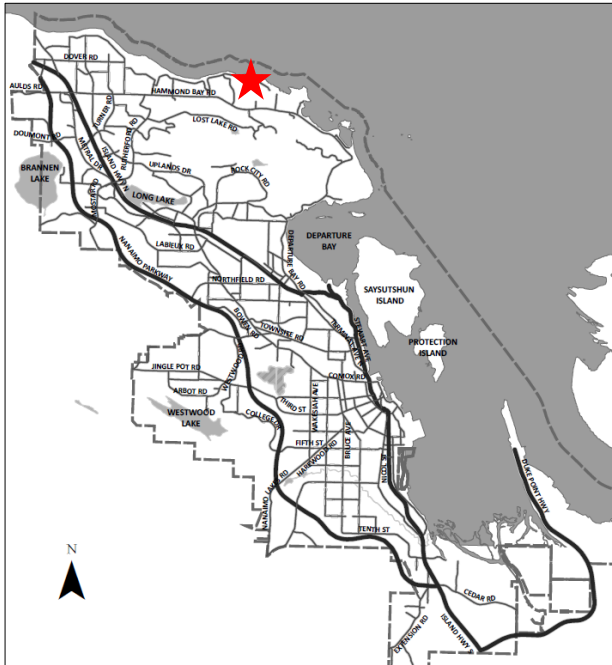


DATE OF MEETING | May 6, 2024 |

AUTHORED BY | KIRSTEN DAFOE, PLANNING ASSISTANT, CURRENT PLANNING |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP463 – 4978 FILLINGER CRESCENT**



Proposal:

Parking variance for an existing dwelling

Zoning:

R1 – Single Dwelling Residential

City Plan Land Use Designation:

Suburban Neighbourhood

Lot Area:

695m²



OVERVIEW

Purpose of Report

To present for Council's consideration a development variance permit application to reduce the parking requirement for an existing dwelling to allow a secondary suite at 4978 Fillinger Crescent.

Recommendation

That Council issue Development Variance Permit No. DVP463 to reduce the parking requirement at 4978 Fillinger Crescent as outlined in the "Proposed Variance" section of the Staff Report dated 2024-MAY-06.

BACKGROUND

A development variance permit application, DVP463, was received from Scott Piccott to vary the provisions of the "City of Nanaimo Off-Street Parking Bylaw 2018 No. 7266" to reduce the parking requirement for a single residential dwelling and secondary suite at 4978 Fillinger Crescent.

Subject Property and Site Context

The subject property is located on the north side of Fillinger Crescent, approximately 500m east of Entwistle Drive and has a steep slope down towards the ocean to the north. The surrounding neighbourhood is predominantly developed with single residential dwellings with individual driveways. Fillinger Waterfront Park 2 is located two properties to the west at 4986 Fillinger Crescent and several walkway connections to the waterfront are in the vicinity.

The existing dwelling was constructed in 1984 with its main floor significantly lower than the elevation of the street and is accessed by stairs, as shown in Attachment C. With no current off-street parking spaces, the property is nonconforming with respect to parking for a single residential dwelling.

A development permit (DP000940) was issued to the previous property owner for a proposal to construct an upper floor addition to the dwelling to contain a garage and driveway with structural support. The addition was not constructed, and the permit lapsed. The current owner is not proceeding with the addition due to high construction and engineering costs. Instead, the owner is requesting a variance to reduce the parking requirement in order to allow a secondary suite within the dwelling.

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

DISCUSSION

Proposed Development

The applicant proposes to convert the lower floor of the existing dwelling into a secondary suite. As the creation of a secondary suite within an existing single residential dwelling will increase the parking requirement by more than 20%, the parking supply must comply with the new parking

requirement of two spaces for the primary dwelling and one space for the secondary suite. The applicant is requesting a variance to reduce the parking requirement based on the existing site configuration to allow the proposed secondary suite.

