

DATE OF MEETING July 5, 2021

AUTHORED BY MATTHEW REMPEL, PLANNING ASSISTANT, CURRENT PLANNING

**SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP423  
– 5610 ARNHEM TERRACE**

## **OVERVIEW**

### **Purpose of Report**

To present for Council’s consideration, a development variance permit application to increase the maximum permitted gross floor area for a detached garage at 5610 Arnhem Terrace.

### **Recommendation**

That Council issue Development Variance Permit No. DVP423 at 5610 Arnhem Terrace with the following variance:

- increase the maximum permitted gross floor area for a detached garage from 42m<sup>2</sup> to 49m<sup>2</sup>.

## **BACKGROUND**

A development variance permit application, DVP423, was received from Robyn Bull to vary the provisions of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to permit the construction of a carriage home and to retain an existing garage at 5610 Arnhem Terrace.

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

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located between Arnhem Terrace and Island Highway North.
<i>Total Area</i>	1,421m <sup>2</sup>
<i>Official Community Plan</i>	Map 1 – Future Land Use – Neighbourhood

The subject property is a residential lot with an existing house and a detached garage. There are single family dwellings on the properties located immediately to the north, west, and south of the subject property. The Island Highway abuts the east property line. The neighbourhood is characterized by low-density residential uses.

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

## **DISCUSSION**

### **Proposed Development**

The applicant proposes to construct a carriage home that utilizes the maximum permitted gross floor area of 90m<sup>2</sup> and to retain an existing detached garage with a gross floor area of 49m<sup>2</sup>.

### **Proposed Variances**

#### *Maximum Gross Floor Area for Accessory Buildings*

The maximum permitted gross floor area of all accessory buildings on an R1-zoned lot is 13% of the lot area or 90m<sup>2</sup>, whichever is lesser. In this case, 90m<sup>2</sup> would be the limit. In addition, a maximum of 42m<sup>2</sup> used exclusively for parking purposes may be excluded from the calculation of gross floor area for an accessory building where a garage or carport does not exist within the principal building. The existing garage, to be retained, is approximately 49m<sup>2</sup>, which is 7m<sup>2</sup> over the area that can be excluded and requires a variance. The existing garage and the proposed carriage home will have a lot coverage of approximately 10%.

The applicant has stated that being permitted to utilize the maximum permitted 90m<sup>2</sup> of gross floor area for the carriage home will provide the space required to construct the carriage home to meet specific mobility needs and accessibility standards. Without a variance, the applicant would need to remove their existing garage or reduce the functional living space of the carriage home.

Despite the increase in allowable garage area, the proposed building would still function as accessory to the existing principal dwelling. Additionally, the proposed carriage home complies with zoning requirements for lot coverage, gross floor area, and setbacks.

No negative impact on neighbouring properties is anticipated, and Staff support the proposed variance.

### **SUMMARY POINTS**

- Development Variance Permit No. DVP423 proposes a variance to the gross floor area that can be excluded for an accessory building that is used exclusively for parking from 42m<sup>2</sup> to 49m<sup>2</sup>; a proposed variance of 7m<sup>2</sup>.
- The new accessory building meets all lot coverage and setback requirements; as such, no negative impact on neighbouring 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: Survey Plan  
ATTACHMENT E: 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**

