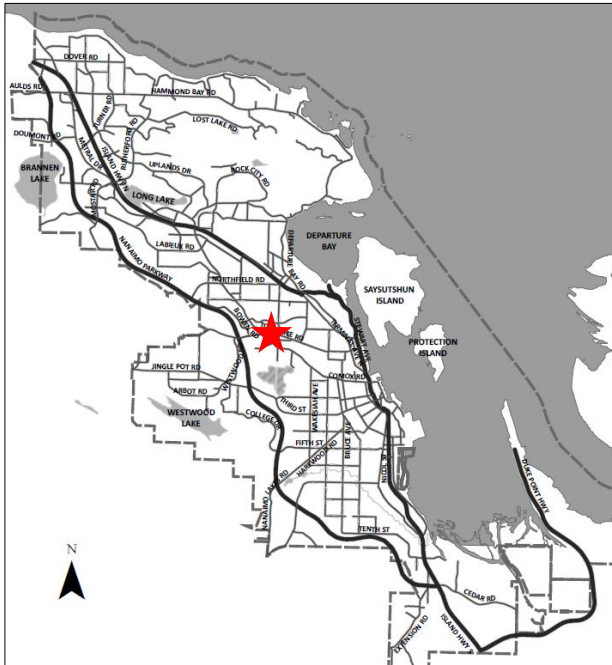


DATE OF MEETING | October 7, 2024 |

AUTHORED BY | MATTHEW REMPEL, SUBDIVISION PLANNER, SUBDIVISION |

SUBJECT | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP468**
1355 TOWNSITE ROAD



Proposal:

To reduce the minimum lot depth requirement for a two-lot subdivision

Zoning:

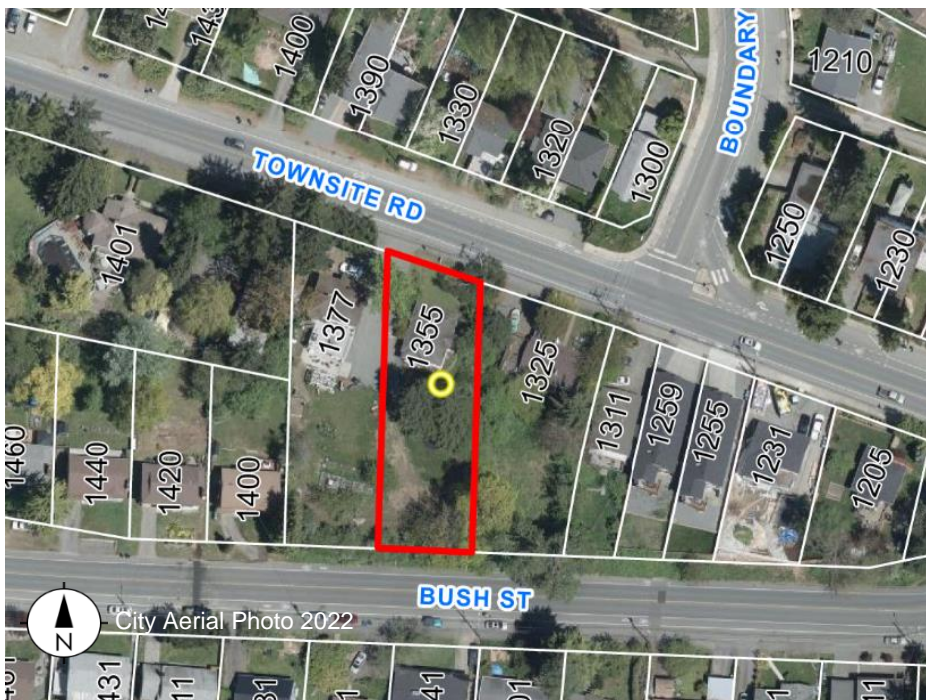
R5 – Three and Four Unit Residential

City Plan Land Use Designation:

Neighbourhood

Lot Area:

1,207m²



OVERVIEW

Purpose of Report

To present for Council's consideration a development variance permit application to reduce the minimum lot depth requirement to facilitate a two-lot subdivision at 1355 Townsite Road.

Recommendation

That Council issue Development Variance Permit No. DVP468 to permit a 2.7m variance to the required lot depth, from 30.0m to 27.3m, for the proposed two-lot subdivision at 1355 Townsite Road (SUB01500).

BACKGROUND

A development variance permit application, DVP468, was submitted to vary the provisions of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to reduce the minimum lot depth requirement in order to facilitate a two-lot subdivision at 1355 Townsite Road. The variance will allow the applicant to subdivide the existing property.

Subject Property and Site Context

The subject property is fronted by Townsite Road to the north and Bush Street to the south. One dwelling is located on the property, accessed from Townsite Road. The surrounding neighbourhood is predominantly developed with single residential dwellings. Commercial and multi-family developments and parks are located south of the property along Bowen Road.

DISCUSSION

Proposed Development

The applicant proposes to subdivide the parent parcel into two fee-simple lots while retaining the existing single residential dwelling on Lot 1. To facilitate the subdivision, a development variance permit is required to reduce the minimum lot depth requirement for both proposed lots. Despite a reduced lot depth, the proposed lots will meet the 500m² minimum lot size for the R1 zone.

On 2024-JUN-17, Council amended the Zoning Bylaw to align it with the requirements of the *Housing Statutes (Residential Development) Amendment Act, 2023* (Bill 44), which included changing the zoning of the subject property from R1 (Single Dwelling Residential) to R5 (Three and Four Unit Residential). As the subdivision application was submitted before the change in zoning, the applicant has 12 months from the date of adoption of the Zoning Amendment Bylaw to complete the subdivision, pursuant to Section 511 of the *Local Government Act* which states that the bylaw has no effect with respect to the subdivision for that period of time. As such, as the minimum lot size of the R5 zone is 600m², the proposed lots do not meet the minimum lot size of the R5 zone, and the applicant will be required to complete the subdivision by 2025-JUN-17. If the subdivision is completed by this date, both parcels will be able to develop under the R5 density. If the subdivision is not complete by this date, the subdivision will not be able to proceed due to the inability to meet the minimum lot size and the subdivision will be cancelled. In this case, the owner would still be able to develop the parent parcel under the R5 zone.

Proposed Variance

Minimum Lot Depth Requirement

The minimum lot depth required in the R1 and R5 zones is 30m. As a condition of subdivision, to meet the requirements of the Manual of Engineering Standard and Specifications (*Subdivision Control Bylaw 1989 No. 3260*), the applicant must provide 3m and 2.5m of road dedication along Townsite Road and Bush Road, respectively. The road dedication reduces the overall lot depth, necessitating the variance. The applicant is requesting to vary the minimum lot depth by 2.7m for both of the proposed lots. The proposed lot depth variance will not negatively impact the intended residential use of the lots.

Lot	Required Lot Depth	Proposed Lot Depth	Variance
1	30.0m	27.3m	2.7m
2	30.0m	27.3m	2.7m

City Plan designates the subject property as ‘Neighbourhood’; the Neighbourhood designation supports a mix of low-density residential uses, including infill development. The proposed subdivision is consistent with Neighbourhood policies in City Plan, and the proposed variance to facilitate subdivision will allow for modest infill in an existing neighbourhood.

The proposed variance is not anticipated to negatively impact neighbouring properties.

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

Staff support the proposed variance. |

SUMMARY POINTS

- Development Variance Permit No. DVP468 proposes a variance to reduce the minimum lot depth to facilitate a proposed two-lot subdivision of the subject property.
- Despite the reduced lot depth, the proposed lots will provide adequate building envelopes for the intended residential use. |

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Conceptual Subdivision Plan |

Submitted by:

Claire Negrin
Manager, Subdivision

Concurrence by:

Jeremy Holm
Director, Planning & Development