

City Staff Report

Report Date: August 17, 2020
Meeting Date: August 25, 2020

Application No.: DP2020-30

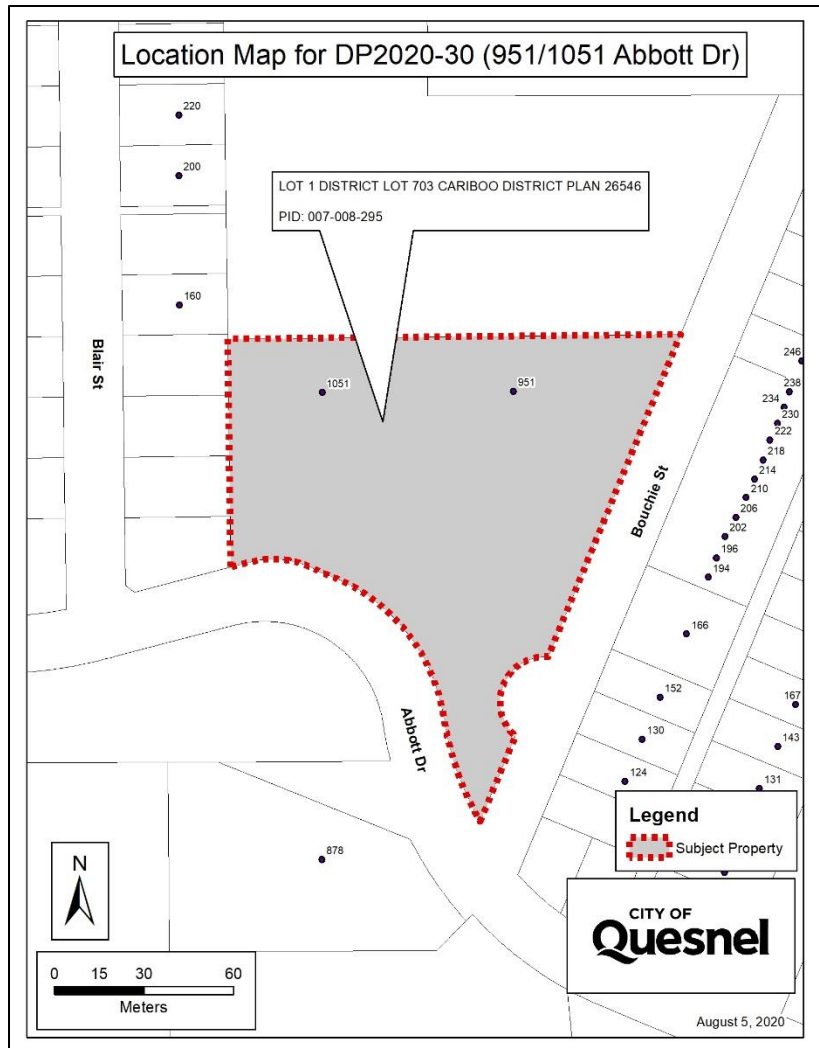
To: City Manager
From: Director of Development Services
Subject: Development Permit for new fencing around Aspen Heights Apartments

