

CITY OF NANAIMO

BOARD OF VARIANCE

**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE
HELD ON THURSDAY, 2007-JANUARY-18th, IN THE BOARD ROOM,
CITY HALL, 455 WALLACE STREET, NANAIMO, BC**

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

STAFF: David Stewart
Dave Pady

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

2. **MINUTES**
MOVED by Patricia Portsmouth SECONDED by Jerome Howell, that the minutes of the meeting held 2006-December-18th be adopted
CARRIED

3. **APPEAL:** **BOV00366**

APPLICANT: **P.J. & R Holdings Ltd**

LOCATION: **Legal Description:** LOT 6, SECTION 2, RANGE 7, NANAIMO DISTRICT, PLAN VIP81888
Civic Address: 678 Howard Avenue

PURPOSE: The applicant is requesting that the side yard setback be reduced from 4 metres (13.12 feet) to 2.33 metres (7.64 feet) in order to construct a single family dwelling. This represents a variance of 1.67 metres (5.48 feet).

ZONING REGULATIONS:

This property is included in the Single Family Residential Zone (RS-2a) 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. In the case of a corner lot the side yard adjoining the flanking street shall not be less than 4 metres (13.12 feet)"

DISCUSSION

Mr. Peter Monga (2054 Placid Crescent) appeared in support of the appeal.

DECISION

MOVED by Dan Hooper SECONDED by Dorothy Rispin that the appeal be **granted**. Approval is subject to a building permit being issued within 6 months (2007-July-18th)

CARRIED

4. **APPEAL:** **BOV00367**

APPLICANT: **Gary Michael Milne**

LOCATION: **Legal Description:** LOT 53, DISTRICT LOT 40, WELLINGTON DISTRICT, PLAN 28036
Civic Address: 5850 Broadway Road

PURPOSE: The applicant is requesting that the maximum height of a fence in the front yard be increased from 1.2 metres (3.94 feet) to 2.4 metres (7.87 feet). This represents a variance of 1.2 metres (3.93 feet).

ZONING REGULATIONS:

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

"Section 6.2.9.1 – Height of Fences

The height of a fence shall not exceed 1.2 metres (3.94 feet) in a front yard."

DISCUSSION

Mrs. Nicole Meshen (2054 Placid Crescent) and Mr. Jamie Hickey (290 Woodhaven Drive) appeared in support of the appeal.

DECISION

MOVED by Patricia Portsmouth SECONDED by Jerome Howell that the appeal be **granted** to increase the maximum height of a fence in the front yard from 1.2 metres (3.93 feet) to 1.68 metres (5.5 feet). This represents a reduced variance of 0.48 metres (1.56 feet).

CARRIED

5. **APPEAL:** **BOV00368**

APPLICANT: **Robert Marshall McPherson**

LOCATION: **Legal Description:** LOT 23 SECTION 20 RANGE 4
MOUNTAIN DISTRICT PLAN VIP81898
Civic Address: 3490 Monterey Drive

PURPOSE: The applicant is requesting that the major road flanking side yard setback be reduced from 7.5 metres (24.6 feet) to 5.79 metres (19 feet) metres in order to construct a single family dwelling. This represents a variance of 1.71 metres (5.61 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 5.2.1.2. - Location and Siting of Buildings to Major Roads

Principal or accessory buildings or structures shall not be closed than... 7.5 metres (24.6 feet) from a property line that abuts established urban arterials, urban collector roads, and provincial highways, as designated by the City of Nanaimo Official Community Plan, when dedication has occurred to achieve the required right-of-way width.

DISCUSSION

Ms. Glenda Eastam (119 Maids Court), Mr. Jamie Odgers (3938 Gulfview Drive), Mr. Bill Bastido (3071 West Rd) and Mr. Brian Godfrey (1478 Rose Ann Drive) appeared in support of the appeal.

DECISION

MOVED by Dan Hooper SECONDED by Jerome Howell that the appeal be **granted**. Approval is subject to a building permit being issued within 6 months (2007-July-18th)

CARRIED

5. **ATTENDANCE**

It was determined that Patricia Portsmouth will not be in attendance for the meeting to be held 2007-February-15th. All other members will be present.

6. **ADJOURNMENT**

MOVED by Dan Hooper, SECONDED by Patricia Portsmouth, that the meeting be adjourned at 7:17 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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