

DATE OF MEETING October 16, 2017

AUTHORED BY TAMERA ROGERS, PLANNER, CURRENT PLANNING AND SUBDIVISION

**SUBJECT DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP327
– 301 EATON STREET**

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development variance permit application to allow the placement of a temporary office building with a variance to the front yard and flanking side yard setbacks and to allow a 1.8m-high fence in the front yard at 301 Eaton Street.

Recommendation

That Council issue Development Variance Permit No. DVP327 at 301 Eaton Street with the following variances:

- reduce the minimum front yard setback from 4.5m to 1.2m;
- reduce the minimum flanking side yard setback from 4m to 1.2m; and,
- increase the maximum front yard fence height from 1.2m to 1.8m.

BACKGROUND

A development variance permit application, DVP327, was received from Mr. Doug Pauze on behalf of Coastland Wood Industries Ltd. to vary the provisions of the City of Nanaimo “Zoning Bylaw 2011 No. 4500” to allow the siting of a temporary office building in the front and flanking yard setbacks, and to permit an over-height fence at 301 Eaton Street.

On 2017-SEP-18, Council approved an OCP amendment to designate 301 Eaton Street as a Temporary Use Permit Area to allow the consideration of a temporary use permit (TUP) on the subject property. A concurrent TUP application (TUP21) has been submitted for a wood-processing and distribution use. If approved, a TUP is valid for up to three years and can be renewed once.

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is located at the corner of Woodhouse and Eaton Streets in the South End neighbourhood.
<i>Total Lot Area</i>	2,462m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use - Neighbourhood

The subject property is located in an area characterized by a mix of residential, commercial and industrial uses including:

- Snuneymuxw First Nation Reserve No. 1 to the east;
- A single dwelling residential neighbourhood to the north and northwest;
- Industrial uses directly to the north and Coastland’s wood veneer plant to the south; and,

- A hotel and a vacant lot to the west.

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

DISCUSSION

Proposed Development

The proposed development is a temporary office trailer to be placed in the northeast corner of the property with variances requested to reduce the front yard and flanking side yard setbacks. The applicant is requesting to locate the trailer in this location in order to maximize the site area available to ensure safe vehicle movement and to avoid tight working areas for the wood processing activity. The location of the office trailer will not negatively impact visibility at the road intersection. A 1.8m chain link fence is proposed around the perimeter of the property to ensure site security. A variance to increase the permitted front yard fence height is requested.

PROPOSED VARIANCES

Minimum Front Yard and Flanking Side Yard Setbacks

The minimum front yard setback is 4.5m. The proposed front yard setback is 1.2m; a proposed variance of 3.3m. The minimum flanking side yard setback is 4m. The proposed flanking side yard setback is 1.2m; a proposed variance of 2.8m.

The placement of the temporary trailer in this location allows for safer working conditions by ensuring there is adequate room for onsite activity. The location of the trailer will not impact intersection visibility.

Maximum Front Yard Fence Height

The maximum front yard fence height is 1.2m. The proposed front yard fence height is 1.8m; a proposed variance of 0.6m.

A chain link fence is proposed for the perimeter of the property for site security and safety. The increase in fence height will not impact visibility at the intersection.

SUMMARY POINTS

- Development Variance Permit No. DVP327 proposes variances to the front yard setback and flanking side yard setback to allow a temporary trailer to be placed in the northwest corner of the site. A 1.8m chain link fence is also proposed, requiring a variance to increase the maximum allowable front yard fence height.
- The applicant has applied for a concurrent temporary use permit to allow the wood-processing use on the subject property. If approved, the TUP is valid for a period of three years and can be renewed once.
- The proposed location of the temporary office trailer and 1.8m-high fence will not impact intersection visibility for vehicles.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Location Plan
ATTACHMENT C: Site Plan
ATTACHMENT D: Building Elevations
ATTACHMENT E: Aerial Photo

Submitted by:

L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:

D. Lindsay
Director, Community Development

ATTACHMENT A PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

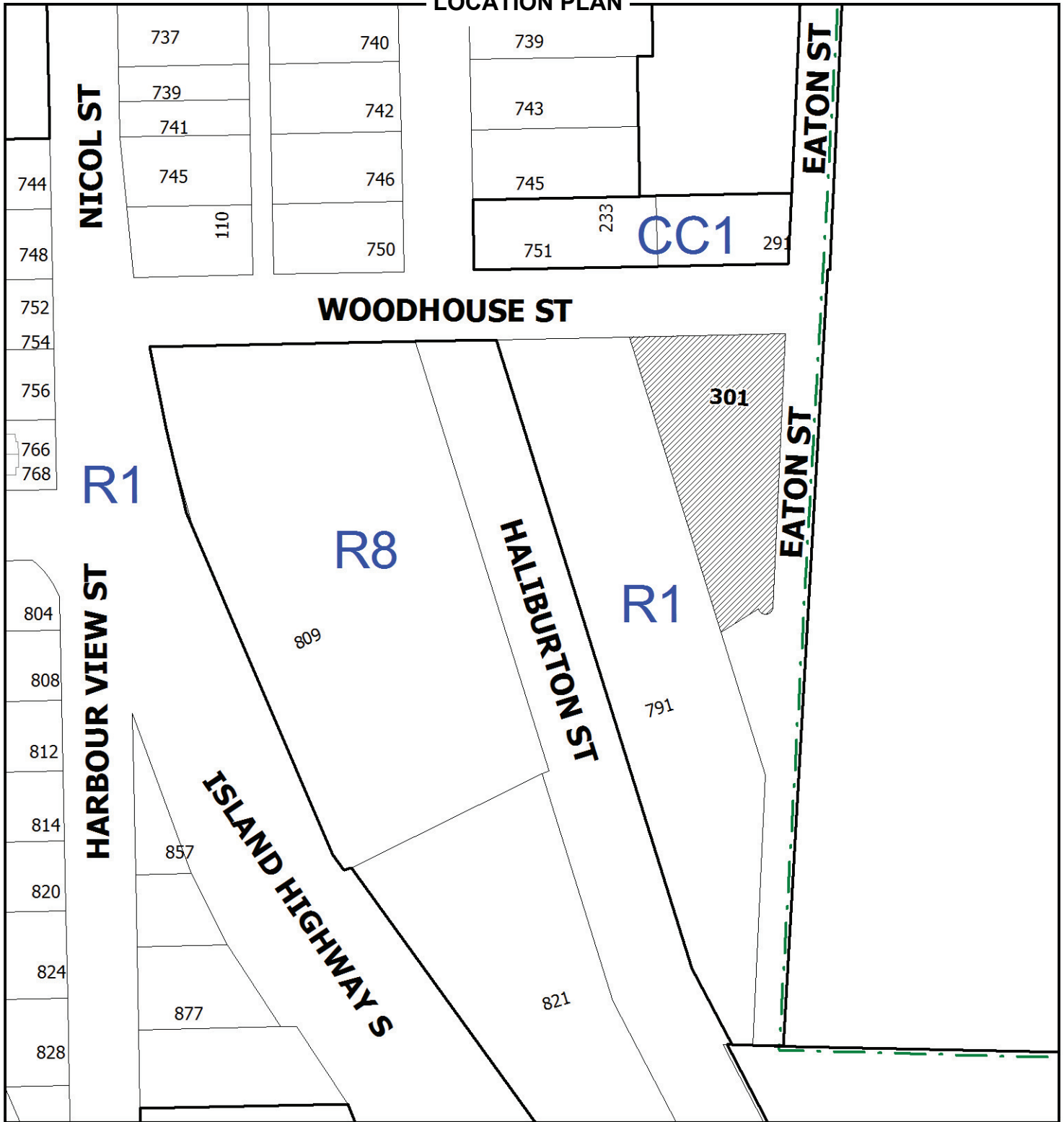
The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is varied as follows:

1. *Section 7.5.1 Siting of Buildings* – to reduce the minimum front yard setback for a temporary office trailer from 4.5m to 1.2m.
2. *Section 7.5.1 Siting of Buildings* – to reduce the minimum flanking side yard setback for a temporary office trailer from 4m to 1.2m.
3. *Section 6.10.2 Fence Height* – to increase the maximum front yard fence height from 1.2m to 1.8m.

CONDITIONS OF PERMIT

1. The subject property shall be developed in accordance with the Site Plan prepared by Pacific GIS Consulting dated 2017-SEP-05, as shown on Attachment C.
2. The owner must obtain a temporary use permit prior to the installation of the temporary office trailer and construction of the 1.8m high front yard fence.

ATTACHMENT B
LOCATION PLAN



DEVELOPMENT VARIANCE PERMIT NO. DVP00327

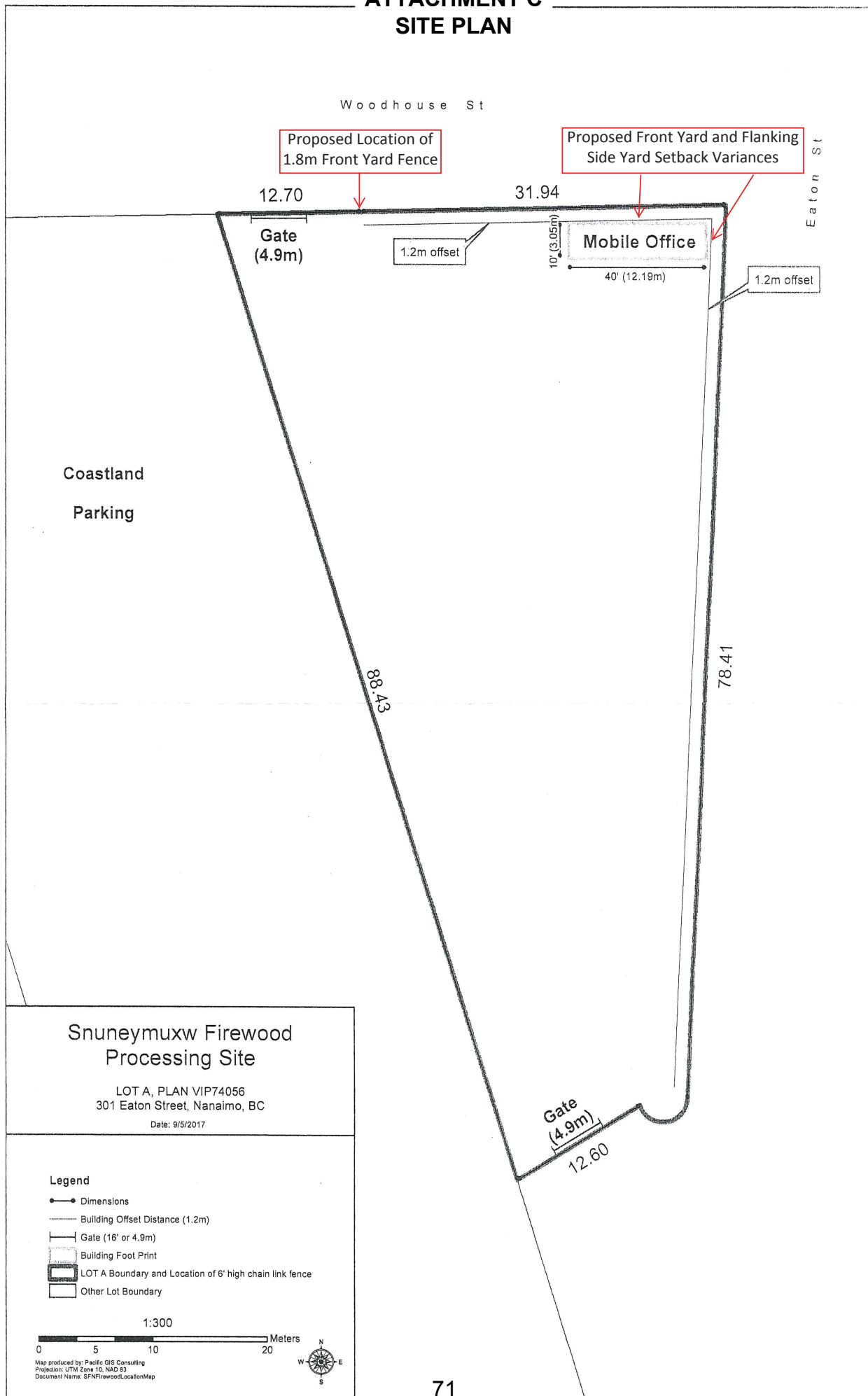


LOCATION PLAN

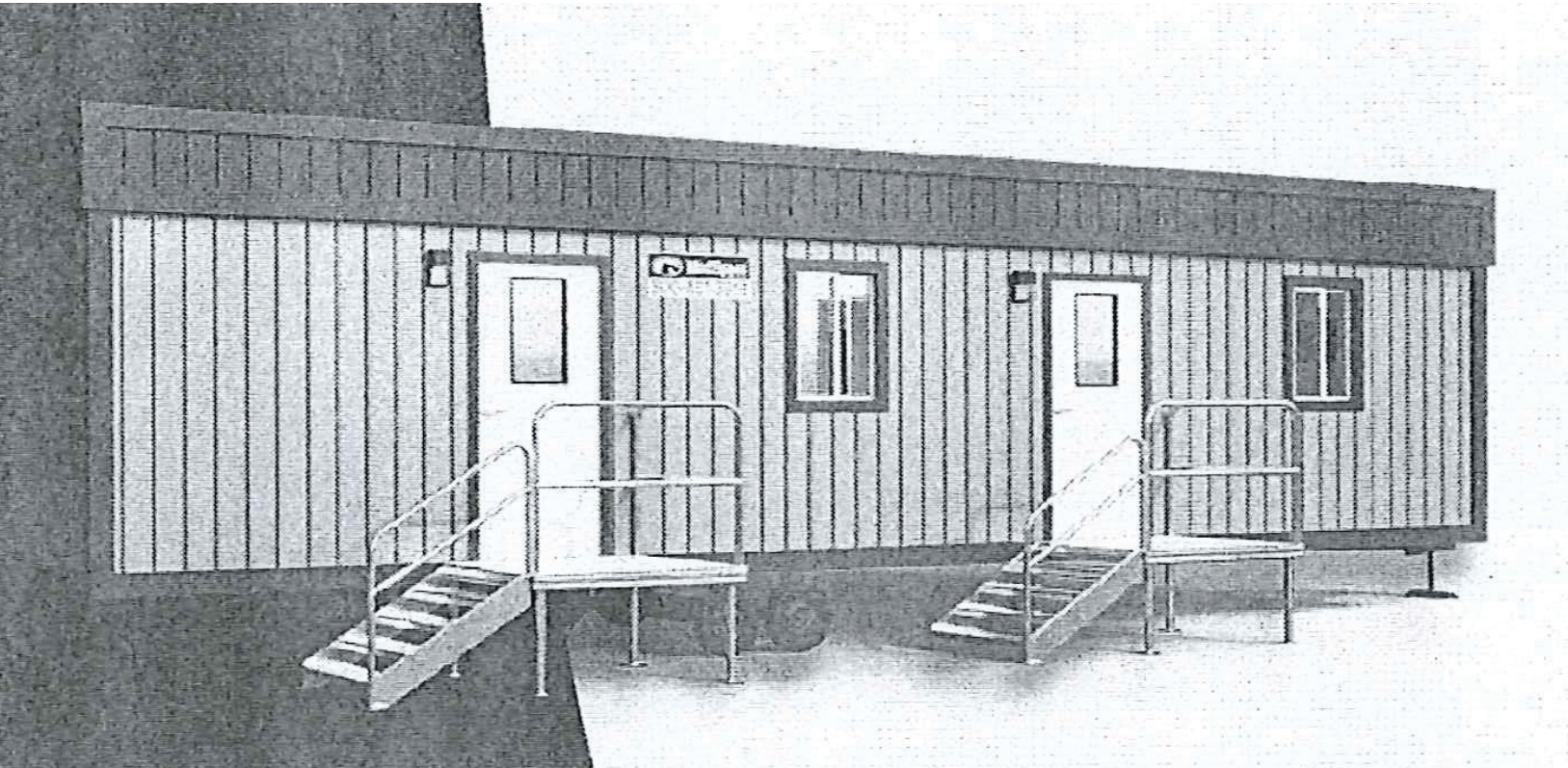
Civic: 301 Eaton Street
Lot A, Section 1, Naniamo District,
Plan VIP74056

 **Subject Property**

ATTACHMENT C SITE PLAN



**ATTACHMENT D
BUILDING ELEVATION**



ATTACHMENT E
AERIAL PHOTO



DEVELOPMENT VARIANCE PERMIT NO. DVP00327

