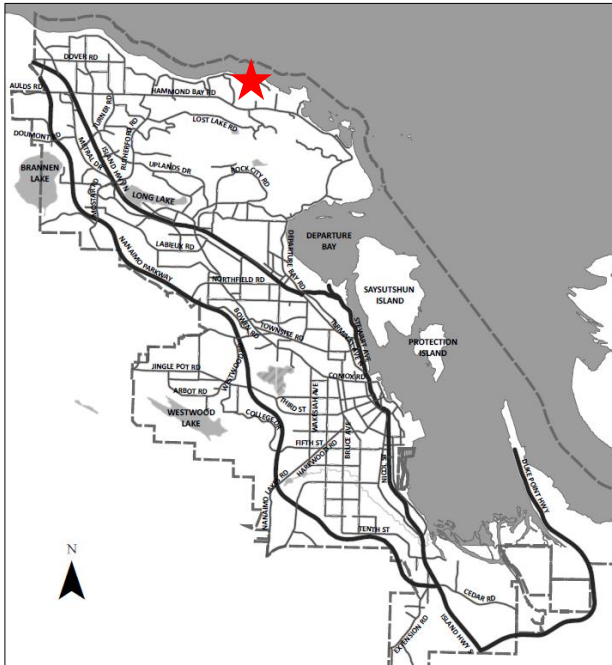


DATE OF MEETING | May 6, 2024 |

AUTHORED BY | KIRSTEN DAFOE, PLANNING ASSISTANT, CURRENT PLANNING |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP463 –  
4978 FILLINGER CRESCENT** |



**Proposal:**

Parking variance for an existing dwelling

**Zoning:**

R1 – Single Dwelling Residential

**City Plan Land Use Designation:**

Suburban Neighbourhood

**Lot Area:**

695m<sup>2</sup>

**DVP**



## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration a development variance permit application to reduce the parking requirement for an existing dwelling to allow a secondary suite at 4978 Fillinger Crescent.

### **Recommendation**

That Council issue Development Variance Permit No. DVP463 to reduce the parking requirement at 4978 Fillinger Crescent as outlined in the "Proposed Variance" section of the Staff Report dated 2024-MAY-06.

## **BACKGROUND**

A development variance permit application, DVP463, was received from Scott Piccott to vary the provisions of the "City of Nanaimo Off-Street Parking Bylaw 2018 No. 7266" to reduce the parking requirement for a single residential dwelling and secondary suite at 4978 Fillinger Crescent.

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

The subject property is located on the north side of Fillinger Crescent, approximately 500m east of Entwistle Drive and has a steep slope down towards the ocean to the north. The surrounding neighbourhood is predominantly developed with single residential dwellings with individual driveways. Fillinger Waterfront Park 2 is located two properties to the west at 4986 Fillinger Crescent and several walkway connections to the waterfront are in the vicinity.

The existing dwelling was constructed in 1984 with its main floor significantly lower than the elevation of the street and is accessed by stairs, as shown in Attachment C. With no current off-street parking spaces, the property is nonconforming with respect to parking for a single residential dwelling.

A development permit (DP000940) was issued to the previous property owner for a proposal to construct an upper floor addition to the dwelling to contain a garage and driveway with structural support. The addition was not constructed, and the permit lapsed. The current owner is not proceeding with the addition due to high construction and engineering costs. Instead, the owner is requesting a variance to reduce the parking requirement in order to allow a secondary suite within the dwelling.

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

## **DISCUSSION**

### **Proposed Development**

The applicant proposes to convert the lower floor of the existing dwelling into a secondary suite. As the creation of a secondary suite within an existing single residential dwelling will increase the parking requirement by more than 20%, the parking supply must comply with the new parking

requirement of two spaces for the primary dwelling and one space for the secondary suite. The applicant is requesting a variance to reduce the parking requirement based on the existing site configuration to allow the proposed secondary suite.

### **Proposed Variance**

#### *Minimum Off-Street Parking Requirement*

The minimum number of required off-street parking spaces for a single residential dwelling with a secondary suite is three spaces. The applicant proposes to reduce the parking requirement for the existing dwelling and proposed secondary suite from three to zero spaces, a requested variance of three spaces.

The applicant has provided the following rationale in support of the variance request:

- Structural and site alteration required to add parking is cost prohibitive.
- Construction of the required parking would necessitate the removal of two mature trees.
- Nearby on-street parking is available.
- Letters in support were signed by the applicant's immediate neighbours (on each side and across the street).

Staff support the proposed variance for the reasons identified by the applicant and note that the variance would support gentle infill that maintains existing neighbourhood character. A parking study is not required for the proposed variance; however, given the context, no negative impact is anticipated from this variance. Furthermore, as the proposed variance will only be for the existing dwelling and proposed secondary suite, any future redevelopment of the property will be required to comply with the applicable off-street parking requirements. |

#### **SUMMARY POINTS**

- Development Permit Application No. DVP463 proposes to reduce the parking requirement from three spaces to zero spaces for an existing single residential dwelling and proposed secondary suite at 4978 Fillinger Crescent.
- Staff support the proposed variance as nearby street parking is available, letters of support from neighbours were provided, and no negative impact is anticipated. |

#### **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Subject Property Map  
ATTACHMENT C: Site Sections  
ATTACHMENT D: Site Context Photos  
ATTACHMENT E: Neighbour Letters |

#### **Submitted by:**

Lainya Rowett  
Manager, Current Planning |

#### **Concurrence by:**

Jeremy Holm  
Director, Planning & Development |