

City of Nanaimo
REPORT TO COUNCIL

DATE OF MEETING: 2013-MAY-27

AUTHORED BY: DAVE STEWART, PLANNER, PLANNING & DESIGN SECTION

RE: DEVELOPMENT VARIANCE PERMIT NO. DVP00211 – 850 Wentworth Street

STAFF RECOMMENDATION:

That Council direct staff to proceed with the required Statutory Notification for Development Variance Permit No. DVP00211 at 850 WENTWORTH STREET.

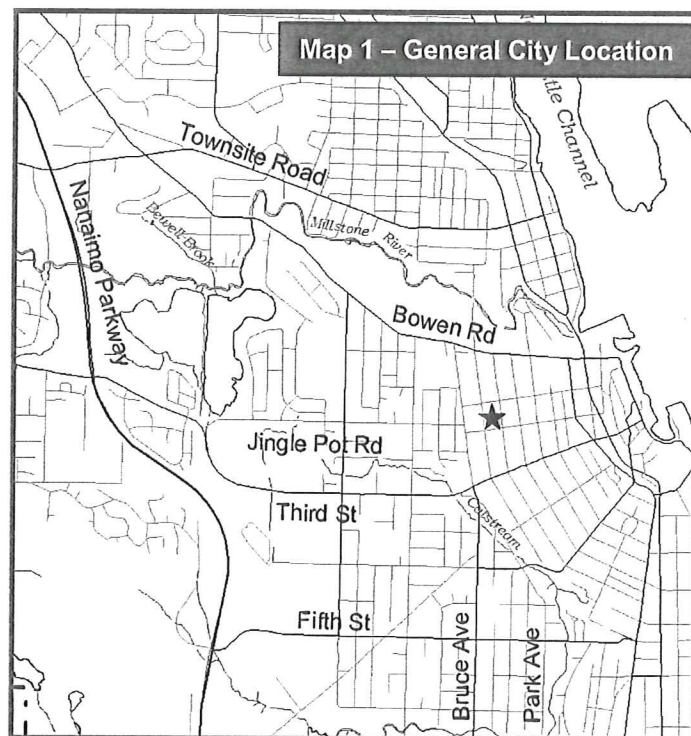
PURPOSE:

The purpose of this report is to seek Council authorization to vary the provisions of "ZONING BYLAW 2011 NO. 4500", in order to allow for the rebuilding of a concession stand and control building on the subject park property.

BACKGROUND:

A development variance permit application was received from the Nanaimo Minor Baseball Association (NMBA) on behalf of the City of Nanaimo, to vary the provisions of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500", to permit the rebuilding of a concession stand and control building within the required front and flanking yard setback area.

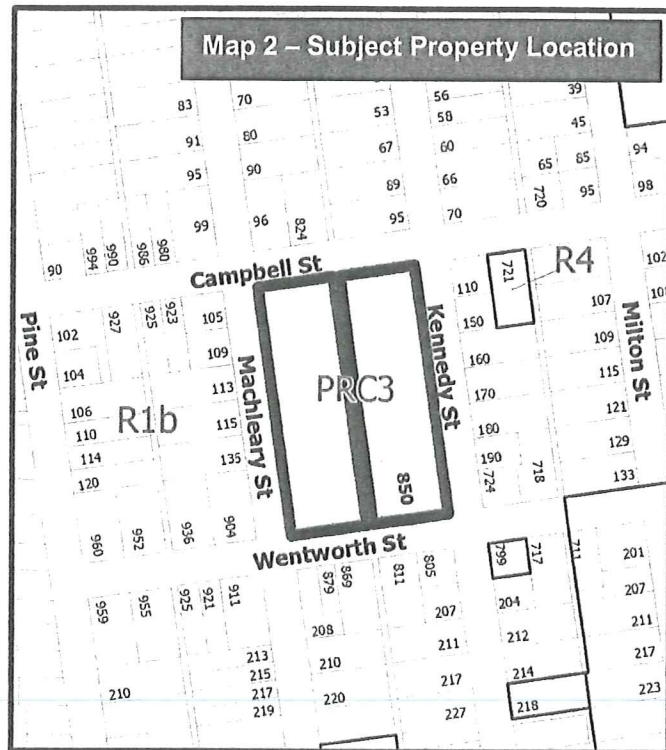
Notification must take place prior to Council's consideration of the approval of the variance. Staff supports the variance and recommends Council direct staff to proceed with notification.



Subject Property

The subject property, located at 850 Wentworth Street is an existing City Park (Gyro Youth Park) which is commonly used by NMBA. The property is within the Parks, Recreation and Culture Three Zone (PRC3) and is designated as Parks and Open Space within the Official Community Plan (OCP).

The subject property is located within the Old City Neighborhood Area but is not included within the Old City Neighbourhood development permit area (DPA8). The surrounding area includes predominantly single residential dwellings, many of which are either heritage buildings or have strong heritage character elements.



