



Board of Variance Summary Sheet

Thursday, 2011-JUL-21

BOV Application #	Address	Applicant
BOV579	451 Milton Street	Ms. Heather Middleton and Mr. Brian Berg
BOV580	505 Kennedy Street	Ms. Kimberley Garland
BOV581	111 Captain Morgans Boulevard	Mr. Lee Bouchard and Ms. Laura Vierke



COMMUNITY SAFETY & DEVELOPMENT

AGENDA FOR THE MEETING OF THE BOARD OF VARIANCE TO BE HELD ON 2011-JUL-21 AT 7PM IN THE BOARDROOM, CITY HALL, 455 WALLACE STREET, NANAIMO, BC

1. CALL TO ORDER
2. ADOPTION OF MINUTES: 2011-JUN-16
3. APPLICATIONS:

APPEAL NO.: BOV579

Applicant: Ms. Heather Middleton and Mr. Brian Berg

Civic address: 451 Milton Street

Legal Description: THAT PART OF SECTION A OF LOT 15, BLOCK H, SECTION 1, NANAIMO DISTRICT, PLAN 584, LYING SOUTH EASTERLY OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH EASTERLY AND SOUTH WESTERLY BOUNDARIES OF SAID SECTION A

Purpose: The applicant is requesting that the front yard major road setback for a single family dwelling be reduced from 10 metres (32.8 feet) to 7.2 metres (23.62 feet), as shown in the survey provided, in order to permit a structural alteration to an existing single family dwelling which is non-conforming as to siting. This represents a front yard major road setback variance of 2.8 metres (9.18 feet).

Zoning Regulations: Old City Low Density (Fourplex) Zone – (RM-9). The applicant requests a variance to the City of Nanaimo “ZONING BYLAW 1993 NO. 4000”:

“Section 5.2.1.1 – Location and Siting of Buildings and Structures to Major Roads 10 metres (32.8 feet) from a property line that abuts established urban arterials, urban collector roads and provincial highways, as designated by the City of Nanaimo Official Community Plan, when the required dedication to achieve the required right of way has not occurred to facilitate the widening of the major road.”

Local Government Act: Please note: Section 911 (9) and (10) of the Local Government Act, which states:

"If the use and density of buildings and structures conform to a bylaw under this division... but the siting, size or dimensions of a building or structure constructed before the bylaw was adopted does not conform with the bylaw, ... the building or structure ... may be maintained, extended or altered ... only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the bylaw than that existing at the time the repair, extension or alteration was started."

APPEAL NO.: **BOV580**

Applicant: Ms. Kimberley Garland

Civic address: 505 Kennedy Street

Legal Description: SECTION C OF LOT 11, BLOCK V, SECTION 1, NANAIMO DISTRICT,
PLAN 584

Purpose: The applicant is requesting that the required side yard setback be reduced from 1.5 metres (4.92 feet) to 0.5 metres (1.64 feet), as shown in the survey provided, in order to permit a deck currently under construction on a single family dwelling which is non-conforming as to siting. This represents a side yard setback variance of 1 metre (3.28 feet).

Zoning Regulations: Old City Medium Density Multiple Family Residential Zone – (RM-10).
The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000":

*"Section 7.10.6.2. -Yard Requirements
Side yards of not less than 1.5 metres (4.92 feet) for each side yard shall be provided."*

Local Government Act: Please note: Section 911 (9) and (10) of the Local Government Act, which states:

"If the use and density of buildings and structures conform to a bylaw under this division... but the siting, size or dimensions of a building or structure constructed before the bylaw was adopted does not conform with the bylaw, ... the building or structure ... may be maintained, extended or altered ... only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the bylaw than that existing at the time the repair, extension or alteration was started."

APPEAL NO.: **BOV581**

Applicant: Mr. Lee Bouchard and Ms. Laura Vierke

Civic address: 111 Captain Morgans Boulevard

Legal Description: LOT 289, DOUGLAS ISLAND (KNOWN AS PROTECTION ISLAND),
NANAIMO DISTRICT, PLAN 14111

Purpose: The applicant is requesting that the maximum height of a single family dwelling be increased from 8.25 metres (27.06 feet) to 8.8 metres (28.87 feet), as shown in the surveys provided, in order to permit a single family dwelling currently under construction. This represents a height variance of 0.55 metres (1.81 feet).

Zoning Regulations: Single Family Residential Island Zone – (RS-4). The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000":

"Section 6.4.7.1. - Height of Buildings

The height of a principal building shall not exceed 8.25 metres (27.06 feet)."

Local Government Act: N/A

4. ADJOURNMENT

/pm

ec:

Building Inspection Division

Jeremy Holm, Manager, Planning Section

Randy Churchill, Manager, Bylaw Regulation & Security, Bylaw Services Section

Bill Corsan, Manager, Real Estate Section

Nancy Peterson, Real Estate Technician, Real Estate Section

David Stewart, Planner, Planning Section

Cam Scott, E-Government / Communications Officer

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COMMUNITY SAFETY & DEVELOPMENT

MINUTES OF THE MEETING OF THE BOARD OF VARIANCE HELD IN THE BOARDROOM, 455 WALLACE STREET, NANAIMO, BC ON THURSDAY, 2011-JUN-16 COMMENCING AT 7:00 P.M.

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

 Absent: None

 Staff: Mr. Jeremy Holm, Manager, Planning Section, CSDD
 Ms. Joan Harrison, Manager, Legislative Services, CSD
 Mr. Dave Pady, Planning Assistant, Planning Section, CSDD
 Ms. Penny Masse, Planning Clerk, Planning Section, CSDD

1. **CALL THE MEETING TO ORDER:**

The 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-MAR-17 be adopted as circulated. The motion carried unanimously.

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-MAY-19 be amended by removing the following sentence under the 'Adoption of Minutes' section: "It was moved and seconded that the minutes of the meetings held 2011-MAR-17 be adopted." The motion carried unanimously.

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-MAY-19 be adopted as amended. The motion carried unanimously.

3. APPLICATIONS:

Appeal No.: BOV575

Applicant: Mr. Rawel Parmar of Improvement Building Maintenance

Civic address: 2353 Leighton Road

Legal Description: LOT 8, SECTION 10, RANGE 7, MOUNTAIN DISTRICT, PLAN EPP7103

Purpose: The applicant is requesting that the maximum height of a single family dwelling be increased from 8.25 metres (27.06 feet) to 8.62 metres (28.28 feet), as shown in the survey provided, in order to permit a single family dwelling currently under construction. This represents a height variance of 0.37 metres (1.22 feet).

Zoning Regs: This property is within the Single Family Residential Zone (RS-1). The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000":

"Section 6.1.7.1 - Height of Buildings

The height of a principal building shall not exceed the maximum height shown in the following table:

<i>Roof Pitch</i>	<i>Maximum Height</i>
<i>A flat roof (< than 4:12)</i>	<i>6.71 metres (22 feet)</i>
<i>A sloped roof (≥ 4:12)*</i>	<i>8.25 metres (27.06 feet)</i>

** for an area of at least 80% of all roof surfaces measured in plan view.*

LGA: N/A

Discussion: Mr. Rawell Parmar appeared in support of the variance application. Mr. Ian Johnson, 380 Westwood Road, appeared in opposition of the City of Nanaimo Building Section's policy to allow non-conforming construction to continue as it causes a more difficult situation for the BOV and neighbours.

Decision: It was moved and seconded that the variance application be denied. The motion carried unanimously.

Appeal No.: BOV576

Applicant: Mr. Terry Fiddick

Civic address: 130 Holland Road

Legal Description: LOT 1, SECTION 14, RANGE 7, MOUNTAIN DISTRICT, PLAN 21104

Purpose: The applicant is requesting that the maximum height of a single family dwelling be increased from 9 metres (29.53 feet) to 9.09 metres (29.82 feet), as shown in the survey provided, in order to permit a single family dwelling currently under construction. This represents a height variance of 0.09 metres (0.29 feet).

Zoning Regs: This property is within the Rural Agricultural / Residential Zone (A-1). The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000":

*"8.1.7.1 – Height of Buildings
The height of a building or structure used for dwelling purposes shall not exceed 9 metres (29.53 feet)."*

LGA: N/A

Discussion: Mr. Trevor McDonald, 2250 Bellwood Avenue, appeared in support of the variance application.

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

Appeal No.: **BOV577**

Applicant: Mr. Jon Schuman

Civic address: 245 Juniper Street

Legal Description: LOT 5, BLOCK 111, NEWCASTLE TOWNSITE, SECTION 1, NANAIMO DISTRICT, PLAN 366

Purpose: The applicant is requesting that the front yard setback for a single family dwelling be reduced from 6 metres (19.69 feet) to 5.83 metres (19.13 feet), as shown in the survey provided, in order to permit a structural alteration to an existing single family dwelling which is non-conforming as to siting. This represents a front yard setback variance of 0.6 metres (1.97 feet).

