



**AGENDA FOR THE MEETING OF THE BOARD OF VARIANCE  
TO BE HELD ON 2011-JUN-16 AT 7PM IN THE BOARDROOM,  
CITY HALL, 455 WALLACE STREET, NANAIMO, BC**

1. **CALL TO ORDER**
2. **ADOPTION OF MINUTES: 2011-MAR-17 and 2011-MAY-19**
3. **APPLICATIONS:**

**APPEAL NO.:** **BOV575**

**Applicant:** Mr. Dave Wallace of J.E. Anderson & Associates on behalf of 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 Regulations:** 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 (&lt; 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.*

**Local Government Act: N/A**

**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 Regulations:** 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)."*

**Local Government Act:** N/A

**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 Regulations:** 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."*

**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."*

#### 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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