

DATE OF MEETING | May 28, 2018 |

AUTHORED BY | DAVE STEWART, PLANNER, CURRENT PLANNING AND DESIGN, |

SUBJECT | DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP349 – 6250 HAMMOND BAY ROAD |

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to allow an over-height fence at 6250 Hammond Bay Road. |

Recommendation

That Council issue Development Variance Permit No. DVP349 at 6250 Hammond Bay Road with the following variance:

- increase the allowable side and rear yard fence height from 1.2m to 1.8m. |

BACKGROUND

A development variance permit application, DVP349, was received from the Vancouver Island Regional Library, to vary the provisions of City of Nanaimo “Zoning Bylaw 2011 No. 4500” to increase the maximum allowable fence height within the subject property.

Subject Property

<i>Zoning</i>	CS1- Community Service One
<i>Location</i>	The subject property is located on Hammond Bay Road between Calinda Street and Uplands Drive.
<i>Lot Area</i>	9,667m ²
<i>Zoning</i>	Community Service One (CS1)
<i>Official Community Plan</i>	Corridor

The subject property includes the Vancouver Island Regional Library administrative office and north end library on Hammond Bay Road. A number of institutional uses are located in the immediate area, including the Regional District of Nanaimo (RDN) office to the west and the No. 3 Fire Hall and the 33-unit Uplands Walk social housing development to the east. The RDN property includes an undeveloped forested portion immediately adjacent to the library property. The Nanaimo Seniors Village is located immediately north of the subject property, and Green Thumb Nursery is to the south, across Hammond Bay Road.

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

DISCUSSION

Proposed Development

The applicant is proposing to construct a 1.8m-high chain link fence along the side and rear lot lines of the property. The maximum allowable height for a fence within the CS1 zone is 1.2m. The applicant has noted instances of trespassing, theft, vandalism, and anti-social behavior occurring on the library property. Library staff have installed security cameras and lighting onsite. There are some portions of existing fencing along the property lines. The applicant wishes to complete the fencing around the perimeter to better control site access and deter unwanted behavior. The frontage of the property will remain open without a fence and the side yard fence will be reduced to 1.2m within the front yard setback portion of the property.

An existing 1.8m chain link fence already exists along the fire hall to the east property and an undeveloped portion of the RDN property to the west. The fence adjacent to the RDN property currently includes barbwire and is in poor condition. In consultation with the RDN, the applicant plans to remove the barbwire fence and replace it with a new 1.8m-high chain link fence.

The Nanaimo Seniors Village (to the north) is in the process of constructing a 1.5m fence along the property line they share with the library (the library's rear lot line and Seniors Village side lot line). The Seniors Village property is zoned Medium Density Residential (R8), which permits a 2.4m side yard fence. The applicants have spoken with Nanaimo Seniors Village and the library has agreed to install a locked gate on the common property line shared with the Seniors Village which will be open during library hours in order to maintain a pedestrian connection to the library.

For more information see the Attachments.

Proposed Variances

Maximum Fence Height

The maximum allowable side and rear yard fence height is 1.2m. The proposed fence height is 1.8m, a variance of 0.6m. The proposed fence will essentially fill in the gaps between existing fences on the property perimeter.

The inclusion of a low-barrier fence will provide a design solution to address the public safety concerns raised by the applicant, with minimal compromise to the welcoming nature of the public library site. The proposed 1.8m fence is consistent with the allowable fence height in other adjacent zones including the neighbouring R8 property.

Staff support the proposed variance. |

SUMMARY POINTS

- Development Variance Permit Application No. DVP349 proposes a side and rear yard fence height variance in order to construct a 1.8m chain link fence beside an existing public library.
- The proposed fence will connect with existing fences on the side and rear property lines.
- Staff support the proposed variance as it will provide a low-barrier design solution consistent with existing fences in the area in order to address public safety concerns.

ATTACHMENTS

ATTACHMENT A Permit Terms and Conditions
ATTACHMENT B Location Plan
ATTACHMENT C Site Plan
ATTACHMENT D Aerial Photo

Submitted by:

L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:

D. Lindsay
Director, Community Planning