

**BOARD OF VARIANCE MEETING  
TO BE HELD IN THE DOUG RISPIN ROOM,  
BESIDE THE SHAW AUDITORIUM,  
VANCOUVER ISLAND CONFERENCE CENTRE,  
THURSDAY, JULY 16<sup>th</sup>, 2009 AT 7:00 P.M.,  
80 COMMERCIAL STREET, NANAIMO, B.C.**

**AGENDA**

1. Adoption of Minutes of the Board of Variance Meeting held 2009-June-18<sup>th</sup>.

2. **APPEAL:** **BOV00510**

**APPLICANT:** **Alice Joan Davis**

**LOCATION:** **Legal Description:** LOT A, SECTION 14, RANGE 6, MOUNTAIN DISTRICT, PLAN 38877, EXCEPT PART IN PLAN VIP70915

**Civic Address:** **147 Swanson Road**

**PURPOSE:** The applicant is requesting that the maximum height of a non agricultural accessory building , as shown in the survey provided, be increased from 4.5 metres (14.76 feet) to 4.96 metres (16.27 feet), in order to permit the construction a non agricultural accessory building. This represents a variance of 0.46 metres (1.51 feet).

**ZONING REGULATIONS:**

*This property is included in the Rural Agricultural / Residential Zone – (A-1) and the appeal seeks to vary the following provisions of the “City of Nanaimo Zoning Bylaw 4000”:*

*“Section 8.1.7.2. – Height of Buildings*

*The height of a non agricultural accessory building shall not exceed 4.5 metres (14.76 feet).”*

3. **APPEAL:** **BOV00511**

**APPLICANT:** **Jody McCormick**

**LOCATION:** **Legal Description:** BAY 19, MHR 22578, MODULINE MH, LD 32

**Civic Address:** **Unit #19 1226 Lawlor Road**

**PURPOSE:** The applicant is requesting that the side yard setback, as shown in the survey provided, be reduced from 1.5 metres (4.92 feet) to 0.4 metres

(1.31 feet), in order to permit the siting of a Mobile Home. This represents a variance of 1.1 metres (3.61 feet).

**ZONING REGULATIONS:**

*This property is included in the Mobile Home Park Subdivision Zone – (RM-8) and the appeal seeks to vary the following provisions of the “City of Nanaimo Zoning Bylaw 4000”:*

*“Section 7.8.6.3. – Individual Mobile Home Lot  
Side yards of not less than 1.5 metres (4.92 feet) for each side yard shall be provided.”*

- 4. APPEAL:** **BOV00512**
- APPLICANT:** **Kris & Kerri Dalman**
- LOCATION:** **Legal Description:** STRATA LOT 157, DISTRICT LOT 24G (FORMERLY DISTRICT LOT 24)  
WELLINGTON DISTRICT STRATA PLAN VIS3925  
TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V  
**Civic address: 5630 Turnstone Place**

**PURPOSE:** The applicant is requesting that the required front yard setback, as shown in the survey provided, be reduced from 6 metres (19.68 feet) to 4.5 metres (14.76 feet) in order to construct a single family dwelling with an attached garage. This represents a variance of 1.5 metres (4.92 feet).

**Please Note:** Appeal BOV00512 was previously brought to the regular meeting of the Board of Variance held on December-20<sup>th</sup>-2007 as BOV00422; and to the regular meeting of the Board of Variance held 2008-June-19<sup>th</sup> the Board approved both requests. The applicant did not acquire a building permit within the required 6 months of the date of approval for either application and has thus resubmitted the appeal. The property has since changed ownership and the current owner wishes to resubmit the original variance in order to permit the construction of a single family dwelling.

**ZONING REGULATIONS:**

*This property is included in the Single Family Residential Small Lot Zone (RS-6) and the appeal seeks to vary the following provisions of the “City of Nanaimo Zoning Bylaw 4000”:*

*“Section 6.6.7.1-Yard requirements*

*A front yard of not less than 4.5 metres (14.76 feet) shall be provided. A front yard of not less than 6 metres (19.69 feet) shall be provided for all garages and carports whether considered part of the principal building or in an accessory building.”*

**5. APPEAL: BOV00513**  
**APPLICANT: Michael Calverley**  
**LOCATION: Legal Description: LOT 19, SECTION 1, NANAIMO DISTRICT, PLAN 1751**  
**Civic address: 434 Renfrew Street**

**PURPOSE:** The applicant is requesting that the maximum height of an accessory building be increased from 4.5 metres (14.76 feet) to 4.86 metres (15.94 feet) in order to permit the construction of an accessory building. This represents a variance of 0.36 metres (1.18 feet).

**ZONING REGULATIONS:**

*This property is included in the Single Family Residential Zone (RS-1a) and the appeal seeks to vary the following provisions of the “City of Nanaimo Zoning Bylaw 4000”:*

*“Section 6.1.7.4 - Height of Buildings*

*The height of an accessory building shall not exceed the maximum height shown in the following table.”*

| <i>Roof Pitch</i>                         | <i>Maximum Height</i>          |
|---|--------------------------------|
| <i>(Less than &gt;6:12)</i>               | <i>4.5 metres (14.76 feet)</i> |
| <i>(Greater than or equal to (≥ 6:12)</i> | <i>5.0 metres (16.4 feet)</i>  |
| <i>(Greater than or equal to (≥ 8:12)</i> | <i>5.5 metres (18.04 feet)</i> |

Attachments to each appeal include:

- application form
- certificate of title
- letter from applicant
- detailed plans
- list of properties notified

pc D. Lindsay, Manager, Planning Division, DSD  
C. Nesselbeck, Acting Manager, Property Services, DSD  
R. Topliffe, Supervisor, Building Inspection Division, DSD

G. Trimmer, Engineering Liaison/Support Technician, Engineering &  
Environmental Division, DSD  
D. Stewart, Planner, DSD  
ec C. Scott, Communications Officer  
J. Holm, Subdivision Planner, DSD  
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