

**BOARD OF VARIANCE MEETING
TO BE HELD IN THE BOARD ROOM OF CITY HALL,
THURSDAY, November 20th, 2008 AT 7:00 P.M.,
455 WALLACE STREET, NANAIMO, B.C.**

AGENDA

1. Adoption of Minutes of the Board of Variance Meeting held 2008-October 16th.

2. **APPEAL:** **BOV00473**

APPLICANT: **Sukhi Nagra**

LOCATION: **Legal Description:** LOT 7, DISTRICT LOT 40,
WELLINGTON DISTRICT, PLAN VIP77177
Civic Address: **5667 Muggies Way**

PURPOSE: The applicant is requesting that the required flanking side yard setback, as shown in the provided survey, be varied from 4 metres (13.12 feet) to 2.1 metres (6.88 feet) in order to permit an open deck on a single family dwelling under construction. This represents a variance of 1.9 metres (6.24 feet)

ZONING REGULATIONS:

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

“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. In the case of a corner lot, the side yard adjoining the flanking street shall not be less than 4 metres (13.12 feet).”

3. **APPEAL:** **BOV00474**

APPLICANT: **Jasbir Manhas**

LOCATION: **Legal Description:** LOT 6, DISTRICT LOT 51,
WELLINGTON DISTRICT, PLAN VIP81477
Civic address: **4827 Whalley Way**

PURPOSE: The applicant is requesting that the maximum height of a single family dwelling, as shown in the provided survey, be increased from 8.25 metres (27.06 feet) to 8.61 metres (28.24feet) in order to permit a single family dwelling under construction. This represents a variance of 0.36 metres (1.18 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 6.7.8.1 - Height of Buildings

The height of a principal building shall not exceed the maximum height shown in the following table:

<i>Roof Pitch</i>	<i>Maximum Height</i>
<i>A flat roof (< than 4:12)</i>	<i>6.71 metres (22 feet)</i>
<i>A sloped roof (≥ 4:12)*</i>	<i>8.25 metres (27.06 feet)</i>

** for an area of at least 80% of all roof surfaces measured in plan view.*

4. **APPEAL:** **BOV00475**

APPLICANT: **Terry Waters**

LOCATION: **Legal Description:** LOT 8, DISTRICT LOT 54,
WELLINGTON DISTRICT, PLAN 36604
Civic address: **4954 Fillinger Crescent**

PURPOSE: The applicant is requesting that the required side yard setback, as shown in the provided survey, be reduced from 1.5 metres (4.92 feet) to 0.5 metres (1.64 feet) in order to permit the construction of an elevated walkway, as shown in the plans provided. This represents a variance of 1.00 metres (3.28 feet).

ZONING REGULATIONS:

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

5. **APPEAL:** **BOV00476**

APPLICANT: **Chris Gagnon**

LOCATION: **Legal Description:** LOT 2, SECTION 16,
RANGE 8, MOUNTAIN DISTRICT, PLAN 25099
Civic address: **1716 James Way**

PURPOSE: The applicant is requesting that the required front yard setback, as shown in the provided survey, be reduced from 6.0 metres (19.69 feet) to 4.55 metres (14.92 feet) in order to permit the construction of an accessory building. This represents a variance of 1.45 metres (4.77 feet).

ZONING REGULATIONS:

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

*“Section 6.1.6.1 – Yard Requirements
A front yard of not less than 6.0 metres (19.69 feet) shall be provided.*

6. **APPEAL:** **BOV00477**

APPLICANT: **Stephen Dennis**

LOCATION: **Legal Description:** BAY 131, MHR 78850,
WELLINGTON DISTRICT, WOODGROVE
ESTATES (USER RATE BILLING FOLIO
07862.200)
Civic address: **#131 5854 Turner Road**

PURPOSE: The applicant is requesting that the required front yard setback, as shown in the provided survey, be reduced from 4.5 metres (14.76 feet) to 1.19 metres (3.9 feet) in order to permit the recent construction of an accessory building. This represents a variance of 3.31 metres (10.86 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 7.8.6.2 – Yard Requirements
A front yard of not less than 4.5 metres (14.76 feet) shall be provided.*

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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