

DATE OF MEETING July 26, 2021

AUTHORED BY SADIE ROBINSON, PLANNING ASSISTANT, CURRENT PLANNING

SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP420 – 4176 WELLESLEY AVENUE

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to reduce the minimum required front yard setback to allow a proposed dwelling on proposed Lot C.

Recommendation

That Council issue Development Variance Permit No. DVP420 for proposed Lot C (Lot 1, Block 7, Section 5, Wellington District, Plan 318 and Lot 5, Section 5, Wellington District, Plan EPP82222, to be consolidated) with the following variance:

- To reduce the minimum required front yard setback from 4.5m to 2m for a proposed dwelling.

BACKGROUND

A development variance permit application, DVP420, was received from Michael McKillican to vary the provisions of “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to reduce the minimum required front yard setback from 4.5m to 2m to construct a single residential dwelling on proposed Lot C. The property owner owns 4176 Wellesley, which consists of two legal parcels, with an existing dwelling on the easterly lot, and the westerly lot (Lot 1) largely vacant. The subject site (proposed Lot C) is made up of Lot 1 and Lot 5, a portion of 4176A Wellesley Avenue that was a part of the former Loudon Walkway currently in the disposition process for Council’s consideration on the same agenda this evening. The applicant is purchasing Lot 5 to consolidate with existing Lot 1 to create a buildable site on proposed Lot C.

There are some existing structures within 4176 Wellesley Avenue that encroach onto the subject site and will be removed to ensure compliance with the required side yard setbacks. The applicant also proposes to remove the existing driveway for 4176 Wellesley Avenue from the proposed Lot C, to be relocated outside of the watercourse setback. The subject site is located adjacent to Long Lake in an area characterized by single family homes.

Subject Property and Site Context

<i>Zoning</i>	R1 – Single Residential Dwelling
<i>Location</i>	The subject site is located between Wellesley Avenue and the Loudon Walkway, adjacent to Long Lake.
<i>Total Area</i>	323.3m ² (proposed)
<i>Official Community Plan</i>	Map 1 – Future Land Use – Neighbourhood

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

DISCUSSION

Proposed Development

The applicant proposes to construct a single storey, 81.9m² (882ft²) single family dwelling with a green roof on proposed Lot C with parking located on the west side of the proposed dwelling.

Proposed Variance

Minimum Required Front Yard Setback

The minimum required front yard setback for a single residential dwelling in the R1 zone is 4.5m. The applicant proposes to construct a single residential dwelling with a front yard setback of 2m. This represents a variance of 2.5m.

Lot 1 is an existing undersized parcel, at approximately 163m². Despite consolidation with Lot 5, proposed Lot C remains relatively small (323.3m²) when compared to neighbouring properties. However, the consolidation of Lots 1 and 5 will make the subject site more conforming to the minimum lot size requirements of the Zoning Bylaw. There is no opportunity to push the building further back from the street without reducing the area of the dwelling, as there is a required watercourse setback (riparian leave strip) from Long Lake that occupies the rear third of the property; the remaining lot area outside of the riparian leave strip is 214.3m². A statutory right-of-way (SRW) to protect sewer infrastructure further restricts the building envelope on the western portion of the property. The subject site is constrained and a variance is required to provide a more functional building envelope.

The applicant has demonstrated a sufficient building envelope and adequate parking outside of the required SRW and riparian leave strip for the proposed modestly-sized 81.9m² (882ft²) rancher.

The proposed building site is approximately 2.5m below grade of Wellesley Avenue, and the low-pitch roof should allow for views over the roofline. Furthermore, the boulevard between Wellesley Avenue and the subject site provides adequate separation from the street, and the proposed dwelling will meet all other zoning requirements.

The applicant has provided four letters of support from neighbours at 4104, 4134, and 4177 Wellesley Avenue and 4200 Victoria Avenue/2851 101st Street.

Staff support the proposed variance.

SUMMARY POINTS

- Development Variance Permit No. DVP420 proposes a variance to reduce the minimum required front yard setback from 4.5m to 2m to provide a more functional building envelope for a proposed single residential dwelling.
- The applicant has made efforts to mitigate potential impacts to neighbours.
- Letters have been provided in support of the application.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Site Survey
ATTACHMENT E: Aerial Photo

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services