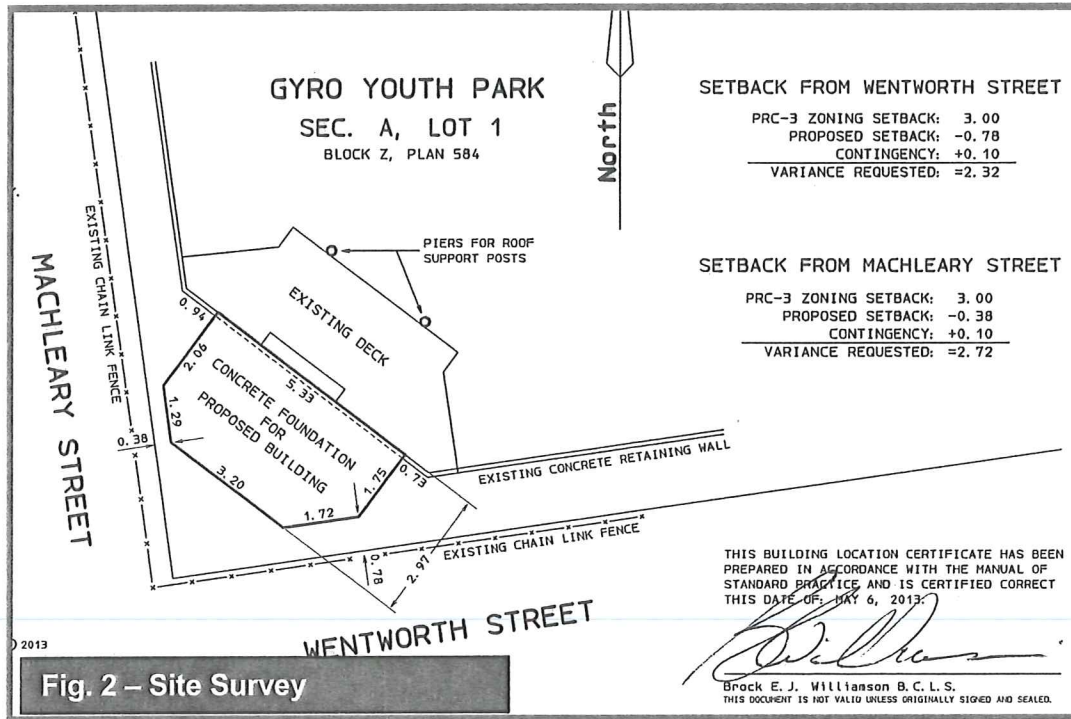
DISCUSSION:

Proposed Development

The previously existing concession stand at Gyro Park was recently removed due to the building's poor condition and advanced age. A photo of the old concession stand is shown below:



The previous concession stand was considered legal, non-conforming regarding the required setbacks, however as the structure has now been removed, a variance is required for the proposed rebuild. The applicant plans to locate the structure in accordance with the location shown on the following survey:



The NMBA and the City of Nanaimo wish to rebuild a concession stand within the park at the corner of Machleary and Wentworth Street. Due to the small size and low cost of construction of the proposed concession, a form and character development permit is not required. While the subject property is not technically within the Old City Neighbourhood development permit area, the applicants designed the concession so that it is consistent with the Old City Neighbourhood character. The proposed stand will be constructed using cedar materials and includes a post and beam awning as shown in Figure 3 below:



Applicant's Rationale

A copy of the NMBA's letter of rationale is attached (Schedule A)

Required Variances

Section 12.3.1 of the City's Zoning Bylaw requires a front yard setback of 3 m and a flanking yard setback of 3 m. The proposed front yard setback (Wentworth Street) is 0.78 m and the proposed flanking side yard setback (Machleary Street) is 0.38 m. The applicant is also requesting an additional contingency variance area of 0.10 m; as such a front yard setback variance of 2.32 m and a flanking side yard setback variance of 2.72 m are required.

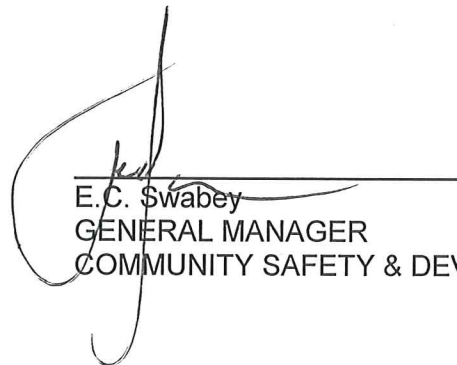
Staff supports the requested variances and recommends that Council consider this application.

Respectfully submitted,

for: 
B. Anderson, MCIP
MANAGER
PLANNING & DESIGN SECTION

Concurrence by:


A. Tucker, MCIP
DIRECTOR
PLANNING


E.C. Swabey
GENERAL MANAGER
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2013-MAY-15
Prospero attachment: DVP00211
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TO WHOM IT CONCERNS

RE: Gyro Control Building Rebuild

Location: 850 Wentworth St., Nanaimo, B.C.

May 10, 2013

The Nanaimo Minor Baseball Association is pleased to announce that the aging concession at historic Sid Clark field is undergoing plans to be rebuilt. Such changes are made possible through the generous support of volunteers, donations and gratuities from Nanaimo's Gyro Club.

NMBA is a Not-for-Profit sports organization proudly providing youth sporting opportunities to over 600 local athletes annually since 1956. Through such volunteer effort, combined with the City of Nanaimo's generous support, we are excited to get this project underway.

Before commencing the rebuild, NMBA has been required (with City of Nanaimo's assistance) to provide a variance with its building permit application.

The proposed building, (see photos) complete with electrical, water and sewer was the determining factor to rebuild on the existing site. NMBA applies for this variance with intentions to enhance design and improve structural integrity while contributing to the local charm of the community, for decades to come. The previous concession floor suffered from rot and was a safety concern. The building was also home to carpenter ants and rodents while also attracting vandalism. The new design will be weather proof and constructed with aesthetic integrity and the intention to please all bystanders, players, parents and the local community. Maintaining characteristics consistent with the "Old City Quarter", (IE: Wood Cedar T&G exterior with post and beam awning, like the Rotary House) NMBA hopes to integrate the rebuilt concession seamlessly into its existing location. VIHA has acknowledged the drawings and approved the design confirming the proposals' regulatory compliance.

NMBA appreciatively acknowledges the City of Nanaimo's support to help streamline this application. We look forward to fulfilling the project upon a stringent budget, short time line and continued partnerships with member volunteers.

SINCERELY;

Nanaimo Minor Baseball Association