Proposed Variance

Minimum Off-Street Parking Requirement

The minimum number of required off-street parking spaces for a single residential dwelling with a secondary suite is three spaces. The applicant proposes to reduce the parking requirement for the existing dwelling and proposed secondary suite from three to zero spaces, a requested variance of three spaces.

The applicant has provided the following rationale in support of the variance request:

- Structural and site alteration required to add parking is cost prohibitive.
- Construction of the required parking would necessitate the removal of two mature trees.
- Nearby on-street parking is available.
- Letters in support were signed by the applicant's immediate neighbours (on each side and across the street).

Staff support the proposed variance for the reasons identified by the applicant and note that the variance would support gentle infill that maintains existing neighbourhood character. A parking study is not required for the proposed variance; however, no negative impact is anticipated from this variance. Furthermore, as the proposed variance will only be for the existing dwelling and proposed secondary suite, any future redevelopment of the property will require the driveway access to be installed to be in compliance with the applicable parking requirements. |

SUMMARY POINTS

- Development Permit Application No. DVP463 proposes to reduce the parking requirement from three spaces to zero spaces for an existing single residential dwelling and proposed secondary suite at 4978 Fillinger Crescent.
- Staff support the proposed variance as nearby street parking is available, letters of support from neighbours were provided, and no negative impact is anticipated. |

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site Sections
ATTACHMENT D: Site Context Photos
ATTACHMENT E: Neighbour Letters |

Submitted by:

Lainya Rowett
Manager, Current Planning |

Concurrence by:

Jeremy Holm
Director, Planning & Development |

ATTACHMENT A

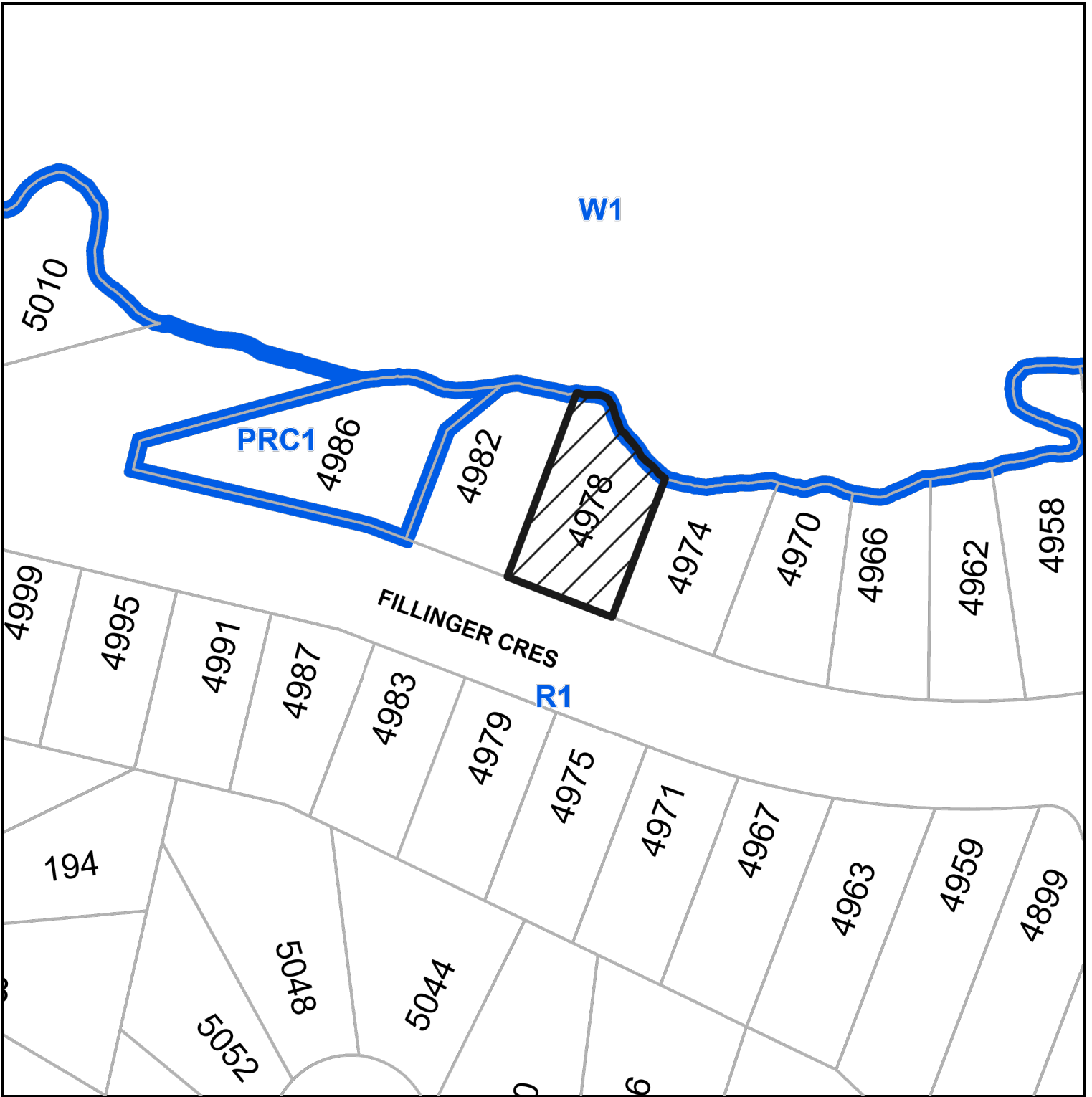
PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