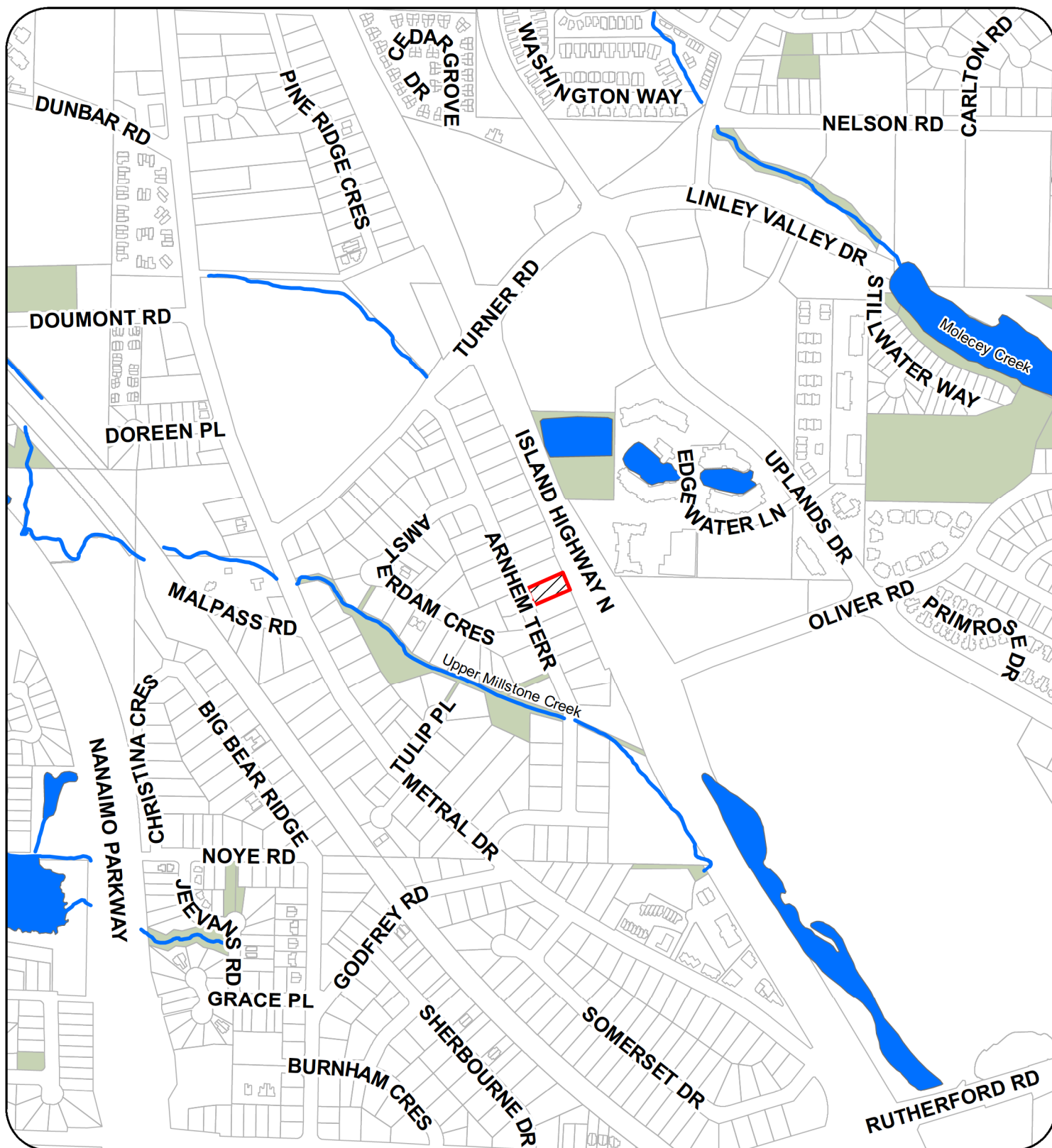
The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is hereby varied as follows:

1. *Section 6.6.6.2* – to increase the maximum permitted gross floor area that can be excluded for an accessory building that is used exclusively for parking from 42m<sup>2</sup> to 49m<sup>2</sup>.

### **CONDITIONS OF PERMIT**

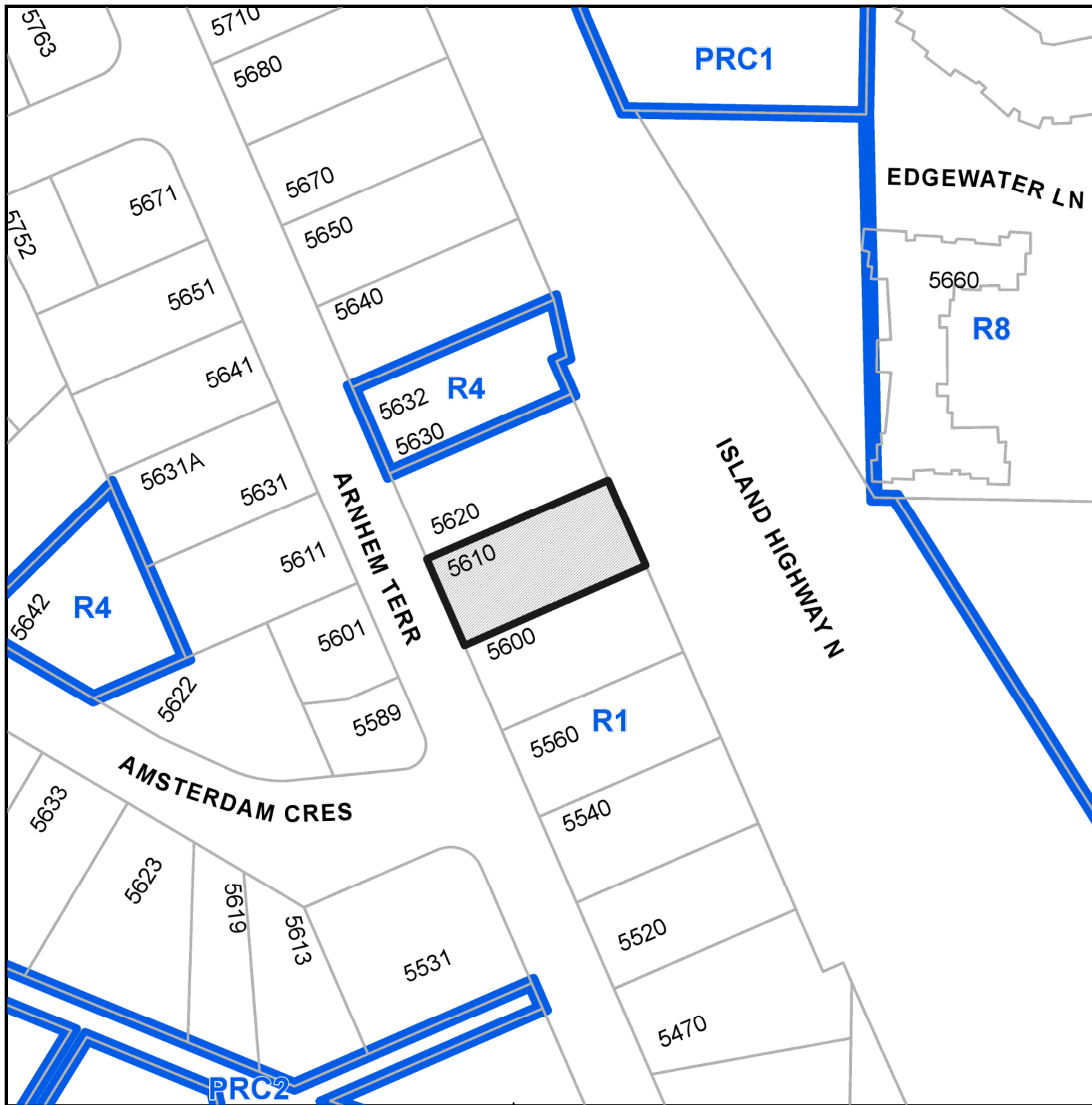
1. The subject property shall be developed in accordance with the Survey Plan prepared by Pacific Rim Land Surveying Ltd., dated 2021-MAY-12, as shown on Attachment D.

ATTACHMENT B  
CONTEXT MAP



5610 ARNHM TERRACE

ATTACHMENT C  
LOCATION PLAN



**DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00423**



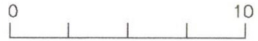
**Subject Property**

CIVIC: 5610 ARNHEM TERRACE

LEGAL: LOT 13, DISTRICT LOT 23G, WELLINGTON DISTRICT, PLAN 15154

# ATTACHMENT D SURVEY PLAN

SITE PLAN OF LOT 13, D.L. 23G, WELLINGTON DISTRICT, PLAN 15154.  
SHOWING PROPOSED CARRIAGE HOUSE AND GARAGE MOVE THEREON (FOR BUILDING PERMIT APPLICATION).  
**SCALE 1: 250**



THE INTENDED PLOT SIZE IS 8.5" X 14" (LEGAL)  
DIMENSIONS ARE SHOWN IN METRES  
AND ARE DERIVED FROM PLAN 15154  
ELEVATIONS ARE ASSUMED