Zoning Regs: This property is within the Single Family Residential Zone (RS-1a). The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000":

*"Section 6.1.6.1 – Yard Requirements
A front yard of not less than 6 metres (19.69 feet) shall be provided."*

LGA: Please note: Section 911 (9) and (10) of the *Local Government Act*, which states:

"If the use and density of buildings and structures conform to a bylaw under this division... but the siting, size or dimensions of a building or structure constructed before the bylaw was adopted does not conform with the bylaw, ... the building or structure ... may be maintained, extended or altered ... only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the bylaw than that existing at the time the repair, extension or alteration was started."

Discussion: Mr. Jon Schuman appeared in support of the variance application. Ms. Joy Bremner, 235 St. George Street, appeared neither opposed nor in favour of the variance application; however, she noted she appreciates any improvements made in the neighbourhood.

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

4. OTHER BUSINESS:

Further to BOV575, Mr. Dick raised the discussion regarding the City of Nanaimo's policy to allow a builder to continue construction despite a contravention of regulations and issuance of a stop work order. Where the contravention requires an application to the Board of Variance, the builder may proceed with construction if they sign an agreement that they will bring a property into conformity with regulations if the Board of Variance votes in opposition to the appeal. Mr. Pady noted he would speak to the Supervisor of Building Inspections and would return to the Board with further information on the matter.

5. ADJOURNMENT:

It was moved and seconded at 7:54 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR
CERTIFIED CORRECT

ec: Building Inspection Section
Bill Corsan, Manager, Planning Section
Randy Churchill, Manager, Bylaw Regulation & Security, Bylaw Services Section
Nancy Peterson, Real Estate Technician, Real Estate Section
David Stewart, Planner, Planning Section
Cam Scott, E-Government / Communications Officer
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COMMUNITY SAFETY & DEVELOPMENT

BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2011-JUL-21 at 7pm in the Boardroom, City Hall, 455 Wallace Street, Nanaimo, BC to hear the following appeal:

APPEAL NO.: BOV579

Applicant: Ms. Heather Middleton and Mr. Brian Berg

Civic address: 451 Milton Street

Legal Description: THAT PART OF SECTION A OF LOT 15, BLOCK H, SECTION 1, NANAIMO DISTRICT, PLAN 584, LYING SOUTH EASTERLY OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH EASTERLY AND SOUTH WESTERLY BOUNDARIES OF SAID SECTION A

Purpose: The applicant is requesting that the front yard major road setback for a single family dwelling be reduced from 10 metres (32.8 feet) to 7.2 metres (23.62 feet), as shown in the survey provided, in order to permit a structural alteration to an existing single family dwelling which is non-conforming as to siting. This represents a front yard major road setback variance of 2.8 metres (9.18 feet).

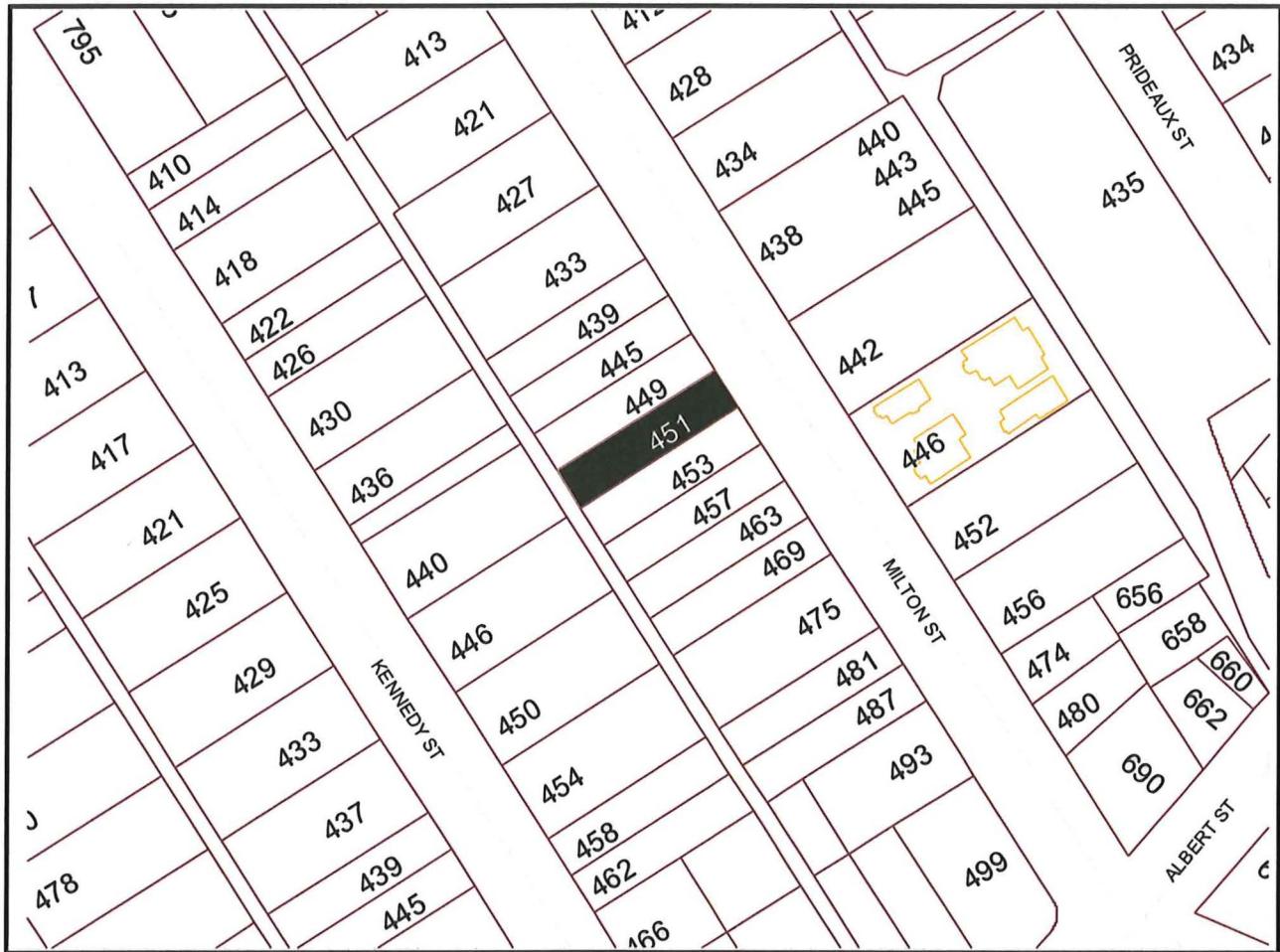
Zoning Regulations: Old City Low Density (Fourplex) Zone – (RM-9). The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000":

"Section 5.2.1.1 – Location and Siting of Buildings and Structures to Major Roads 10 metres (32.8 feet) from a property line that abuts established urban arterials, urban collector roads and provincial highways, as designated by the City of Nanaimo Official Community Plan, when the required dedication to achieve the required right of way has not occurred to facilitate the widening of the major road."

Local Government Act: Please note: Section 911 (9) and (10) of the Local Government Act, which states:

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The Board of Variance decision will apply to subsequent owners of the land. If you deem your property to be affected by this appeal, please feel free to attend this meeting. Anyone wishing to address this appeal will be afforded the opportunity to be heard at the Board of Variance meeting. This application may be reviewed with Staff at the Community Safety & Development Division, 238 Franklyn Street, Nanaimo, BC, or by calling 250-755-4429 (x4344), during normal business hours, Monday to Friday, excluding statutory holidays, from 2011-JUL-08 to 2011-JUL-21, inclusive.



BOARD OF VARIANCE APPLICATION BOV579

LOCATION MAP

CIVIC: 451 Milton Street

LEGAL: THAT PART OF SECTION A OF LOT 15, BLOCK H, SECTION 1, NANAIMO DISTRICT, PLAN 584, LYING SOUTH EASTERLY OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH EASTERLY AND SOUTH WESTERLY BOUNDARIES OF SAID SECTION A

Board of Variance Appeal Application Form



Applicant

Name of Applicant (Contact Person) HEATHER MIDDLETON

**If the applicant is not the registered owner an Appointment of Agent form will be required.*

Company Name (If Applicable) _____

Company Search (If Applicable) _____

Phone 1 250-754-9751 Phone 2 cell 250-802-4464

Fax _____

Email hl-middleton@yahoo.com

Mailing Address 451 MILTON ST, NANAIMO, BC, V9R 2K9

Please indicate preferred method of correspondence. ☐ Fax ☒ Email or ☒ Mail

RECEIVED

JUN 30 2011

BOV 579

CITY OF NANAIMO
DEVELOPMENT SERVICES

Property

Civic Address of Property 451 MILTON ST, NANAIMO, BC
V9R 2K9

Legal Description of Property LTA 15 NANAIMO BC PL 584 BLOCK H

**Must match title* LD 32 SEC 1 PT SE 1/4 LYING SE OF END Y

JOINING PTS OF BISEC OF NE

Proposed Variance Requested VARY from 10m set back to 7.2m.

