

**BOARD OF VARIANCE MEETING  
TO BE HELD IN THE BOARD ROOM OF CITY HALL,  
THURSDAY, APRIL 19<sup>th</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-March-15<sup>th</sup>

2. **APPEAL:** **BOV00377**

**APPLICANT:** **Wilco Construction Ltd.**

**LOCATION:** **Legal Description:** LOT 33, SECTION 1,  
NANAIMO DISTRICT, PLAN VIP79549  
**Civic address: 685 Sarum Rise Way**

**PURPOSE:** The applicant is requesting that the maximum height of an accessory building be increased from 4.5 metres (14.76 feet) to 5.1 metres (16.73 feet) in order to construct an accessory building. This represents a variance of 0.6 metres (1.97 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 6.1.7.4- Accessory Buildings and Structures*

*The maximum height of an accessory building shall not exceed 4.5 metres (14.76 feet)."*

3. **APPEAL:** **BOV00378**

**APPLICANT:** **Gary Brian Brown**

**LOCATION:** **Legal Description:** THE WEST 1/2 OF LOT 1  
BLOCK 20, SECTION 1, NANAIMO DISTRICT,  
PLAN 584  
**Civic Address: 575 Selby Street**

**PURPOSE:** The applicant is requesting that the required rear yard setback be reduced from 7.5 metres (24.60 feet) to 6.2 metres (20.34 feet) in order to construct an addition to a single family dwelling which is non-conforming as to siting. This represents a variance of 1.3 metres (4.26 feet).

**ZONING REGULATIONS:**

This property is included in the Old City Medium Density Multiple Family Residential Zone (RM-10) and the appeal seeks to vary the following provisions of the "City of Nanaimo Zoning Bylaw 4000":

*"Section 7.10.6.3 – Yard Requirements*

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

*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."*

**4. APPEAL: BOV00379**

**APPLICANT: Kerry Smith**

**LOCATION: Legal Description: LOT 8, BLOCK 10,  
SECTION 1, WELLINGTON DISTRICT, PLAN 414  
Civic Address: 2875 Fairbanks Street**

**PURPOSE:** The applicant is requesting the side yard setback be reduced from 1.5 metres (4.92 feet) to 1.15 metres (3.77 feet) in order to construct an addition to an existing single dwelling. This represents a variance of 0.35 metres (1.15 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 6.1.6.2- Yard Requirements*

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



- 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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