



NOTICE OF DEVELOPMENT VARIANCE PERMIT RESOLUTION

Notice is hereby given that the Council of the City of Nanaimo, at its meeting to be held on 2018-MAR-19, at 7:00 p.m. in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, B.C., will consider the approval of a resolution to issue a development variance permit as follows:

Development Variance Permit No. DVP00343

A development variance permit application was received from Greenplan (Mr. Jack Anderson), on behalf of W2 Enterprises Ltd., to vary the provisions of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" in order to permit an over-height retaining wall/fence currently under construction at 114 Fry Street and to allow two oversized refrigerated shipping containers to temporarily be stored on the subject properties.

Proposed Variances

Section 6.10.2 (Fence) of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" requires that fences and retaining walls located within the rear yard within the COR3 Zone not exceed a maximum height of 1.8m. The proposed retaining wall with a fence has a combined height of 6.5m, a proposed variance of 4.7m.

Note: A previous variance (DVP307) was approved to permit a 6.5m retaining wall with fence for 110 and 106 Fry Street. The proposed fence height/retaining wall variance is for the adjacent property at 114 Fry Street to facilitate the completion of the wall.

Section 6.2.1 (Containers) of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" permits a container as an accessory use for a temporary period within the COR3 Zone, subject to the following requirements:

<i>Length of Temporary Use</i>	<i>Max Allowable Size of Container</i>	<i>No. of Containers Permitted on Property</i>
30 days within a calendar year	20m ²	No more than 1

The applicant is requesting the following variances to Section 6.2.1:

- increase the maximum allowable size of a container from 20m² to 29.75m²;
- increase the length of time containers are permitted to be located on a property from 30 days within a calendar year to up to 1 year;
- increase the maximum number of containers permitted on a property from one to two to be located at 110 Fry Street.

Section 9.5.1 (Corridor Setbacks) – The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" requires a minimum rear yard setback of 7.5m for all buildings and structures

(including containers). The proposed rear yard setback for the containers is 4.5m, a proposed variance of 3m.