**CIVIC ADDRESS:**

5610 ARNHEN TERRACE  
NANAIMO, BC  
PID: 000-443-794

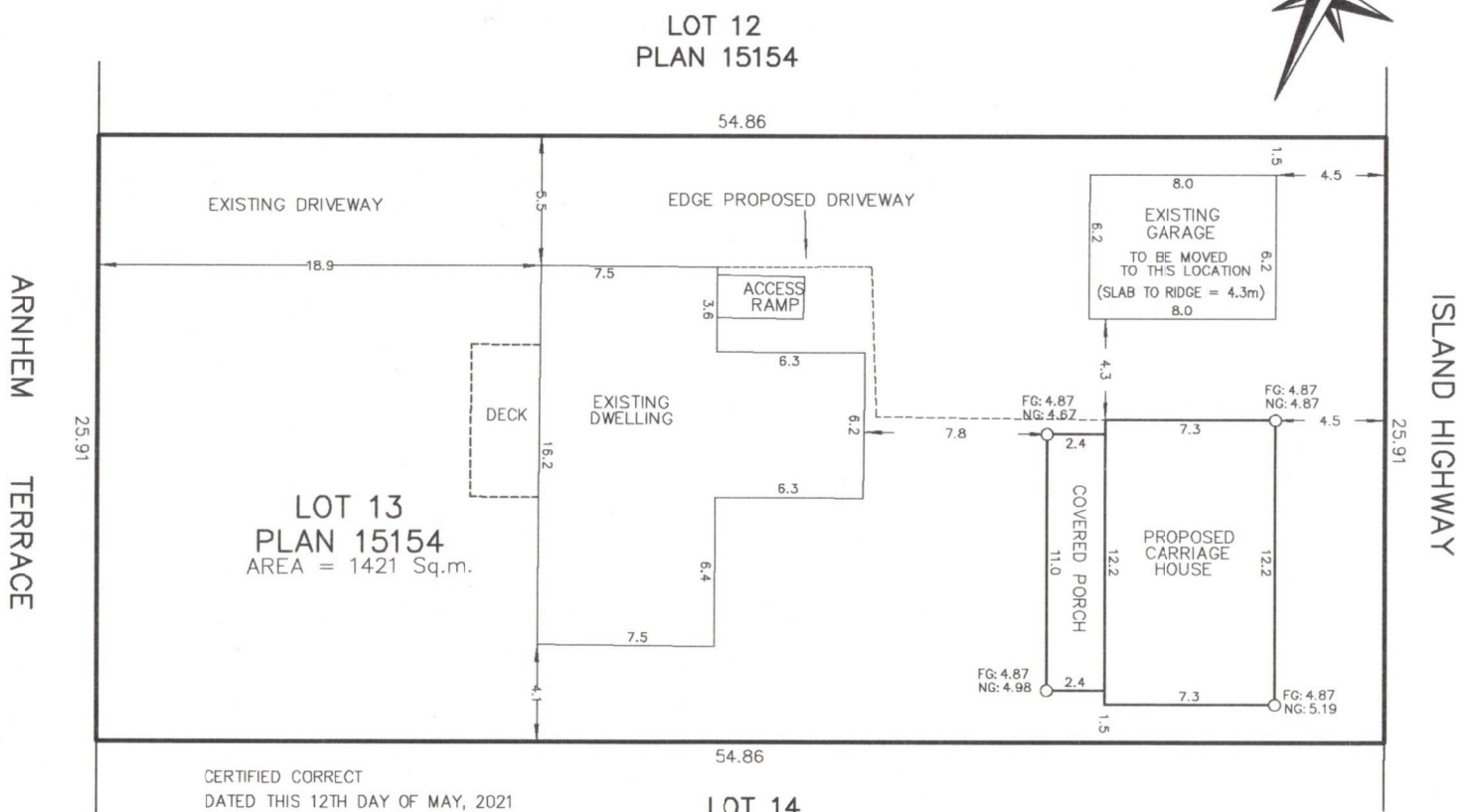
**NOTES**

JURISDICTION: CITY OF NANAIMO  
ZONING (2021): BYLAW 4500, R1  
LOT 13 IS SUBJECT TO THE FOLLOWING NON FINANCIAL CHARGES AND INTERESTS; 223225G, 223256G AND 379003G.

OFFSET MEASUREMENTS ARE TO THE SIDING/FOUNDATION OF BUILDING AND ARE PERPENDICULAR TO THE PROPERTY LINE

PROPOSED CARRIAGE HOUSE ELEVATIONS	
AVERAGE NATURAL GRADE:	4.93
AVERAGE FINISHED GRADE	4.87
MAXIMUM BUILDING HEIGHT (R10 ZONE)	7.0
MAXIMUM BUILDING ELEVATION	11.87
PROPOSED ROOF PEAK ELEVATION	10.16
PROPOSED FLOOR ELEVATION	5.14

	BYLAW REQUIREMENT	PROPOSED	VARIANCE REQUIRED
ACCESSORY BUILDING HEIGHT	7m	5.29m	
ACCESSORY BUILDING SIZE	132m <sup>2</sup>	138.7m <sup>2</sup>	6.7m <sup>2</sup>
FRONT YARD SETBACK (FROM HIGHWAY)	4.5m	4.5m	
SIDE YARD SETBACK	1.5m	1.5m/1.5m	
PARKING	3 STALLS	3 STALLS	



