

DATE OF MEETING | December 21, 2020 |

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**SUBJECT | DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP406 – 164 HOLLAND ROAD |**

## **OVERVIEW**

### **Purpose of Report**

To present for Council’s consideration, a development variance permit application to increase the maximum allowable gross floor area and maximum allowable building height for a proposed accessory building at 164 Holland Road. |

### **Recommendation**

That Council issue Development Variance Permit No. DVP406 at 164 Holland Road with the following variances:

- increase the maximum allowable gross floor area for all accessory buildings from 90m<sup>2</sup> to 243m<sup>2</sup>; and
- increase the maximum allowable height for a proposed accessory building from 7m to 7.85m. |

## **BACKGROUND**

A development variance permit application, DVP406, was received from Craig Jones to vary the provisions of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to increase the maximum allowable gross floor area and the maximum allowable building height for a proposed accessory building to be located within the subject property at 164 Holland Road.

### **Subject Property and Site Context:**

<i>Zoning</i>	AR2 – Urban Reserve
<i>Location</i>	The subject property is located on Holland Road between Jingle Pot Road and East Wellington Road.
<i>Total Area</i>	8,549m <sup>2</sup>
<i>Official Community Plan</i>	Map 1 – Future Land Use – Urban Reserve

The subject property is a large residential lot with an existing house that is located in an area characterized by rural single family homes, some with agricultural uses. The owners have an active building permit for an addition to the existing dwelling.

Statutory notification has taken place prior to Council’s consideration of the proposed variances.

## **DISCUSSION**

### **Proposed Development**

The proposed development is a 243m<sup>2</sup> accessory building containing a garage, shop and storage, located on a lot with an existing house. The accessory building is proposed to be sited within the northwest corner of the lot, adjacent to the panhandle of a neighbouring residential lot. The accessory building is intended to be used for storage, including large equipment, tools, and vehicles for yard maintenance and recreation.

In order to maintain the character of the property, the property owners have opted to finish the proposed accessory building with the same 6:12 roof pitch and materials used on the principle dwelling, such as Hardie planks and cedar shingles, on the gables. There are a number of mature trees on the property frontage that should partially screen the accessory building, given its proposed siting.

### **Proposed Variances**

#### *Accessory Building Floor Area*

The maximum allowable gross floor area (GFA) for an accessory building is 90m<sup>2</sup>. The proposed GFA is 243m<sup>2</sup>; a proposed variance of 153m<sup>2</sup>.

The proposed accessory building is located in the northwest corner of the lot. The accessory building is proposed to be set back 10.2m from the north property line (the panhandle), which exceeds the minimum required setback of 1.5m. The nearest house on a neighbouring property is approximately 52m to the south of the proposed structure. The area for the proposed oversized accessory building is already mostly cleared, and minimal tree removal will be required to accommodate the proposed accessory building.

Despite the increase in GFA, the building would still be ancillary in size to the existing principal dwelling (317.8m<sup>2</sup>). Additionally, the building complies with zoning requirements for lot coverage and setbacks. The Zoning Bylaw allows 13% of the lot size (1,111m<sup>2</sup>) or 90m<sup>2</sup> of Gross Floor Area for all accessory structures, whichever is lesser. In this case, the proposed 243m<sup>2</sup> building represents 2.8% of the total lot area. No other accessory structures are proposed or existing on the lot. The applicant is clustering the GFA within a single building rather than having multiple outbuildings on the site, allowing for a more functional yard area.

#### *Accessory Building Height*

Accessory buildings located within the permitted setbacks of a principal building are permitted a maximum height of 7m, regardless of the roof pitch. The proposed accessory building height is 7.85m; a proposed variance of 0.85m.

A variance to the maximum allowable accessory building height is proposed to achieve a building height that will accommodate the storage of larger items, such as the owner's recreational vehicle, and will accommodate storage in an upper loft.

The accessory building will be well separated from neighbouring residences and no negative impacts are anticipated.

Staff support the proposed variances.

### **SUMMARY POINTS**

- Development Variance Permit No. DVP406 proposes a variance to increase the maximum allowable gross floor area, and the maximum allowable height for an accessory building on an AR2-zoned lot.
- The new accessory building meets all lot coverage and setback requirements.
- No negative impacts on neighbouring properties are anticipated.

### **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Context Map  
ATTACHMENT C: Location Plan  
ATTACHMENT D: Survey Plan  
ATTACHMENT E: Accessory Building Elevations  
ATTACHMENT F: Aerial Photo

#### **Submitted by:**

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#### **Concurrence by:**

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