Purpose of Proposed Variance Repair & extension of COVERED Porch (main level)
across width of house, & add upper balcony

- Yes ☐ No ☒ Is this variance required to legalize a building or structure that has already been constructed?
- ☐ ☐ Was a valid Building Permit issued before Construction began? If yes, BP # _____

Please Note: In order for a variance to remain valid, a building permit must be issued within six months of the appeal date. This time limit may be increased or decreased at the Board's discretion. A relaxation granted by the Board applies only to the City bylaw specified.

Signature for Board of Variance Appeal

I / we hereby declare that all of the above statements and the information and materials submitted in support of this application are, to the best of my knowledge, true and correct in all aspects.

June 28, 2011
Date

H. Middleton / Brian Berg
Applicant Signature (print name below)
(H. Middleton / Brian Berg)

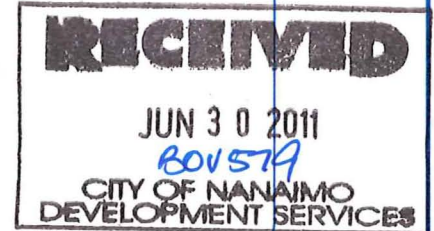
Both on title

Board of Variance Application Checklist



Required Items

- ☒ Application Fee of \$100.00 (No GST)
- ☒ Completed Board of Variance Appeal Application Form — *consent*
- ☒ Certificate of Title
- ☒ Appeal Rationale



Additional Items

- ☒ BCLS Site Survey Plan (Setback Variances)
- ☐ BCLS Height Survey
- ☒ Elevation Drawings (Height Variances)

Please note: a discussion with Staff is required to determine additional application requirements.

Certificate of Title (1 copy)

Copy of the Certificate of Title for subject land(s), and a copy of all relevant covenants, no older than two weeks at the time of application.

Appeal Rationale (1 copy)

A written statement outlining the rationale of the proposed variance and how the current regulations place an "undue hardship" on the property.

BCLS Site Survey Plan (2 copies)

A sealed legal survey from a certified British Columbia Land Surveyor is required to confirm proposed dimensions and distances. The site survey needs to include all existing and proposed improvements on the subject property and indicate distances from outer corners and eternal walls to adjacent property lines and to adjacent buildings or structures.

Incomplete applications will be returned to the applicant.

I / we hereby declare that all of the above statements and the information and materials have been submitted in support of this application.

June 29, 2011

Date

H. Middleton

Applicant Signature (print name)

(HEATHER MIDDLETON)

Brian Berg

BRIAN BERG

Consent of Neighbours

Consent of Neighbours: We the undersigned have been advised of the appeal and have examined the provided information and are familiar with the nature and extent of the appeal. We are the owners of property adjacent to the property of which this appeal is being made. We offer no objection whatsoever to the granting of the variance asked for in this appeal.

Owner's Name (Please Print)

Owner's Signature

Civic Address

Donna Buckner

Donna Buckner

453 Milton St

Nanaimo

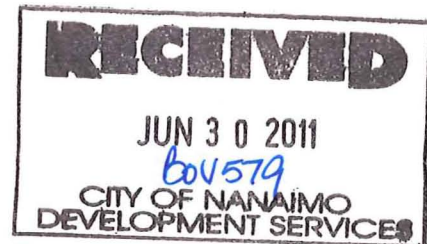
Jeremy Blocher

[Signature]

449 Milton St

Nanaimo

→ tenant @ 449 Milton is unavailable, the



BOV

Date: 04-Jul-2011 TITLE SEARCH PRINT Time: 14:36:00
 Requestor: (SC17110) GOVERNMENT AGENT BRANCH - SERVICE BC Page 001 of 002
 Folio: TITLE - CA296341

VICTORIA LAND TITLE OFFICE TITLE NO: CA296341
 FROM TITLE NO: EX152021

APPLICATION FOR REGISTRATION RECEIVED ON: 26 SEPTEMBER, 2006
 ENTERED: 28 SEPTEMBER, 2006

REGISTERED OWNER IN FEE SIMPLE:
 BRIAN NATHAN BERG, FORESTATION SUPERVISOR
 451 MILTON STREET
 NANAIMO, BC
 V9R 2K9
 AS TO AN UNDIVIDED 99/100 INTEREST

HEATHER LYNNE MIDDLETON, OCCUPATIONAL THERAPIST
 451 MILTON STREET
 NANAIMO, BC
 V9R 2K9
 AS TO AN UNDIVIDED 1/100 INTEREST

TAXATION AUTHORITY:
 CITY OF NANAIMO

DESCRIPTION OF LAND:
 PARCEL IDENTIFIER: 003-894-894
 THAT PART OF SECTION A OF LOT 15, BLOCK H, SECTION 1, NANAIMO DISTRICT,
 PLAN 584, LYING SOUTH EASTERLY OF A STRAIGHT BOUNDARY JOINING THE POINTS
 OF BISECTION OF THE NORTH EASTERLY AND SOUTH WESTERLY BOUNDARIES OF
 SAID SECTION A

LEGAL NOTATIONS: NONE

CHARGES, LIENS AND INTERESTS:
 NATURE OF CHARGE
 CHARGE NUMBER DATE TIME

UNDERSURFACE RIGHTS
 52471G
 REGISTERED OWNER OF CHARGE:
 WESTERN FUEL CORPORATION OF CANADA, LIMITED
 52471G
 REMARKS: A.F.B. 37.455.22233F

MORTGAGE
 CA296342 2006-09-26 12:22
 REGISTERED OWNER OF CHARGE:
 INVESTORS GROUP TRUST CO. LTD.
 CA296342

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

Date: 04-Jul-2011	TITLE SEARCH PRINT	Time: 14:36:00
Requestor: (SC17110)	GOVERNMENT AGENT BRANCH - SERVICE BC	Page 002 of 002
Folio:	TITLE - CA296341	

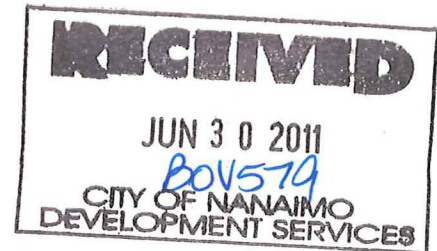
*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

Heather Middleton & Brian Berg

451 Milton Street
Nanaimo, BC
V9R 2K9
(250) 754-9751

City of Nanaimo
Development Services

6/28/2011



Re: Application to Board of Variance for Set-Back Variance – 451 Milton Street

In reference to the above –noted application, we the owners of the house at 451 Milton Street are applying for a set-back variance, requesting the board's approval to change the street set-back from 10.0 meters to 7.2 meters. We are requesting this approval in order to facilitate the repair and extension of our current front porch. The current front porch is a small area that just accommodates the entry to the home, and is in need of repair in order to continue to provide safe access to the premises. The porch depth is 1.8 meters, the front of which is at the 7.2 meter set-back point. We do not intend to extend the depth of the porch any further. Our intention is to repair the current porch and to extend the width of the porch to reach across the front of the house as part of an un-enclosed, covered veranda, consistent with the character of the Old-City neighborhood, and to add a small balcony over this veranda, opening from the upper level of the home. Neighbors have been consulted and are in support of this plan.

Originally built in 1911, this character home had unfortunately been neglected for many years prior to our purchase in 2006. Since this time we have worked to restore the home and are committed to maintaining a design congruent with the era and neighborhood character. As Milton Street is now classified as a major street, and set-back requirements have changed over the decades since the home's original construction, we are unable to proceed with permit- approval for our front porch repair and extension unless provided the requested variance approval by the board. The appearance and value of the home will continue to deteriorate unless we are able to attend to this front porch area.

