARAGE
INT. SIDE = 1.5m
EXT. SIDE = 4.0m
REAR = 7.5m
(ALL SETBACKS ARE MEASURED TO BUILDING
FOUNDATION)
EAVE PROJECTION:
FRONT, EXT. SIDE, REAR = 1.0m (3'-3 3/8")
INT. SIDE = 0.75m (2'-5 1/2")
MAX. PARCEL COVERAGE = 40%
MAX. DWELLING UNIT HEIGHT
FLAT ROOF = 7m (22'-11 1/2")
SLOPED ROOF = 9m (29'-6")
PERIMETER WALL = 7.32m (24'-14")

SITE PLAN
SCALE: 1:400

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DVP-1.0
1021-MAR-17
Current Planning

REVISION:
05.05.21
REVISION:
07.21.21
REVISION:
11.05.20
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11.05.20
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1045 HAREWOOD MINES ROAD
NANAIMO, B.C.

Client
Rega Properties Ltd.
Nanaimo, B.C.

Sheet Title
**SITE PLAN 2 - DVP
SETBACK VARIANCE**

Drawn J.L.G.P.
Checked J.L.G.P.
Date 11.04.20
Scale 1:400

Sheet #

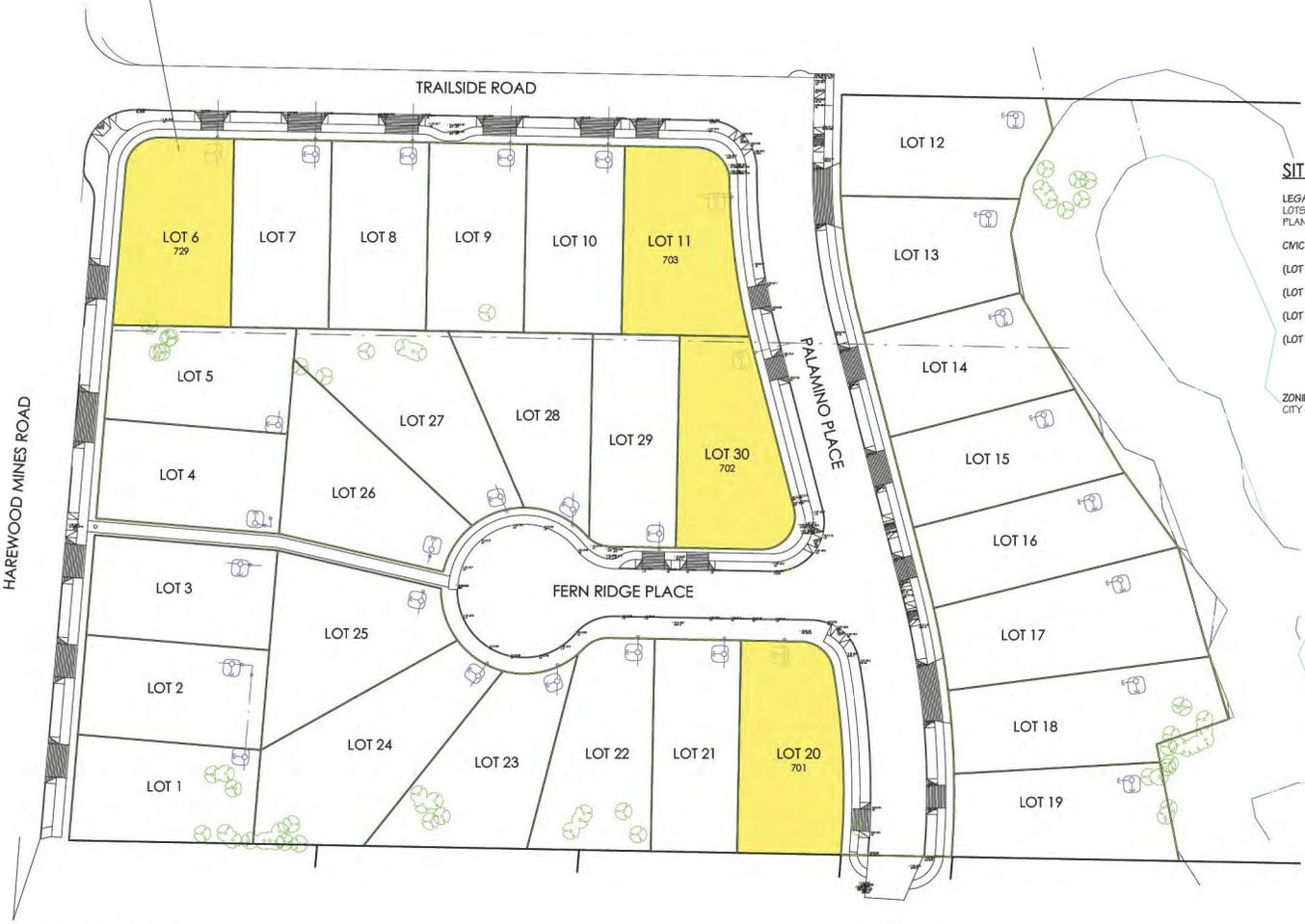
DVP-2.0

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2021-MAR-17
