



## COMMUNITY SAFETY & DEVELOPMENT

### AGENDA FOR THE MEETING OF THE BOARD OF VARIANCE TO BE HELD ON 2012-SEP-20 AT 7PM IN THE BOARDROOM, CITY HALL, 455 WALLACE STREET, NANAIMO, BC

1. CALL TO ORDER
  
2. ADOPTION OF MINUTES: 2012-JUL-19
  
3. APPLICATIONS:

**APPEAL NO.:** BOV604

**Applicant:** Mr. Jason Clayton (Modern Aluminum & Vinyl Products Ltd.) on behalf of Ms. Fran Dowson

**Civic address:** 6486 Peregrine Road

**Legal Description:** LOT 4, DISTRICT LOT 53, WELLINGTON DISTRICT, PLAN VIP76367

**Purpose:** The applicant is requesting the required rear yard setback be reduced from 7.5m to 3m and the required side yard setback be reduced from 1.5m to 0.65m, as shown on the attached survey, in order to permit a structural addition (pool enclosure) to a single residential dwelling. This represents a rear yard variance of 4.5m and a side yard variance of .085m.

**Zoning Regulations:** Single Dwelling Residential - R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

*Section 7.5.1.. - Yard Requirements  
A rear yard setback of 7.5m is required.*

**Local Government Act:** The property is considered legal-conforming and, as such; *Local Government Act, Section 911 - Non-conforming Uses and Siting*, does not apply.

**APPEAL NO.:** BOV606**Applicant:** Ms. Stella Botto**Civic address:** 501 Woodhaven Drive**Legal Description:** STRATA LOT 173, SECTION 5, WELLINGTON DISTRICT, STRATA PLAN 830 (PHASE 3), TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1.**Purpose:** The applicant is requesting the required side yard setbacks be reduced from 1.5m to 0.7m (east side of deck) and 1.5m to 1.2m (west side of deck), respectively, as shown on the attached survey, in order to permit two recently constructed open decks. This represents side yard variance requests of 0.8m (east side of deck), and 0.3m (west side of deck), respectively.**Zoning Regulations:** Single Dwelling Residential - R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

*Section 7.5.1.. - Yard Requirements  
A side yard setback of 1.5m is required.*

**Local Government Act:** The property is considered legal-conforming and, as such; *Local Government Act, Section 911 - Non-conforming Uses and Siting*, does not apply.**APPEAL NO.:** BOV603**Applicant:** Ms. Kim Yon and Mr. Gary Yon**Civic address:** 136 Yon Place**Legal Description:** LOT 14, SECTION 4, WELLINGTON DISTRICT, PLAN EPP11448**Purpose:** The applicant is requesting to vary the provisions of Zoning Bylaw 4500 to reduce the required 4.5m side yard setback for a heat pump in order to permit the placement of a heat pump 3.6m from the side yard property line, as shown on the attached survey. This represents a side yard variance request of 0.9m.**Zoning Regulations:** Single Dwelling Residential - R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

*6. 5. 2 - Heat pumps and central air condition units must be located to the rear of a principal building and shall not be closer than 4.5m from the side lot lines or closer than 3m from the rear property line.*

**Local Government Act:** The property is considered legal-conforming and, as such; *Local Government Act, Section 911 - Non-conforming Uses and Siting*, does not apply.

**APPEAL NO.:** **BOV602**

**Applicant:** Ms. Lori Doumont and Mr. Glenn Doumont

**Civic address:** 2242 Neil Drive

**Legal Description:** LOT 47, SECTION 11, RANGE 7, MOUNTAIN DISTRICT, PLAN 25146

**Purpose:** The applicant is requesting to vary the provisions of Zoning Bylaw 4500 in order to permit the placement of a heat pump to the side of a single residential dwelling, as shown on the attached survey.

**Zoning Regulations:** Single Dwelling Residential - R1a. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

*6. 5. 2 - Heat pumps and central air condition units must be located to the rear of a principal building and shall not be closer than 4.5m from the side lot lines or closer than 3m from the rear property line.*

**Local Government Act:** The property is considered legal-conforming and, as such; *Local Government Act, Section 911 - Non-conforming Uses and Siting*, does not apply.

#### 4. ADJOURNMENT

/pm

ec: *Graham Trimmer*  
*Building Inspections*

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