

DATE OF MEETING | May 17, 2021 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP416 – 701 & 702 FERN RIDGE PLACE, 1031-1047 HAREWOOD MINES ROAD, 1018-1046 PALOMINO PLACE, AND 703 & 729 TRAILSIDE ROAD** |

OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit application to increase the maximum permitted building height and reduce the minimum rear yard setback for recently created properties on Fern Ridge Place, Harewood Mines Road, Palomino Place, and Trailside Road (parent parcel formerly addressed at 1045 Harewood Mines Road). |

Recommendation

That Council issue Development Variance Permit No. DVP416 with variances to:

- increase the maximum permitted building height from 9.0m to 10.4m on Lots 1-6 and Lots 12-19; and
- reduce the minimum rear yard setback from 7.5m to 3.0m on Lots 6, 11, 20, and 30. |

BACKGROUND

A development variance permit, DVP416, was received from Williamson & Associates on behalf of Rega Properties Ltd. to vary the provisions of "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") in order to increase the permitted building height and reduce the rear yard setback requirement for 17 recently created properties. The parent parcel at 1045 Harewood Mines Road was subdivided into 30 lots in 2020 (SUB01279). The proposed variances will facilitate the development of single residential and attached two-unit dwellings on the lots.

Subject Property and Site Context

<i>Zoning</i>	R10 – Steep Slope Residential
<i>Location</i>	Lots 1-6 are located on the east side of Harewood Mines Road, south of Trailside Road; Lots 12-19 are located on the east side of Palomino Place; and Lots 11, 30, and 30 are located on the west side of Palomino Place.
<i>Total Lot Area</i>	Lots ranging in size from 600m ² to 824.9m ² .
<i>Official Community Plan Future Land Use Designation</i>	Neighbourhood
<i>Neighbourhood Plan Land Use Designation</i>	n/a

The properties are located off of Harewood Mines Road, just south of the Nanaimo Parkway. The lots are generally sloping downhill from west to east. Lots 12-19 back onto Harewood Creek and its associated wetland. None of the recently created lots are occupied.

Outside of the 30-lot subdivision, surrounding land uses include large single residential dwelling lots to the south, Nanaimo Lakes Road Park across Harewood Mines Road to the west, undeveloped lands along Lotus Pinnatus Way to the north, and Lotus Pinnatus Park to the east.

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

DISCUSSION

Proposed Development

The recently completed subdivision has created a low-density neighbourhood in the R10 zone. Most lots will accommodate a single residential dwelling, while Lots 6, 11, 20, 24-26, and 30 will allow two dwelling units.

Proposed Variances

The table below describes the 17 lots where variances are sought.

Lot Number	Civic Address	Lot Area	Variance Request
Lot 1	1047 Harewood Mines Road	600.0m ²	Building Height
Lot 2	1043 Harewood Mines Road	600.0m ²	Building Height
Lot 3	1039 Harewood Mines Road	600.0m ²	Building Height
Lot 4	1035 Harewood Mines Road	600.0m ²	Building Height
Lot 5	1031 Harewood Mines Road	600.0m ²	Building Height
Lot 6	729 Trailside Road	682.5m ²	Building Height; Rear Yard Setback
Lot 11	705 Trailside Road	682.5m ²	Rear Yard Setback
Lot 12	1018 Palomino Place	653.3m ²	Building Height
Lot 13	1022 Palomino Place	640.5m ²	Building Height
Lot 14	1026 Palomino Place	617.3m ²	Building Height
Lot 15	1030 Palomino Place	623.6m ²	Building Height
Lot 16	1034 Palomino Place	644.8m ²	Building Height
Lot 17	1038 Palomino Place	824.9m ²	Building Height
Lot 18	1042 Palomino Place	763.2m ²	Building Height
Lot 19	1046 Palomino Place	642.6m ²	Building Height
Lot 20	701 Fern Ridge Place	692.4m ²	Rear Yard Setback
Lot 30	702 Fern Ridge Place	677.1m ²	Rear Yard Setback

No variances are requested for the remaining 13 lots.

Maximum Building Height

The maximum permitted height for a building with a sloped roof (equal to or greater than a 4:12 roof pitch) in the R10 zone is 9.0m. The applicant is proposing a maximum building height of 10.4m on Lots 1-6 and Lots 12-19; a requested height variance of 1.4m on each lot.

In residential subdivisions, building height is measured from the final lot grading plan. In the case of this subdivision, the final lot grading was left close to its natural grade. In order to construct homes on 14 of the steeper lots, fill will be required to establish a finished grade at the same height as the adjacent streets (see “Attachment F”). On these lots, only one storey will appear above grade facing the street, and the houses will present a two-storey elevation to the rear. If the buildings were measured from average finished grade, the building height would be calculated as 9.0m.

No negative impacts are anticipated, and the proposed houses reflect the character of a typical single residential dwelling neighbourhood.

Minimum Rear Yard Setback

The minimum rear yard setback in the R10 zone is 7.5m. The applicant is proposing a rear yard setback of 3.0m on Lots 6, 11, 20, and 30; a requested setback variance of 4.5m on each lot.

The four lots where the rear yard setback variance is requested are all corner lots and are eligible for two residential dwelling units. On each of these lots, the two dwelling units are proposed in attached (duplex) form to fit the site, and both units will face their front door and driveway towards a different street. The rear yard setback variance is requested to accommodate the additional dwelling unit on these lots and allow the garage locations to align with the existing on-street driveway letdowns.

With the additional dwelling unit, the rear yards will appear as side yards when viewed from the flanking streets, as they will abut a neighbouring side yard. The side yard setback on adjacent lots will be 1.5m. Functional yard space will be provided for each dwelling unit, and no negative impacts are anticipated.

Staff support the proposed variances.

SUMMARY POINTS

- Development Variance Permit No. DVP416 proposes variances to increase the maximum permitted building height from 9.0m to 10.4m on Lots 1-6 and Lots 12-19; and to reduce the minimum rear yard setback from 7.5m to 3.0m on Lots 6, 11, 20, and 30.
- The proposed variances will facilitate the development of single residential and attached two-unit dwellings on the lots.
- Staff support the proposed variances.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Proposed Site Plans
ATTACHMENT E: Conceptual Building Elevations
ATTACHMENT F: Site Section
ATTACHMENT G: Aerial Photo |

Submitted by:

Lainya Rowett
Manager, Current Planning |

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services|