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Lots where Rear Yard Setback Variance is Requested

LOTS 6,11,30 & 20
SETBACK VARIANCE



SITE DATA

LEGAL DESCRIPTION:
LOTS 6, 11, 20, 30, PART OF SECTION 1, NANAIMO DISTRICT,
PLAN EPP103273

CMC ADDRESS:

- (LOT 6) 729 TRAILSIDE ROAD
- (LOT 11) 703 TRAILSIDE ROAD
- (LOT 20) 701 FERN RIDGE PLACE
- (LOT 30) 702 FERN RIDGE PLACE

ZONING:

CITY OF NANAIMO - BL 4500, R10

ZONING DETAILS:

REQUIRED SETBACKS:
FRONT = 4.5m EXCEPT FRONT ENTRY GARAGE
6m FRONT ENTRY GARAGE
INT. SIDE = 1.5m
EXT. SIDE = 4.0m
REAR = 7.5m
(ALL SETBACKS ARE MEASURED TO BUILDING FOUNDATION)
EAVE PROJECTION:
FRONT, EXT. SIDE, REAR = 1.0m (3'-3 3/8")
INT. SIDE = 0.75m (2'-5 1/2")

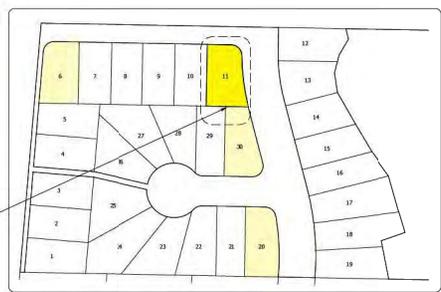
MAX. PARCEL COVERAGE = 40%

MAX. DWELLING UNIT HEIGHT
FLAT ROOF = 7m (22'-11 1/2")
SLOPED ROOF = 9m (29'-6")
PERIMETER WALL = 7.32m (24'-1 1/4")

