

DATE OF MEETING | December 17, 2018 |

AUTHORED BY | CALEB HORN, PLANNING ASSISTANT, CURRENT PLANNING |

**SUBJECT | DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP372 –  
124 TAIT ROAD |**

## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration, a development variance permit application to allow an over-height accessory building at 124 Tait Road. |

### **Recommendation**

That Council issue Development Variance Permit No. DVP372 at 124 Tait Road with the following variance:

- increase the maximum building height for an accessory building with a roof pitch less than 6:12 from 4.5m to 4.64m. |

## **BACKGROUND**

A development variance permit application, DVP372, was received from Richard Berlingette to vary provisions of City of Nanaimo "Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to allow an over-height accessory building at 124 Tait Road.

### **Subject Property**

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located on the north side of Tait Road, between Szasz Drive and Richardson Road.
<i>Total Area</i>	1,672m <sup>2</sup>
<i>Official Community Plan</i>	Map 1 - Future Land Use - Neighbourhood

The subject property is a sloping lot in a single-dwelling residential neighbourhood. The property contains an existing single residential dwelling.

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

## **DISCUSSION**

### *Proposed Development*

The accessory building is a one-storey 106m<sup>2</sup> detached garage with a roof pitch less than 6:12. The applicant was issued a building permit (BP123388) to construct the detached garage on the subject property in July 2017. As the garage was constructed, a revision was submitted to

adjust the truss design and incorporate a larger overhang above the entrance to the accessory building. The new truss design raised the peak of the accessory building 0.14m higher than the maximum permitted height. In order to pass the final building inspection, the structure must either conform to the Zoning Bylaw requirements or receive a variance.

## **Proposed Variance**

### *Maximum Accessory Building Height*

The maximum building height for an accessory building with a roof pitch less than 6:12 is 4.5m. The accessory building has a height of 4.64m, a proposed variance of 0.14m.

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. Due to the accessory building's roof pitch of less than 6:12 and its location within the rear yard, a height variance is required.

The proposed height variance is not anticipated to negatively impact neighbours. Staff have received letters stating no objection from the adjacent property owners at 115 Ranchview Drive and 114 Tait Road.

Staff support the proposed variance.

See Attachments for more information.

### **SUMMARY POINTS**

- Development Variance Permit Application No. DVP372 proposes a variance to increase the maximum building height for an accessory building with a roof pitch less than 6:12 from 4.5m to 4.64m.
- The requested height variance is not anticipated to negatively impact adjacent properties.
- Staff support the proposed variance.

### **ATTACHMENTS**

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

#### **Submitted by:**

L. Rowett  
Manager, Current Planning

#### **Concurrence by:**

D. Lindsay  
Director, Community Development