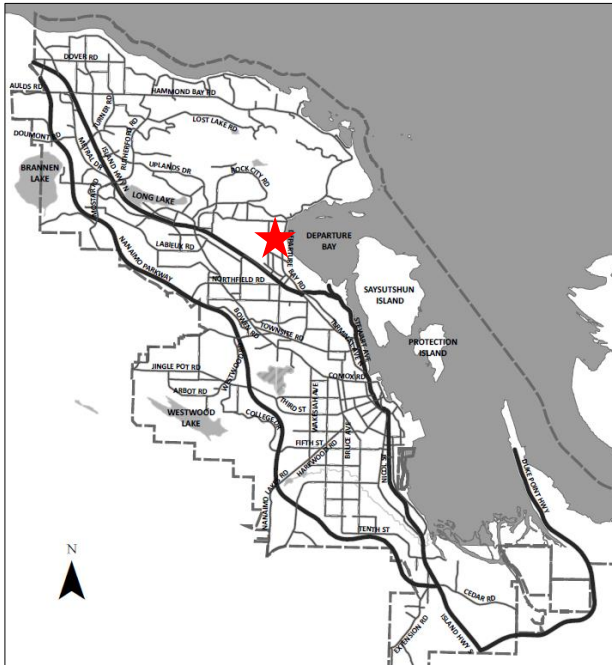


DATE OF MEETING July 8, 2024

AUTHORED BY KIRSTEN DAFOE, PLANNING ASSISTANT, CURRENT PLANNING

SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP464 – 1610 LOAT STREET



Proposal:

Variance to allow a proposed single residential dwelling and accessory building.



Zoning:

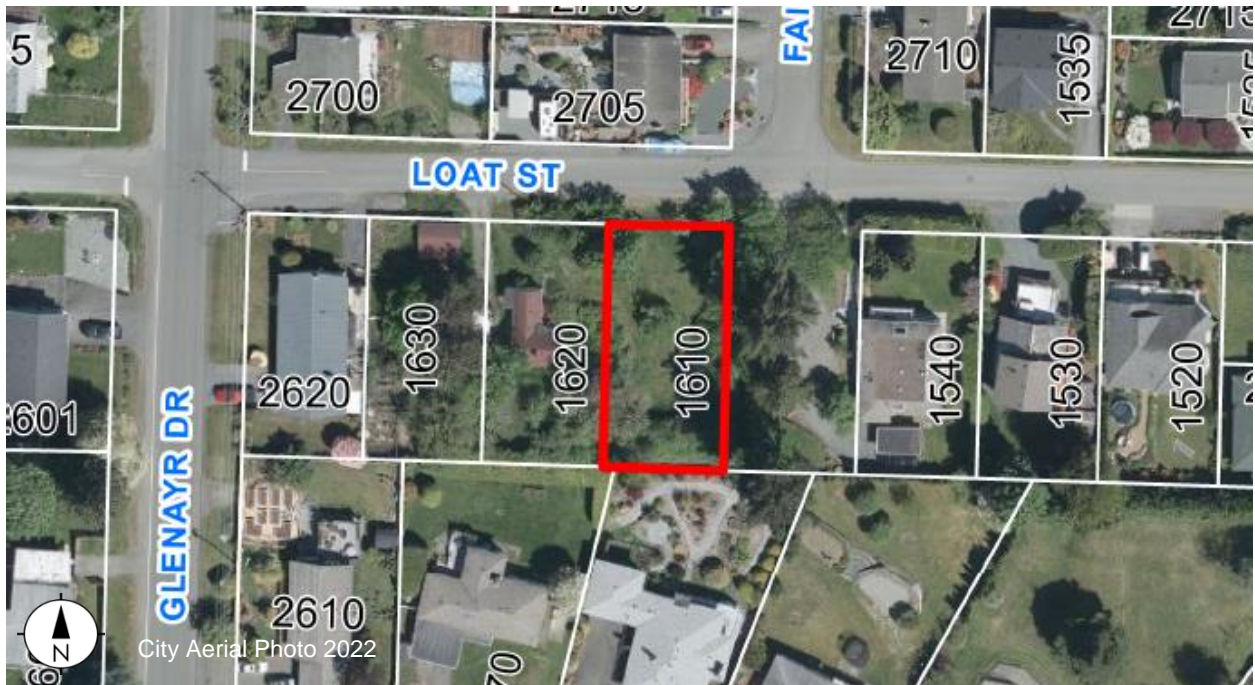
R1 – Single Dwelling Residential

City Plan Land Use Designation:

