

DATE OF MEETING February 25, 2019

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SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP374 – 60 BRYDEN STREET

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to vary lot coverage, setbacks, and parking requirements in order to replace a single residential dwelling with a new single residential dwelling on an existing undersized lot at 60 Bryden Street.

Recommendation

That Council issue Development Variance Permit No. DVP374 for 60 Bryden Street with the following variances:

- reduce the minimum front yard setback from 4.5m to 1.8m;
- reduce the minimum side yard setback (west side) from 1.5m to 0.91m;
- reduce the minimum rear yard setback from 7.5m to 6m;
- increase the maximum allowable lot coverage from 40% to 44%; and
- reduce the minimum of number of required off-street parking spaces from 2 to 0.

BACKGROUND

A development variance permit application, DVP374, was received from Peter and Sandra King to vary the provisions of City of Nanaimo “Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) and “Off-Street Parking and Regulations Bylaw 2018 No. 7266” (the “Parking Bylaw”) in order to construct a new single residential dwelling on the subject property.

Subject Property

<i>Zoning</i>	R8 – Medium Density Residential
<i>Location</i>	The subject property is located mid-block on the north side of Bryden Street, between Stewart Avenue and Newcastle Avenue.
<i>Total Area</i>	183m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use Designation – Corridor; Map 3 – Development Permit Area No. 9 – Commercial, Industrial, Institutional, Multiple Family and Mixed-Use Commercial/Residential development
<i>Newcastle + Brechin Neighbourhood Plan</i>	Map 1 – Neighbourhood Land Use – Mixed Use Corridor
<i>Relevant Design Guidelines</i>	General Development Permit Area Design Guidelines Newcastle + Brechin Residential Infill Urban Design Guidelines

The subject property is an existing undersized lot located within the Newcastle Neighbourhood on Bryden Street between Stewart Avenue and Newcastle Avenue. The lot is bordered by a single residential dwelling to the west (210 Stewart Avenue) and a vacant residentially-zoned lot at 215 Newcastle Avenue, to the east. The property at 215 Newcastle Avenue previously included a heritage home (the Woodward/Harrison residence), which was demolished in 2015 following a fire. A multiple-family apartment building is located on the opposite side of Bryden Street. The subject property is less than 70m from the Harbourfront Walkway.

An existing single-storey single residential dwelling is located on the subject property, which the applicants plan to remove and replace with a new single residential dwelling. The existing dwelling is non-conforming with respect to lot coverage and all yard setbacks. No parking is currently available onsite for the existing home.

Statutory Notification has taken place prior to Council's consideration of the variances.

DISCUSSION

Proposed Development

The applicant plans to demolish the existing dwelling and replace it with a new two-and-a-half storey single residential dwelling. The gross floor area of the proposed house is 229m².

The subject property is located within the Medium Density Residential (R8) Zone, which permits single residential dwelling use; however, as the applicant is proposing to construct a single residential dwelling, the setback and height requirements within the Single Dwelling Residential (R1) Zone apply.

The existing 183m² lot was subdivided from the property located at 210 Stewart Avenue in 1912 and is non-conforming in size. The lot is approximately one-tenth of the required lot size within the R8 Zone (1,800m²) and one-third the size of the minimum lot area requirement (500m²) within the R1 Zone. The property is also smaller than the City's current required minimum lot area (325m²) within a Small Lot (R2) Zone. The required setbacks, if applied, would significantly restrict the building envelope. Variances are requested in order to allow the applicants to construct a new single residential dwelling within a more functional building envelope.

While a form and character design review is not required for a single residential dwelling, the applicant's architect followed the Residential Infill Urban Design Guidelines included within Newcastle + Brechin Neighbourhood Plan. Building elements include generous glazing on the front façade, a covered entryway, and vertical and horizontal front cladding to add visual interest. The upper storey is set back from the lower storeys in order to complement the existing streetscape and reduce the massing of the building. No height variance is requested.

