

DATE OF MEETING [June 21, 2021]

AUTHORED BY [SADIE ROBINSON, PLANNING ASSISTANT, CURRENT PLANNING]

SUBJECT [DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP421 – 5524 CLIFFSIDE ROAD]

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to increase the maximum allowable building height and perimeter wall height for a proposed dwelling at 5524 Cliffside Road.

Recommendation

That Council issue Development Variance Permit No. DVP421 at 5524 Cliffside Road with the following variances:

- to increase the maximum allowable height for a proposed dwelling with a flat roof from 7m to 9m; and
- to increase the perimeter wall height from 7.32m to 9.30m on the east and west elevations, and increase the perimeter wall height from 9.14 to 9.50m on the south elevation.

BACKGROUND

A development variance permit application, DVP421, was received from Michel and Robin Brulotte to vary the provisions of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to increase the maximum permitted building height and perimeter wall height for a proposed single residential dwelling at 5524 Cliffside Road. The subject property is a vacant lot with mature trees that is located in an area characterized by single family homes. The buildable area has 17% slope, and there is a 9m-high cliff running through the middle of the lot.

Subject Property and Site Context

<i>Zoning</i>	R1 – Single Residential Dwelling
<i>Location</i>	The subject property is located on the north side of Cliffside Road between Altavista Drive and Smokey Crescent.
<i>Total Area</i>	3,651m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use – Neighbourhood

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

DISCUSSION

Proposed Development

The applicant proposes to construct a two-storey 332.6m² (3,580 ft²) single family dwelling with a small daylight basement that is necessitated by the steeply sloping rock topography of the site. A detached garage is also proposed that does not require variances.

The proposed siting was selected to minimize the impact of the built form on the natural landscape of the site and the wish to maximize the views to the water and mountains from the house. The proposed dwelling will be located in the southeasterly portion of the lot, nearest the existing panhandle access. The development is designed to maintain the natural lot surface and minimize excavation to the greatest extent possible, while minimizing the impact on the natural environment of the site by retaining as many trees as practical on the lot. The upper level of the home is accessed via a bridge. The built form steps down the sloping site. The building uses a flat roof, which reduces the vertical extent of the building.

Proposed Variances

Building Height

The maximum permitted height for a single residential dwelling with a flat roof (< 4:12 pitch) is 7m. The applicant proposes to construct a single residential dwelling with a flat roof up to 9m in height. This represents a variance of 2m.

Despite siting the house on the most practical area of the property, the natural grade varies by approximately 3m at the location of the proposed dwelling. Due to the lower natural grade on one side, this skews the average grade to be lower, which reduces the overall height permitted on the higher portion of the property. This limits the ability to achieve two storeys in the area with the highest natural grade.

The applicant has provided a Shadow Study (Attachment G) that considered the potential impacts of the proposed development on neighbouring properties. The study included 13 surrounding properties and concluded that when comparing a house with compliant height to the proposed house with height variances, there was a negligible difference as a result of the variances, especially with the building separation (approximately 17m-70m) between existing residences and the proposed dwelling. The applicant has also provided three letters of support from neighbours at 5577 Sunridge Place, 5567 Lost Lake Road, and 5530 Cliffside Road.

The subject property is relatively large when compared to neighbouring properties, allowing for increased setbacks on the west (18.63m), north (21.67m), and east (18.39m) sides. The dwelling is proposed to be set back 3.6m from the nearest property (south), which exceeds the minimum required 1.5m side yard setback. The nearest dwelling (south) is approximately 17m from the proposed dwelling, and the second nearest dwelling (east) is approximately 34m from the proposed dwelling.

The main floor of the proposed dwelling is approximately 12m higher than the adjacent properties to the north, approximately 16m higher than the properties to the west, and there are mature trees on neighbouring properties to the north screening the lower houses from view.

The proposed dwelling is of comparable height with the two adjacent properties fronting on Cliffside Road.

Tree removal is minimized by building primarily on the steeply sloping exposed bedrock. The proposed dwelling meets all other bylaw requirements, including lot coverage and setbacks. While the zoning permits a 40% lot coverage, the proposed development (including detached garage) has a combined lot coverage of approximately 6%. The applicant has made an effort to minimize impacts on neighbours and the natural environment by opting for a more compact building form and size that is comparable to other homes in the neighbourhood. Despite the request for additional building height, the proposed dwelling is well separated and screened by trees from homes on the north side, and would appear as a single storey from Cliffside Road.

Perimeter Wall Height

The Zoning Bylaw permits a maximum perimeter wall height up to 7.32m, except on rear and internal side yard elevations where a perimeter wall height of 9.14m is permitted when the wall face does not exceed 7.32m in width. The applicant proposes to vary the perimeter wall height from 7.32m to 9.30m on the east and west side elevations, and to vary the perimeter wall height from 9.14 to 9.50m on the south side elevation. This represents a variance of 1.98m on the east and west elevations, and 0.36m on the south elevation.

Due to the steeply sloping building site, the perimeter wall height increases as it extends toward the area where natural grade is lowest. The applicant proposes to maintain the two-storey structure with a gradual stepping down the terrain, rather than bringing more fill onsite to increase the finished grade.

The proposed dwelling is well separated from neighbouring properties, and there are mature trees to the north of the property that help maintain privacy, and minimize the impact of shadowing and overlook on surrounding properties. The architect has made an effort to break up building massing, while creating an architecturally significant design based on the unique characteristics of the site.

Staff support the proposed variances.

SUMMARY POINTS

- Development Variance Permit No. DVP421 proposes a variance to increase the maximum allowable building height for a flat roof, and the maximum allowable perimeter wall height on the east, west, and south elevations to accommodate a dwelling on a steeply sloping lot.
- The proposed dwelling meets lot coverage and setback requirements.
- Letters have been provided in support of the application.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Survey Plan
ATTACHMENT E: Building Elevations
ATTACHMENT F: Perspective Views
ATTACHMENT G: Shadow Study Images
ATTACHMENT H: 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