The “City of Nanaimo Off-Street Parking Bylaw 2018 No. 7266” is varied as follows:

1. *Section 7.2 Minimum Required Number of Off-Street Parking Spaces* – to reduce the parking requirement for the existing dwelling and proposed secondary suite from 3 to 0 spaces.

ATTACHMENT B
SUBJECT PROPERTY MAP



 4978 Fillinger Crescent

ATTACHMENT C SITE SECTIONS

Client

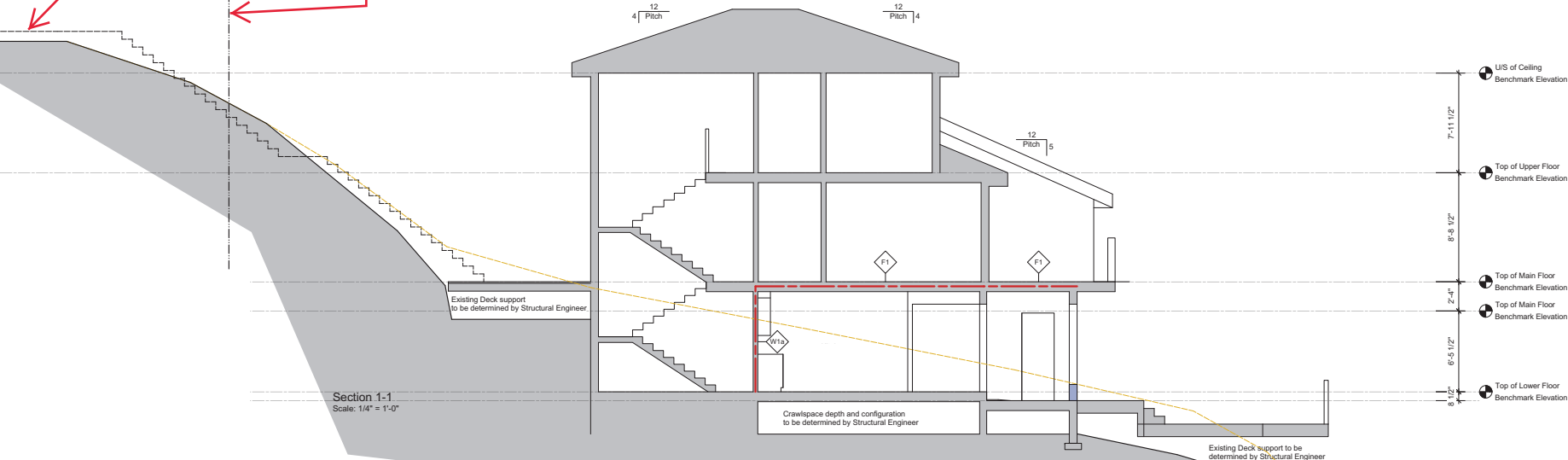
Scott Piccott

Date Revision/Issue

2023 12 14	As Built
2024 02 02	Building Permit
2024 03 08	Building Permit R1