Location

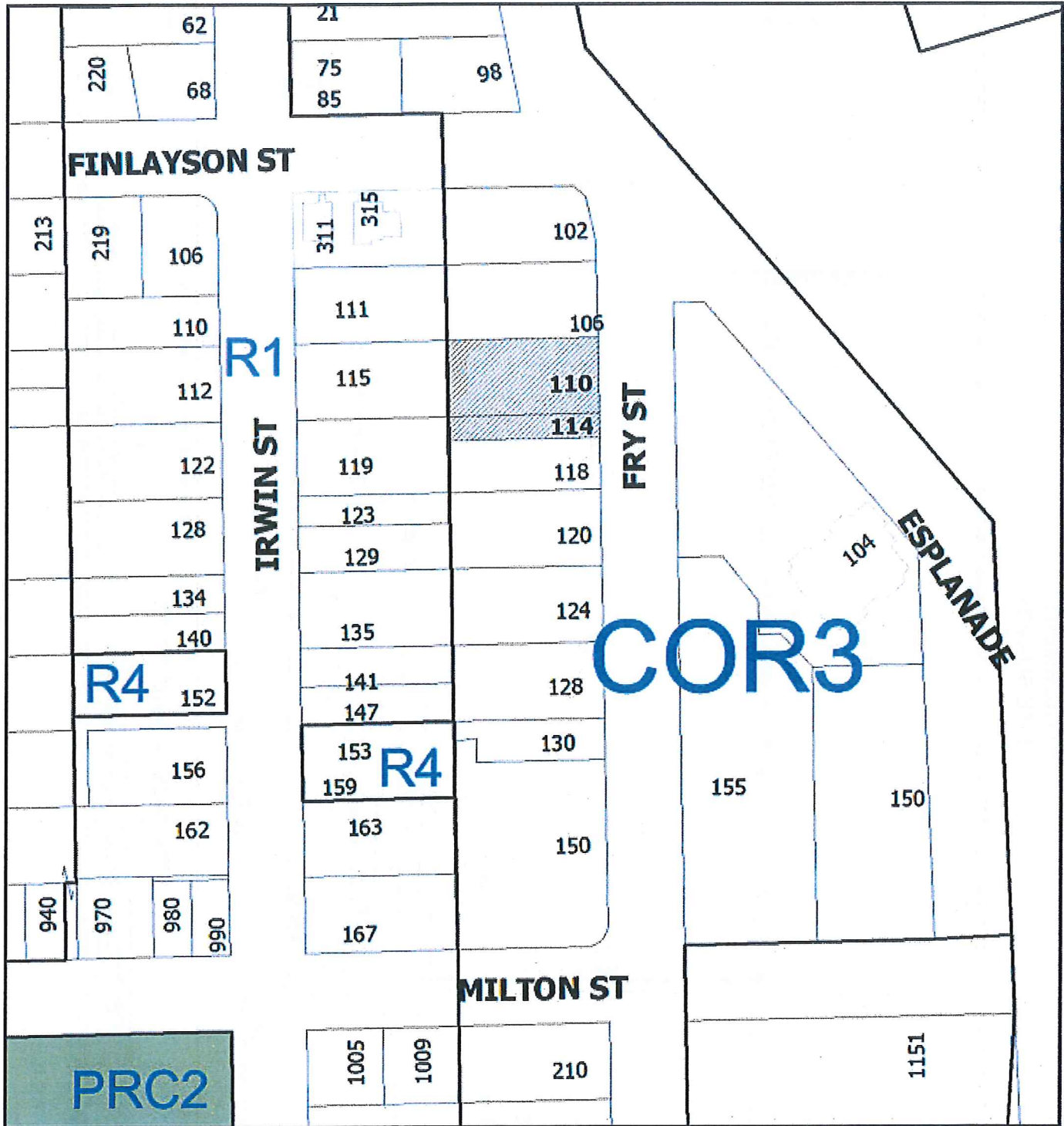
The subject property is located at 110 and 114 FRY STREET. This subject properties are legally described as LOT 18, BLOCK 4, SECTION 1, NANAIMO DISTRICT, PLAN 584; and, THAT PART OF LOT 17, BLOCK 4, SECTION 1, NANAIMO DISTRICT, PLAN 584 LYING NORTHERLY OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 21 FEET SOUTHERLY FROM THE NORTHERLY BOUNDARY OF SAID LOT. The subject properties are identified on Attachment A.

This application may be reviewed at the Community Development Department, 411 Dunsmuir Street, Nanaimo, B.C., during normal business hours 8:30 a.m. to 4:30 p.m., Monday to Friday, excluding statutory holidays, from 2018-MAR-08 to 2018-MAR-19, inclusive. Anyone wishing to address this matter will be given the opportunity to be heard at the Council meeting.

This notification is published in accordance with Section 499 of the *Local Government Act*.

Current Planning and Subdivision
Community Development
CITY OF NANAIMO
250 755-4429

