

DATE OF MEETING October 18, 2021

AUTHORED BY MATTHEW REMPEL, PLANNING ASSISTANT, CURRENT
PLANNING

SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP426
– 2230 NEIL DRIVE

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to reduce the minimum lot depth requirement in order to facilitate a two-lot subdivision at 2230 Neil Drive.

Recommendation

That Council issue Development Variance Permit No. DVP426 at 2230 Neil Drive to reduce the minimum lot depth requirement from 30.0m to 27.80m.

BACKGROUND

A development variance permit application, DVP426, was received from Turner and Associates Land Surveying Inc., on behalf of Aaron and Suhki Sekhon, to vary the provisions of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to reduce the minimum lot depth requirement in order to facilitate a two-lot subdivision. This variance will allow the applicant to subdivide the existing property and retain the existing single residential dwelling.

Subject Property and Site Context

<i>Zoning</i>	R1A – Single Dwelling Residential
<i>Location</i>	The subject property is located on the corner of Dawkins Lane and Neil Drive.
<i>Total Lot Area</i>	1,665m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use - Neighbourhood

The subject property is a corner lot in the Westwood Lake Neighbourhood. The lot currently contains a single residential dwelling. Surrounding land uses are single dwelling residential lots.

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

DISCUSSION

Proposed Development

The applicant proposes to subdivide the subject property into two fee-simple lots while retaining the existing single residential dwelling. In order to facilitate the subdivision, a development variance permit is required to reduce the minimum lot depth requirement for the proposed lots. The requested variance will allow the applicant to create one new lot, while maximizing the density permitted in the R1A zone with a corner lot (Lot B) that meets the minimum lot size to permit two dwellings or one duplex in the future.

Proposed Variance

Minimum Lot Depth

The minimum lot depth required in the R1A zone is 30m. The applicant is requesting to reduce the minimum lot depth requirement for a proposed two-lot subdivision from 30m to 27.8m; a proposed variance of 2.2m.

The proposed lots meet or exceed all other zoning requirements, including minimum lot frontage and lot size. The proposed lot depth variances will not negatively impact the functionality of the parcels. Despite the reduced depth, the lots will have adequate building envelopes to construct new dwellings in accordance with the R1A zone, and will be consistent with other residential development in the neighbourhood.

A variance to facilitate subdivision of the subject property will allow a modest infill in an existing neighbourhood. The Neighbourhood designation within the Official Community Plan (OCP) supports a mix of low-density residential uses, including infill development of this nature. The proposed subdivision is consistent with Neighbourhood policies in the OCP, which support a residential density of 10 to 50 units per hectare (uph), approximately 1 to 8 units on a parcel of this size. The proposed two-lot subdivision would achieve a unit density of 12 uph if the existing home was converted into a duplex or two dwellings in the future. The proposed variance is not anticipated to negatively impact neighbouring properties.

Staff support the proposed variance.

SUMMARY POINTS

- Development Variance Permit No. DVP426 proposes a variance to reduce the minimum lot depth requirement for a proposed two-lot subdivision of the subject property.
- The proposed lot depth variance will facilitate a two-lot subdivision while retaining an existing single residential dwelling and maximizing the permitted density in the R1A zone.
- Despite the reduced lot depth, the proposed lots will meet all other requirements of the R1A zone and provide adequate building envelopes for the intended residential use.

ATTACHMENTS

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

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

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 7.4.1 Lot Size and Dimensions* – to reduce the minimum required lot depth from 30.0m to 27.8m for both proposed Lots A and B.

CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the Proposed Subdivision Plan, prepared by Turner & Associates Land Surveying Inc., dated 2021-JUL-21, as shown in Attachment D.