Proposed Variances

Minimum Front Yard Setback

The minimum front yard setback for a single residential dwelling within the R8 Zone is 4.5m. The proposed setback is 1.8m, a proposed variance of 2.7m.

The existing single residential dwelling was constructed very close to the front lot line (less than 1m). The proposed new construction, while requiring a variance, will be set back further from the front property line than the existing dwelling.

A grass boulevard (approximately 9m) exists between the edge of the paved road and the front property line of the subject property. Given the large boulevard space, the proposed dwelling will be set back more than 10m from the street, providing adequate separation from the road.

Minimum Side Yard Setback

The minimum side yard setback for a single residential dwelling within the R8 Zone is 1.5m. The proposed setback is 0.91m from the west property line, a proposed variance of 0.59m.

The subject property has a lot frontage of 9.14m. Given the small size of the property and limited lot frontage, a setback variance is requested on the west side of the lot (abutting 210 Stewart Avenue). A 3m side yard easement exists along the side yard of 210 Stewart Avenue, adjacent to the subject property. Provided the easement remains on title, the proposed dwelling will be nearly 4m from any existing or future building within 210 Stewart Avenue.

Minimum Rear Yard Setback

The minimum rear yard setback for a single residential dwelling within the R8 Zone is 7.5m. The proposed setback is 6m, a proposed variance of 1.5m.

The subject property has a lot depth of 20.12m. Given the small size of the property and limited lot depth, a rear yard variance setback is proposed. The applicants have chosen to request a larger front yard variance and a minimal rear yard setback variance in order to:

- maintain a view corridor within the rear yard for the properties at 210 and 220 Stewart Avenue;
- provide a larger separation between the proposed dwelling and the side yard within 220 Stewart Avenue; and
- preserve a useable yard space for the subject property occupants.

The proposed 6m rear yard setback is the same as that required within the R2 - Small Lot Zone. The zoning requirements within the R2 Zone better align with the subject property's size and dimensions.

Lot Coverage

The maximum allowable lot coverage within the R8 Zone is 40%. The proposed lot coverage is 44%, a variance of 4%.

Given the small size of the subject property, a 4% lot coverage variance is requested. The existing dwelling (to be removed) on the property covers approximately 60% of the property. The proposed dwelling will be in greater conformance with the Zoning Bylaw. The smaller building footprint allows for more yard space and greater separation from neighbouring lot lines.

Off-Street Parking

The Parking Bylaw requires two parking spaces for single residential properties. The proposed parking provided is zero spaces. This represents a variance of 2 parking spaces.

Given the limited lot frontage, the applicants are requesting the parking requirement be reduced to zero in order to avoid a visual and functional impact created by a large garage entrance and driveway in front of the house. The applicants have worked with their architect to create a pedestrian-scale home to complement the historic streetscape within the Newcastle area. Parking is currently not provided onsite for the existing dwelling unit.

The applicants have advised Staff they intend to own a single vehicle that they plan to park on the boulevard of Bryden Street. Transportation Engineering Staff have reviewed the applicant's proposal and have advised that the demand for on-street parking in this location is low and there is adequate space on the street for additional parking.

The subject property is located within the 600m radius of the Downtown Mobility Hub in the Nanaimo Transportation Master Plan. The site is well serviced by transit, and the Stewart Avenue bikeway and Harbourfront walkway are located in close proximity to the site to support alternative modes of transportation.

Given the unique property size and proposed design solutions, Staff support the proposed variances.

See Attachments for more information.

SUMMARY POINTS

- Development Variance Permit Application No. DVP374 proposes variances to the front, side and rear yard setbacks, lot coverage and off-street parking requirements.
- The proposed variances would allow a more functional building envelope on an existing undersized lot.
- Bryden Street includes a large boulevard area that separates the building from the road and can accommodate on-street parking.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Survey - Existing Dwelling
ATTACHMENT D: Site Survey - Proposed Dwelling
ATTACHMENT E: Building Renderings
ATTACHMENT F: Building Elevations
ATTACHMENT G: Aerial Photo
ATTACHMENT H: Referral Response |

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