ATTACHMENT A
LOCATION PLAN



DEVELOPMENT VARIANCE PERMIT NO. DVP00343

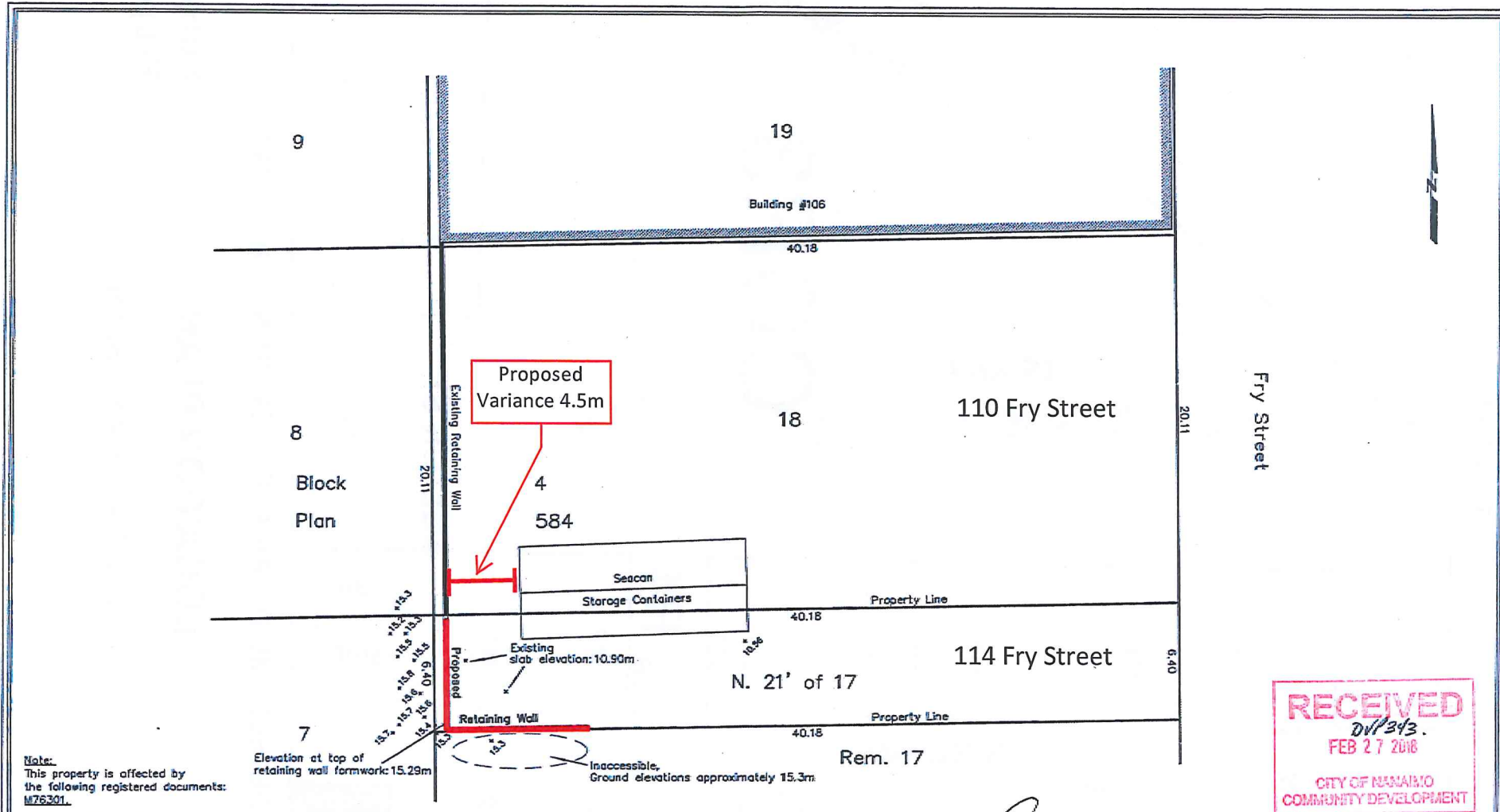
LOCATION PLAN

Civic: 110 and 114 Fry Street



Subject Properties

ATTACHMENT B SITE SURVEY



Note:
This property is affected by the following registered documents:
M76301.

Elevation at top of retaining wall formwork: 15.29m

Inaccessible, Ground elevations approximately 15.3m

RECEIVED
DVP/243.
FEB 27 2018
CITY OF NANAIMO
COMMUNITY DEVELOPMENT

Site Plan showing proposed retaining wall on:
Lot 17, Block 4, Section 1,
Nanaimo District, Plan 584.



Scale 1:200
Distances and elevations are in metres.
Geodetic elevations are derived from control monument 77H5D84.

Certified correct this 27th day of February, 2018.

Turner & land surveying-

250.753.9778
805 Comox Road
Nanaimo, BC V9R 3J4

B.C.L.S.
(This document is not valid unless originally signed and sealed.)

Client: Omni Foods	Civic Address: 114 Fry Street, Nanaimo	Date: February 27th, 2018	Drawn by: DRW
File: 18-075	Scale: 1:200		