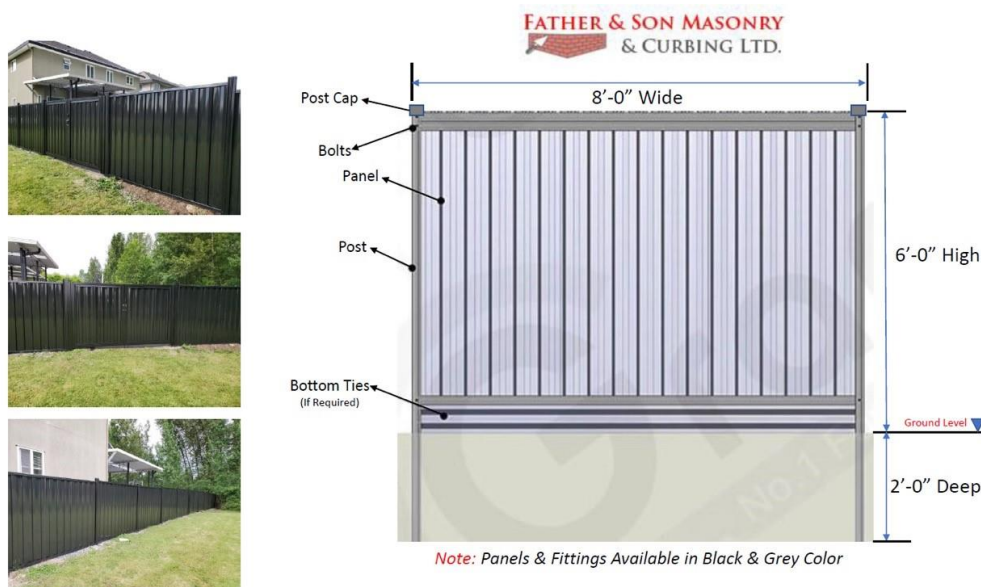
Purpose

To review the form and character of the fencing project for Aspen Heights Apartments (951/1051 Abbott Drive).

Summary

- This Development Permit (DP) is to review the proposal to install new fencing around the entire Aspen Heights Apartments property at 951/1051 Abbott Drive.
- The proposed development requires a variance for the height of fencing in the required front yard.
- The owner of the property is intending to install this fencing for security purposes.
- The owner is not intending to install an automatic vehicle gate immediately, but wishes to construct the fencing in such a way that a gate can be added easily in the future.
- Staff is recommending approving the Development Permit and variance.





Recommendation

THAT Council APPROVE DP2020-30 for the installation of a fence around the entire perimeter of Lot 1 District Lots 703 Cariboo Land District Plan 26546 as proposed on the attached plans;

AND THAT Council approves varying Section 4.11.1 (a) of the City of Quesnel Zoning Bylaw No. 1880, 2019 to permit 1.82 m (6.0 ft.) high fencing located in the required front yard;

SUBJECT TO the applicant obtaining access approval from the Fire Department and Public Works Department prior to an automatic vehicle gate being installed.

Statutory Requirements

Local Government Act

Section 488 – Development Permits

Section 490 – Development Permits General Authority

- (1) *Subject to this section, a local government may, by resolution, issue a development permit that does one or more of the following:*
- a. *Varies or supplements a land use regulation bylaw...*

Council Policy

Official Community Plan Bylaw No. 1879, 2019

Development Application Procedures Bylaw 1531, 2002

Zoning Bylaw No. 1880, 2019



Background

Proposal

- The applicant is proposing to install 1.82 m (6.0 ft.) tall fences around the entire Aspen Heights property.
- The proposed fencing material is to be non-transparent metal planks.
- The colour of the fencing is proposed to be grey.
- The fencing is to be located directly adjacent to the property lines as shown in the attached survey plan of the property.
- The property owner is installing the fencing to address security concerns.
- Proposed fencing for this project **does not** include an access gate for vehicles currently; however, the owner intends to have one installed in the future and should be reviewed from an access point of view.
- A Development Permit is required to assess the proposed development with respect to property form and character.

Site Characteristics

Location	951/1051 Abbott Drive
Site Area	13,197 m ² (approx. 1.32 ha)
Current Use	Apartment
Zoning	RM-2 (Multiple Unit Residential, medium density)
Official Community Plan Land Use Designation	High Density Residential
Servicing	N/A

Surrounding Land Uses

North	Vacant City lot (forested)
East	Mix of multi-unit and single detached residential
South	Abbott Dr, vacant land
West	Vacant land and mix of duplex and single detached residential

Zoning Bylaw Analysis

- The property is zoned RM-2 (Multi-unit Residential, medium density) where the use of apartment is permitted.
- All residential property, whether that be lower densities such as single detached dwellings or higher densities such as apartments, must follow the fencing regulations described in Section 4.11.1 (a) of Zoning Bylaw 1880:

4.11.1 Subject to the visual clearance provisions of Section 4.10 of this Bylaw, the following height limitations shall apply to fences, walls, or solid screens:

(a) except in the M and C zones, and except for required screening; fences and walls shall not exceed a height greater than 1.2 m (4 ft) in any required front yard or a height greater than 2.0 m (6 ft 7 in) on any part of a lot to the rear of a required front yard.