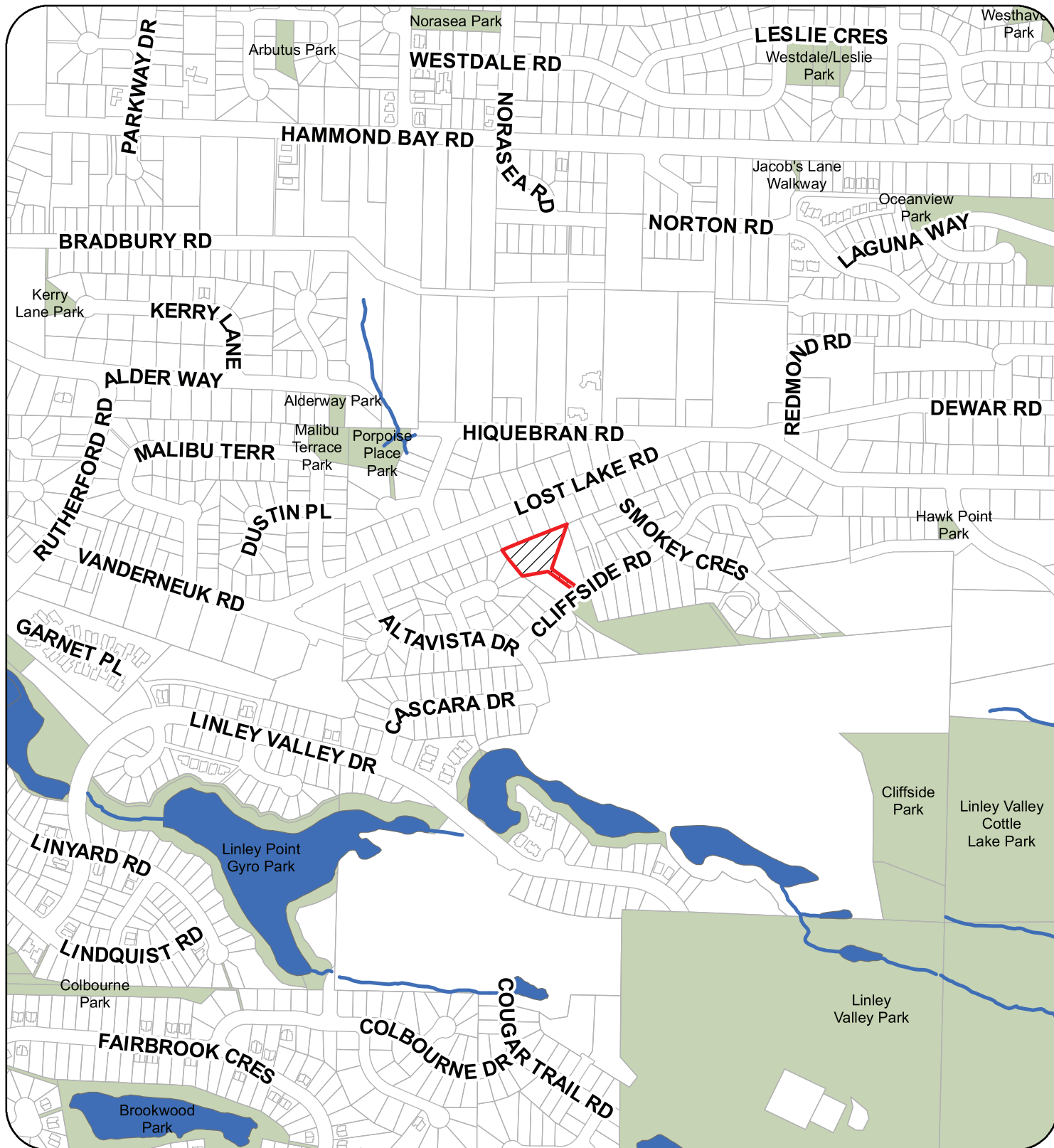
The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 7.6.1 Size of Buildings* – to increase the maximum allowable height of a principal building with a flat roof (< than 4:12 pitch) from 7m to 9m.
2. *Section 7.6.1 Size of Buildings* – to increase the maximum permitted perimeter wall height from 7.32m to 9.30m on the east (side) and west (side) elevations.
3. *Section 7.6.6 Maximum Perimeter Wall Height* – to increase the maximum permitted perimeter wall height from 9.14 to 9.50m on the south (side) elevation.

CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the Survey Plan prepared by Tyler Hansen of Williamson & Associates Professional Surveyors, dated 2021-MAR-16, as shown on Attachment D.
2. The subject property shall be developed in substantial compliance with the Building Elevations prepared by Colizza Bruni Architecture, received 2021-APR-27, as shown on Attachment E.

ATTACHMENT B CONTEXT MAP



DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00421

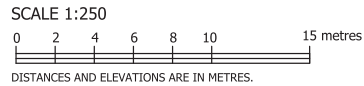


5524 CLIFFSIDE ROAD

ATTACHMENT D SURVEY PLAN

B.C. LAND SURVEYOR'S CERTIFICATE OF PROPOSED LOCATION ON:

LOT 13, DISTRICT LOT 50, WELLINGTON DISTRICT, PLAN VIP77213



NOTES:

CIVIC ADDRESS: 5524 CLIFFSIDE ROAD, NANAIMO

LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS.

ELEVATION DATUM IS DERIVED FROM INTEGRATED SURVEY CONTROL MONUMENTS.

HOUSE DESIGN FROM COLIZZA BRUNI ARCHITECTURE DRAWINGS RECEIVED MARCH 15, 2021.

THE UNDERSIGNED CONFIRMS THAT HE HAS BEEN RETAINED BY MICHEL AND ROBIN BRULOTTE TO PROVIDE FOUNDATION LAYOUT IN ACCORDANCE WITH THE FOUNDATION LOCATION SHOWN ON THIS PLAN.

182.00 DENOTES PROPOSED GARAGE SLAB.

FG 177.4 DENOTES TYPICAL SPOT ELEVATION OF PROPOSED FINISHED GRADE (FG).

NG 177.4 DENOTES TYPICAL SPOT ELEVATION OF NATURAL GRADE (NG) IN CONFORMANCE WITH THE CITY OF NANAIMO BYLAW.

CONTOURS SHOWN ARE DERIVED FROM 2019 FIELD SURVEY OF EXISTING CONDITIONS AND ARE 1.0 METRE INTERVAL.

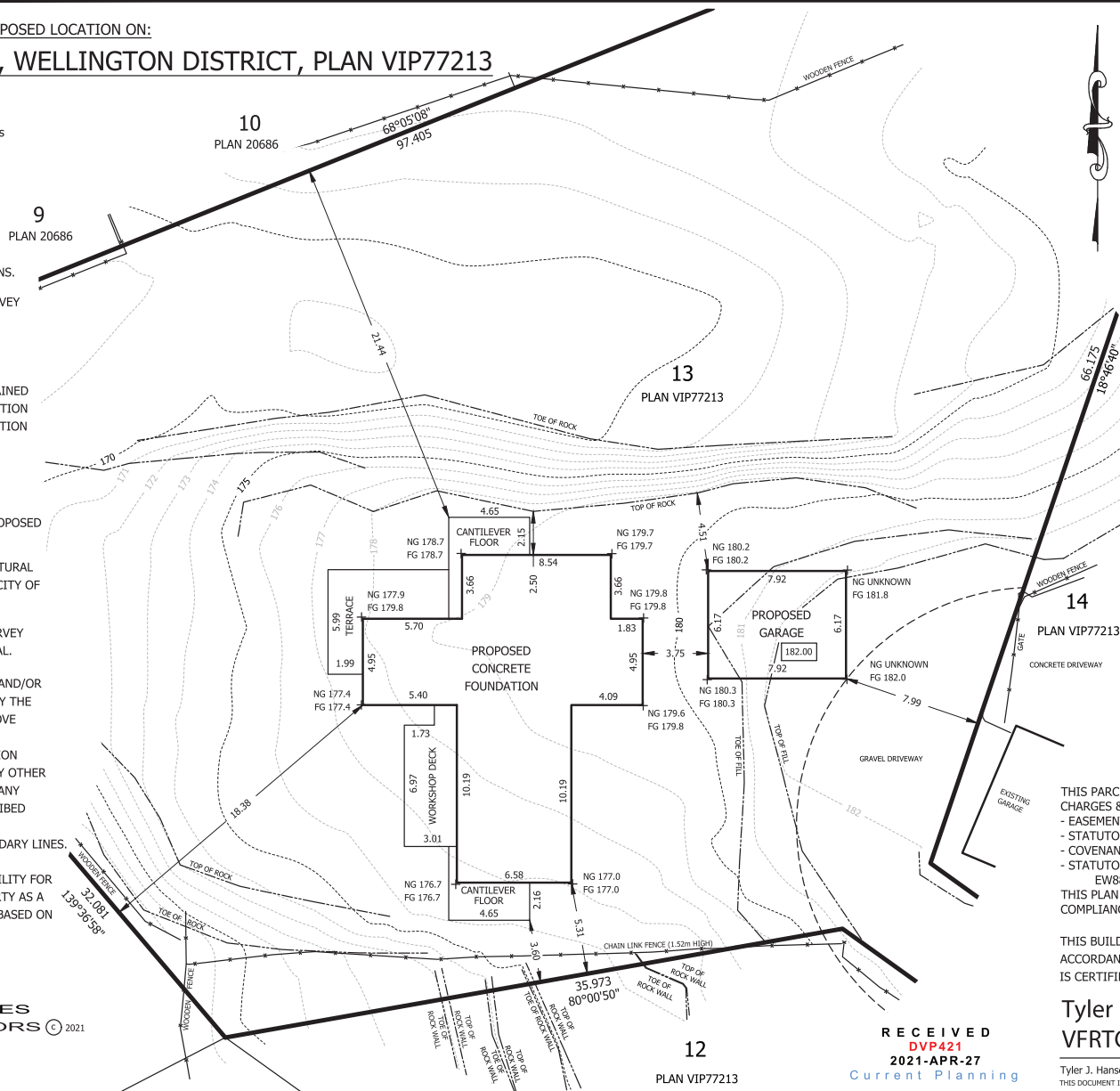
THIS PLAN PURPORTS TO POSITION ONLY THE ACTUAL AND/OR PROPOSED IMPROVEMENT(S) SHOWN RELATIVE TO ONLY THE BOUNDARIES SHOWN OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).

THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY OTHER ACTUAL OR PROPOSED IMPROVEMENT(S) RELATIVE TO ANY BOUNDARY OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).

THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.

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.

WILLIAMSON & ASSOCIATES
PROFESSIONAL SURVEYORS © 2021
3088 BARONS ROAD NANAIMO B.C. V9T 4B5
PHONE: 250-756-7723 FAX: 250-756-7724
EMAIL: WAPS@VIBCLS.CA
FILE: 19118-2 HEIGHT SURVEY (BASE PLAN 06128)



**MAXIMUM HOUSE HEIGHT
CALCULATION BY GRADES**

MEAN FG	=	178.61
MEAN NG	=	178.35
MAXIMUM HEIGHT	+	7.00
CON MAXIMUM ROOF PEAK	=	185.35
PROPOSED MAIN SLAB	=	180.00
APPROX. HEIGHT TO 2ND FLOOR	+	3.14
PROPOSED 2ND FLOOR	=	183.14
APPROX. HEIGHT TO PEAK	+	4.17
PROPOSED ROOF PEAK	=	187.31

PROPOSED ROOF PEAK	=	187.31
CON MAXIMUM ROOF PEAK	=	185.35
VARIANCE REQUIRED	=	1.96

**MAXIMUM GARAGE HEIGHT
CALCULATION BY GRADES**

MEAN FG	=	181.08
MEAN NG	=	180.25
MAXIMUM HEIGHT	+	7.00
CON MAXIMUM ROOF PEAK	=	187.25
PROPOSED GARAGE SLAB	=	182.00
HEIGHT TO TOP OF DORMER	+	4.68
TOP OF DORMER	=	186.68

THIS PARCEL MAY BE SUBJECT TO REGISTERED CHARGES & PERMITS:
- EASEMENT EW88161;
- STATUTORY BUILDING SCHEME EW88103;
- COVENANT EW88097;
- STATUTORY RIGHT OF WAYS EW88096, EW88098, EW88099 & EW88101;
THIS PLAN DOES NOT PURPORT TO VERIFY COMPLIANCE WITH THE RESTRICTIONS THEREIN.

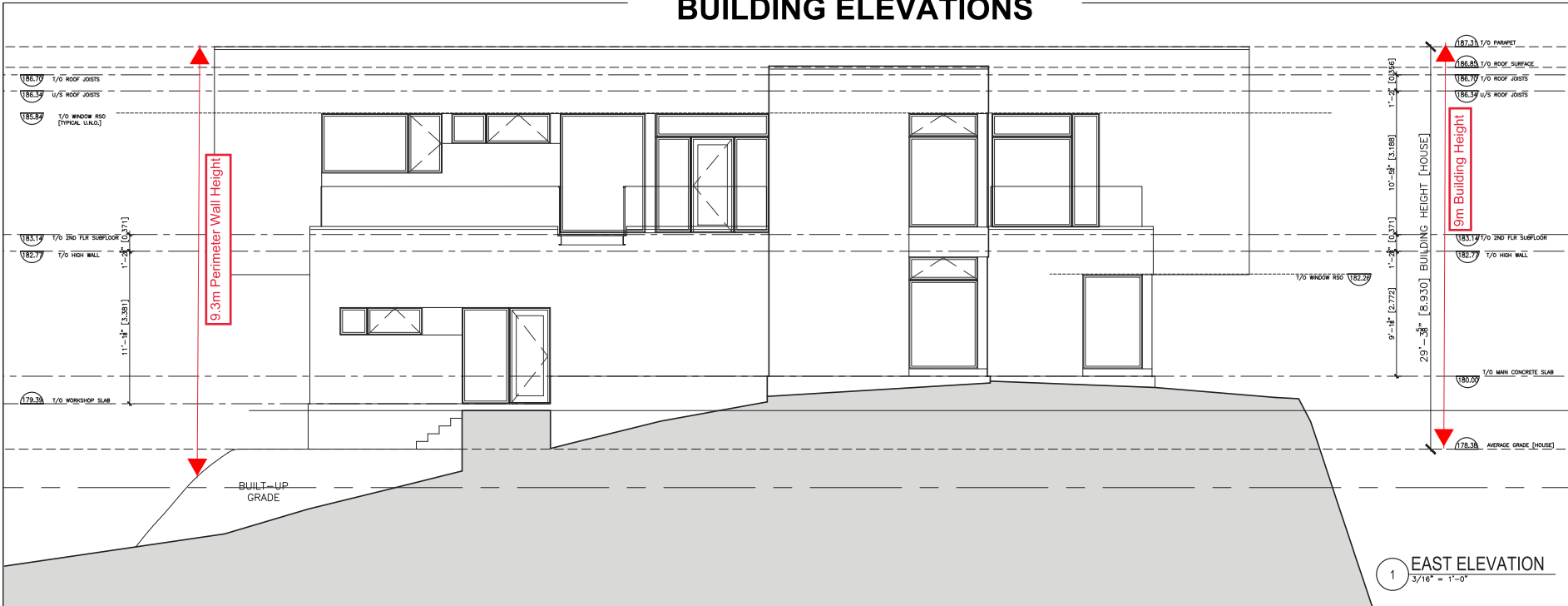
THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL & IS CERTIFIED CORRECT THIS DATE OF: MARCH 16, 2021

