



COMMUNITY SAFETY & DEVELOPMENT

**MINUTES OF THE MEETING
OF THE BOARD OF VARIANCE
HELD IN THE BOARDROOM, 455 WALLACE STREET, NANAIMO, BC
ON THURSDAY, 2011-DEC-15 COMMENCING AT 7:00 P.M.**

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

Regrets: Mr. Allan Dick

Staff: Mr. Thomas Knight, Manager, Current Planning
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 7:02 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-NOV-17 be adopted as circulated. The motion carried unanimously.

3. APPLICATIONS:

APPEAL NO.: BOV588

Applicant: Mr. Rob Turgeon (Edgerock Construction) on behalf of Mr. Jaco Kruger and Ms. Huajin Cui

Civic Address: 3134 Robin Hood Drive

Legal Description: LOT 7, SECTION 9, WELLINGTON DISTRICT, PLAN 29032

Purpose: The request of the applicant is to reduce the required rear yard setback from 7.5 metres to 1.7 metres in order permit an addition to an existing single family dwelling. This represents a rear yard variance of 5.8 metres.

Please note, at its meeting of 1992-JUL-03, the Board of Variance approved a rear yard setback to 4.8 metres in order to permit construction of the existing single family dwelling.

Zoning Regs: Single Dwelling Residential – R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000":

"7.5.1 – Siting of Buildings – a principle building must be setback a minimum distance of 7.5 metres from the rear lot line."

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

Discussion: Mr. Rob Turgeon appeared to present the variance application request on behalf of the property owner, Mr. Jaco Kruger, who was in attendance. Mr. James Wood of 3139 Monk Place and Ms. Gail Jewsbury, owner of 3145 Monk Place, appeared in opposition of the variance application. Ms. Jewsbury also had concerns regarding the City of Nanaimo notification process and policies.

Decision: It was moved and seconded that the variance application be deferred until such time that elevations or conceptual drawings, site photos, geotechnical assessment, if available, and easement layout can be viewed and discussed by the Board. The motion carried unanimously.

4. OTHER BUSINESS:

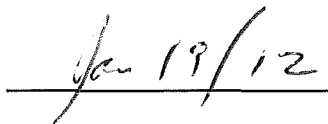
Mr. Pady provided a presentation to the Board regarding clarification on the definition of yards and setbacks. A hard copy of the presentation will be forwarded to all Board members.

5. ADJOURNMENT:

It was moved and seconded at 8:00 p.m. that the meeting terminate. The motion carried unanimously.



CHAIR
CERTIFIED CORRECT



DATE: