

From: Richard Finnegan [REDACTED]
Sent: Monday, January 4, 2021 10:34 AM
To: Planning <Planning@nanaimo.ca>
Subject: BOV00745

Notice of Hearing was received today Jan 4, 2021 by mail. The bylaw requires at least 7 days notice and this is less than 3 for a Jan 7, 2021 meeting. This application should be postponed until the next BOV meeting or will be in violation of Bylaw 7213 (6)1. requirements and more information issued.

The proposed drawing / survey is illegible as issued without a magnifying glass so it is hard to comment on the proposed fence. Planning has requirements on submissions of scale and legibility as well as minimum page size of 11x17 and these should be issued to us in hardcopy or in an electronic format.

The survey does not show existing conditions but rather proposed locations from 2007. This survey does not show the extent of paving that is actually in place on this property.

The proposed survey does not show the existing brick wall that is part of entry to Cilaire easement on the property so there is no reference here for Section 6.9.1 or 6.10.2 of the bylaw.

The survey does not show the specimen fir and arbutus tree locations. These trees are protected and "fencing" or "Walls" footings and excavation can damage the roots. Are these city trees or private? What does the city arborist say about this?

The application does not include what is intended to be built (ie. type of wall/fence) neither does it include what the hardship is?

If the intention is to provide noise protection by building a high wall this will affect the existing trees and shrubs in place (which actually absorb sound) and will in fact reflect sound back out towards neighbours and pedestrians. Additionally, this house's living area is completely oriented towards the ocean (NE on survey) and only has a garage and front door facing the SW (Departure Bay Road). Effectively the house itself provides two stories of sound protection to the open decks already.

As to the visibility issue, without a proper drawing showing existing walls heights, sidewalks, etc. and the visibility requirements triangle as is required by planning in applications typically, its hard to comment suffice to say this is a dangerous intersection through a school zone and increased visibility NOT decreased visibility should be a priority over privacy.

Approving this Variance will have a detrimental effect on this corridor as it will signal other owners to erect high walls along the road. The owners should instead, petition the council and engineering department to revise the road layouts down to two lanes to increase bike and pedestrian lanes, add more cross walks and islands as well as landscaping as is being done in other areas of the city. This is an existing condition that was known to these new purchasers of this property and not a new hardship.

I am NOT in favour of this Variance as presented for the aforementioned reasons.

Best Regards,

Richard Finnegan

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