

**BOARD OF VARIANCE MEETING  
TO BE HELD IN THE BOARD ROOM OF CITY HALL,  
THURSDAY, JUNE 21<sup>st</sup>, 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-May-17<sup>th</sup>.
2. **APPEAL:** **BOV00384**  
  
**APPLICANT:** **Doug Poulson and Jeanette Anderton**  
  
**LOCATION:** **Legal Description:** PARCEL A (DD 8365-N) OF  
LOTS 24 AND 25, BLOCK 1, SECTION 1,  
NANAIMO DISTRICT, PLAN 1476  
**Civic address: 309 Pine Street**  
  
**PURPOSE:** The applicant is requesting that the required front yard setback be reduced from 6 metres (19.69 feet) to 0.7 metres (2.30 feet) in order to permit a structural alteration to a single family dwelling which is non-conforming as to siting. This represents a variance of 5.3 metres (17.39 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 6.1.6.1 – Yard Requirements*  
*A front yard of not less than 6 metres (19.69 feet) in shall be provided."*  
  
*Please note Section 911 (9) and (10) of the Local Government Act, which states:*  
*"If the use and density of buildings and structures conform to a bylaw under this division... but the siting, size or dimensions of a building or structure constructed before the bylaw was adopted does not conform with the bylaw, ... the building or structure ... may be maintained, extended or altered ... only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the bylaw than that existing at the time the repair, extension or alteration was started."*
3. **APPEAL:** **BOV00385**  
  
**APPLICANT:** **Larry McCafferty**

**LOCATION:**                      **Legal Description:**    LOT 38, DISTRICT LOT 14,  
WELLINGTON DISTRICT, PLAN VIP56051  
**Civic Address: 5105 Sam's Way**

**PURPOSE:**        The applicant is requesting that required rear yard setback be reduced from 7.5 metres (24.6 feet) to 4.7 metres (15.42 feet) in order to construct an addition to a single family dwelling. This represents a variance of 2.8 metres (9.18 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 (24.6 feet) shall be provided for a principle building".*

**4.        APPEAL:**                      **BOV00386**

**APPLICANT:**                      **Denis Prue and Pat James**

**LOCATION:**                      **Legal Description:**    LOT 79, DISTRICT LOT 55,  
WELLINGTON DISTRICT, PLAN 25430  
**Civic Address: 5007 Laguna Way**

**PURPOSE:**        The applicant is requesting that the maximum height of a single family dwelling be increased from 8.25 metres (27.06 feet) to 8.61 metres (28.24 feet) in order to complete construction of a single family dwelling. This represents a variance of 0.36 metres (1.18 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 6.2.7.1- 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.*



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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