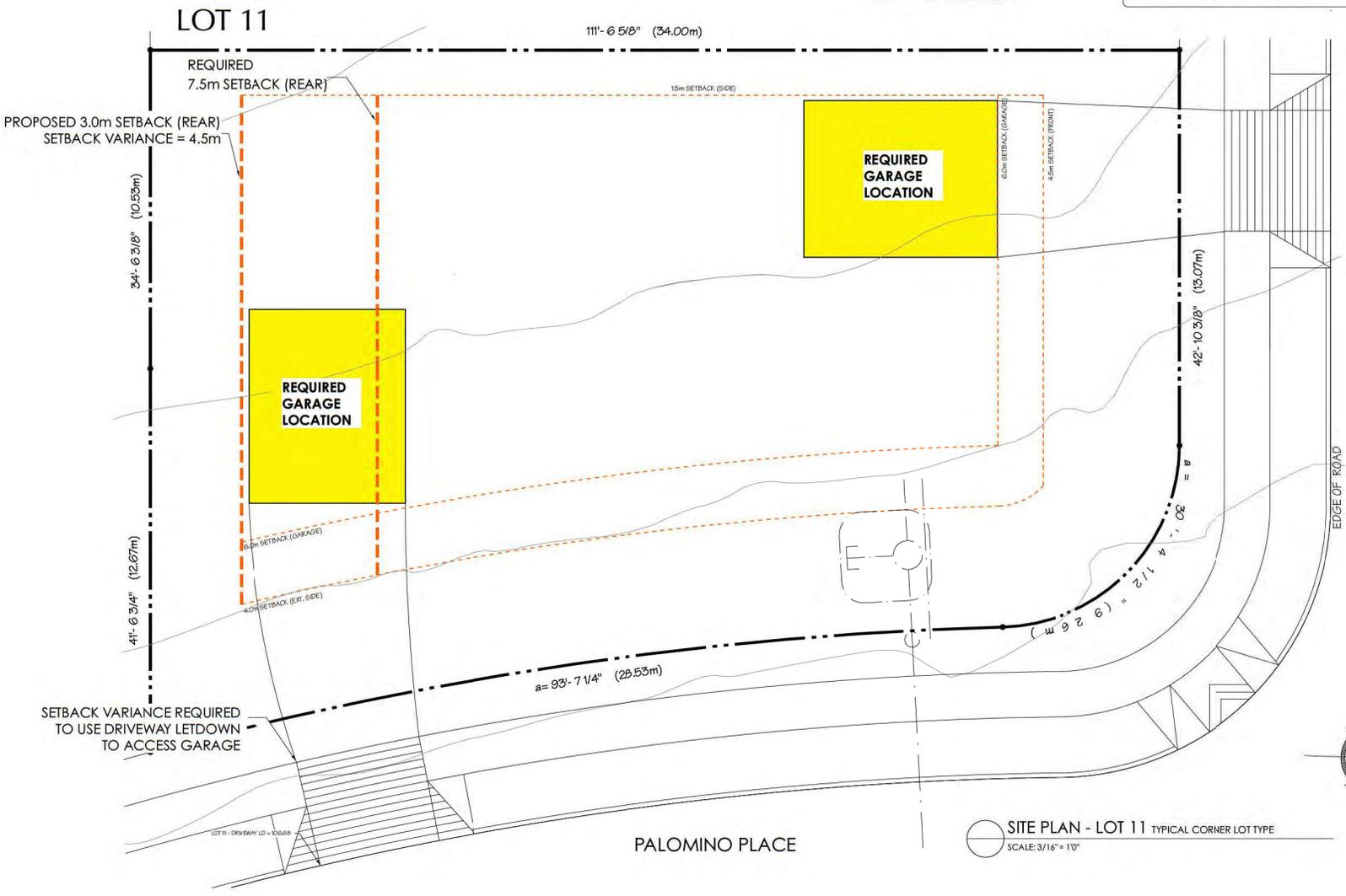
SITE PLAN
SCALE: 1 : 400

Typical Lot where Rear Yard Setback Variance is Requested

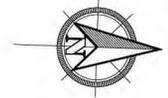
LOCATION PLAN
SCALE: NTS



LOT 11
TYPICAL CORNER LOT DUPLEX
LOT TYPE. - SEE BELOW



SITE PLAN - LOT 11 TYPICAL CORNER LOT TYPE
SCALE: 3/16" = 1'0"



C.A. DESIGN

1 (250) 752 2222 F (250) 752 01 11
184 - C West Second Ave. Qualicum Beach, V9K 2E5

REVISION:
05.15.21
REVISION:
07.21.21
REVISION:
11.16.20
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11.05.20
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1045 HAREWOOD MINES ROAD
NANAIMO, B.C.

Client
Rega Properties Ltd.
Nanaimo, B.C.

Sheet Title
LOT 11
TYP. SITE PLAN

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Date 03.15.21
Scale 1:400

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DVP-2.1

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DVP416
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ATTACHMENT E CONCEPTUAL BUILDING ELEVATIONS



FRONT ELEVATION - LOT 15 TYPICAL WALKOUT BASEMENT LOT TYPE
SCALE: 1/4" = 1'0"



PERSPECTIVE 1 - LOT 15 TYPICAL WALKOUT BASEMENT LOT TYPE
SCALE: NTS



PERSPECTIVE 2 - LOT 15 TYPICAL WALKOUT BASEMENT LOT TYPE
SCALE: NTS

C.A. DESIGN

T (250) 792 2222 F (250) 792 0111
184 - C West Second Ave. Quadricum Group, VIK 215

REVISION:
05.15.21
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11.30.20
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11.05.20

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TRAILSIDE
1045 HAREWOOD MINES ROAD
NANAIMO, B.C.

Client
Rega Properties Ltd.
Nanaimo, B.C.

Sheet Title
**LOT 15
ELEVATIONS**

Drawn J.L.J.P.

Checked J.L.J.P.

Date 11.04.20

Scale 1:400

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DVP-1.3

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Typical proposed Building where Building Height Variance is Requested

C.A. DESIGN

1 (250) 752 2222 F (250) 752 0111
184 - C West Second Ave. Qualicum Beach, V9K 2E5

REVISION:
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Project Title

TRAILSIDE
1045 HAREWOOD MINES ROAD
NANAIMO, B.C.

Client

Rega Properties Ltd.
Nanaimo, B.C.

