



## COMMUNITY SAFETY & DEVELOPMENT

**MINUTES OF THE MEETING  
OF THE BOARD OF VARIANCE  
HELD IN THE BOARDROOM, 455 WALLACE STREET, NANAIMO, BC  
ON THURSDAY, 2012-MAR-15 COMMENCING AT 7:00 P.M.**

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**PRESENT:**   Members:   Mr. Lars Apland - Chair  
                                  Ms. Janet Cowling  
                                  Mr. Allan Dick  
                                  Mr. Jim Galloway  
                                  Mr. Amarjit Minhas

                  Staff:       Mr. Dave Pady, Planning Assistant, Current Planning  
                                  Ms. Penny Masse, Planning Clerk, Current Planning

**1.    CALL THE MEETING TO ORDER:**

The regular meeting was called to order at 6:58 p.m.

**2.    ADOPTION OF MINUTES:**

It was moved and seconded that the Minutes of the meeting of the Board of Variance held in the Boardroom, 455 Wallace Street, Nanaimo, BC on Thursday, 2011-FEB-16 be adopted as circulated. The motion carried unanimously.

**3.    APPLICATIONS:**

**APPEAL NO.:**       **BOV592**

**Applicant:**       Mr. and Mrs. Bruce and Susan Goddard

**Civic address:**   6105 Janelle Place

**Legal Description:** LOT 23, DISTRICT LOT 48, WELLINGTON DISTRICT, PLAN VIP53806

**Purpose:**           The request of the applicant is to vary the provisions of Section 6.5.2 of the Zoning Bylaw to permit the placement of a heat pump adjacent in a flanking side yard to the side and front of a principal building, as shown in the site plan.

**Zoning Bylaw:** 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.*

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

The City of Nanaimo Board of Variance has been established in accordance with Section 899 of the *Local Government Act*.

**Discussion:** Mr. Goddard was in attendance for his appeal.

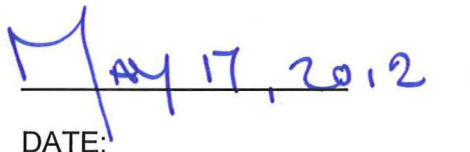
**Decision:** It was moved and seconded that the variance application be approved as presented. The motion carried. Ms. Cowling voted in opposition to the variance.

4. **OTHER BUSINESS:**

5. **ADJOURNMENT:**

It was moved and seconded at 7:13 p.m. that the meeting terminate. The motion carried unanimously.

  
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CHAIR  
CERTIFIED CORRECT

  
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DATE: