



## COMMUNITY SAFETY & DEVELOPMENT

### MINUTES OF THE MEETING OF THE BOARD OF VARIANCE HELD IN THE BOARDROOM, 455 WALLACE STREET, NANAIMO, BC ON THURSDAY, 2011-NOV-17 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. Thomas Knight, Manager, Current Planning  
Mr. Dave Pady, Planning Assistant, Planning Section, CSD

**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-OCT-20 be adopted as circulated. The motion carried unanimously.

**3. APPLICATIONS:**

**APPEAL NO.:** BOV587

**Applicant:** Mr. Jack Anderson (Anderson Greenplan Ltd.) on behalf of Mr. Adam Broomfield

**Civic Address:** 359 Poets Trail Drive

**Legal Description:** LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN VIP87165

**Purpose:** The applicant requests to increase the maximum height of a rear yard fence from 2.4 metres to 2.77 metres, as shown in the survey provided and as measured from grading plan grade, in order to permit a recently constructed fence atop of a retaining wall. This represents a rear yard fence height variance of 0.37 metres.

**Zoning Regs:** Single Dwelling Residential – R1. The applicant requests a variance to the City of Nanaimo “ZONING BYLAW 2011 NO. 4500”:

*“6.10 – Fence Height*

*Fence height shall be determined by measuring vertically from the grade shown on the final lot grading plan, as approved by the subdivision approving officer, or finished grade on the low side of the retaining wall or fence.”*

*“6.10.2 – The height of a fence shall not exceed 2.4 metres in a side or rear yard.”*

*“6.10.4 – Where a guard railing is required by the BC Building Code, the minimum required height of guard railing may be excluded from the calculation of fence height.”*

**LGA:** N/A

**Discussion:** Mr. Jack Anderson appeared in support of the variance application. Mr. Emanuel Hajek of 3440 Creekside Place appeared in support of the variance application.

**Decision:** It was moved and seconded that the variance application be approved as presented. The motion carried unanimously.

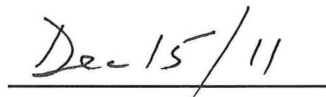
**4. OTHER BUSINESS:**

**5. ADJOURNMENT:**

It was moved and seconded at 7:16 p.m. that the meeting terminate. The motion carried unanimously.



CHAIR  
CERTIFIED CORRECT



DATE: