

DATE OF MEETING March 7, 2022

AUTHORED BY MATTHEW REMPEL, PLANNING ASSISTANT, CURRENT PLANNING

SUBJECT **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP432 – 2384 MILL ROAD**

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 2384 Mill Road.

Recommendation

That Council issue Development Variance Permit No. DVP432 at 2384 Mill Road with a variance to reduce the minimum lot depth requirement from 30m to 26.43m for proposed Lot A; and, 29.44m for proposed Lot B.

BACKGROUND

A development variance permit application, DVP432, was received from Andre Ekkert, 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 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 at the intersection of Westberry Place and Mill Road.
<i>Total Lot Area</i>	1,834m ²
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use - Neighbourhood

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

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

DISCUSSION

Proposed Development

The applicant proposes to subdivide the subject property into two fee-simple lots while retaining the existing single residential dwelling on proposed Lot A, and will be required remove the detached garage to facilitate the subdivision. If approved, both of the proposed lots will exceed the minimum lot size (600m²) of the R1A zone; proposed Lot A will have an area of 836.5m² and proposed Lot B will be 772.3m². A development variance permit is required, however, to reduce the minimum lot depth requirement for the proposed lots and facilitate the subdivision to create one new lot.

Proposed Variance

Minimum Lot Depth Requirement

The minimum lot depth required in the R1A zone is 30m. As a condition of the future subdivision application, the applicant is required to provide road dedication along Mill Road ranging from 2.45m to 4.56m in width, which impacts the lot depths; therefore, the applicant is requesting to reduce the minimum lot depth requirement as follows:

Parcel	Proposed Lot Depth (m)	Required Lot Depth (m)	Variance (m)
Lot A	26.43	30.0	3.57
Lot B	29.44	30.0	0.56

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 intended residential use 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. The proposed variance is not anticipated to negatively impact neighbouring properties.

The proposed variance, if approved, would facilitate a low-density subdivision within an existing neighbourhood. The Neighbourhood designation in the Official Community Plan (OCP) supports 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). The proposed two-lot subdivision would achieve a unit density of 11 uph if a new dwelling is constructed on the proposed lot.

Staff support the proposed variance.

SUMMARY POINTS

- Development Variance Permit No. DVP432 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 creating one additional lot.
- Despite the reduced lot depth, the proposed lots will exceed 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: Proposed Subdivision Plan
ATTACHMENT E: Aerial Photo

Submitted by:
Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
Deputy CAO / General Manager,
Development Services

ATTACHMENT A PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

The “City of Nanaimo 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 26.43m for proposed Lot A; and, 29.44m for proposed Lot B;

CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the Proposed Subdivision Plan, prepared by Turner & Associates land surveying, dated 2022-FEB-23, as shown in Attachment D.