Sheet Title

**LOT 11
ELEVATION**

Drawn J.L.G.P.

Checked J.L.G.P.

Date 03.15.21

Scale AS SHOWN

Sheet #

DVP-2.3

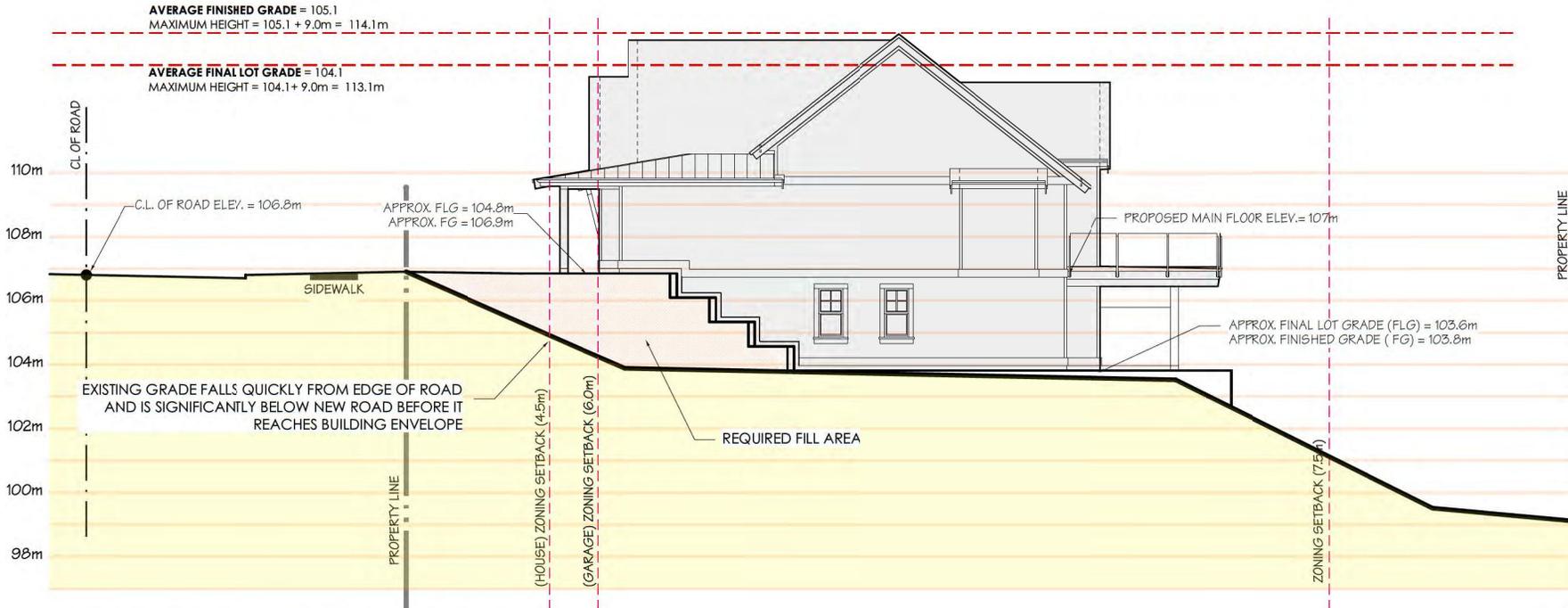
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2021-MAR-17
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FRONT ELEVATION - LOT 11 TYPICAL CORNER LOT TYPE
SCALE: 1/4" = 1'0"

Typical proposed Building where Rear Yard Setback Variance is Requested

ATTACHMENT F SITE SECTION



SITE SECTION - LOT 15 TYPICAL WALKOUT BASEMENT LOT TYPE
 SCALE: 3/16" = 1'0"



SITE PHOTO - 1
 SCALE: NTS

Typical Site Section where Building Height Variance is Requested

C.A. DESIGN

1 (250) 752 2222 F (250) 752 01 11
 184 - C West Second Ave. Qualicum Beach, V1K 2T5

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 05.15.21
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 REVISION:
 11.16.20
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TRAILSIDE
 1045 HAREWOOD MINES ROAD
 NANAIMO, B.C.

Client
Rega Properties Ltd.
 Nanaimo, B.C.

Sheet Title
LOT 15
SITE SECTION

Drawn J.L.L.P.
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ATTACHMENT G
AERIAL PHOTO



N



LEGEND

 SUBJECT PROPERTIES

DEVELOPMENT VARIANCE PERMIT NO. DVP00416