CERTIFIED CORRECT  
DATED THIS 12TH DAY OF MAY, 2021

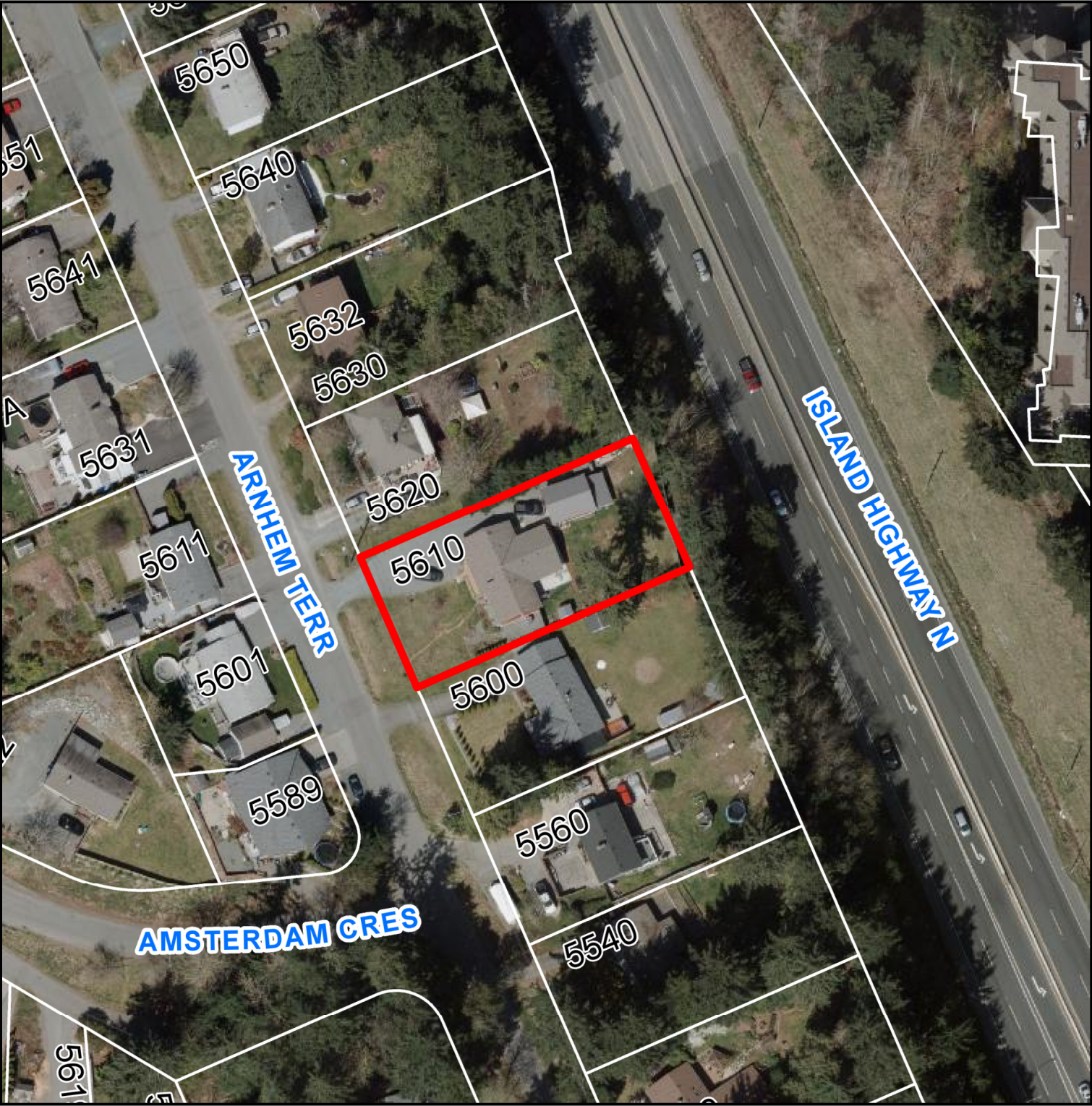
**James Bruce**  
EF8P6Z  
Date: 2021.05.12  
11:41:24 -07'00'

JAMES BRUCE, BCLS #976  
THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED


LOT 14  
PLAN 15154

PACIFIC RIM  
LAND SURVEYING LTD.  
PHONE: 250-248-7268  
EMAIL: JAMES@PACIFICRIMSURVEYING.COM  
FILE: 1248 SP3.DWG  
DATE: 2021-05-12

ATTACHMENT E  
AERIAL PHOTO



DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00423

 5610 ARNHEM TERRACE

## Delegation Request

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### **Delegation's Information:**

Robyn Bull has requested an appearance before Council.

City: Nanaimo  
Province: BC

### **Delegation Details:**

The requested date is July 5, 2021.

The requested meeting is:  
Council

Bringing a presentation: No

Details of the Presentation:  
Application for variance regarding outbuilding allowance.