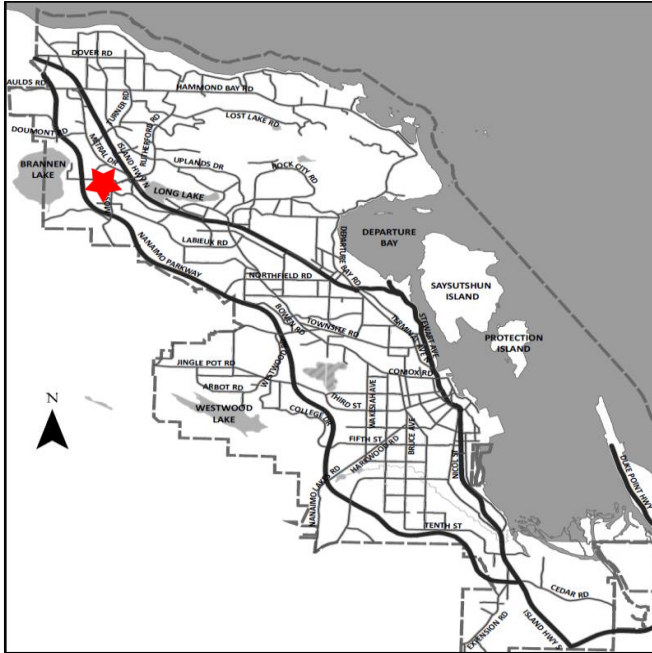


DATE OF MEETING MARCH 20, 2023

AUTHORED BY KIRSTEN DAFOE, PLANNING ASSISTANT, CURRENT PLANNING

SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP446 –
5288 SCARSDALE ROAD



Proposal:

Variance to allow a proposed single residential dwelling.

Zoning:

R2 - Single Residential Dwelling

City Plan Future Land Use Designation:

Suburban Neighbourhood

Lot Area:

336m²



OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit application to reduce the minimum required rear yard setback for a proposed single residential dwelling.

Recommendation

That Council issue Development Variance Permit No. DVP446 at 5288 Scarsdale Road with a variance as outlined in the "Proposed Variance" section of the Staff Report dated 2023-MAR-20.

BACKGROUND

A development variance permit application, DVP446, was received from Deanna Knezevich to vary the provisions of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"), in order to reduce the minimum rear yard setback for a proposed single residential dwelling at 5288 Scarsdale Road.

Subject Property and Site Context

The subject property is a small vacant lot located on the eastern side of Scarsdale Road, approximately 200m east of the Nanaimo Parkway. The property was created through a subdivision of 5341 Dunster Road in January 2020. This subdivision was facilitated by a rezoning of the parent parcel from R1-Single Residential Dwelling, to R2-Single Residential Dwelling – Small Lot, in August 2012. In January 2018, a development variance permit was issued to reduce the minimum lot depth required for subdivision in the R2 zone from 28m to 24.29m. It was demonstrated at that time that a viable building envelope could be achieved that complied with setbacks.

Surrounding properties are predominantly developed with single residential dwellings on larger suburban lots.

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

DISCUSSION

Proposed Development

The applicant is proposing to construct a single residential dwelling on the property. In order to accommodate the desired living area, the proposed dwelling requires a reduced rear yard setback.

Proposed Variance

Minimum Rear Yard Setback

The minimum required rear yard setback in the R2 zone is 6.0m. The proposed setback is 4.6m; a requested variance of 1.4m. Staff support the proposed rear yard setback, as the siting is not

anticipated to negatively impact adjacent properties. In particular, the proposed dwelling is designed without any decks or outdoor living areas overlooking neighbouring yards, and it will be approximately 13m from the neighbouring house at 5331 Dunster Road. |

SUMMARY POINTS

- Development Variance Permit No. DVP446 proposes a variance to reduce the minimum rear yard setback from 6.0m to 4.6m for a proposed a single residential dwelling.
- Staff support the proposed variance as negative impact to the adjacent properties is not anticipated. |

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions

ATTACHMENT B: Subject Property Map

ATTACHMENT C: Site Plan |

Submitted by:

Lainya Rowett
Manager, Current Planning |

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services
/ Deputy CAO |