ATTACHMENT B CONTEXT MAP

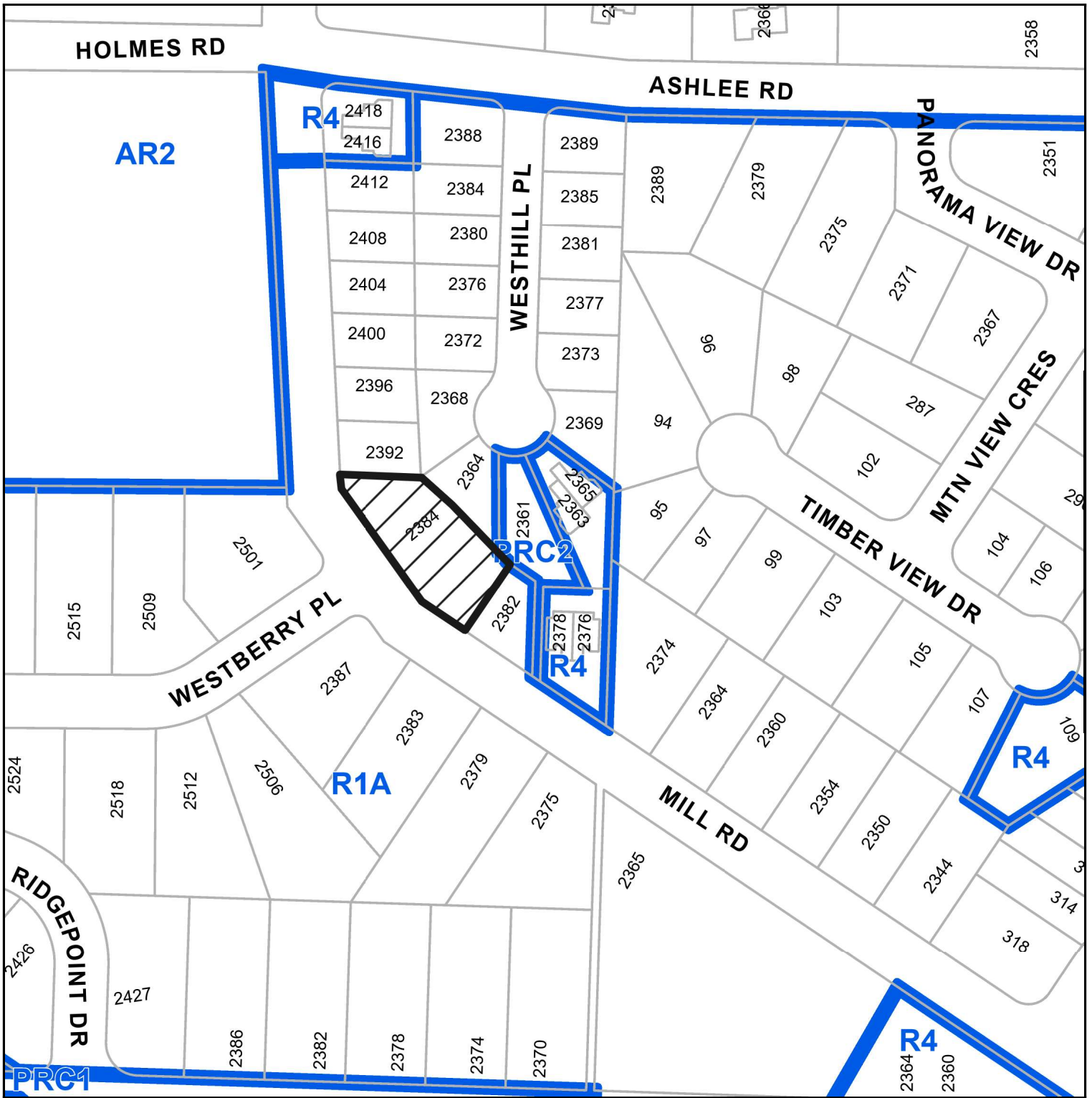


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2384 MILL ROAD

ATTACHMENT C LOCATION PLAN



DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00432



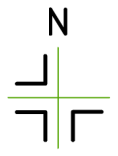
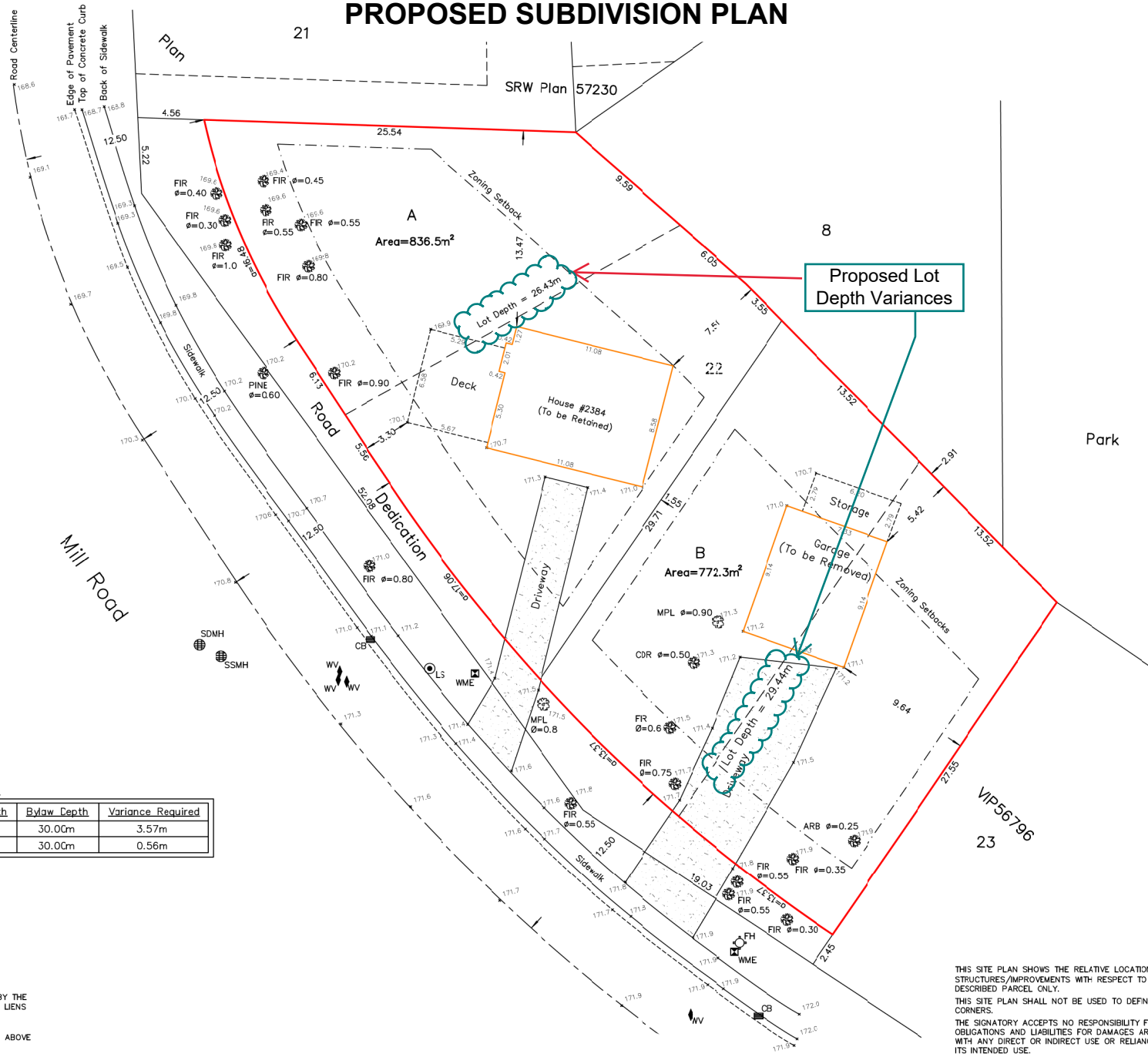
Subject Property

CIVIC: 2384 MILL ROAD

LEGAL: LOT 22, SECTION 11, RANGE 6, MOUNTAIN DISTRICT, PLAN VIP56796

ATTACHMENT D PROPOSED SUBDIVISION PLAN

- Legend**
- +11.8 Denotes Spot Elevation
 - ⊙ LS Denotes Lamp Standard
 - ◇ FH Denotes Fire Hydrant
 - ◆ WV Denotes Water Valve
 - CB Denotes Catch Basin
 - ⊕ SSMH Denotes Sanitary Sewer Manhole
 - ⊕ SDMH Denotes Storm Drain Manhole
 - ⊕ WME Denotes Water Meter
 - 🌲 Denotes Coniferous Tree
 - 🌳 Denotes Deciduous Tree
 - ⊘ Denotes Tree Trunk Diameter



Book of Reference — Proposed Subdivision

Lot	Area	Buildable Area	Lot Depth	Bylaw Depth	Variance Required
A	836.5m ²	421.0m ²	26.43m	30.00m	3.57m
B	772.3m ²	399.7m ²	29.44m	30.00m	0.56m



DISTANCES AND ELEVATIONS ARE IN METRES.
 GEODETIC ELEVATIONS ARE DERIVED FROM CONTROL MONUMENT 79H5533 (CGVD2011 DATUM).

NOTE:
 THE REGISTERED TITLE OF THIS PROPERTY IS AFFECTED BY THE FOLLOWING LEGAL NOTATIONS AND REGISTERED CHARGES, LIENS AND INTERESTS:
 NONE.
 THIS SITE PLAN DOES NOT VERIFY COMPLIANCE WITH THE ABOVE NOTED DOCUMENTS.

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.