- The required front yard for the subject property is the area that is 7.5 m or less from the front property line nearest Abbott Drive.



- Proposed fence height is acceptable for the sides and rear yards, but a variance is required to permit a 1.82 m tall fence in the required front yard.

Fencing Variance

- Fencing for the subject property is regulated in part by Section 4.11.1 (a) of Zoning Bylaw 1880, which states that fencing in the required front yards of residential properties must only have a maximum height of 1.2 m (4 ft), whereas, the proposed fence nearest Abbott Drive would have a height of 1.82 m (6 ft).

Development Permit Area Guidelines

- **Buildings and Structures:**
 - The proposed fencing does not meet guideline 10 which states that monolithic structures made of the same material should be avoided. The topography of the site and existing vegetation at the front of the property will however create breaks.
- **Access, Circulation and Parking:**
 - Alternative modes of transportation will likely be impacted as a result of the proposed project as the fencing will block two existing walking paths – one between Bouchie St - Abbott Dr and another between the apartments and Bouchie St. This has been discussed with the applicant, who believes that installing additional accesses would defeat the purpose of the fencing which is security.
- **Screening, Landscaping and Exterior Lighting:**
 - The proposed project satisfies guideline 38 of the Multi-unit Development Permit Area which states that fencing or other forms of screening should be provided between parking areas and the street.
 - The applicant is also intending to install additional street lighting for the parking lot in the near future.
 - Existing vegetation at the front of the property will be retained as recommended in guideline 41.
- **Public Realm and Relationship to the Street:**
 - Guideline 7 states that the site shall incorporate CPTED (Crime Prevention Through Environmental Design) principles to reduce opportunities for crime. See CPTED Considerations below.

CPTED Considerations

- CPTED is an abbreviation for Crime Prevention Through Environmental Design.
- A principle of CPTED is to not create invisible spaces.
- The proposed fencing does create an invisible space to some degree, as the fencing material would be non-transparent, however, a large portion of the property is not visible from Abbott Drive due to the slope up to the property.
- Presently, a portion of the parking lot is visible if travelling east on Abbott Drive. This visibility would be compromised somewhat if the proposed fence was installed, see attached site photos.
- Other aspects of the property assist in eliminating invisible spaces:
 - The property owner is intending to install more street lighting in the parking lot.
 - The existing apartment buildings are oriented in such a way that residents are able to view the parking lot from their units, see attached orthophoto.
- City staff have discussed with the owner the possibility of installing semi-transparent fencing for a section of fencing at the front of the property to increase visibility for the parking lot. City staff's recommendation to Council leaves this option open for the owner as long as the semi-transparent fencing is compatible in terms of form and character.

Miscellaneous

- Snow storage for property is to be located on-site.



Written Submissions from the Public

- Variance notices were mailed August 12, 2020 to residents, occupants and owners within 30 meters of the subject property, including the subject property itself. A total of 117 individuals were notified.
- No submissions have been received as of the writing of this report.

Referrals

Public Works: Do not see any issues with this request but something to note is that all snow removal on Bouchie St is all plowed to the west so this fence may incur some snow load so must be constructed accordingly. It looks, from the ortho, that they have allowed room for such snow storage but that always depends on the amount of snow we receive. As there are no houses on the west side of Bouchie that process will continue.	Fire Department: The fire department has no issues with this development as long as we have full access to all sides of both buildings from the front address side. If a gate is to be installed then we will need access to open that gate at any time, either by code or lockbox key.
BCHydro: No response as of report date.	Telus: No issues.
Shaw Cable: No issues.	FortisBC: No objections to the proposed fence on the subject property.

Attachments

Survey Plan
Orthophoto with Contours
Site Photo
Justification Letter for variance

Options

1. Approve as recommended.
2. Amend recommendation and approve.
3. Deny application.