Tyler Hansen
VFRTQ3
Digitally signed by Tyler Hansen VFRTQ3
DN: c=CA, cn=Tyler Hansen VFRTQ3,
o=B.C. Land Surveyor, ou=Verify ID at
www Juricert.com/LKUP.cfm?id=VFRTQ3
Date: 2021.03.16 13:59:53 -07'00'

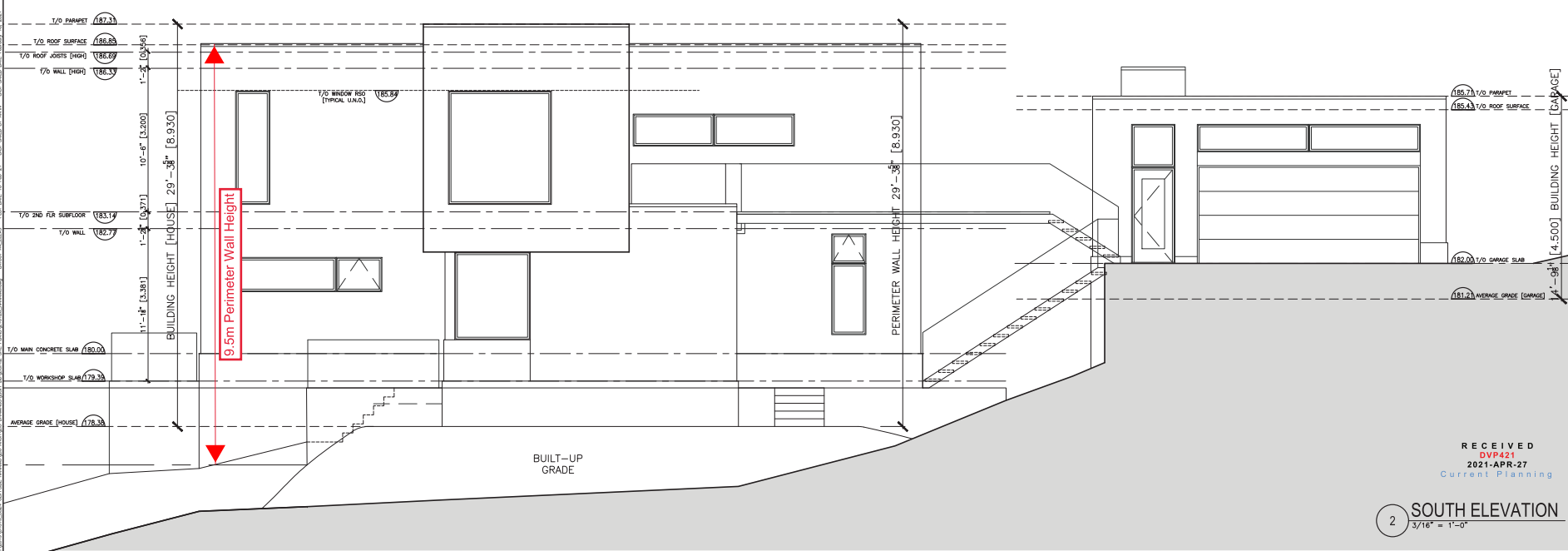
Tyler J. Hansen B.C.L.S.
THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED.

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DVP421
2021-APR-27
Current Planning

ATTACHMENT E BUILDING ELEVATIONS



1 EAST ELEVATION
3/16" = 1'-0"



2 SOUTH ELEVATION
3/16" = 1'-0"

GENERAL NOTES
 IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE AND REPORT ANY ERRORS AND OMISSIONS TO THE ARCHITECT. ALL CONTRACTORS MUST COMPLY WITH ALL APPLICABLE CODES AND BY-LAWS. DO NOT SCALE DRAWINGS. THESE DRAWINGS MAY NOT BE USED FOR CONSTRUCTION UNTIL PROVED. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF COLICIA BRUNI ARCHITECTURE INC. UNLESS OTHERWISE SPECIFIED. RESERVED.

NO.	REV. DATE	REV. DESCRIPTION
1	20/04/16	FOR CLIENT REVIEW
2	20/07/08	FOR COA APPLICATION

COLICIA BRUNI
 ARCHITECTURE
 70 CHAMBERLAIN AVE - OTTAWA - ONTARIO - K1H 1V9
 T: 613-238-2981 F: 613-238-8775 www.coliciabruni.com

PROJECT NAME
5524 CLIFFSIDE ROAD

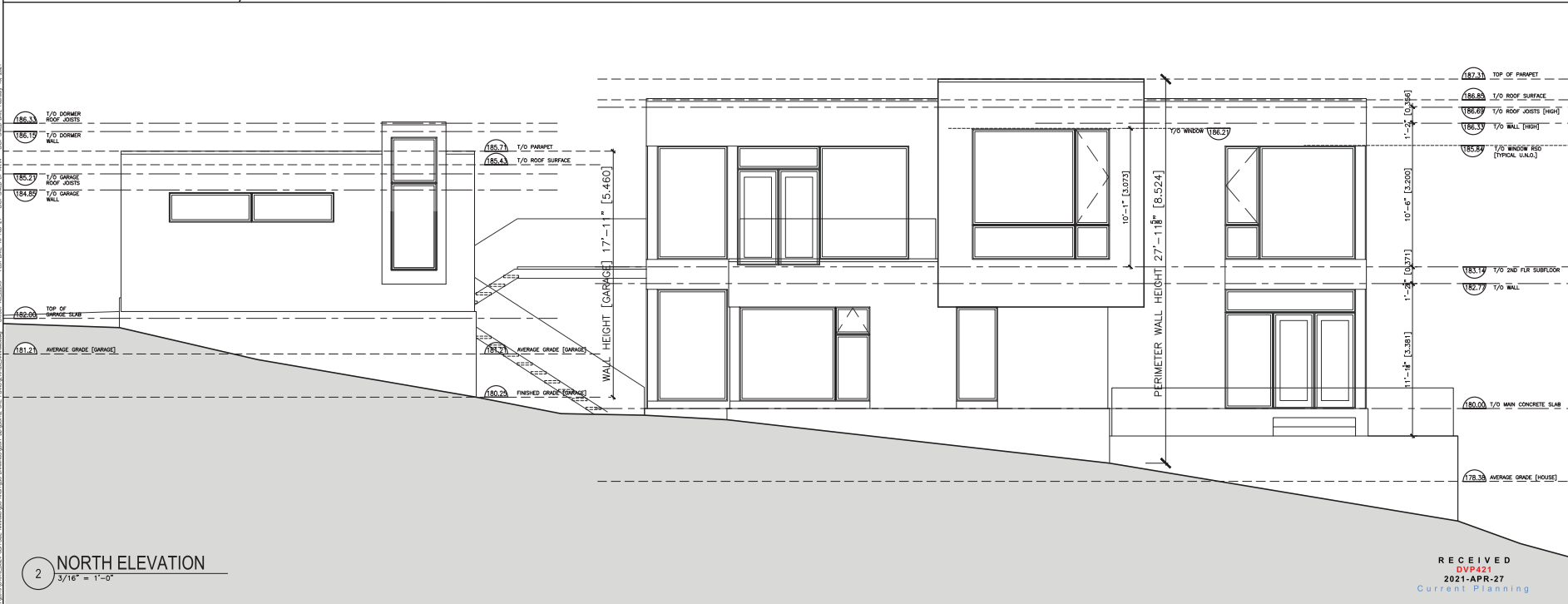
MANAIMO, BC DRAWING TITLE
 ELEVATIONS

SCALE NOTED
 DRAWN BY
 DATE FEB 2021
 PROJECT NO. 013-19

A4



1 WEST ELEVATION
3/16" = 1'-0"



2 NORTH ELEVATION
3/16" = 1'-0"

GENERAL NOTES

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE AND REPORT ANY ERRORS AND CORRECTIONS TO THE ARCHITECT. ALL CONTRACTORS MUST COMPLY WITH ALL PERMIT CODES AND BY-LAWS DO NOT SCALE DRAWINGS. THESE DRAWINGS MAY NOT BE USED FOR CONSTRUCTION UNTIL SIGNED. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF COLIZZA BRUNI ARCHITECTURE INC. UNLESS OTHERWISE SPECIFIED, COPYRIGHT IS RESERVED.