SITE PLAN SHOWING PROPOSED SUBDIVISION OF:
 LOT 22, SECTION 11, RANGE 6,
 MOUNTAIN DISTRICT, PLAN VIP5796

Client: ANDRE EKKERT Civic Address: 2384 MLL ROAD
 File: 21-068-22 Scale: 1:200 Drawn by: BEP Property Zoning: R1A

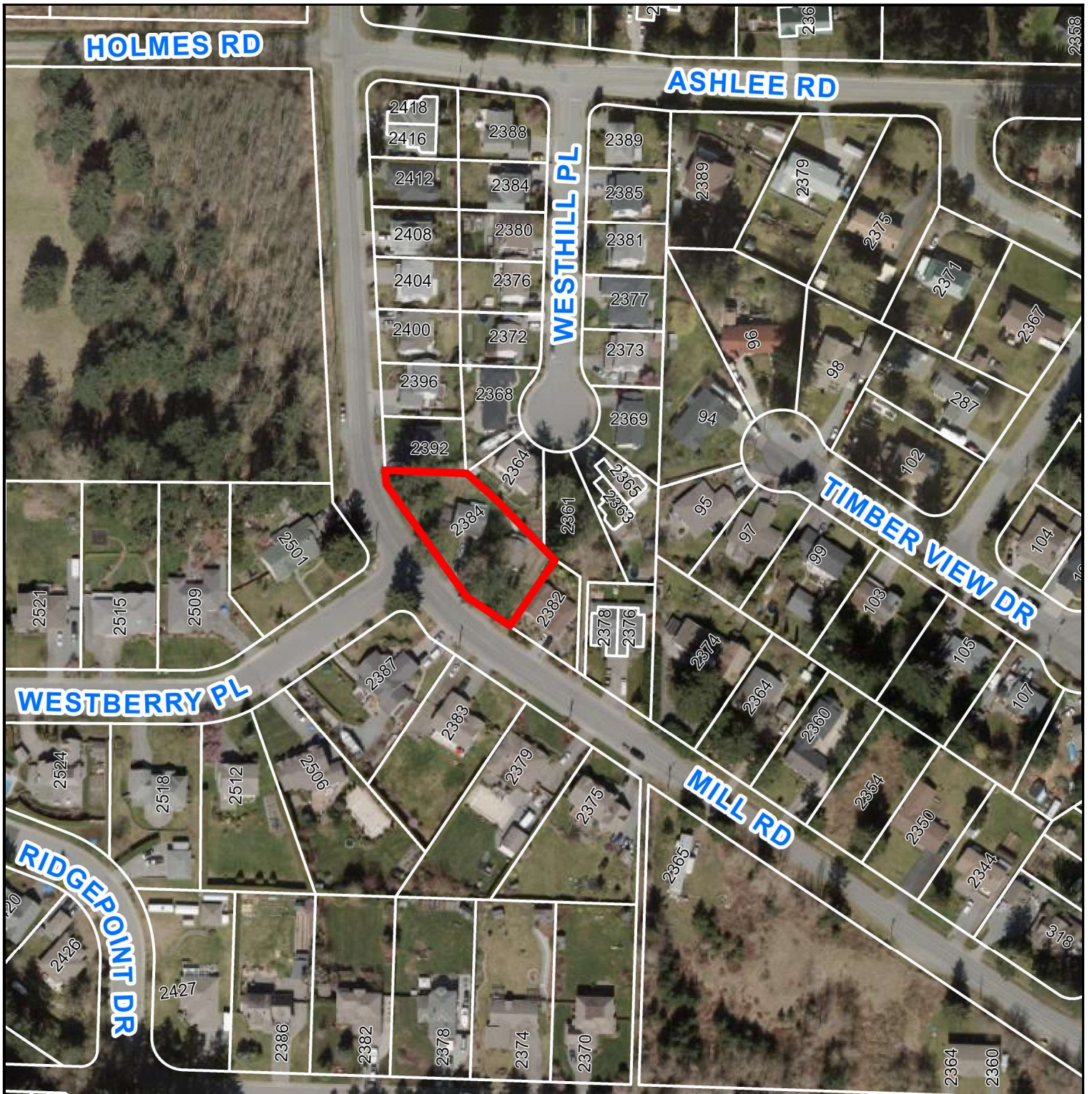
Certified correct this 23rd day of February, 2022.
 Digitally signed by Ryan Turner YNBXB2
 Date: 2022.02.23 11:56:05 -08'00'

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


RECEIVED
DVP432
 2022-FEB-23

Turner & Associates
 land surveying
 250.753.9778
 435 Terminal Avenue North
 Nanaimo, BC V9S 4J8
 www.turnersurveys.ca

ATTACHMENT E
AERIAL PHOTO



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 2384 MILL ROAD