

DATE OF MEETING January 21, 2019

AUTHORED BY CALEB HORN, PLANNING ASSISTANT, CURRENT PLANNING

SUBJECT **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP371 – 5284 SHERBOURNE DRIVE**

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to reduce the minimum lot frontage requirement to facilitate a subdivision of the property located at 5284 Sherbourne Drive.

Recommendation

That Council issue Development Variance Permit No. DVP371 at 5284 Sherbourne Drive with the following variance:

- reduce the minimum lot frontage requirement from 15m to 10.16m for proposed Lot A.

BACKGROUND

A development variance permit application, DVP371, was received from Luke Kolk and Dawn Rempel to vary provisions of City of Nanaimo “Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to reduce the minimum lot frontage requirement from 15m to 10.16m for proposed Lot A. The property is zoned R1 – Single Dwelling Residential. This variance will allow the applicants to subdivide the existing property into two lots while retaining the existing single residential dwelling on the remainder lot.

Subject Property

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The property is located in a residential area on the east side of Sherbourne Drive between Godfrey Road and Dunster Road.
<i>Total Area</i>	1,405.5m ²
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Neighbourhood

The subject property is located in a neighbourhood composed primarily of single residential dwellings on a variety of lot sizes. Nearby properties include large R1 lots as well as R2 – Single Residential Dwelling Small Lots and R4 – Duplex lots. The subject property backs onto the E&N Rail Corridor.

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

DISCUSSION

Proposed Development

The applicants have applied to subdivide the subject property into two lots while retaining the existing single residential dwelling on the remainder lot. Proposed Lot A will be 469.4m² in area and the remainder lot will be 936.1m² in area.

The Zoning Bylaw will allow proposed Lot A to be less than the minimum requirement of 500m² in the R1 zone, as Section 7.4.5 of the Bylaw allows for lots in the R1 zone to be subdivided with minimum lot sizes reduced by up to 10%, provided the average lot size within the subdivision is equal to or greater than 500m². In this case, the average lot size of the two proposed lots will be 702.75m², and proposed Lot A will have a minimum lot size reduced by 6.12%. Lot A will have an average lot depth of 46.23m and the remainder lot will have an average lot depth of 46.09m, both exceeding the minimum lot depth of 30m.

Proposed Variance

The applicants have proposed to vary the minimum lot frontage requirement from 15m to 10.16m. This represents a lot frontage variance of 4.84m for proposed Lot A.

The requested variance will allow the applicants to retain a minimum side yard setback of 1.5m from the existing single residential dwelling while subdividing a new lot. Proposed Lot A will support a functional building envelope for a single residential dwelling. Had the subject property been located adjacent to a lane, the minimum lot frontage would be 10m. The new residential dwelling will have a minimum setback of 1.5m from the side lots lines, which is the same required setback for structures on the current subject property.

The OCP's Neighbourhood designation supports a mix of low-density residential uses, including infill development of this nature. A variance to facilitate subdivision of the subject property will allow a modest increase in density. The proposed subdivision is consistent with Neighbourhood policies within the OCP and the proposed variance is not anticipated to negatively impact neighbours. Staff support the proposed variance.

See Attachments for more information.

SUMMARY POINTS

- Development Variance Permit Application No. DVP371 proposes a variance to reduce the minimum lot frontage requirement from 15m to 10.16m for proposed Lot A.
- The proposed lot frontage variance will facilitate a two-lot subdivision while retaining an existing single residential dwelling.
- The proposed subdivision is consistent with Neighbourhood policies within the OCP and is not anticipated to negatively impact neighbours.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Location Plan
ATTACHMENT C: Proposed Subdivision Plan
ATTACHMENT D: Aerial Photo

Submitted by:

L. Rowett
Manager, Current Planning

Concurrence by:

D. Lindsay
Director, Community Development