

DATE OF MEETING | August 13, 2018 |

AUTHORED BY | TAMERA ROGERS, PLANNER, CURRENT PLANNING AND
SUBDIVISION |

**SUBJECT | DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP360 –
422 HOWARD AVENUE |**

OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit application to allow an over-height accessory building at 422 Howard Avenue. |

Recommendation

That Council issue Development Variance Permit No. DVP360 at 422 Howard Avenue with the following variance:

- increase the maximum accessory building height for a roof pitch less than 6:12 from 4.5m to 4.62m. |

BACKGROUND

A development variance permit application, DVP360, was received from Mr. Paul Jones to vary the provisions of City of Nanaimo "Zoning Bylaw 2011 No. 4500" to allow an over-height accessory building at 422 Howard Avenue.

The applicant obtained a building permit (BP124000) to construct a detached garage on the subject property. The garage was constructed according to the submitted plans, which complied with all Zoning Bylaw regulations. Due to the finished grade at the northwest corner of the building and the BC Building Code requirement for the concrete foundation to be located 0.2m above the finished grade, the garage was constructed 0.12m over height. Building occupancy cannot be received until the height conforms to the bylaw or a variance is granted.

Subject Property

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located at the corner of Renfrew Street and Howard Avenue.
<i>Total Area</i>	768m ²
<i>Official Community Plan</i>	Map 1 - Future Land Use - Neighbourhood

The subject property is relatively flat in a primarily single dwelling residential neighbourhood.

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

DISCUSSION

Proposed Development

The proposed development is a one-storey, 81m² accessory building with a 4:12 roof pitch to be used as a garage. The accessory building has already been constructed to the rear of the property and requires a height variance to allow building occupancy to be granted.

Proposed Variances

Maximum Accessory Building Height

The maximum accessory building height for a roof pitch less than 6:12 is 4.5m. The proposed accessory building height is 4.62m, a proposed variance of 0.12m.

The Zoning Bylaw allows accessory buildings with an 8:12 roof pitch or greater to be up to 5.5m in height, or if the accessory building is located within the principal building setbacks, up to 7m in height regardless of roof pitch. Because the owner has selected a 4:12 roof pitch to match the pitch of his house, he requires a height variance.

The proposed 4.62m accessory building height is not anticipated to negatively impact adjacent properties.

See Attachments for more information.

SUMMARY POINTS

- Development Variance Permit Application No. DVP360 proposes a variance to increase the maximum accessory building height to allow building occupancy to be granted for a recently-constructed accessory building.
- The requested height variance is not anticipated to negatively impact adjacent properties.

ATTACHMENTS

ATTACHMENT A: Permit Terms
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Survey
ATTACHMENT D: Building Section Illustrating Height Variance
ATTACHMENT E: Context Photo
ATTACHMENT F: Aerial Photo

Submitted by:

L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:

D. Lindsay
Director, Community Development