

**BOARD OF VARIANCE MEETING
TO BE HELD IN THE BOARD ROOM OF CITY HALL,
THURSDAY, AUGUST 16th, 2007 AT 7:00 P.M.,
455 WALLACE STREET, NANAIMO, B.C.**

AGENDA

1. Adoption of Minutes of the Board of Variance Meeting held 2007-July-19th.
2. **APPEAL:** **BOV00392**
APPLICANT: **Julian Herter**
LOCATION: **Legal Description:** LOT 1, BLOCK 4, SECTION 1, NANAIMO DISTRICT, PLAN 584
Civic address: 1002 Milton Street

PURPOSE: The applicant is requesting that the maximum height of a single family dwelling be increased from 8.25 metres (27.06 feet) to 11.25 metres (36.90 feet) in order to construct a secondary suite and permit the relocation of a single family dwelling. This represents a variance of 3 metres (9.84 feet).

Please note: at their meeting held 2007-July-19th, the Board of Variance reviewed the applicant's appeal requesting the maximum height of a single family dwelling be increased from 8.25 metres (27.06 feet) to 10.75 metres (35.26 feet) in order to permit the relocation of a single family dwelling. The Board's review was based on an amended survey (provided to the Board on the meeting date) which required a variance greater than that originally requested and indicated on the agenda and public notification letters. As such, the public was not given sufficient notice and the Board's decision was invalid. The appeal is deferred to the meeting to be held 2007-August-16th.

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 6.1.7.1- Height of Buildings

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

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

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

3. **APPEAL:** **BOV00396**
- APPLICANT:** **Allen Philip**
- LOCATION:** **Legal Description:** LOT 30 SECTION 1
 NANAIMO DISTRICT PLAN VIP82272
 Civic address: 462 Poets Trail

PURPOSE: The applicant is requesting that the maximum height of a single family dwelling be increased from 8.25 metres (27.06 feet) to 8.31 metres (27.26 feet) in order to construct a single family dwelling. This represents a variance of 0.06 metres (0.2 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 6.1.7.1- Height of Buildings

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

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

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

4. **APPEAL:** **BOV00397**
- APPLICANT:** **Bradley Turner**
- LOCATION:** **Legal Description:** LOT 19 DISTRICT LOT 39
 WELLINGTON DISTRICT PLAN VIP60366
 Civic address: 3772 Oakcrest Place

PURPOSE: The applicant is requesting the side yard setback be reduced from 1.5 metres (4.92 feet) to 1.46 metres (4.79 feet) in order to construct a single family dwelling. This represents a variance of 0.04 metres (0.13 feet).

ZONING REGULATIONS:

This property is included in the Single Family Residential Zone (Large lot) (RS-2) and the appeal seeks to vary the following provisions of the "City of Nanaimo Zoning Bylaw 4000":

"Section 6.2.6.2- Yard Requirements

Side yards of not less than 1.5 metres (4.92 feet) for each side yard shall be provided."

5. APPEAL: BOV00398

APPLICANT: Edwin Galloway

LOCATION: Legal Description: LOT 25, DISTRICT LOT 53,
WELLINGTON DISTRICT, PLAN VIP57612
Civic address: 6558 Groveland Drive

PURPOSE: The applicant is requesting the rear yard setback be reduced from 7.5 metres (24.60 feet) to 5.55 metres (18.21 feet) in order to construct an addition to single family dwelling. This represents a variance of 1.95 metres (6.39 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 6.1.6.3- Yard Requirements

A rear yard of not less than 7.5 metres (24.60 feet) shall be provided for a principle building."

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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