ATTACHMENT B CONTEXT MAP



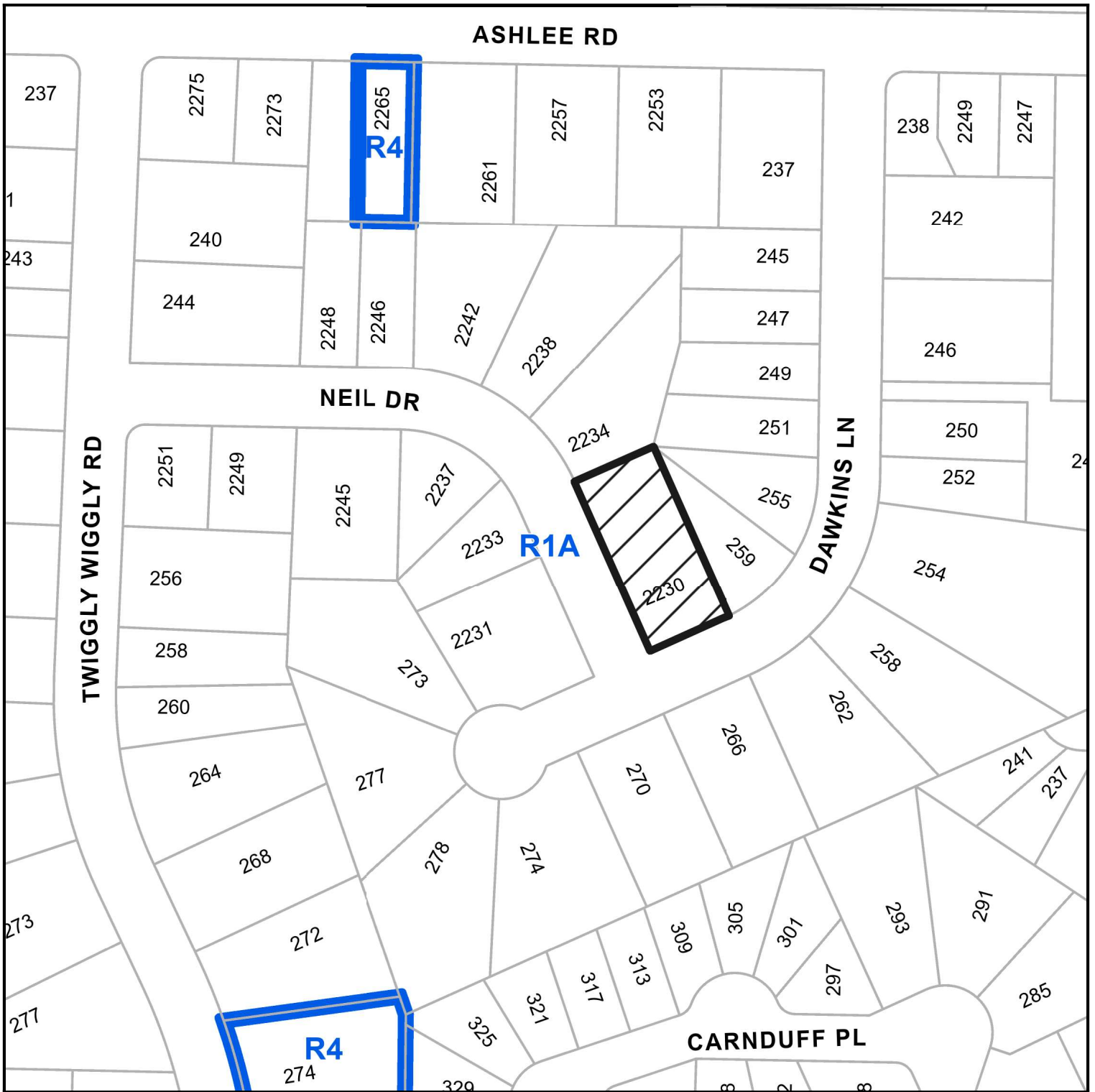
DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00426

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2230 NEIL DRIVE

**ATTACHMENT C
LOCATION PLAN**



DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00426

CIVIC: 2230 NEIL DRIVE



Subject Property

LEGAL: LOT 50, SECTION 11, 4ANGE 7, MOUNTAIN DISTRICT, PLAN 25416

ATTACHMENT D SITE SURVEY

- Legend**
- + 120.00 Denotes Spot Elevation
 - BB UP Denotes Utility Pole
 - T ANC Denotes Pole Anchor
 - ⊕ FH Denotes Fire Hydrant
 - WW Denotes Water Valve
 - @sSMH Denotes Sanitary Sewer Manhole
 - B WME Denotes Water Meter
 - * Denotes Culvert
 - Denotes Coniferous Tree
 - ⊙ Denotes Tree Trunk Diameter
 - - - - - Denotes fence/line
 - — — — — Denotes Centerline of Road



49
Plan 25146

B
Plan 48311

B
Plan

A
V.P. 5383

24
Plan 25146

Neil Drive

Dawkin's Lane



DISTANCES AND ELEVATIONS ARE IN METRES.
GEODETIC ELEVATIONS ARE DERIVED FROM CONTROL MONUMENT 77H6500 (GGV128BC DATUM).

NOTE:
THE REGISTERED TITLE OF THIS PROPERTY IS AFFECTED BY THE FOLLOWING LEGAL NOTATIONS AND REGISTERED CHARGES, LIENS AND INTERESTS A40466.
THIS SITE PLAN DOES NOT VERIFY COMPLIANCE WITH THE ABOVE NOTED DOCUMENTS.

**SITE PLAN SHOWING PROPOSED SUBDIVISION OF:
LOT 50, SECTION 11, RANGE 7,
MOUNTAIN DISTRICT, PLAN 25146**

a1,mtSUHKI SEKHON Chp - 2230 NEIL DRIVE
File: 21-081 Scale: 1:200 Drawn by: EEP Property Zoning: RSA

Certified correct this 21st day of July, 2021.