	A-5 Reduced size of W2
	A3.1 Added toilet and sink

Fillinger Crescent

Front Property Line



- US of Ceiling Benchmark Elevation
- Top of Upper Floor Benchmark Elevation
- Top of Main Floor Benchmark Elevation
- Top of Main Floor Benchmark Elevation
- Top of Lower Floor Benchmark Elevation

M.A.
MIDDLETON ARCHITECT
553 Larch Street, Nanaimo B.C.
milton@architect.com
nanaimo@telus.net
250 713 7697

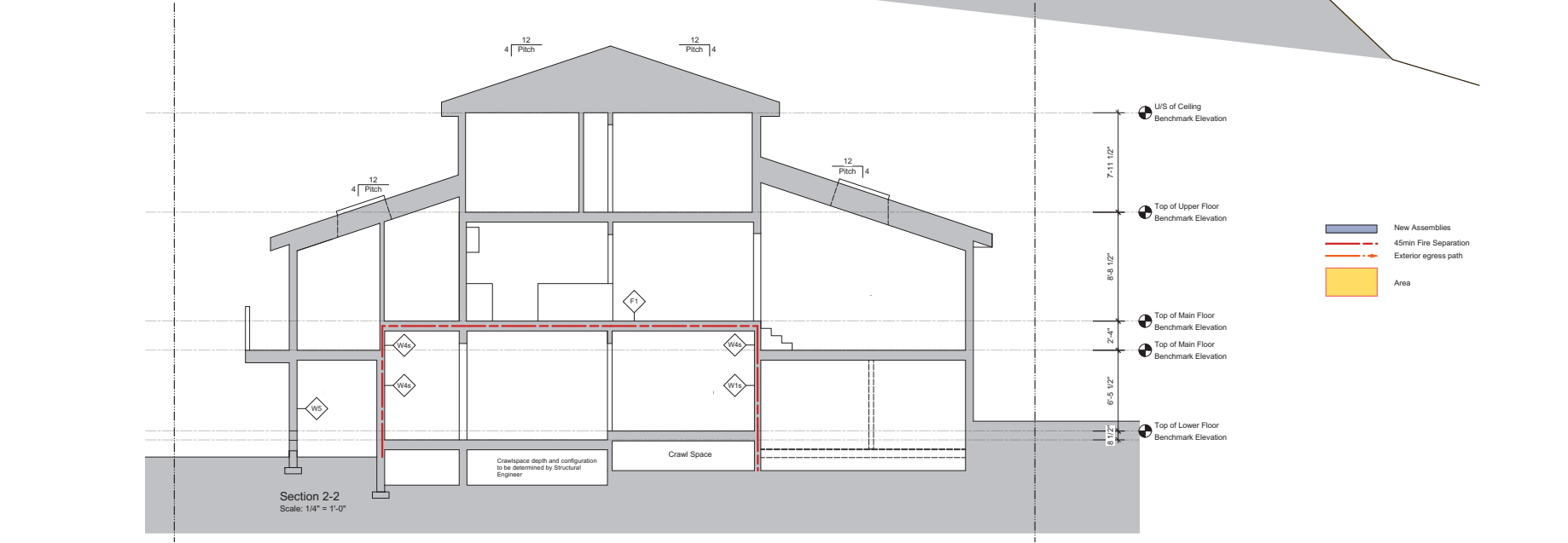
Seal

Project
Existing As Built
& Proposed Renovation
at
4978 Fillinger Crescent
Nanaimo BC