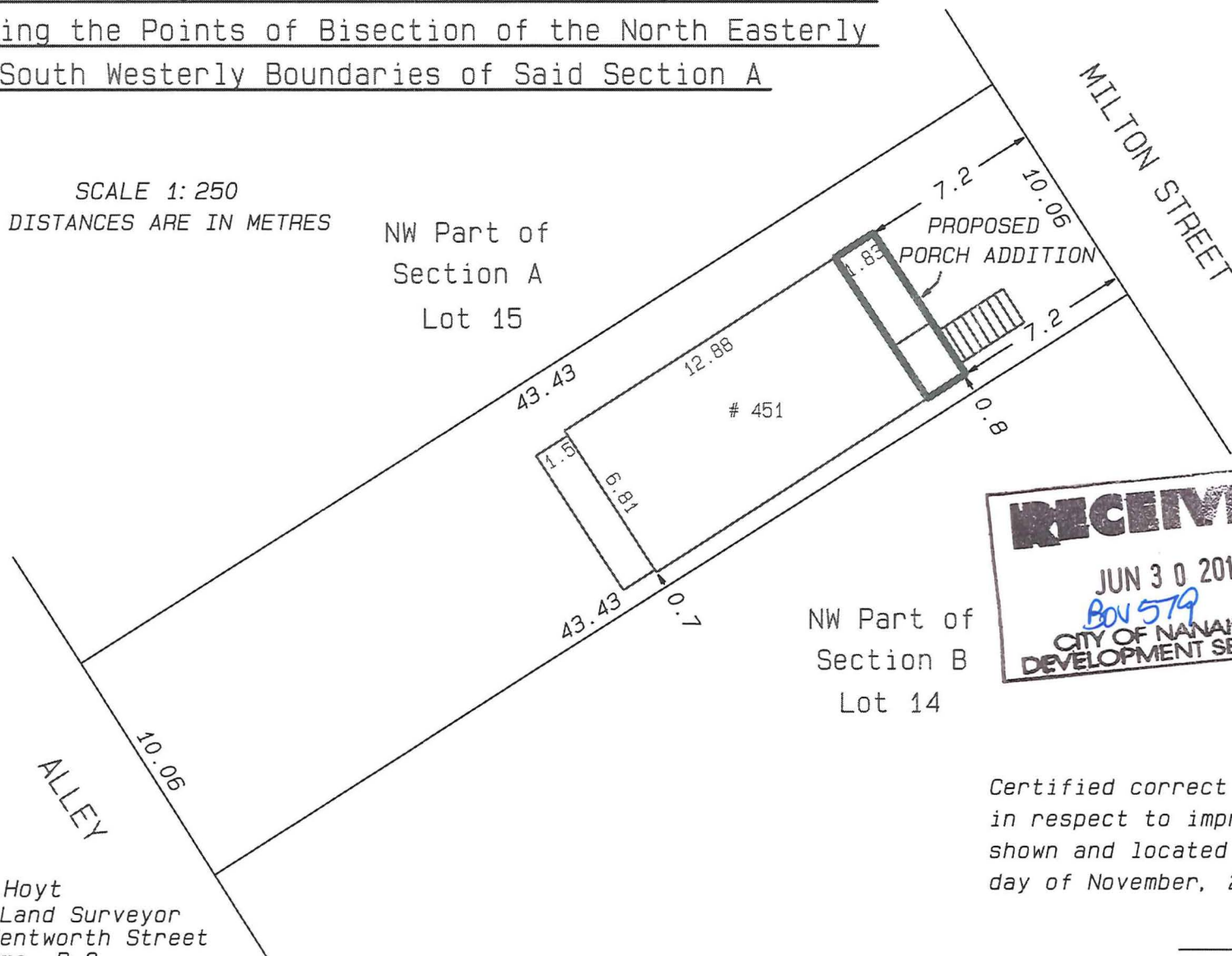
Thank-you for your consideration of this request,


Heather Middleton & Brian Berg
451 Milton Street

British Columbia Land Surveyor's Certificate of Location on:
That Part of Section A of Lot 15, Block H, Section 1, Nanaimo District,
Plan 584, Lying South Easterly of a Straight Boundary
Joining the Points of Bisection of the North Easterly
and South Westerly Boundaries of Said Section A

SCALE 1: 250
DISTANCES ARE IN METRES

NW Part of
Section A
Lot 15



NW Part of
Section B
Lot 14



Certified correct and valid only
in respect to improvements as
shown and located on the 17th
day of November, 2010.

T.G. Hoyt
B.C. Land Surveyor
512 Wentworth Street
Nanaimo, B.C.
V9R 3E4
© 2010

F.B.354 P.6

Not valid unless originally signed and sealed.

B.C.L.S.



BOARD OF VARIANCE APPLICATION BOV579

NOTIFICATION MAP

CIVIC: 451 Milton Street

LEGAL: THAT PART OF SECTION A OF LOT 15, BLOCK H, SECTION 1, NANAIMO DISTRICT, PLAN 584, LYING SOUTH EASTERLY OF A STRAIGHT BOUNDARY JOINING THE POINTS OF BISECTION OF THE NORTH EASTERLY AND SOUTH WESTERLY BOUNDARIES OF SAID SECTION A

RE: 440 MILTON STREET
OCCUPANT
440 MILTON STREET
NANAIMO BC V9R 2L1

RE: 453 MILTON STREET
BUCKNER DONNA L
HALLIDAY ROBERT J
453 MILTON STREET
NANAIMO BC V9R 2K9

RE: 443 PRIDEAUX STREET
OCCUPANT
443 PRIDEAUX STREET
NANAIMO BC V9R 2L1

RE: 446 KENNEDY STREET
JOHNSON DEAN ANDREW
446 KENNEDY STREET
NANAIMO BC V9R 2J5

RE: 445 PRIDEAUX STREET
OCCUPANT
445 PRIDEAUX STREET
NANAIMO BC V9R 2L1

RE: 451 MILTON STREET
BERG BRIAN NATHAN
MIDDLETON HEATHER LYNNE
451 MILTON STREET
NANAIMO BC V9R 2K9

RE: 446 MILTON STREET
OWNERS OF STRATA PLAN EPS422
180 RAINBOW CRESCENT
NANAIMO BC V9T 4Y2

RE: 449 MILTON STREET
HEWETSON MICHAEL D
13595 BARNEY ROAD
LADYSMITH BC V9G 1E9

RE: 442 MILTON STREET
HEESE EDWIN ROLAND
HEESE DONNA ELIZABETH
442 MILTON STREET
NANAIMO BC V9R 2L1

RE: 445 MILTON STREET
HEWETSON MICHAEL D
13595 BARNEY ROAD
LADYSMITH BC V9G 1E9

RE: 438 MILTON STREET
CHEYNE PROPERTY MANAGEMENT
LTD
2301 1651 HARWOOD STREET
VANCOUVER BC V6G 1Y2

RE: 440 KENNEDY STREET
HUMPHERVILLE ROBERT EARL
HUMPHERVILLE BARBARA ELIZABETH
451 KENNEDY STREET
NANAIMO BC V9R 2J4

RE: 457 MILTON STREET
BASSINGTHWAIGHTE KOCHIA
457 MILTON STREET
NANAIMO BC V9R 2K9



COMMUNITY SAFETY & DEVELOPMENT

BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2011-JUL-21 at 7pm in the Boardroom, City Hall, 455 Wallace Street, Nanaimo, BC to hear the following appeal:

APPEAL NO.: BOV580

Applicant: Ms. Kimberley Garland

Civic address: 505 Kennedy Street

Legal Description: SECTION C OF LOT 11, BLOCK V, SECTION 1, NANAIMO DISTRICT, PLAN 584

Purpose: The applicant is requesting that the required side yard setback be reduced from 1.5 metres (4.92 feet) to 0.5 metres (1.64 feet), as shown in the survey provided, in order to permit a deck currently under construction on a single family dwelling which is non-conforming as to siting. This represents a side yard setback variance of 1 metre (3.28 feet).

Zoning Regulations: Old City Medium Density Multiple Family Residential Zone – (RM-10). The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000":

"Section 7.10.6.2. -Yard Requirements

Side yards of not less than 1.5 metres (4.92 feet) for each side yard shall be provided."

Local Government Act: Please note: Section 911 (9) and (10) of the Local Government Act, which states:

"If the use and density of buildings and structures conform to a bylaw under this division... but the siting, size or dimensions of a building or structure constructed before the bylaw was adopted does not conform with the bylaw, ... the building or structure ... may be maintained, extended or altered ... only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the bylaw than that existing at the time the repair, extension or alteration was started."

The Board of Variance decision will apply to subsequent owners of the land. If you deem your property to be affected by this appeal, please feel free to attend this meeting. Anyone wishing to address this appeal will be afforded the opportunity to be heard at the Board of Variance meeting. This application may be reviewed with Staff at the Community Safety & Development Division, 238 Franklyn Street, Nanaimo, BC, or by calling 250-755-4429 (x4344), during normal business hours, Monday to Friday, excluding statutory holidays, from 2011-JUL-08 to 2011-JUL-21, inclusive.



BOARD OF VARIANCE APPLICATION BOV580

LOCATION MAP

CIVIC: 505 Kennedy Street

LEGAL: SECTION C OF LOT 10 AND 11, BLOCK V, SECTION 1, NANAIMO DISTRICT, PLAN 584

Board of Variance Appeal Application Form



Applicant

Name of Applicant (Contact Person) KIMBERLEY GARLAND

**If the applicant is not the registered owner an Appointment of Agent form will be required.*

Company Name (If Applicable) _____

Company Search (If Applicable) _____

Phone 1 250 754 3301

Phone 2 _____

Fax _____

Email kimgarland@shaw.ca

Mailing Address 505 KENNEDY ST NANAIMO, B.C. V9R 2J6

Please indicate preferred method of correspondence.

☐ Fax

☒ Email

☐ Mail

RECEIVED

BOV 580
JUN 28 2011

**CITY OF NANAIMO
DEVELOPMENT SERVICES**

Property

Civic Address of Property 505 KENNEDY ST. NANAIMO V9R2J6

Legal Description of Property P.I. 000-832-855 - SECTION C of Lot 10

**Must match title* BLOCK V, SECTION 1, NANAIMO DISTRICT, PLAN 584

Proposed Variance Requested DECK TO BE POSITIONED WITHIN 5 FT required setback from property line with 501 KENNEDY ST

Purpose of Proposed Variance ACCESS TO BACKYARD FROM BACK DOOR / ENLARGEMENT OF EXISTING DECK SPACE WHICH WILL BE ENJOYED MORE OFTEN

Yes

☐

No

☒

Is this variance required to legalize a building or structure that has already been constructed?

☐

☒

Was a valid Building Permit issued before Construction began? If yes, BP # _____

Please Note: In order for a variance to remain valid, a building permit must be issued within six months of the appeal date. This time limit may be increased or decreased at the Board's discretion. A relaxation granted by the Board applies only to the City bylaw specified.

Signature for Board of Variance Appeal

I / we hereby declare that all of the above statements and the information and materials submitted in support of this application are, to the best of my knowledge, true and correct in all aspects.

Date

June 28, 2011

Applicant Signature (print name below)

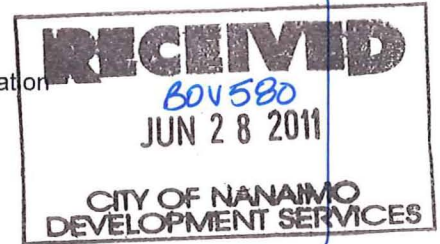
Kimberley Garland

Board of Variance Application Checklist



Required Items

- ☒ Application Fee of \$100.00 (No GST)
- ☒ Completed Board of Variance Appeal Application Form
- ☒ Certificate of Title
- ☒ Appeal Rationale



Additional Items

- ☐ BCLS Site Survey Plan (Setback Variances)
- ☐ BCLS Height Survey
- ☐ Elevation Drawings (Height Variances)

Please note: a discussion with Staff is required to determine additional application requirements.

Certificate of Title (1 copy)

Copy of the Certificate of Title for subject land(s), and a copy of all relevant covenants, no older than two weeks at the time of application.

Appeal Rationale (1 copy)

A written statement outlining the rationale of the proposed variance and how the current regulations place an "undue hardship" on the property.

BCLS Site Survey Plan (2 copies)

A sealed legal survey from a certified British Columbia Land Surveyor is required to confirm proposed dimensions and distances. The site survey needs to include all existing and proposed improvements on the subject property and indicate distances from outer corners and eternal walls to adjacent property lines and to adjacent buildings or structures.

Incomplete applications will be returned to the applicant.

I / we hereby declare that all of the above statements and the information and materials have been submitted in support of this application.

Date

June 28, 2011

Applicant Signature (print name)

A handwritten signature in blue ink, appearing to be "John" or similar, written over a horizontal line.

Consent of Neighbours

Consent of Neighbours: We the undersigned have been advised of the appeal and have examined the provided information and are familiar with the nature and extent of the appeal. We are the owners of property adjacent to the property of which this appeal is being made. We offer no objection whatsoever to the granting of the variance asked for in this appeal.

Owner's Name (Please Print)

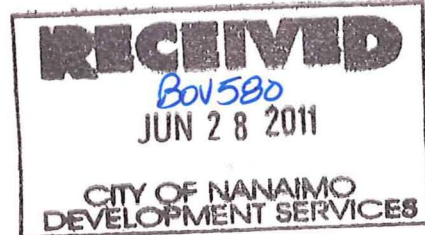
Robert Burden

Owner's Signature

Robert Burden

Civic Address

509 Kennedy St.



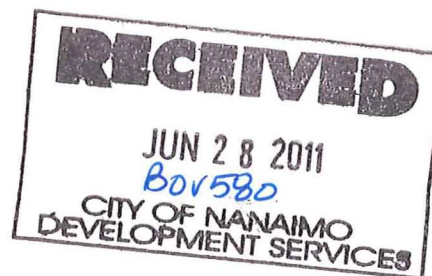
Date: 30-Jun-2011 TITLE SEARCH PRINT Time: 12:17:55
 Requestor: (SC17110) GOVERNMENT AGENT BRANCH - SERVICE BC Page 001 of 001
 Folio: TITLE - FA69037

VICTORIA LAND TITLE OFFICE TITLE NO: FA69037
 FROM TITLE NO: ES111976

APPLICATION FOR REGISTRATION RECEIVED ON: 08 JUNE, 2006
 ENTERED: 13 JUNE, 2006

REGISTERED OWNER IN FEE SIMPLE:
 KIMBERLEY ANN GARLAND, MUSICIAN
 505 KENNEDY STREET
 NANAIMO, BC
 V9R 2J6

TAXATION AUTHORITY:
 CITY OF NANAIMO



DESCRIPTION OF LAND:
 PARCEL IDENTIFIER: 000-832-863
 SECTION C OF LOT 11, BLOCK V, SECTION 1, NANAIMO DISTRICT, PLAN 584

LEGAL NOTATIONS:

HERETO IS ANNEXED EASEMENT ED15575 OVER PARTS OF SECTIONS D AND E,
 OF LOT 11, BLOCK V, PLAN 584, INCLUDED IN PLAN 49863

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE
 CHARGE NUMBER DATE TIME

UNDERSURFACE RIGHTS
 M76301

REGISTERED OWNER OF CHARGE:
 HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
 M76301
 REMARKS: AFB 38.94.D32029, SECTION 172(3)

MORTGAGE
 FA69038 2006-06-08 10:02
 REGISTERED OWNER OF CHARGE:
 CIBC MORTGAGES INC.
 FA69038
 REMARKS: INTER ALIA

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

Date: 30-Jun-2011 TITLE SEARCH PRINT Time: 12:18:21
Requestor: (SC17110) GOVERNMENT AGENT BRANCH - SERVICE BC Page 001 of 002
Folio: TITLE - FA69036

VICTORIA LAND TITLE OFFICE TITLE NO: FA69036
FROM TITLE NO: ES111975

APPLICATION FOR REGISTRATION RECEIVED ON: 08 JUNE, 2006
ENTERED: 13 JUNE, 2006

REGISTERED OWNER IN FEE SIMPLE:
KIMBERLEY ANN GARLAND, MUSICIAN
505 KENNEDY STREET
NANAIMO, BC
V9R 2J6

TAXATION AUTHORITY:
CITY OF NANAIMO

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 000-832-855
SECTION C OF LOT 10, BLOCK V, SECTION 1, NANAIMO DISTRICT, PLAN 584

LEGAL NOTATIONS:

HERETO IS ANNEXED EASEMENT ED15575 OVER PARTS OF SECTIONS D AND E,
OF LOT 11, BLOCK V, PLAN 584, INCLUDED IN PLAN 49863

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE
CHARGE NUMBER DATE TIME

UNDERSURFACE RIGHTS
M76301

REGISTERED OWNER OF CHARGE:
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
M76301
REMARKS: AFB 38.94.D32029, SECTION 172(3)

STATUTORY RIGHT OF WAY

EV121200 2003-10-09 10:57

REGISTERED OWNER OF CHARGE:
CITY OF NANAIMO
EV121200

REMARKS: CANCELLED AS TO ALL EXCEPT PART IN PLAN VIP77394
BY EW119453, 2004/09/02

PRIORITY AGREEMENT

EV121201 2003-10-09 10:57

REMARKS: GRANTING EV121200 PRIORITY OVER ES111977 AND
ES111978

MORTGAGE

FA69038 2006-06-08 10:02

REGISTERED OWNER OF CHARGE:
CIBC MORTGAGES INC.
FA69038

REMARKS: INTER ALIA

Date: 30-Jun-2011 TITLE SEARCH PRINT Time: 12:18:21
Requestor: (SC17110) GOVERNMENT AGENT BRANCH - SERVICE BC Page 002 of 002
Folio: TITLE - FA69036

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

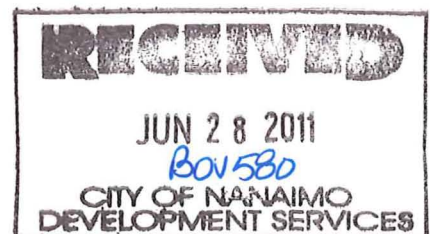
TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

APPEAL RATIONALE - 505 KENNEDY ST.