NO.	REV. DATE	REV. DESCRIPTION
1	20/04/16	FOR CLIENT REVIEW
2	20/07/08	FOR COA APPLICATION

COLIZZA BRUNI
 74 CHAMBERLAIN AVE • OTTAWA • ONTARIO • K1H 1V9
 1-877-328-2841 • P: 613-238-8775 • WWW.COLIZZABRUNI.COM

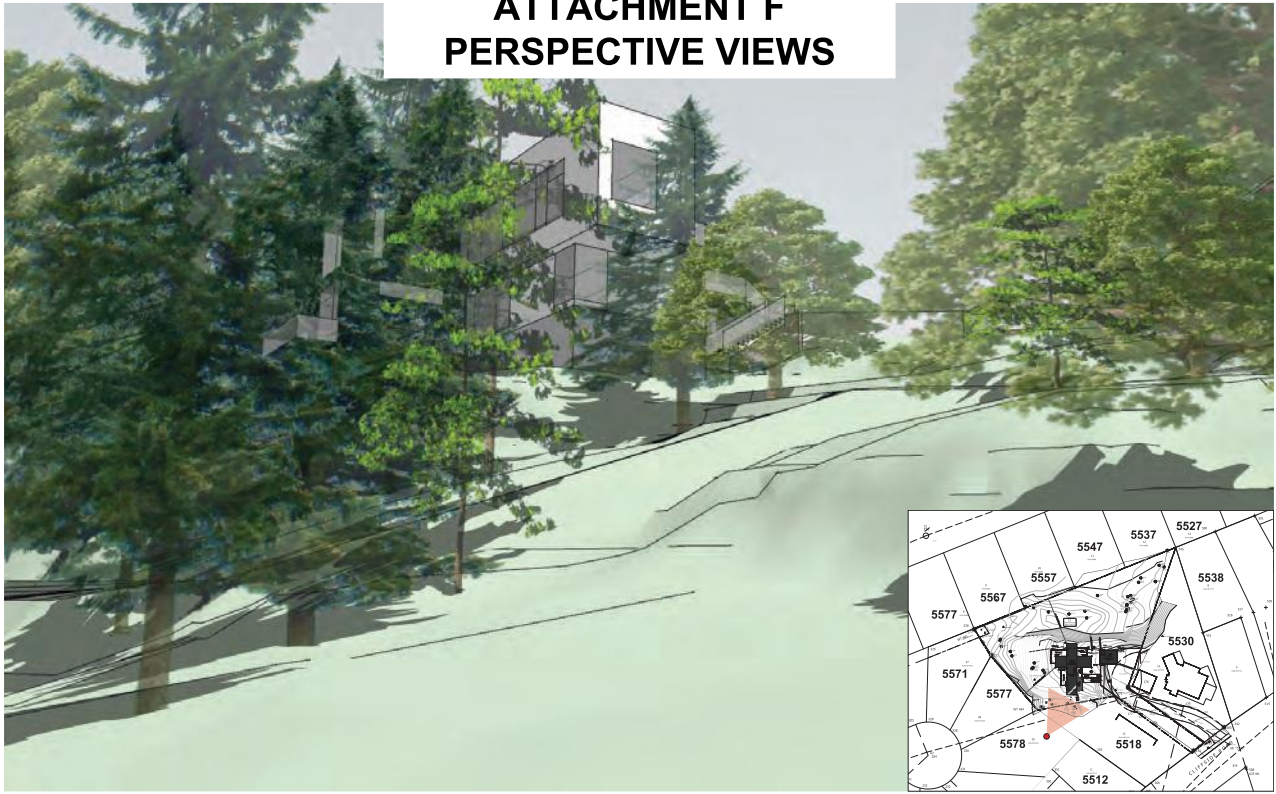
PROJECT NAME
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MANAIMO, BC

SCALE NOTED	DRAWING NO.
DRAWN BY	A5
DATE	FEB 2021
PROJECT NO.	013-19

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ATTACHMENT F PERSPECTIVE VIEWS



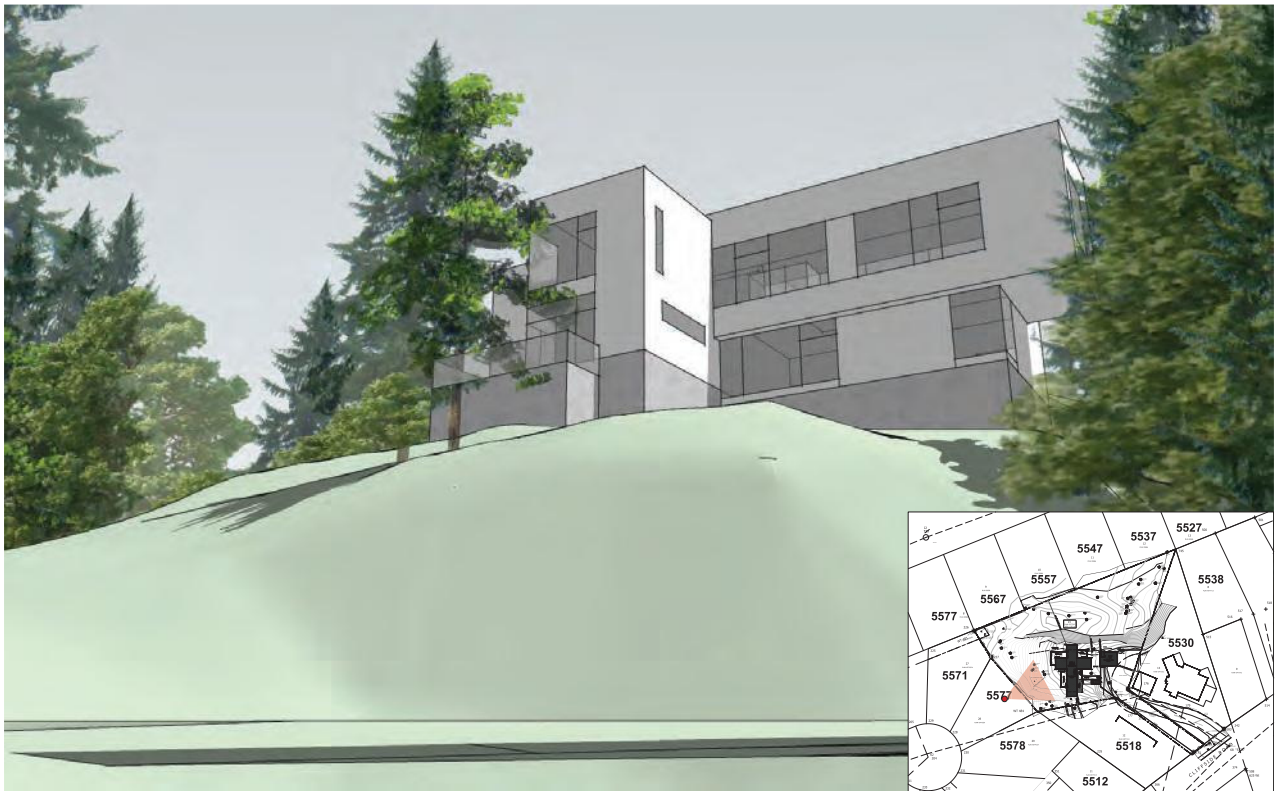
VIEW FROM 5578 SUNRIDGE PL.

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architecture

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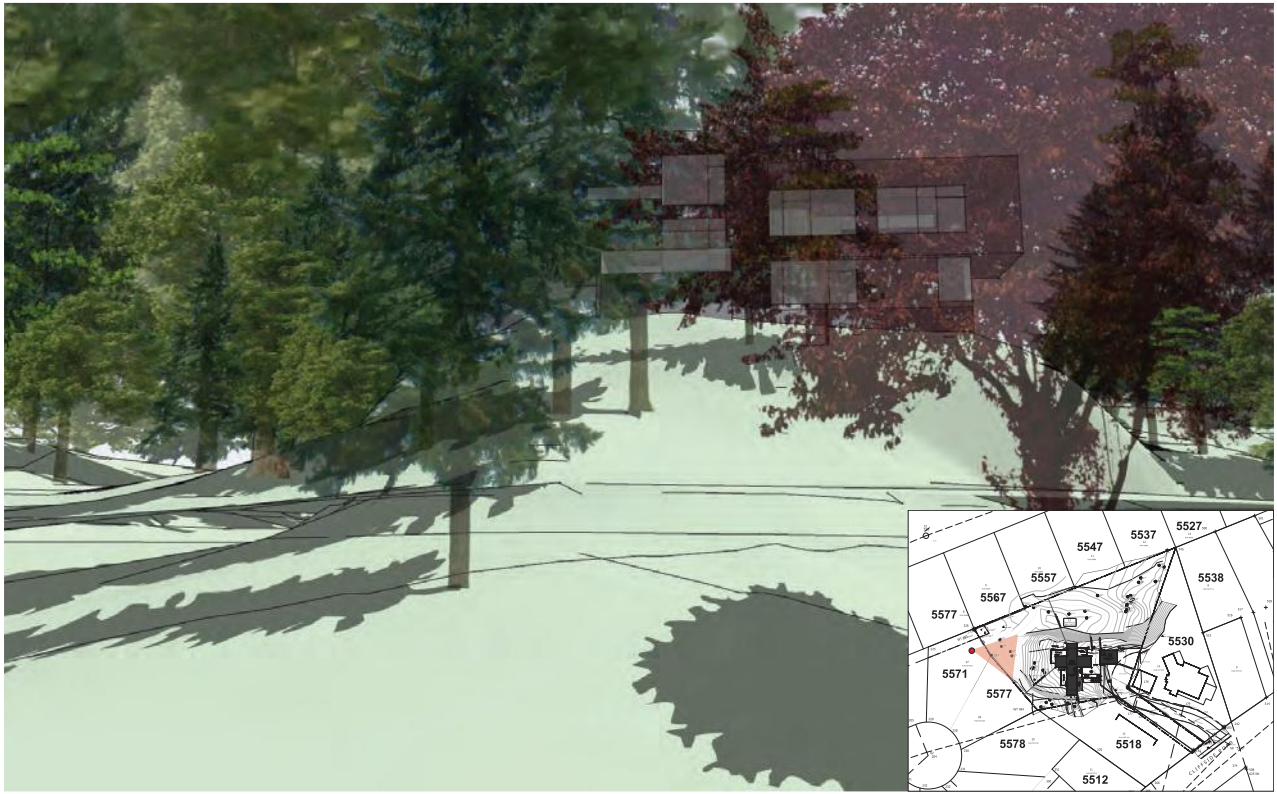
VIEW FROM 5577 SUNRIDGE PL.

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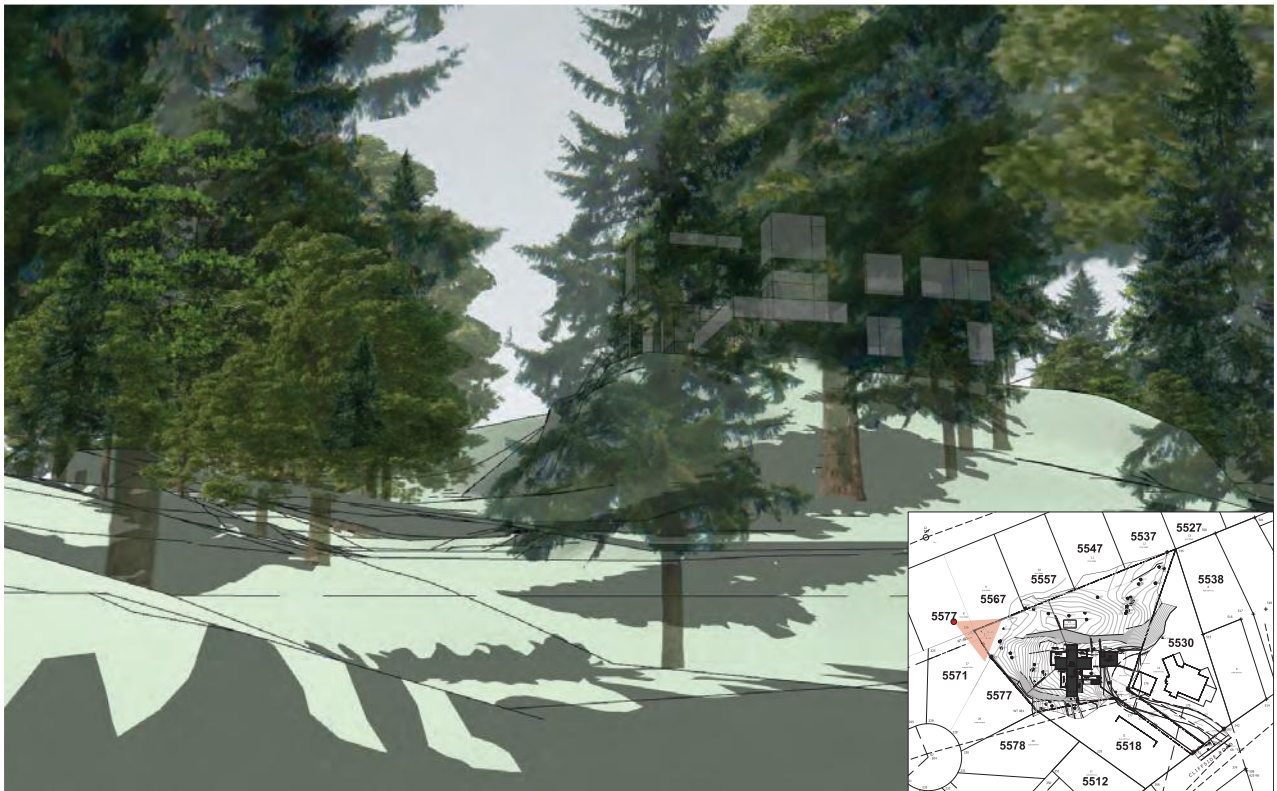
VIEW FROM 5571 SUNRIDGE PL.