Sheet Title

Sections

Sheet Number



- US of Ceiling Benchmark Elevation
- Top of Upper Floor Benchmark Elevation
- Top of Main Floor Benchmark Elevation
- Top of Main Floor Benchmark Elevation
- Top of Lower Floor Benchmark Elevation

New Assemblies
 45min Fire Separation
 Exterior egress path
 Area

A7

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DVP463
2024-JAN-31
CURRENT PLANNING



View of Property From Fillinger Crescent





Neighbour Request

Greetings,

I hope this letter finds you well.

This is Scott Piccott your neighbour and owner of [REDACTED]. I am applying for a Variance in parking needed to have a secondary suite for my mother. My lot is zoned for it and the space meets the city requirements. My house lot does not have parking and due to the steep grade, house set back and retaining needed above the allowable bylaw its not feasible to add parking. Also parking pads parallel to the sidewalk on city property are not allowed. As such the city can approve a variance for parking down from 3 to 0 and this would allow for the suite. There is a lot of street parking available in front of my house as its a wide lot that can easily accommodate 3 vehicles.

The city asked me to check with my neighbours before proceeding with the application. The city will mail you a a formal notice after the application is made for your review/opinion.

Please feel free to call me if you wish [REDACTED].

Please fill out below and kindly place on my door step by or before this Thur. January 18th, 9pm so I may complete the application by the weeks end. My family and I appreciate it very much.

Yes, it's fine please checkmark.

Comment

Address [REDACTED]

Name Sylvia Babost

Date 16 January 2024

Signature [REDACTED]

Thank you kindly,
Scott

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DVP463
2024-JAN-31
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Neighbour Request

Greetings,

I hope this letter finds you well.

This is Scott Piccott your neighbour and owner of [REDACTED]. I am applying for a Variance in parking needed to have a secondary suite for my mother. My lot is zoned for it and the space meets the city requirements. My house lot does not have parking and due to the steep grade, house set back and retaining needed above the allowable bylaw its not feasible to add parking. Also parking pads parallel to the sidewalk on city property are not allowed. As such the city can approve a variance for parking down from 3 to 0 and this would allow for the suite. There is a lot of street parking available in front of my house as its a wide lot that can easily accommodate 3 vehicles.

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Please feel free to call me if you wish [REDACTED].

Please fill out below and kindly place on my door step by or before this Thur. January 18th, 9pm so I may complete the application by the weeks end. My family and I appreciate it very much.

Yes, it's fine please checkmark.

Comment AS LONG AS THE OWNER AND TENANT STAY
WITHIN THEIR HOME BOUNDARY LINES

Address [REDACTED]

Name DAVID BRUSEGARD

Date DEC 17/2024 [REDACTED]

Signature [REDACTED]

Thank you kindly,
Scott [REDACTED]

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DVP463
2024-JAN-31
Current Planning

Neighbour Request

Greetings,

I hope this letter finds you well.
This is Scott Piccott your neighbour and owner of [redacted]. I am applying for a Variance in parking needed to have a secondary suite for my mother. My lot is zoned for it and the space meets the city requirements. My house lot does not have parking and due to the steep grade, house set back and retaining needed above the allowable bylaw its not feasible to add parking. Also parking pads parallel to the sidewalk on city property are not allowed. As such the city can approve a variance for parking down from 3 to 0 and this would allow for the suite. There is a lot of street parking available in front of my house as its a wide lot that can easily accommodate 3 vehicles.

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Please feel free to call me if you wish [redacted].

Please fill out below and kindly place on my door step by or before this Thur. January 18th, 9pm so I may complete the application by the weeks end. My family and I appreciate it very much.

Yes, it's fine please checkmark.

Comment

Address [redacted]
Name B. Quiring
Date Jan. 18 / 2024
Signature [redacted]

Thank you kindly,
Scott

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DVP463
2024-JAN-31
Current Planning