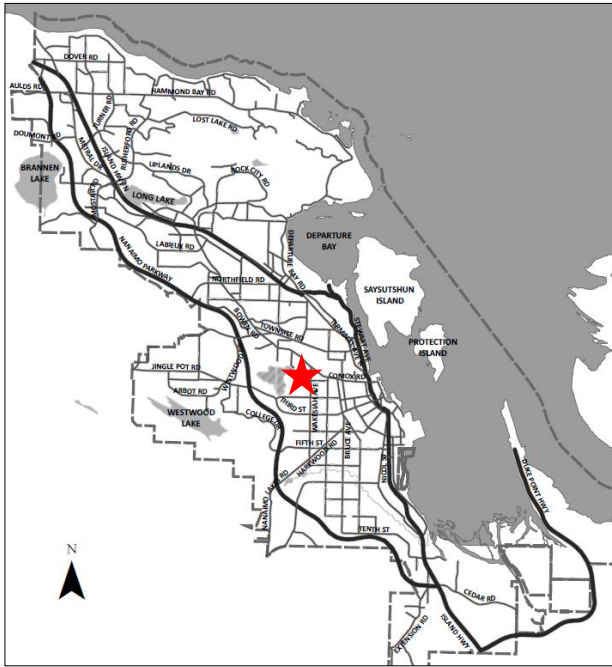


DATE OF MEETING | February 24, 2025

AUTHORED BY | KIRSTEN DAFOE, PLANNING ASSISTANT

**SUBJECT** | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP471**  
**504, 508, 548, 552, 556, and 564 PINNACLE PLACE**



**Proposal:**

Variations to permitted height for residential dwellings

**Zoning:**

COR1 – Residential Corridor (Interim Corridor Area)

**City Plan Land Use Designation:**

Residential Corridor

**Lot Area:**

516m<sup>2</sup> to 800m<sup>2</sup>



## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration a development variance permit application for proposed single-family residential dwellings at 504, 508, 548, 552, 556, and 564 Pinnacle Place.

### **Recommendation**

That Council issue Development Variance Permit No. DVP471 for single-family residential dwellings at 504, 508, 548, 552, 556, and 564 Pinnacle Place with variances outlined in the "Proposed Variances" section of the Staff Report dated 2025-FEB-24.

## **BACKGROUND**

A development variance permit application, DVP471, was received from Brian Henning of Williamson and Associates, on behalf of the owners of the properties at 504, 508, 548, 552, 556, and 564 Pinnacle Place, to vary the provisions of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"), in order to increase the maximum permitted building height and fence height for proposed single-family residential dwellings on the properties.

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

The subject properties are located on Pinnacle Place, approximately 40m to 100m west of Wakesiah Avenue. The subject properties, as well as Pinnacle Place itself, were created as Phase 6 of the Hawthorne subdivision. The subdivision was completed when the zoning of the property was R1 – Single Dwelling Residential, and the lots were created with the intention to be developed with single-family residential dwellings, some of which are currently under construction. Surrounding land uses are predominantly single residential dwellings and multiple family developments to the south.

Statutory notice has taken place prior to Council's consideration of the variances.

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to construct two-storey single-family residential dwellings on 504, 508, 548, 552, 556, and 564 Pinnacle Place. Access to the lots will be via driveways from Pinnacle Place. At the time of writing, the single residential dwelling on 504 Pinnacle Place (Lot 20) is under construction and building permit applications for 556 and 562 Pinnacle Place (Lots 25 and 26) have been submitted. Secondary suites are included in the building permit applications for these three dwellings.

## Proposed Variances

### *Maximum Building Height*

Where the principal use on a property is a single residential dwelling in the COR1 zone, and is subject to the Interim Corridor Area, the maximum permitted building height shall be in accordance with the R1 zone. The maximum permitted height for a building with a sloped roof (greater than or equal to a 4:12 pitch) is 9.0m. In residential subdivisions, building height is measured from the final lot grading plan. With the proposed finished grade being higher than the final subdivision lot grading plan, the proposed two-storey dwellings will exceed the maximum allowed 9.0m building height. If the buildings were measured from finished grade, the building heights would be calculated as 9.0m.

The applicant proposes a maximum building height on Lots 20, 21, and 23-26 as summarized in following table, and as shown in Attachment C.

Civic Address	Lot Number	Proposed Building Height	Variance Requested
504 Pinnacle Place	20	9.3m	0.3m
552 Pinnacle Place	24	9.4m	0.4m
556 Pinnacle Place	25	9.7m	0.7m
548 Pinnacle Place	23	9.8m	0.8m
508 and 564 Pinnacle Place	21, 26	9.9m	0.9m

This subdivision was approved with the final lot grading of the properties below the street level. The applicant proposes to establish new grades with the properties elevated above the street. This would be accomplished with fill and stamped concrete retaining walls in the side yards and rear yards to a maximum proposed height of 1.2m. The requested maximum building height variances will facilitate driveway drainage and the usability of yards. Attachment D gives an example of the typical lot grading and fill areas.

### *Maximum Fence Height*

Where the principal use on a property is a single residential dwelling in the COR1 zone, and is subject to the Interim Corridor Area, the maximum permitted fence height shall be in accordance with the R1 zone. The maximum permitted fence height in side yards and rear yards is 2.4m.

The applicant proposes a maximum fence height on Lots 20, 25 and 26 as summarized in the following table, and as shown in Attachment C.

Civic Address	Lot Number	Proposed Fence Height	Variance Requested
504 Pinnacle Place	20	2.6m	0.2m
556 Pinnacle Place	25	2.8m	0.4m
564 Pinnacle Place	26	3.0m	0.6m

Retaining walls are considered as fences for the purposes of determining height. Fence height is measured from the finished grade on the low side of the retaining wall to the top of the fence. The applicant proposes 1.8m tall fences on top of the retaining walls in the side and rear yards along

with grading at the low side of the retaining walls to keep the combined height at 2.4m or lower. This grading is not possible on Lots 20, 25, and 26 due to sewer infrastructure and slopes on adjacent properties, so the total height will exceed 2.4m for these lots.

The requested fence height variances will provide for privacy and usability of yards. Negative impacts are avoided by the proposed design, which includes visually appealing materials (shown in Attachment E) and rear yard tree planting as required and secured by covenant through the approved subdivision.

No negative impacts to adjacent properties or the surrounding neighbourhood are anticipated. The proposed two-storey dwellings are designed to be consistent with the height and form of the surrounding single residential dwellings. Landscaping and choice of materials will soften the proposed retaining walls and fences. Staff support the proposed variances. |

### **SUMMARY POINTS**

- Development Variance Permit Application No. DVP471 is to allow single-family residential dwellings variances to maximum building and fence heights.
- The variance will facilitate driveway drainage and improve the usability of yards.
- Staff support the proposed variances. |

### **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Subject Property Map  
ATTACHMENT C: Typical Site Section  
ATTACHMENT D: Site Plan  
ATTACHMENT E: Proposed Fence and Retaining Wall Types |

#### **Submitted by:**

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Manager, Current Planning |

#### **Concurrence by:**

Jeremy Holm  
Director, Planning & Development |