



**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE  
HELD 2010-JUL-15 IN THE DOUG RISPIN ROOM,  
VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC**

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**Present:** Mr. Lars Apland, Chair  
Ms. Janet Cowling  
Mr. Allan Dick  
Mr. Jim Galloway  
Mr. Amarjit Minhas

**Staff:** Mr. Dave Pady

**1. CALL TO ORDER:**

The meeting was called to order at 6:55pm.

**2. ADOPTION OF MINUTES:**

It was moved and seconded that the minutes of the 2010-MAY-20 and 2010-JUN-17 meetings be adopted.

**CARRIED**

**3. NEW BUSINESS:**

**4. APPLICATIONS:**

**APPEAL NO.:** BOV552

**Applicant:** Ms. Patricia Lynne Courtney on behalf of Mr. Barry Poirier

**Civic address:** 1363 Fielding Road

**Legal Description:** LT S 142.5 FTOF52, SEC 2, PL 1386, EXC S 82.5 FT, LD 32, THE SOUTHERLY 142.5 FEET OF LOT 52, SECTION 2, NANAIMO DISTRICT, PLAN 1386, EXCEPT THE SOUTHERLY 82.5 FEET THEREOF.

**Purpose:** The applicant is requesting that:

- a) the required rear yard setback for an accessory building be reduced from 3 metres (9.84 feet) to 2 metres (6.56 feet), as shown in the survey provided; and
- b) the allowable height of a non-agriculture accessory building be increased from 4.5 metres (14.76 feet) to 7.16 (23.5 feet) in order to construct an accessory building.

This represents a rear yard setback variance of 1 metre (3.28 feet) and a height variance of 2.66 metres (8.74 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":

*"Section 8.1.6.1 – Yard Requirements*

*...A rear yard of not less than 3 metres (9.84 feet) shall be provided for an accessory building."*

**and**

*Section 8.1.7.2- Height of Buildings*

*The height of a non-agriculture accessory building shall not exceed 4.5 metres (14.76 feet)*

**Discussion:** Lot coverage in the A-1 Zone is limited to 20%, a provision that was missed in the preliminary application review, and, as such, needs to be included in the variance application. In order to consider all variances in context the Board deferred the appeal to the BOV meeting to be held 2010-AUG-19.

**DECISION:**

It was moved and seconded that the appeal be deferred to the BOV meeting scheduled for 2010-AUG-19.

**CARRIED**

**APPEAL NO.:** BOV553

**Applicant:** Ms. Lynn Hampson

**Civic address:** 590 Northumberland Avenue

**Legal Description:** LT 1, DL96G, PLN 5952, LD 32, LOT 1, DISTRICT LOT 96G, NANAIMO DISTRICT, PLAN 5952.

**Purpose:** The applicant is requesting that the required flanking side yard setback be reduced from 4 metres (13.12 feet) to 2.3 metres (7.55 feet), as shown on the survey provided, in order to reconstruct an open deck and stairway. This represents a flanking side yard setback variance of 1.7 metres (5.58 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 6.1.6.2- Yard Requirements*

*Side yards of not less than 1.5 metres (4.92 feet) for each side yard shall be provided. In the case of a corner lot, the side yard adjoining the flanking street shall not be less than 4 metres (13.12 feet).*

**Discussion:** Ms. Lynn Hampson and Mr. Gary Ford (neighbour) appeared in support of the appeal.

**DECISION:**

It was moved and seconded that the appeal be approved.

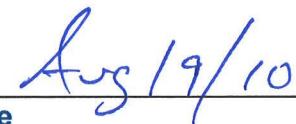
**CARRIED**

**5. ADJOURNMENT:**

It was moved and seconded that the meeting be adjourned at 7:49 pm.

**6. APPROVED:**

  
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**Chair**

  
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**Date**