Brody Phillips
954A28

Digitally signed by Brody Phillips
854A28
Date: 2021.08.04 12:47:00 -07'00'
40 B.C.L.S.

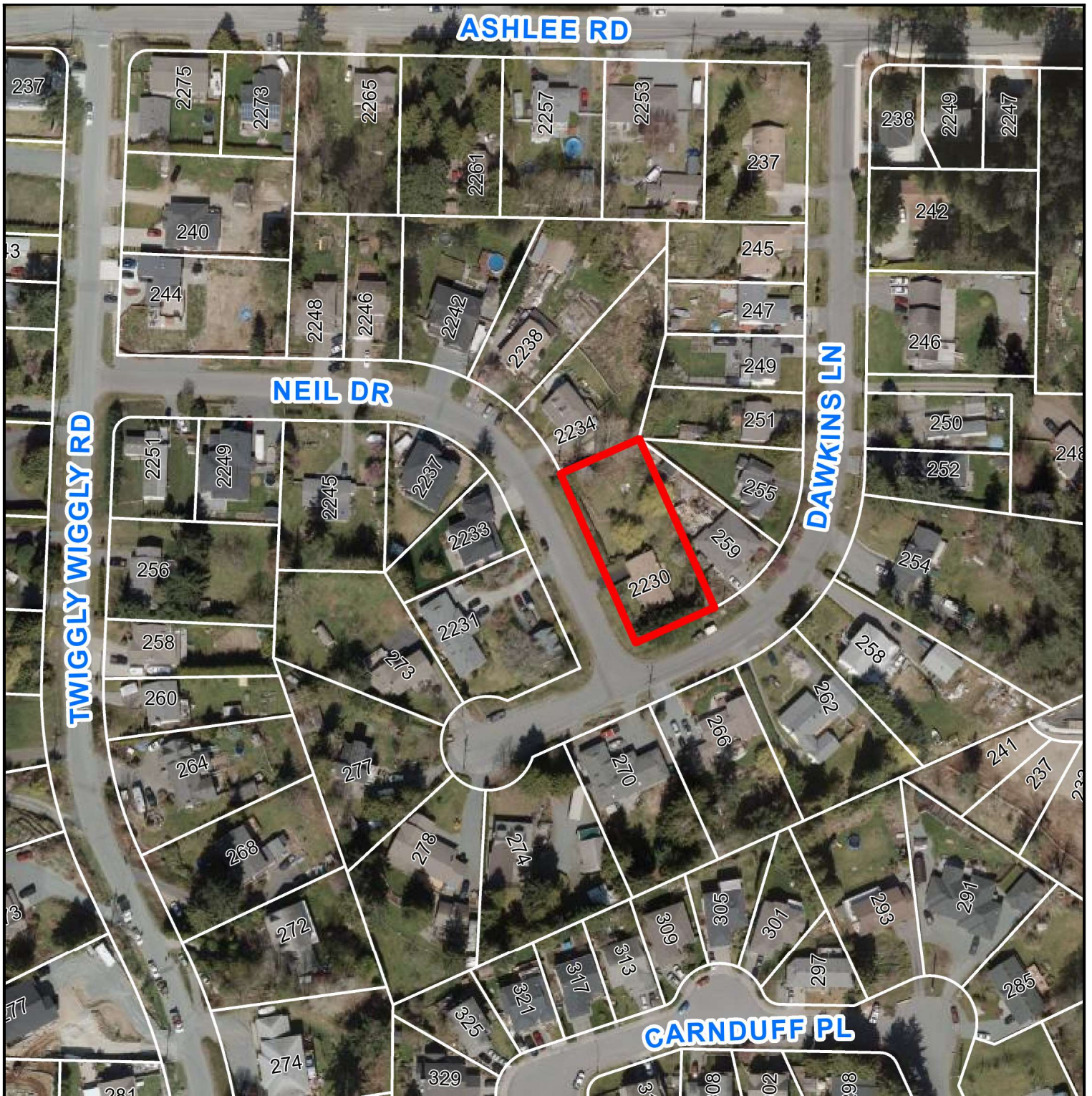
(This document is not valid unless originally signed and sealed.)

RECEIVED
AUG 19 2021
CITY OF NANAIMO
COMMUNITY DEVELOPMENT


THIS SITE PLAN SHOWS THE RELATIVE LOCATION OF THE EXISTING AND PROPOSED STRUCTURES/IMPROVEMENTS WITH RESPECT TO THE BOUNDARIES OF THE DESCRIBED PARCEL ONLY.
THIS SITE PLAN SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.
THE SIGNATORY ACCEPTS NO RESPONSIBILITY FOR AND HEREBY DISCLAIMS ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE SITE PLAN BEYOND ITS INTENDED USE.

Turner & Associates
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ATTACHMENT E
AERIAL PHOTO



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