

CITY OF NANAIMO

BOARD OF VARIANCE

**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE
HELD ON THURSDAY, 2007-FEBRUARY-15th, IN THE BOARD ROOM,
CITY HALL, 455 WALLACE STREET, NANAIMO, BC**

PRESENT: Roger Richer, Chairperson
Dan Hooper
Jerome Howell
Dorothy Rispin

STAFF: David Stewart
Dave Pady

1. **CALL TO ORDER:**
The meeting was called to order at 7:00 p.m.

2. **MINUTES**
MOVED by Jerome Howell SECONDED by Dan Hooper, that the minutes of the meeting held 2006-January-18th be adopted

CARRIED

3. **APPEAL:** **BOV00369**

APPLICANT: **Michele Hawes and Devon Hawes**

LOCATION: **Legal Description:** LOT 5, SECTIONS 10 AND 11, RANGE 8,
MOUNTAIN DISTRICT, PLAN 1527
Civic address: 210 Calder Road

PURPOSE: The applicant is requesting that the maximum gross floor area of all accessory buildings and structures on a lot be increased from 70 square metres (753.5 square feet) to 163 square metres (1754 square feet) in order to construct an accessory building. This represents a variance of 93 square metres (1000.5 square feet).

Please note: the applicant previously applied to the Board of Variance requesting that:

1. the maximum height of an accessory building be increased from 4.5 metres (14.76 feet) to 5.11 metres (16.77 feet)
2. the maximum size of an accessory building be increased from 70 square metres (753.5 square feet) to 101.05 square metres (1087.75 square feet) in order to construct an accessory building.

The variance was granted at the meeting held on 2006-September-21st.

ZONING REGULATIONS:

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

"Section 5.5.5-Accessory Buildings and Structures

The sum total of all accessory buildings on a lot zoned single family residential, RM-1, RM-2, RM-9 or RM-11 shall not exceed a gross floor area of 70 square metres (753.5 square feet). For the purpose of this subsection, the calculation of gross floor area shall include an accessory building (or portion thereof) used for parking purposes.

DISCUSSION

Mr. Devon Hawes (210 Calder Road) appeared in support of the appeal.

DECISION

MOVED by Roger Richer SECONDED by Dorothy Rispin that the appeal be **granted**. Approval is subject to a building permit being issued within 6 months (2007-August-15th)

CARRIED

4. **APPEAL:** **BOV00370**

APPLICANT: **Craig David Jones and Angeline Marie Jones**

LOCATION: **Legal Description:** LOT 1 & 4, SECTION 1, NANAIMO DISTRICT, PLAN 18915
Civic Address: 624 Shepherd Avenue

PURPOSE: The applicant is requesting that the maximum height of and accessory building be increased from 4.5 metres (14.76 feet) to 4.83 metres (15.84 feet). This represents a variance of 0.33 metres (1.08 feet).

Please note: the applicant previously applied to the Board of Variance requesting that the maximum size of an accessory building be increased from 70 square metres (753.5 square feet) to 94.8 square metres (1020 square feet) in order to construct an accessory building. This represents a variance of 24.8 square metres (266.94 square feet). The variance was granted at the meeting held on 2006-July-20th.

ZONING REGULATIONS:

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

"Section 5.5.3- Accessory Buildings and Structures

The maximum height of an accessory building shall be 4.5 metres (14.76 feet) unless otherwise specified.

DISCUSSION

Mr. Craig Jones and Mrs. Angeline Jones (624 Shepherd Drive) appeared in support of the appeal.

DECISION

MOVED by Jerome Howell SECONDED by Dan Hooper that the appeal be **granted**. Approval is subject to a building permit being issued within 6 months (2007-August-15th)

CARRIED

5. **APPEAL:** **BOV00371**

APPLICANT: **Ross Steinke**

LOCATION: **Legal Description:** LOT 13, SECTION 18, RANGE 6, MOUNTAIN DISTRICT, PLAN VIP64054
Civic Address: 2155 Sun Valley Drive

PURPOSE: The applicant is requesting that the rear yard setback be reduced from 1.5 metres (4.92 feet) to 0.4 metres (1.13 feet) for an accessory building under construction. This represents a variance of 1.1 metres (3.61 feet).

ZONING REGULATIONS:

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

"Section 6.1.6.4-Yard Requirements

A rear yard of not less than 1.5 metres (4.92 feet) shall be provided for an accessory building.

DISCUSSION

Mr. Ross Steinke (2155 (Sun Valley Drive) appeared in support of this appeal. Mrs. Deena Nicolson and Mr. Cecil Smith (2572 Cypress Bowl Place) appeared in opposition to this appeal.

DECISION

MOVED by Dorothy Rispin SECONDED by Jerome Howell that the appeal be **denied**.

CARRIED

5. ATTENDANCE

It was determined that Jerome Howell will not be in attendance for the meeting to be held 2007-March-15th. All other members will be present.

6. ADJOURNMENT

MOVED by Dan Hooper, SECONDED by Patricia Portsmouth, that the meeting be adjourned at 7:20 p.m.

CARRIED

Roger Richer
Chairperson, Board of Variance

Dave Stewart
Secretary, Board of Variance

ec Planning and Development Department
Building Inspection Department
Bylaw Services Department
Cam Scott, Communications Officer
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