



**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE
HELD 2009-AUG-20 IN THE DOUG RISPIN ROOM,
VANCOUVER ISLAND CONFERENCE CENTRE, 80 COMMERCIAL STREET, NANAIMO, BC**

PRESENT: Mr. Lars Apland, Chair
Mr. Allan Dick
Mr. Jim Galloway

ABSENT: Ms. Janet Cowling
Mr. Amarjit Minhas

STAFF: Mr. Dave Pady

1 **CALL TO ORDER:**
The meeting was called to order at 7:03 p.m.

2. **ADOPTION OF MINUTES**
MOVED by Mr. Galloway, SECONDED by Mr. Dick, that the minutes of the meeting held 2009-JUL-16 not be accepted. The minutes will be amended and re-introduced at the meeting to be held 2009-SEP-17.

CARRIED

3. **NEW APPLICATIONS:**

APPEAL NO.: BOV00514

APPLICANT: CRAIG STEVEN HOBBS
TRICIA WATSON

CIVIC ADDRESS: 3295 CRYSTAL PLACE

LEGAL DESCRIPTION: LOT A, SECTION 5, WELLINGTON DISTRICT, PLAN
VIP75293

PURPOSE: The applicant is requesting that the maximum height of a single family dwelling be increased from 8.25 metres (27.06 feet) to 8.65 metres (28.37 feet), as shown on the attached survey, in order to permit the construction of a single family dwelling. This represents a height variance of 0.4 metres (1.31 feet).

ZONING REGULATIONS: This property is within the Single Family Residential Zone (RS-1). The appellant seeks to vary the following provisions of the City of Nanaimo "ZONING BYLAW 1993 NO. 4000" as follows:

"Section 6.1.7.1 - Height of Buildings

The height of a principal building shall not exceed 8.25 metres (27.06 feet)" metres (14.76 feet)."

DISCUSSION: Craig Hobbs and Tricia Watson appeared in support of the application.

DECISION:

MOVED by Mr. Galloway, SECONDED by Mr. Apland, that the appeal be approved.
OPPOSED: Mr. Dick

CARRIED

APPEAL NO.: BOV00515
APPLICANT: THEO BOERE
CIVIC ADDRESS: 2259 ARBOT ROAD
LEGAL DESCRIPTION: LOT 1, SECTION 10, RANGE 7, MOUNTAIN DISTRICT,
PLAN VIP77118 EXCEPT PART IN PLAN VIP78086

PURPOSE: The applicant is requesting that the required front yard setback be reduced from 6 metres (19.69 feet) to 3.2 metres (10.49 feet), as shown on the attached survey, in order to permit the construction of a garage addition to a single family dwelling. This represents a front yard variance of 2.8 metres (9.2 feet).

ZONING REGULATIONS: This property is within the Single Family Residential Zone (RS-1). The appellant seeks to vary the following provisions of the City of Nanaimo "ZONING BYLAW 1993 NO. 4000" as follows:

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

DISCUSSION:

****This appeal was cancelled at the request of the applicant.**

APPEAL NO.: BOV00516
APPLICANT: ELEANOR RUTH LORD
LARRY ARNOLD WAGAR
CIVIC ADDRESS: 4611 LOST LAKE ROAD
LEGAL DESCRIPTION: LOT 3, DISTRICT LOT 55, WELLINGTON DISTRICT, PLAN
41493

PURPOSE: The applicant is requesting that the required side yard setback be reduced from 1.5 metres (4.92 feet) to 0.8 metres (2.62 feet), as shown on the attached survey, in order to permit the construction of an addition to an existing deck on a single family dwelling. This represents a side yard variance of 0.7 metres (2.3 feet).

ZONING REGULATIONS: This property is within the Single Family Residential Zone (RS-1). The appellant seeks to vary the following provisions of the City of Nanaimo "ZONING BYLAW 1993 NO. 4000" as follows:

"Section 6.1.6.2– Yard Requirements

Side yards of not less than 1.5 metres (4.9 feet) for each side yard shall be provided.

DISCUSSION: Ted Wojeweda, 939 Oakley Street, appeared in support of the application. Mr. Galloway motioned to approve the application and the rest of the non-conforming deck.

DECISION:

MOVED by Mr. Galloway, SECONDED by Apland, that the appeal be approved.

OPPOSED: Mr. Dick

CARRIED

APPEAL NO.: BOV00517

APPLICANT: SUSAN AND KEVIN SMITH

CIVIC ADDRESS: 461 HERON PLACE

LEGAL DESCRIPTION: STRATA LOT 51, SECTION 5, DISTRICT LOT 17, WELLINGTON DISTRICT, STRATA PLAN 830.

PURPOSE: The applicant is requesting that the required side yard setback be reduced from 1.5 metres (4.92 feet) to 0.6 metres (1.96 feet) as shown on the attached survey, in order to permit the construction of an addition to a single family dwelling. This represents a side yard setback variance of 0.9 metres (2.96 feet).

ZONING REGULATIONS: This property is within the Single Family Residential Zone (RS-1). The appellant seeks to vary the following provisions of the City of Nanaimo "ZONING BYLAW 1993 NO. 4000" as follows:

"Section 6.1.6.2– Yard Requirements

Side yards of not less than 1.5 metres (4.9 feet) for each side yard shall be provided.

DISCUSSION: Susan and Kevin Smith appeared in support of the application.

DECISION:

MOVED by Mr. Dick, SECONDED by Mr. Galloway, that the appeal be approved.

ALL IN FAVOUR

CARRIED

4. ADJOURNMENT

MOVED by Mr. Galloway, SECONDED by Mr. Dick, that the meeting be adjourned at 7:43 p.m.

CARRIED

Approved

LS bnd Sept 17/09

/dp