

DATE OF MEETING April 27, 2020

AUTHORED BY SADIE ROBINSON, PLANNING ASSISTANT, CURRENT PLANNING

SUBJECT **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP400 –
2665 LYNBURN CRESCENT**

OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit application to reduce the minimum required setback for a proposed addition to an existing single residential dwelling at 2665 Lynburn Crescent.

Recommendation

That Council issue Development Variance Permit No. DVP400 at 2665 Lynburn Crescent with the following variance:

- to reduce the minimum required setback for carport entrance ways facing a street from 6m to 4.46m.

BACKGROUND

A development variance permit application, DVP400, was received from Christopher Redden to vary the provisions of "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to reduce the minimum required setback for carport entranceways facing a street from 6m to 4.46m to permit an expansion of an existing deck and carport of a single residential dwelling at 2665 Lynburn Crescent.

Subject Property and Site Context

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| <i>Zoning</i> | R1 – Single Dwelling Residential |
| <i>Location</i> | The subject property is located approximately 60m east of the Nanaimo Golf Club property, and southeast of the intersection of Lynburn Crescent and Cosgrove Crescent. |
| <i>Total Lot Area</i> | 951m ² |
| <i>Official Community Plan (OCP)</i> | Map 1 – Future Land Use – Neighbourhood Departure Bay Neighbourhood Plan - Neighbourhood |

The subject property is a corner lot with a single residential dwelling. The surrounding neighbourhood is primarily characterized by single residential dwellings and some townhomes. In addition, beyond a single row of homes, the land uphill from the subject property is the Nanaimo Golf Club.

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

DISCUSSION

Proposed Development

The property owner proposes to construct a 3.66m deep (29.7m²) extension to an existing deck and carport below to improve their outdoor living space, sun exposure, and view opportunities. The back side of the dwelling has limited opportunity for expansion. The proposed deck extension will result in a reduced setback to the carport entranceway from Lynburn Crescent. A variance is required to allow the extension of the proposed deck.

Proposed Variances

Minimum Setback for Garage / Carport Entranceway

The Zoning Bylaw requires all garage doors and carport entranceways on single residential dwellings or duplexes facing a street must be set back at least 6m. The proposed setback for the carport entranceway is 4.46m; a proposed variance of 1.54m. The intent of the 6m garage and carport entranceway setback is to ensure vehicles have room to park on private property without going onto the sidewalk. Since the carport has no garage door and will remain open, vehicles will be able to fit within driveway, and the intent of the bylaw can be achieved.

The owner explored other opportunities on site to expand their outdoor living space and advised this is the most feasible location. The requested variance will permit the extension of the existing deck and carport. Lynburn Crescent is the flanking side yard, which requires a 4m setback. The proposal meets this setback requirement.

Staff support the proposed variance.

SUMMARY POINTS

- Development Variance Permit Application No. DVP400 proposes a variance to reduce the minimum required setback for carport entranceways facing a street from 6m to 4.46m.
- The proposed addition would provide an extension to the outdoor living space and would not encroach into the flanking side yard setback.
- Staff support the proposed variance.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Plan
ATTACHMENT D: Aerial Photo |

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services