

LOCATION: **Legal Description:** LOT 19, SECTION 1,
NANAIMO DISTRICT, PLAN 5606 EXCEPT PART
IN PLANS 18230, 1402RW AND VIP55313
Civic Address: **1811 Stewart Avenue**

PURPOSE: The applicant is requesting that the required front yard setback be reduced from 7.5 metres (24.6 feet) to 6.0 metres (19.68 feet) in order to construct a single family dwelling. This represents a variance of 1.5 metres (4.92 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 5.2.1–Location and Siting of Buildings and Structures to Major Roads Notwithstanding the regulations for yards within all zones of this Bylaw, or any other regulations of the Highway Act, principal or accessory buildings or structures shall not be closer than: 7.5 metres (24.6 feet) from a property line that abuts established urban arterials, urban collector roads and provincial highways as designated by the City of Nanaimo Official Community Plan, when dedication has occurred to achieve the required right-of-way width.”

4. **APPEAL:** **BOV00502**

APPLICANT: **Tom Bishop**

LOCATION: **Legal Description:** LOT 1, SECTION 11,
RANGE 7, MOUNTAIN DISTRICT, PLAN 23748
Civic Address: **2233 Ashlee Road**

PURPOSE: The applicant is requesting the following variances to permit the construction of a retaining wall and the required safety railing associated with the retaining wall.

- 1) That the required height of a retaining wall, as measured from natural grade, located within the permitted building envelope setback, as shown in section (a) of the survey provided, be varied from 3 metres (9.80 feet) to a maximum of height of 3.47 metres (11.38 feet) in order to permit the construction of a retaining wall and fence. This represents a variance of 0.47 metres (1.58 feet).

- 2) That the required height of a retaining wall, as measured from natural grade, located within the required side yard setback, as shown in section (b) of the survey provided, be varied from 2.4 metres (7.87 feet) to a maximum height of 3.47 metres (11.38 feet) in order to permit the construction of a retaining wall and fence. This represents a variance of 1.07 metres (3.51 feet)

ZONING REGULATIONS:

This property is included in the Single Family Mobile Home Residential Zone (RS-3) and the appeal seeks to vary the following provisions of the "City of Nanaimo Zoning Bylaw 4000":

"Section 5.9.4. – Fence Heights

Unless otherwise specified in each zone fences shall not exceed 3 metres (9.84 feet) in height."

"Section 6.3.9.2. – Height of Fences

The height of a fence shall not exceed 2.4 metres (7.87 feet) in any side or rear yard."

5. APPEAL: BOV00503

APPLICANT: Shoa Organization Services

**LOCATION: Legal Description: LOT 8, DISTRICT LOT 51,
WELLINGTON DISTRICT, PLAN VIP82137
Civic Address: 4240 Gulfview Drive**

PURPOSE: The applicant is requesting that the side yard setback, as shown in the survey provided, be reduced from 1.5 metres (4.9 feet) to 0.30 metres (0.98 feet), in order to permit a recently constructed set of stairs in a sideyard. This represents a variance of 1.2 metres (3.94 feet).

ZONING REGULATIONS:

This property is included in the Steep Slope Residential Zone (RS-7) and the appeal seeks to vary the following provisions of the "City of Nanaimo Zoning Bylaw 4000":

"Section 6.7.7.2 - Yard Requirements

Side yards shall be provided with a minimum width of 1.5 metres (4.92 feet) for each side yard. In the case of a corner lot, the side yard adjoining the flanking street shall not be less than 3 metres (9.84 feet)."

6. APPEAL: BOV00505

APPLICANT: Brad Squire

LOCATION: **Legal Description:** LOT 11, DISTRICT LOT 31,
WELLINGTON DISTRICT, PLAN 34840
Civic Address: **3206 Arrowsmith Road**

PURPOSE: The applicant is requesting that the maximum height of a single family dwelling, as shown in the surveys provided, be increased from 9.0 metres (29.53 feet) to 9.65 metres (31.66 feet) in order to permit a single family dwelling under construction. This represents a variance of 0.65 metres (2.13 feet).

ZONING REGULATIONS:
This property is included in the Rural Agricultural / Residential Zone – (A-3) and the appeal seeks to vary the following provisions of the “City of Nanaimo Zoning Bylaw 4000”:

*“Section 8.3.7.1. – Height of Buildings
The height of a building or structure which contains a single family dwelling or a campground’s accessory laundry facility, washroom and shower facility, convenience store, office, and recreational facility shall not exceed 9.0 metres (29.53 feet).”*

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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