Suburban Neighbourhood

Lot Area:

673m²



OVERVIEW

Purpose of Report

To present for Council's consideration a development variance permit application for a proposed single residential dwelling and accessory building at 1610 Loat Street. |

Recommendation

That Council issue Development Variance Permit No. DVP464 for a single residential dwelling and accessory building at 1610 Loat Street with variances outlined as in the "Proposed Variances" section of the Staff Report dated 2024-JUL-08. |

BACKGROUND

A development permit application, DVP464, was received from Elizabeth and Ron Williams, to vary the provisions of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"), in order to reduce the minimum front yard and flanking side yard setbacks for a proposed single residential dwelling and accessory building at 1610 Loat Street.

Subject Property and Site Context

The subject property is located on the southwest corner of Loat Street and Fairbanks Street, approximately 300m west of Departure Bay Road. The property is currently vacant. The east lot line of the property abuts a 20m wide unimproved road dedication. There are no plans to develop this road dedication as a through road. A statutory right-of-way for City sanitary sewer diagonally crosses the southwest corner of the property.

The surrounding neighbourhood is predominantly developed with single residential dwellings. Commercial and multi-family development and parks are located east of the property near Departure Bay.

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

DISCUSSION

Proposed Development

The applicant proposes to construct a two-storey single residential dwelling with a detached two-car garage. A partially covered second storey deck for the dwelling is proposed to project over the front yard. Driveway access is proposed from Loat Street to extend along the west side of the property, crossing a portion of the sewer statutory right-of-way to access the garage at the rear of the site.

Proposed Variances

Minimum Front Yard Setback

Where the principal is in the R5 zone is a single residential dwelling, the minimum required setbacks shall be in accordance with the R1 zone. The minimum required front yard setback for the proposed single residential dwelling is 4.5m. The proposed setback for the projecting second storey deck is 2.5m, a requested variance of 2.0m.

Minimum Flanking Side Yard Setback

The minimum required flanking side yard setback for the proposed single residential dwelling and accessory building (detached garage) is 4.0m. The proposed flanking side yard setback for both buildings is 1.5m, a requested variance of 2.5m.

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

- The flanking side yard setback and the sewer statutory right-of-way at the rear of the property are design constraints which narrow the building envelope.
- The proposed detached garage location supports vehicle maneuvering within the property and allows the retention of the mature trees within the undeveloped road dedication.
- The existing dwelling at neighbouring 1540 Loat Street is also located within the 4.0m flanking side yard setback from the undeveloped road.

Staff support the proposed variances and note that the proposed siting will not negatively impact adjacent properties or the undeveloped road dedication. The proposed flanking side yard setback would function like a typical side yard and provide a separation distance of approximately 21.5m between the proposed buildings and the neighbouring property line of 1540 Loat Street. The retention of trees within the undeveloped road dedication provides some vegetative screening between the proposed dwelling and adjacent residence. Furthermore, with the primary views from the projecting second storey deck being to the northeast, impacts on privacy of neighbours are mitigated by the width of the road intersection separating properties. The proposed variances will also allow the owners to achieve their desired flexible outdoor living space while accommodating a functional driveway access.

SUMMARY POINTS

- Development Variance Permit Application No. DVP464 is to allow a single residential dwelling and accessory building with variances to reduce the minimum front yard setback from 4.5m to 2.5m and to reduce the minimum flanking side yard setback from 4.0m to 1.5m.
- Staff support the proposed variances, as no negative impact to the adjacent properties or the existing road dedication is anticipated.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site Survey Plan
ATTACHMENT D: Proposed Building Renderings |

Submitted by:

Lainya Rowett
Manager, Current Planning |

Concurrence by:

Jeremy Holm
Director, Planning & Development |