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VIEW FROM 5577 LOST LAKE RD.

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VIEW FROM 5567 LOST LAKE RD.

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VIEW FROM 5557 LOST LAKE RD.

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78

2.6

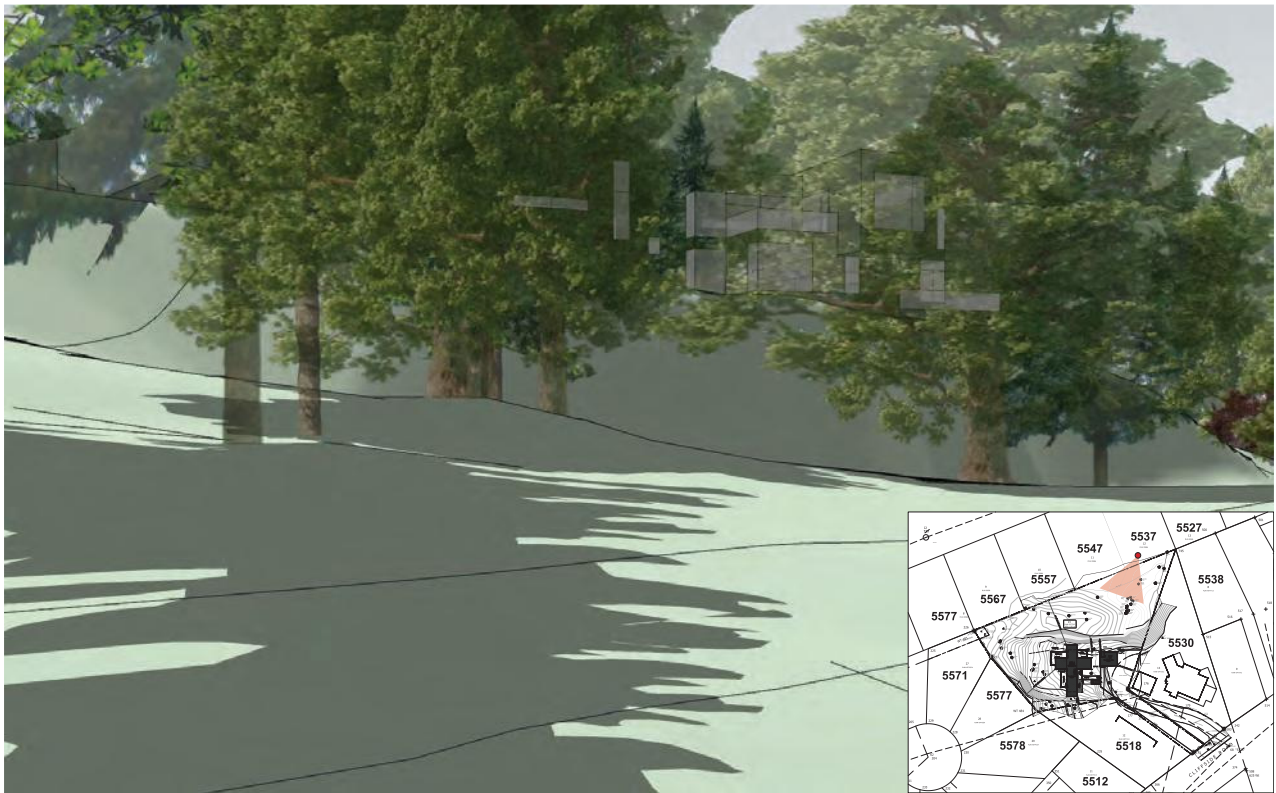


VIEW FROM 5547 LOST LAKE RD.

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VIEW FROM 5537 LOST LAKE RD.

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VIEW FROM 5527 LOST LAKE RD.

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VIEW FROM 5538 CLIFFSIDE RD.

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JANUARY 2020

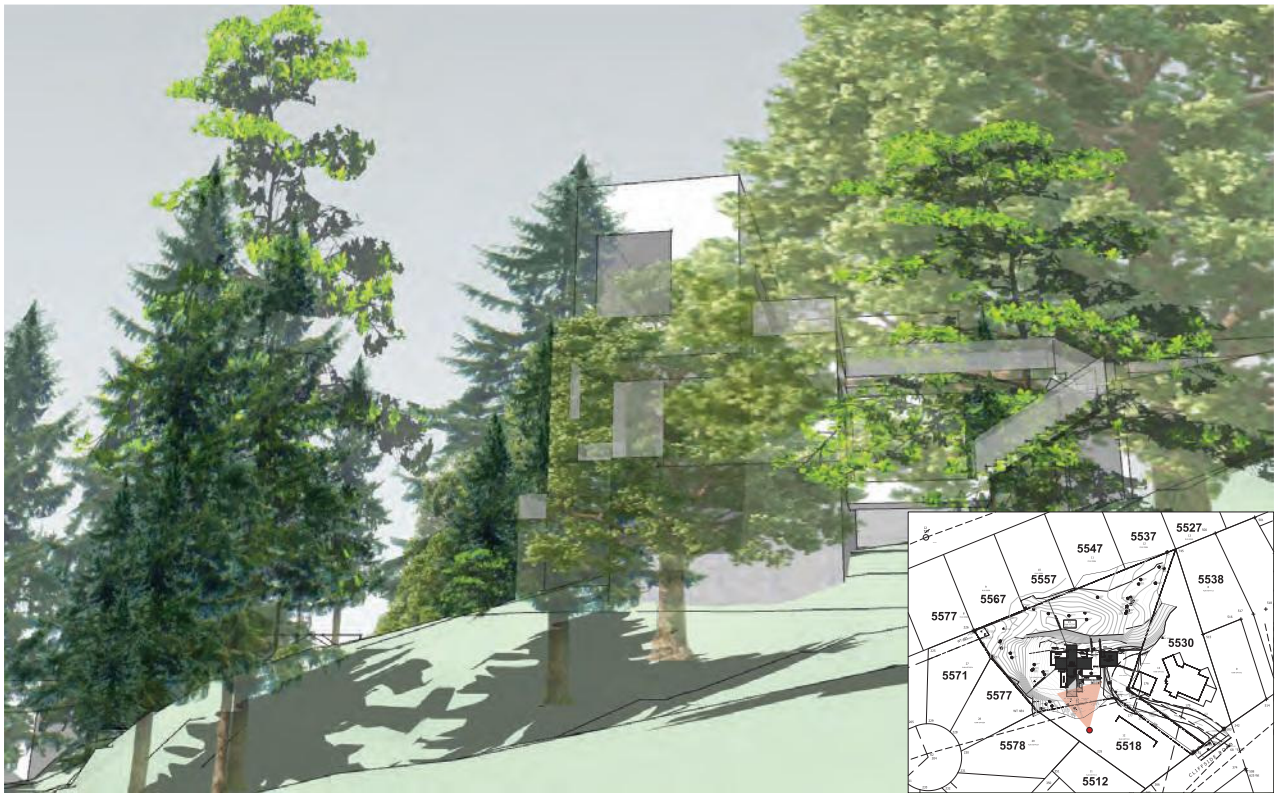


VIEW FROM 5530 CLIFFSIDE RD.

