

FOR: COUNCIL MEETING

MEETING DATE: July 20, 2026

DEPARTMENT: PLANNING AND DEVELOPMENT

SUBJECT: DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00494 – 3452
BLACKFOOT WAY



Proposal:

Variance to allow an open deck addition to an existing dwelling unit

Zoning:

R5 – Three and Four Unit Residential

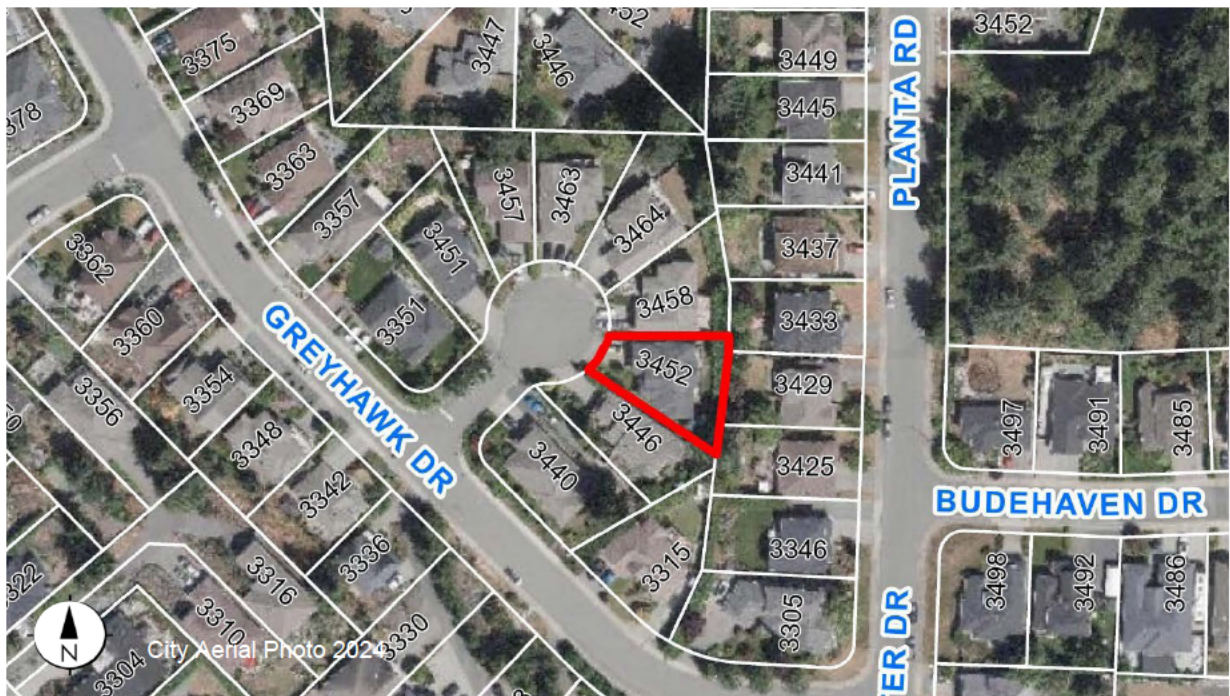
City Plan Land Use Designation:

Suburban Neighbourhood

Lot Area:

600m²

DVP



OVERVIEW**Purpose of Report**

To present for Council's consideration a development variance permit application to increase the maximum permitted projection into the rear yard setback for a proposed open deck addition at 3452 Blackfoot Way.

Recommendation

That Council issue Development Variance Permit No. DVP494 for a proposed open deck addition at 3452 Blackfoot Way with a variance as outlined in the "Proposed Variance" section of the Staff Report dated 2026-JUL-20.

BACKGROUND

A development permit application, DVP494, was received from Greenplan to increase the maximum permitted projection into the rear yard setback for a proposed open deck addition for the existing dwelling at 3452 Blackfoot Way.

Subject Property and Site Context

The subject property is located on a cul-de-sac off Greyhawk Drive within Linley Valley – Stephenson Point Neighbourhood. The property currently contains a single residential dwelling. The surrounding neighbourhood includes low-density single residential dwellings, as well as Stephenson Point beach access and lookout, and Planta Park.

DISCUSSION**Proposed Development**

The applicant is proposing a 15m² addition to the existing open deck located at the rear of the dwelling on the second storey.

Proposed Variance*Projection into Rear Yard*

The maximum permitted projection into the rear yard setback for an open deck is 2m. The proposed projection into the rear yard setback is 4.34m, a requested variance of 2.34m.

The applicant has requested the variance as the existing narrow (1.8m wide) and linear configuration of the deck limits its functionality and use as an outdoor amenity space.

While the proposed deck projects 4.34m into the required rear yard setback, the rear yard depth exceeds the minimum required 7.5m, maintaining separation from the neighbouring property.

The City of Nanaimo's *Consideration of Variances Policy* outlines considerations for evaluating Development Variance Permit applications such as land use justification, and potential aesthetic, functional, or environmental impacts. The applicant has provided the following rationale demonstrating how they can address these considerations:

- The enlargement of the open deck will improve the functionality and usability of the outdoor living space for the single residential dwelling.
- The proposal will not result in significant privacy, shadowing, or overlook impacts on neighbouring properties.
- The deck expansion is compatible with the surrounding residential context and will not alter neighbourhood character.

Staff support the proposed variance as it does not result in inappropriate development of the site. No negative impacts are anticipated on adjacent properties, and the letters of support were received from the immediate neighbouring properties at 3429 Planta Road and 3458 Blackfoot Way in support of the application. Additionally, the proposed deck addition is consistent with the character of the surrounding neighbourhood, does not require tree removal, and provides improved use of the outdoor amenity space.

COMMUNICATION AND COMMUNITY ENGAGEMENT

Pursuant to Section 499 of the *Local Government Act*, notification for the proposed Development Variance Permit No. DVP494 was mailed on 2026-JUL-09 to property owners/residents within 10m of the subject property. No written submissions were received prior to the time of writing the report. |

KEY MESSAGES

- Development Variance Permit Application No. DVP494 is to increase the maximum permitted projection into the rear yard setback for a proposed open deck addition at 3452 Blackfoot Way.
- No negative impacts are anticipated, and the letters of support were received from the immediate neighbouring properties in support of the application.
- Staff support the proposed variance. |

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site Plan
ATTACHMENT D: Floor Plan
ATTACHMENT E: Building Elevations |

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