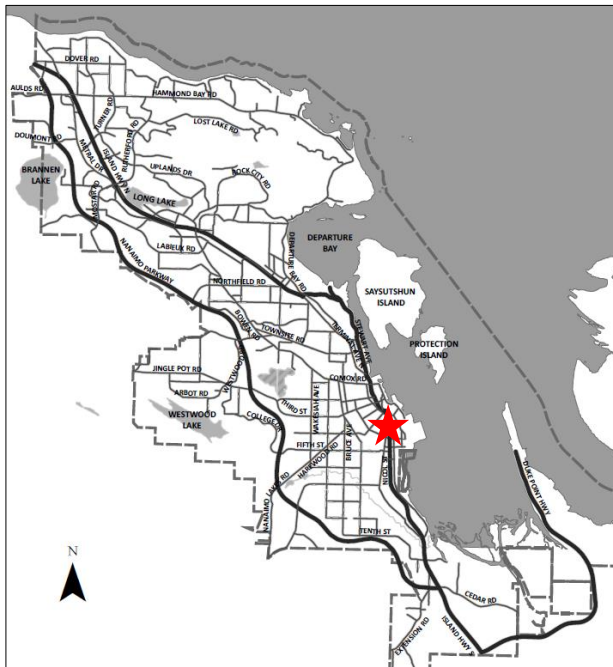


DATE OF MEETING July 21, 2025

AUTHORED BY KRISTINE MAYES, PLANNER, CURRENT PLANNING

SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP481 -
25 VICTORIA ROAD



Proposal:

Variance to allow an overheight fence within the front yard setback

Zoning:

DT12 – Gateway

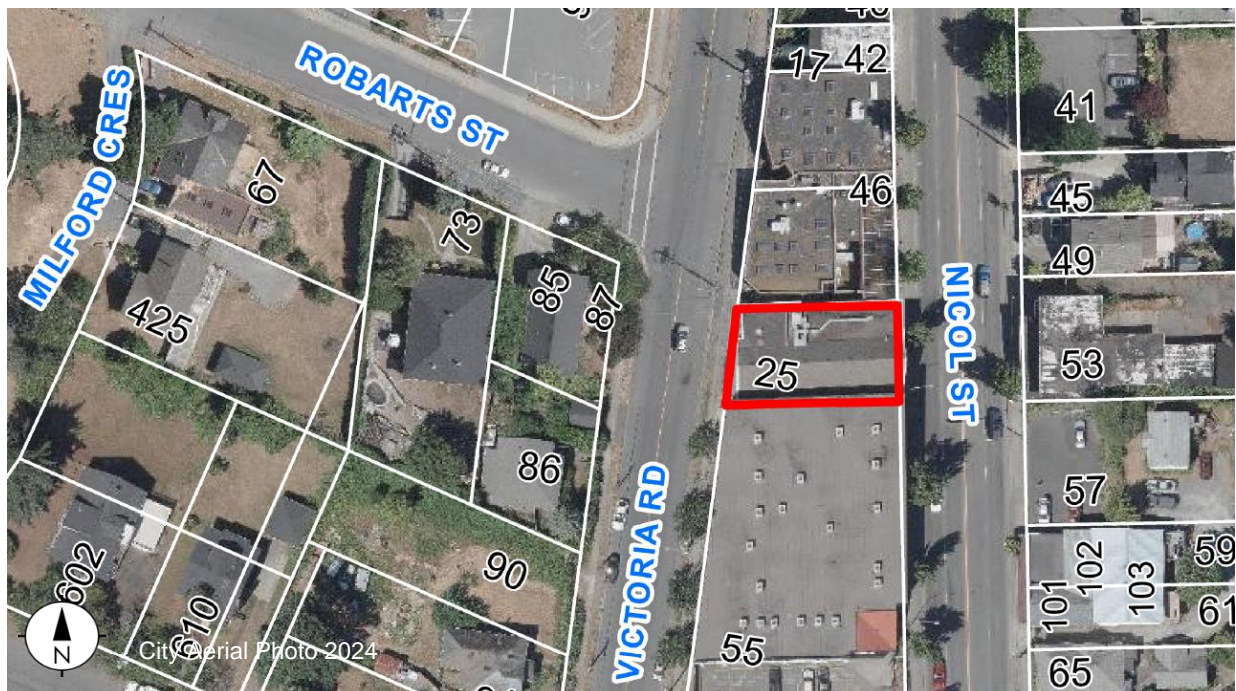
City Plan Land Use Designation:

Mixed-Use Corridor

Lot Area:

419m²

DVP



OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit application to allow the construction of an overheight fence on an existing commercial property at 25 Victoria Road.

Recommendation

That Council issue Development Variance Permit No. DVP481 to allow the construction of an overheight fence at 25 Victoria Road with a variance as outlined in the "Proposed Variance" section of the Staff Report dated 2025-JUL-21.

BACKGROUND

A development variance permit application, DVP481, was received from the City of Nanaimo, to vary the provisions of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to increase the maximum allowable fence height to allow the construction of an overheight fence in the front yard setback of an existing commercial property located at 25 Victoria Road.

Subject Property and Site Context

The subject property is located between Victoria Road and Nicol Street, southeast of the intersection of Victoria Road and Robarts Street in the South End Neighbourhood. The property contains an existing commercial building, which is operated as a theatre (the OV Arts Centre). Established commercial, single-residential dwellings, and multi-family developments predominantly characterize the surrounding area.

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

DISCUSSION

Proposed Development

The applicant proposes to construct an overheight decorative wrought iron fence along the edge of the sidewalk fronting Victoria Road, which will tie into the building frontage.

Proposed Variance

Maximum Fence Height

The maximum fence height in the DT12 zone is 1.2m within the front yard setback. The applicant is proposing to increase the maximum fence height from 1.2m to 1.8m. This represents a variance of 0.6m.

The fencing is proposed to secure the site for staff and deter property damage, vandalism, littering, and loitering. The decorative and visually permeable iron fence style is similar to fencing installed on neighbouring properties and is complementary to the character of the South End area. Staff support the proposed variance to allow the construction of an overheight fence.

SUMMARY POINTS

- Development Variance Permit No. DVP481 proposes to increase the maximum allowable fence height in the front yard setback from 1.2m to 1.8m.
- The proposed decorative fencing will secure the site by tying into the existing fence and building, as well as complement similar decorative fencing used in the Downtown area.
- Staff support the proposed variance.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site Plan
ATTACHMENT D: Fence Elevation
ATTACHMENT E: Site Photos

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Planning & Development