5524 CLIFFSIDE DRIVE

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VIEW FROM 5518 CLIFFSIDE RD.

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VIEW FROM 5512 CLIFFSIDE RD.

5524 CLIFFSIDE DRIVE

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JANUARY 2020

2.13

ATTACHMENT G SHADOW STUDY IMAGES



MARCH 20th - 9:00am - COMPLIANT HEIGHT



MARCH 20th - 12:00pm - COMPLIANT HEIGHT



MARCH 20th - 4:00pm - COMPLIANT HEIGHT



MARCH 20th - 9:00am - PROPOSED HEIGHT



MARCH 20th - 12:00pm - PROPOSED HEIGHT



MARCH 20th - 4:00pm - PROPOSED HEIGHT

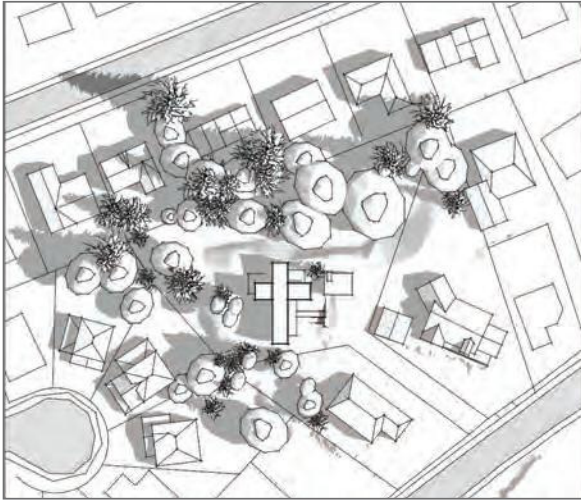
SUN STUDY - COMPLIANT VS. PROPOSED - SPRING/FALL

5524 CLIFFSIDE DRIVE

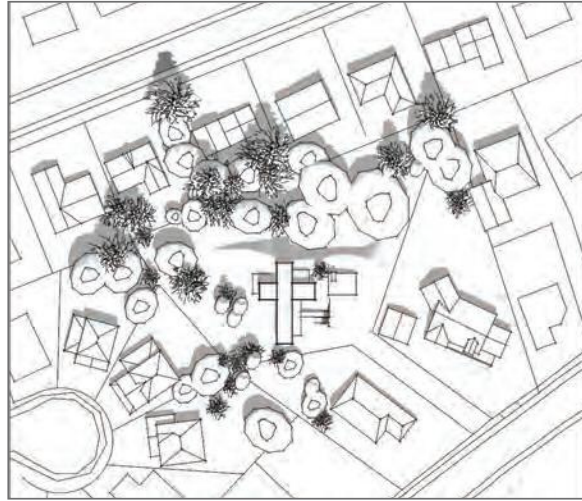


COLIZZA BRUNI
architecture

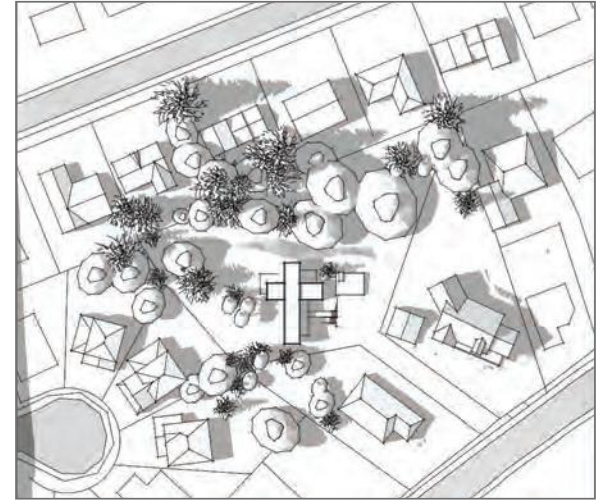
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2021-APR-27
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JUNE 20th - 9:00am - COMPLIANT HEIGHT



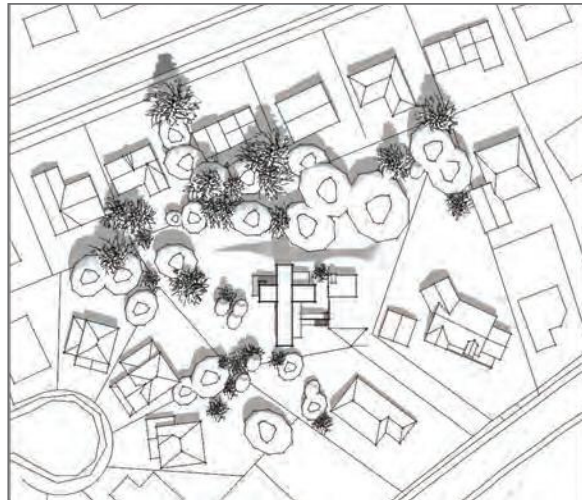
JUNE 20th - 12:00pm - COMPLIANT HEIGHT



JUNE 20th - 4:00pm - COMPLIANT HEIGHT



JUNE 20th - 9:00am - PROPOSED HEIGHT



JUNE 20th - 12:00pm - PROPOSED HEIGHT



JUNE 20th - 4:00pm - PROPOSED HEIGHT

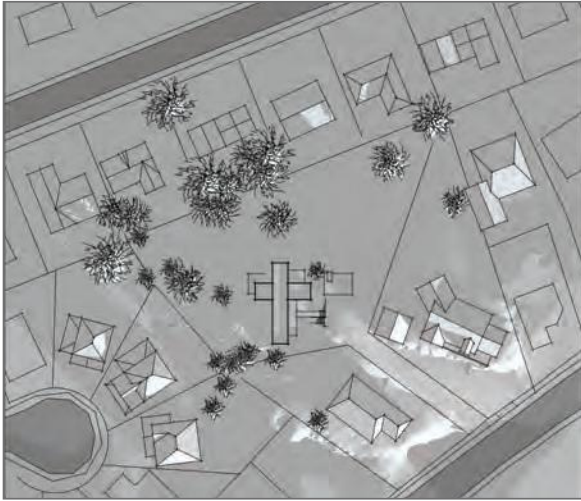
SUN STUDY - COMPLIANT VS. PROPOSED - SUMMER

5524 CLIFFSIDE DRIVE



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Current Planning



DECEMBER 20th - 9:00am - COMPLIANT HEIGHT



DECEMBER 20th - 12:00pm - COMPLIANT HEIGHT



DECEMBER 20th - 4:00pm - COMPLIANT HEIGHT



DECEMBER 20th - 9:00am - PROPOSED HEIGHT



DECEMBER 20th - 12:00pm - PROPOSED HEIGHT



DECEMBER 20th - 4:00pm - PROPOSED HEIGHT

SUN STUDY - COMPLIANT VS. PROPOSED - WINTER

5524 CLIFFSIDE DRIVE



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2021-APR-27
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ATTACHMENT H
AERIAL PHOTO



DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00421

 5524 CLIFFSIDE ROAD