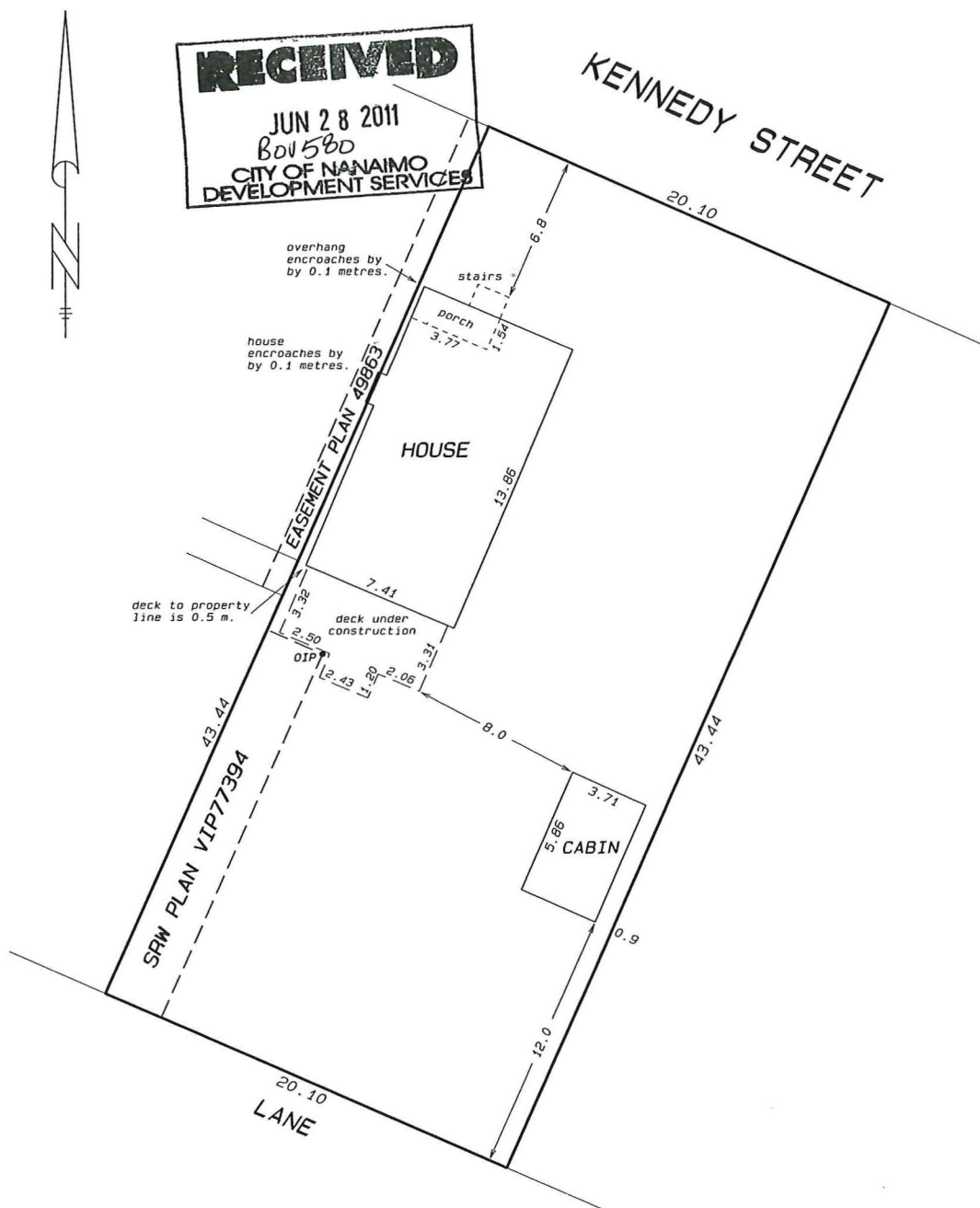
DUE TO THE AGE OF MY HOUSE (505 KENNEDY ST.)
AND THE HOUSE/LOT BESIDE MINE, THE PROPERTY
(501 KENNEDY ST)
LINE WAS AT ONE TIME LAID OUT THROUGH THE
OVERHANG OF MY ROOF AND THE CHIMNEY.
SET BACK RULES (5 FT FROM PROPERTY LINE)
CANNOT BE FOLLOWED AS THAT WOULD PUT
THE ACCEPTABLE BUILDING SET BACK IN
THE MIDDLE OF MY BACK DOOR ACCESS
TO THE YARD.
THIS WOULD MAKE IT DIFFICULT TO USE AND
POSSIBLY QUALIFIES AS AN "UNDUE HARDSHIP."
THE PROPOSED DECK WOULD ALLOW ME
ACCESS TO THE BACKYARD AND WOULD
PROVIDE ENJOYMENT OUTDOORS.



B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION
OF HOUSE ON SEC. C, OF LOTS 10 & 11, BLK. V,
PLAN 584, SECTION 1, NANAIMO DISTRICT.

SCALE = 1: 250

All distances are in metres.



Charles O. Smythies & Associates ©

B.C. Land Surveyors & Planners
 Nanaimo, B.C.

Date: June 23, 2011.

File: 7-NM-1-9

Certified Correct

Charles O. Smythies B.C.L.S.

This document is not valid unless
 originally signed and sealed.



BOARD OF VARIANCE APPLICATION BOV580

NOTIFICATION MAP

CIVIC: 505 Kennedy Street

LEGAL: SECTION C OF LOT 10 AND 11, BLOCK V, SECTION 1, NANAIMO DISTRICT, PLAN 584

RE: 516 KENNEDY STREET
HOWDEN JEREMY DAVID
320 MACHLEARY STREET
NANAIMO BC V9R 2G9

RE: 505 KENNEDY STREET
GARLAND KIMBERLEY ANN
505 KENNEDY STREET
NANAIMO BC V9R 2J6

RE: 510 KENNEDY STREET
MACLAUGHLIN BONNIE ERIN
GORDOS KRISTIAN
510 KENNEDY STREET
NANAIMO BC V9R 2J7

RE: 825 ALBERT STREET
BRODRICK TRISTAN MANFRED
HASTINGS MICHELLE
825 ALBERT STREET
NANAIMO BC V9R 2W7

RE: 787 ALBERT STREET
LIPNITSKY MICHAEL
401 5689 KINGS ROAD
VANCOUVER BC V6T 1K9

RE: 503 KENNEDY STREET
MACMILLIAN PENNY F
503 KENNEDY STREET
NANAIMO BC V9R 2J6

RE: 510 MACHLEARY STREET
SHOA ORGANIZATION SERVICES LTD
C/O MONI KHAN
4978 FILLINGER CRESCENT
NANAIMO BC V9V 1J1

RE: 865 ALBERT STREET
SHOA ORGANIZATION SERVICES LTD
C/O MONI KHAN
4978 FILLINGER CRESCENT
NANAIMO BC V9V 1J1

RE: 517 KENNEDY STREET
ADRIENNE GAIL
517 KENNEDY STREET
NANAIMO BC V9R 2J6

RE: 509 KENNEDY STREET
BURDEN ROBERT H
509 KENNEDY STREET
NANAIMO BC V9R 2J6



COMMUNITY SAFETY & DEVELOPMENT

BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2011-JUL-21 at 7pm in the Boardroom, City Hall, 455 Wallace Street, Nanaimo, BC to hear the following appeal:

APPEAL NO.: BOV581

Applicant: Mr. Lee Bouchard and Ms. Laura Vierke

Civic address: 111 Captain Morgans Boulevard

Legal Description: LOT 289, DOUGLAS ISLAND (KNOWN AS PROTECTION ISLAND), NANAIMO DISTRICT, PLAN 14111

Purpose: The applicant is requesting that the maximum height of a single family dwelling be increased from 8.25 metres (27.06 feet) to 8.8 metres (28.87 feet), as shown in the surveys provided, in order to permit a single family dwelling currently under construction. This represents a height variance of 0.55 metres (1.81 feet).

Zoning Regulations: Single Family Residential Island Zone – (RS-4). The applicant requests a variance to the City of Nanaimo “ZONING BYLAW 1993 NO. 4000”:

“Section 6.4.7.1. - Height of Buildings

The height of a principal building shall not exceed 8.25 metres (27.06 feet).”

Local Government Act: N/A

The Board of Variance decision will apply to subsequent owners of the land. If you deem your property to be affected by this appeal, please feel free to attend this meeting. Anyone wishing to address this appeal will be afforded the opportunity to be heard at the Board of Variance meeting. This application may be reviewed with Staff at the Community Safety & Development Division, 238 Franklyn Street, Nanaimo, BC, or by calling 250-755-4429 (x4344), during normal business hours, Monday to Friday, excluding statutory holidays, from 2011-JUL-08 to 2011-JUL-21, inclusive.



BOARD OF VARIANCE APPLICATION BOV581

LOCATION MAP

CIVIC: 111 Captain Morgans Boulevard

LEGAL: LOT 289, DOUGLAS ISLAND (ALSO KNOWN AS PROTECTION ISLAND), NANAIMO DISTRICT, PLAN 14111

Board of Variance Appeal Application Form



Applicant

Name of Applicant (Contact Person) Lee Bouchard / Laura Vierke

**If the applicant is not the registered owner an Appointment of Agent form will be required*

Company Name (If Applicable) _____

Company Search (If Applicable) _____

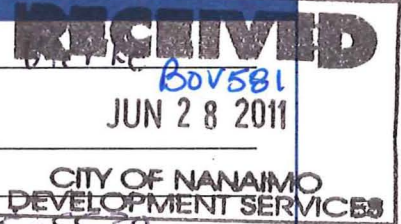
Phone 1 778-242-7356 Phone 2 604 615-5550

Fax 604 853-8045

Email laura61@telus.net

Mailing Address 2547 Country Court Abbotsford BC
V3G 1M1

Please indicate preferred method of correspondence. ☐ Fax ☒ Email ☐ Mail



Property

Civic Address of Property 111 Captain Morgan Blvd
Protection Island Nanaimo B.C.

Legal Description of Property Parcel ID: 004-335-015

**Must match title*

Lot 289 Douglas Island (known as protection
inland) Nanaimo District Plan 14111

Proposed Variance Requested Over height Variance

Purpose of Proposed Variance The house was constructed
unknowingly .55 of a meter too high in
relation to the Proposed Plan.

Yes

No



Is this variance required to legalize a building or structure that has already been constructed?



Was a valid Building Permit issued before Construction began? If yes, BP # 115211

Please Note: In order for a variance to remain valid, a building permit must be issued within six months of the appeal date. This time limit may be increased or decreased at the Board's discretion. A relaxation granted by the Board applies only to the City bylaw specified.

Signature for Board of Variance Appeal

I / we hereby declare that all of the above statements and the information and materials submitted in support of this application are, to the best of my knowledge, true and correct in all aspects.

Date

June 22 / 2011

Applicant Signature (print name below)

Laura Vierke / Lee Bouchard
Laura Vierke

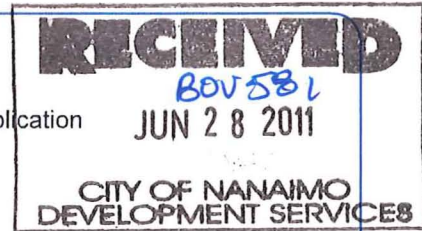
Both
Signatures

Board of Variance Application Checklist



Required Items

- ☒ Application Fee of \$100.00 (No GST)
- ☒ Completed Board of Variance Appeal Application Form - *consent.*
- ☒ Certificate of Title
- ☒ Appeal Rationale



Additional Items

- ☐ BCLS Site Survey Plan (Setback Variances)
- ☒ BCLS Height Survey
- ☒ Elevation Drawings (Height Variances)

Please note: a discussion with Staff is required to determine additional application requirements.

pictures.

Certificate of Title (1 copy)

Copy of the Certificate of Title for subject land(s), and a copy of all relevant covenants, no older than two weeks at the time of application.

Appeal Rationale (1 copy)

A written statement outlining the rationale of the proposed variance and how the current regulations place an "undue hardship" on the property.

BCLS Site Survey Plan (2 copies)

A sealed legal survey from a certified British Columbia Land Surveyor is required to confirm proposed dimensions and distances. The site survey needs to include all existing and proposed improvements on the subject property and indicate distances from outer corners and eternal walls to adjacent property lines and to adjacent buildings or structures.

Incomplete applications will be returned to the applicant.

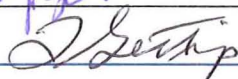
I / we hereby declare that all of the above statements and the information and materials have been submitted in support of this application.

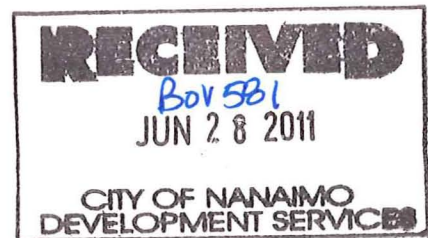
June 22 / 2011
Date

Laura Vierter
Applicant Signature (print name)
Laura Vierter

Consent of Neighbours

Consent of Neighbours: We the undersigned have been advised of the appeal and have examined the provided information and are familiar with the nature and extent of the appeal. We are the owners of property adjacent to the property of which this appeal is being made. We offer no objection whatsoever to the granting of the variance asked for in this appeal.

Owner's Name (Please Print)	Owner's Signature	Civic Address
G. FANAKEN		99 Capt Morgan 129 Pirates Lane
FRANCIS NEILL		107 CAPT MORGAN BLVD
STEFAN BJARWASON		115 CAPT. MORGAN'S BLVD
TOM GETTINGER		144 CAPT. MORGAN'S



Date: 14-Jun-2011	TITLE SEARCH PRINT
Requestor: (PR73964)	CITY OF NANAIMO
Folio:	TITLE - EX34417

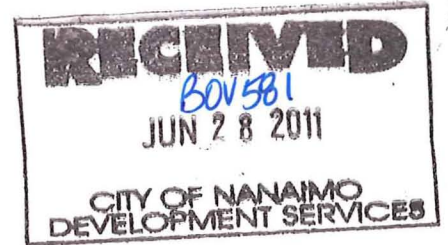
Time: 10:04:24
Page 001 of 001

VICTORIA LAND TITLE OFFICE TITLE NO: EX34417
FROM TITLE NO: EW170645

APPLICATION FOR REGISTRATION RECEIVED ON: 31 MARCH, 2005
ENTERED: 12 APRIL, 2005

REGISTERED OWNER IN FEE SIMPLE:

LEE JASON BOUCHARD, AUTOBODY INSTRUCTOR
LAURA VIERKE, PROGRAMME MANAGER
2547 COUNTRY COURT
ABBOTSFORD, BC
V3G 1M1
AS JOINT TENANTS



TAXATION AUTHORITY:
CITY OF NANAIMO

DESCRIPTION OF LAND:

PARCEL IDENTIFIER: 004-335-015
LOT 289, DOUGLAS ISLAND (KNOWN AS PROTECTION ISLAND), NANAIMO DISTRICT, PLAN
14111

LEGAL NOTATIONS:

LAND HEREIN INTER ALIA WITHIN BUILDING SCHEME - SEE 93322N

CHARGES, LIENS AND INTERESTS:

[illegible]

UNDERSURFACE RIGHTS

D23415 1975-01-27 08:10

REGISTERED OWNER OF CHARGE:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA

D23415

REMARKS: ASSIGNMENT OF 233346G (DD 88539N AND 379902I)

SEE 325350G; INTER ALIA

RESTRICTIVE COVENANT

F20967 1977-02-21 11:46

REMARKS: DD F20853

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

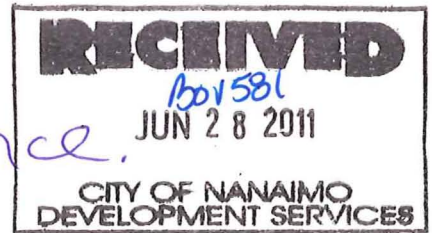
DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

July 27/11



Dear Board of Variance.

Regarding: 111 Captain Morgan Blvd.

Our home at 111 Captain Morgan Blvd. Nanaimo is currently under construction, building permit # 115211. Upon getting our height survey to complete our framing inspection, it has been determined that the house is .55 meter higher than the regulated height allowance.

Our house plan, & site plan were approved by the city and we obtained a certified builder & surveyor.

The neighbours surrounding the property have been asked for their approval and acceptance of the house as it now stands. They have all

approved and signed the document that is required.

We are asking for a ^{height.} variance which will allow us [^] to keep the house where it is, intact on the lot. The cost of redesigning the roof structure to comply would be unreasonable and would cause us to abandon this building venture.

Thank you for your consideration of this request.

Sincerely,



Lee Bouchard
home owner #1

June 27/11



Laura Viérke
homeowner #2.

June 27/11

B.C. LAND SURVEYOR'S BUILDING PLOT PLAN FOR LOT 289, DOUGLAS ISLAND (ALSO KNOWN AS PROTECTION ISLAND), NANAIMO DISTRICT, PLAN 14111

SCALE: 1:250



(ALL DIMENSIONS ARE IN METRES)

NOTES:

LAND HEREIN INTER ALIA WITHIN BUILDING SCHEME -
SEE 93322N
RESTRICTIVE COVENANT F20967
LOT DIMENSIONS ARE RESOLVED FROM FIELD
MEASUREMENTS

CIVIC ADDRESS:

111 CAPT MORGANS BLVD

ELEVATIONS:

THE UNDERSIGNED CONFIRMS THAT PACIFIC LAND
SURVEYING CAN BE RETAINED BY THE OWNERS TO
PROVIDE A FOUNDATION LAYOUT IN ACCORDANCE
WITH THE FOUNDATION LAYOUT SHOWN ON THIS PLAN.

CONTOUR INTERVAL = 0.5 m
ELEVATIONS ARE IN METRES AND ARE REFERENCED TO
AN ASSIGNED ELEVATION = 100.00 TO A NAIL LABELED
625 IN A ROOT AS SHOWN.

LEGEND:

NG NATURAL GRADE FROM FIELD SURVEY
FG PROPOSED FINISHED GRADE SPOT ELEVATION

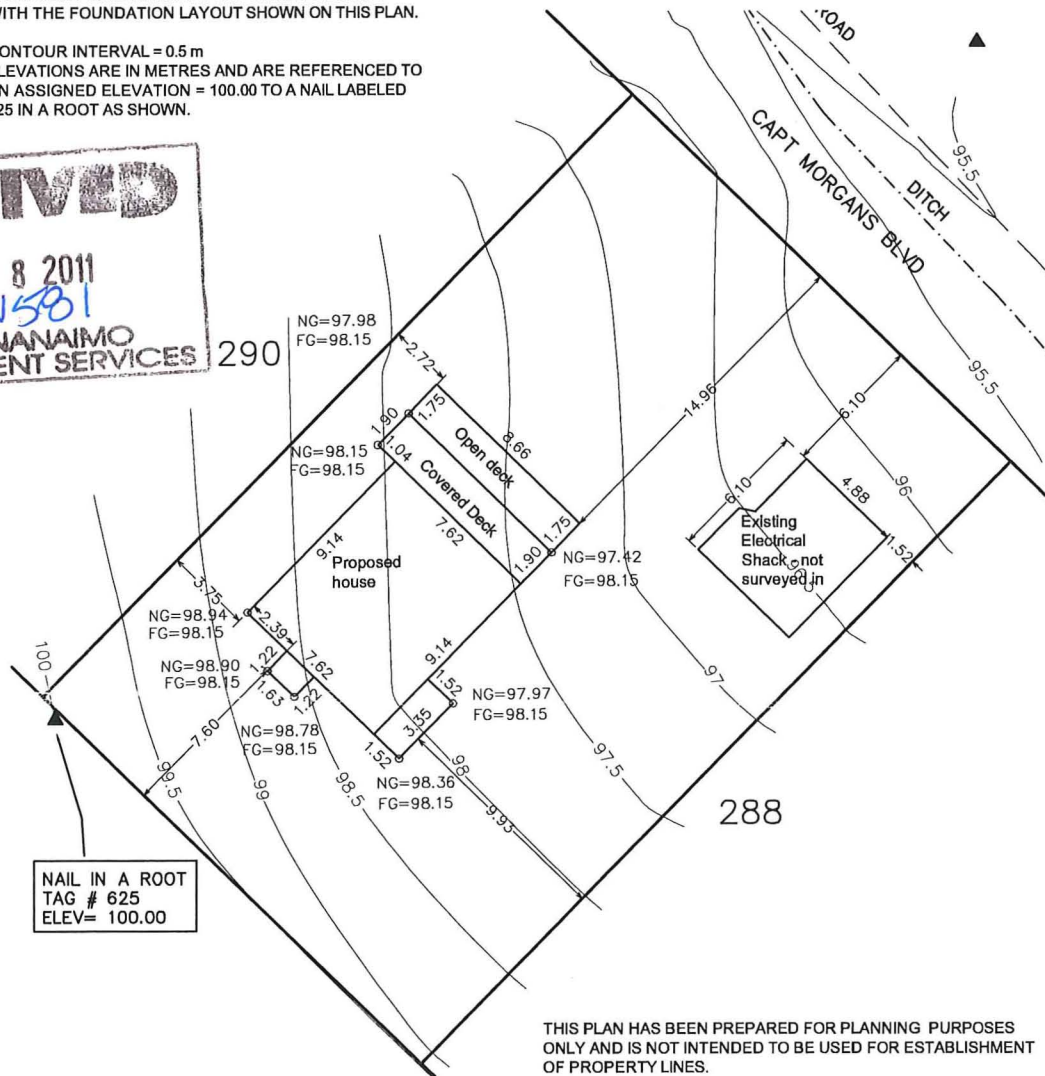
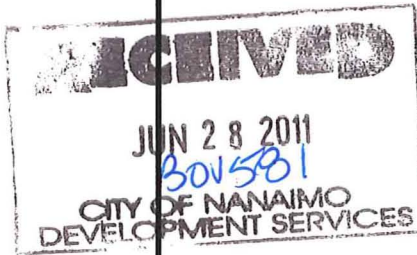
ELEVATION NOTES:

THE AVERAGE NATURAL GRADE IS 98.18 m.

THE AVERAGE FINISHED GRADE IS 98.15 m

THE ELEVATION OF THE HIGH POINT OF THE PROPOSED
BUILDING WILL BE 106.36 m WITH THE MAXIMUM
BUILDING HEIGHT ALLOWABLE UNDER ZONING FOR RS4
BEING 106.40m (8.25 m ABOVE THE AVERAGE FINAL
GRADE FOR NON-FLAT ROOF.)

THE PROPOSED MAIN FLOOR ELEVATION IS 98.37 m



NAIL IN A ROOT
TAG # 625
ELEV= 100.00

THIS PLAN HAS BEEN PREPARED FOR PLANNING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR ESTABLISHMENT
OF PROPERTY LINES.

CERTIFIED CORRECT THIS 20TH DAY OF MAY, 2010.

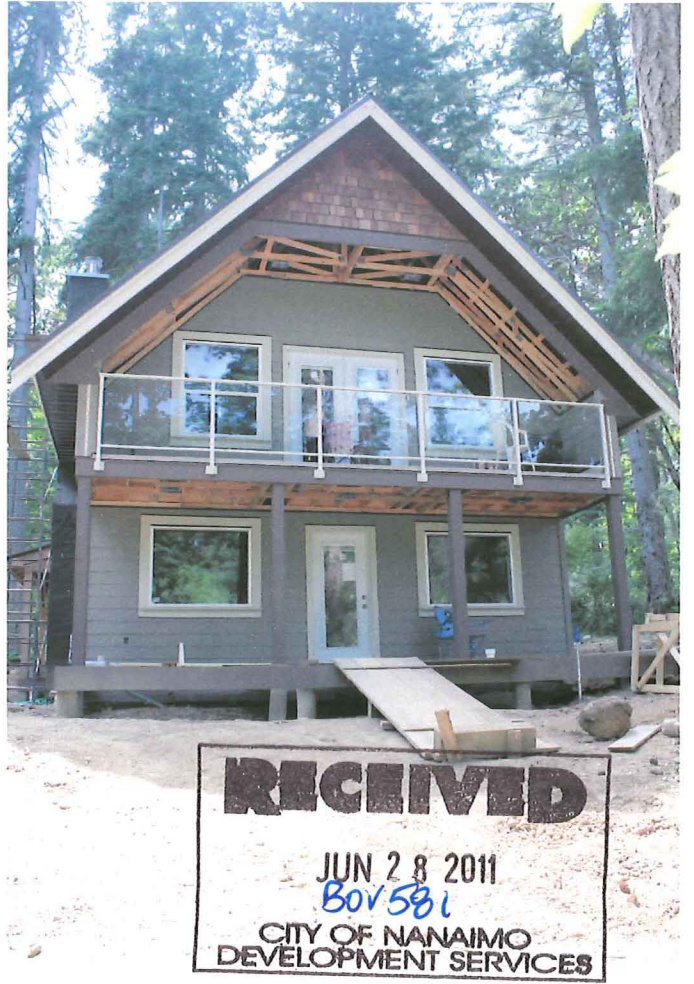


Pacific Land Surveying Ltd.
201 Selby Street
Nanaimo, BC V9R 2R2
ph 250 722 0007
fax 604 648 9268
project: 100512 Bouchard

Teresa Myrfield, B.C.L.S.

This document is not valid unless originally signed and sealed.

Dave Paty. BOV
 Planning.
 Road of Variance.
 125 Wallace
 order a copy.
 250-754-4251



LEGAL: LOT 289, DOUGLAS ISLAND (KNOWN AS PROTECTION ISLAND), NANAIMO DISTRICT, PLAN 14111

RE: 124 CAPT MORGANS BOULEVARD
CITY OF NANAIMO
500 BOWEN ROAD
NANAIMO BC V9R 1Z7

RE: 132 CAPT MORGANS BOULEVARD
NEILL BARBARA M
401 520 BLUE GIRL WAY
NANAIMO BC V9S 5T6

RE: 128 CAPT MORGANS BOULEVARD
CITY OF NANAIMO
500 BOWEN ROAD
NANAIMO BC V9R 1Z7

RE: 136 CAPT MORGANS BOULEVARD
RICHARDS CHRISTIAN T & TIMOTHY G
RICHARDS SELMA JOSEPHINE
2062 INGLEWOOD AVENUE
WEST VANCOUVER BC V7V 1Z4

RE: 20 PIRATE PLACE
LE MASURIER GUY CHRISTOPHER
LE MASURIER JODI KIM
76 PIRATES LANE
NANAIMO BC V9R 6R1

RE: 140 CAPT MORGANS BOULEVARD
HAMMOND DOROTHEA A
HAMMOND GARRY F
70 KINGHAM PLACE
VICTORIA BC V9B 1L8

RE: 24 PIRATE PLACE
PAIGE CONDOMINIUM MANAGEMENT
LTD
3297 PLATEAU BOULEVARD
COQUITLAM BC V3E 3B8

RE: 115 CAPT MORGANS BOULEVARD
BJARNASON STEFAN JAY
46 PINE STREET
NANAIMO BC V9R 2B2

RE: 111 CAPT MORGANS BOULEVARD
BOUCHARD LEE JASON
VIERKE LAURA
2547 COUNTRY COURT
ABBOTSFORD BC V3G 1M1

RE: 107 CAPT MORGANS BOULEVARD
NEILL FRANCIS G
401 520 BLUE GIRL WAY
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