



**AGENDA FOR THE MEETING OF THE BOARD OF VARIANCE
TO BE HELD ON 2010-APR-15 AT 7PM IN THE DOUG RISPIN ROOM,
VANCOUVER ISLAND CONFERENCE CENTRE, 80 COMMERCIAL STREET, NANAIMO, BC**

1. **CALL TO ORDER**
2. **ADOPTION OF MINUTES: 2010-MAR-18**
3. **APPLICATIONS:**

Appeal No.: **BOV541**

Applicant: Mr. Daniel Pachkowsky

Civic Address: 104 Captain Morgans Boulevard, Protection Island

Legal Description: LOT 187, DOUGLAS ISLAND (ALSO KNOWN AS PROTECTION ISLAND), NANAIMO DISTRICT, PLAN 14111

Purpose: The applicant is requesting that the required rear yard setback be reduced from 7.5 metres (24.60 feet) to 7.1 metres (23.29 feet) as shown in the survey provided, in order to permit the construction of a single family dwelling. This represents a rear yard variance of 0.4 metres (1.31 feet).

Zoning Regulations: This property is within the Single Family Residential Island Zone (RS-4)

"Section 6.4.6.3 - Yard Requirements

A rear yard of not less than 7.5 metres (24.6 feet) shall be provided for a principal building. A rear yard of not less than 1.5 metres 4.92 feet shall be provided for an accessory building."

Appeal No.: **BOV542**

Applicant: Ms. Margo Linder

Civic address: 184 Piper Crescent

Legal description: LOT B, DISTRICT LOT 41, WELLINGTON DISTRICT, PLAN 32327

Purpose: The applicant is requesting that the required front yard setback be reduced from 6 metres (19.69 feet) to 3.26 metres (10.69 feet), as shown the survey provided, in order to permit the recently constructed front entrance portico on a single family dwelling, which is non-conforming as to siting. This represents a front yard variance of 2.74 metres (9 feet).

Zoning Regulations: This property is within the Single Family Residential Zone (Large Lot)(RS-2)

“Section 6.2.6.1 - Yard Requirements

A front yard of not less than 6 metres (19.69 feet) shall be provided.”

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