#### **CITY OF NANAIMO**

# **BOARD OF VARIANCE**

# MINUTES OF THE MEETING OF THE BOARD OF VARIANCE HELD ON THURSDAY, 2005-DECEMBER-15<sup>th</sup>, IN THE BOARD ROOM, CITY HALL, 455 WALLACE STREET, NANAIMO, BC

**PRESENT:** Roger Richer, Chairperson

Patricia Portsmouth

Dan Hooper

**STAFF:** David Stewart

# 1. CALL TO ORDER:

The meeting was called to order at 7:04 p.m.

2. APPEAL: BOV00289

APPLICANT: Charanjit Singh Chahal

LOCATION: Legal Description: LOT 2, DISTRICT LOT 25G,

WELLINGTON DISTRICT, PLAN VIP78635

Civic Address: 6082 McGirr Road

**PURPOSE:** The applicant is requesting that the maximum allowable height of a principle dwelling be increased from 8.25 metres (27.06 feet) to 8.46 metres (27.76 feet) for a single family dwelling under construction. This represents a height variance of 0.21 metres (0.70 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":

The height of a principle 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)

<sup>\*</sup>for an area of at least 80% of all roof surface measured

<sup>&</sup>quot;Section 6.1.7.1 - Height Requirements

#### DISCUSSION

Mr. Charanjit Chahal (6082 McGirr Road) appeared in support of the appeal.

Mr. John Jordan and Mrs. Donna Jordan (6050 Hammond Bay Road) submitted a letter in opposition to this appeal.

Mr. Ralph Topliffe (City of Nanaimo, Building Supervisor) submitted a letter for informational purposes regarding the appeal.

#### **DECISION**

MOVED by Patricia Portsmouth, SECONDED by Dan Hooper, that the appeal be **granted.** 

**CARRIED** 

3. APPEAL: BOV00290

APPLICANT: Crest Mobile Home Estates Ltd.

LOCATION: Legal Description: LOT 1, SECTION 12,

WELLINGTON DISTRICT, PLAN 24603 Civic Address: #18- 6245 Metral Drive

**PURPOSE:** The applicant is requesting that the front yard setback requirement of an individual mobile home lot, within a mobile home park, be reduced from 4.5 metres (14.76 feet) to 1.4 metres (4.59 feet), in order to construct a covered deck. This represents a variance of 3.1 metres (10.17 feet).

#### **ZONING REGULATIONS:**

This property is included in the Mobile Home Park Subdivision Zone (RM-8) and the appeal seeks to vary the following provisions of the "City of Nanaimo Zoning Bylaw 4000":

"Section 7.8.6.2 – Yard Requirements- Individual Mobile Home Lot A front yard of not less than 4.5 metres (14.76 feet) shall be provided"

# **DISCUSSION:**

Mr. Knud Jorgenson (18- 6245 Metral Drive) and Mrs. Cathy Corbin (1812 Meghan Place) appeared in support of this appeal.

# **DECISION:**

MOVED by Dan Hooper, SECONDED by Patricia Portsmouth, that the appeal be **granted**, subject to a building permit being issued within 3 months (2006-March-15<sup>th</sup>)

**CARRIED** 

4. APPEAL: BOV00291

APPLICANT: Barbara Ann Wilson

LOCATION: Legal Description: LOT 62, SECTION 16, RANGE

8, MOUNTAIN DISTRICT, PLAN 14680 Civic Address: 1105 Thunderbird Drive

**PURPOSE:** The applicant is requesting that the front yard setback requirement be reduced from 6 metres (19.69 feet) to 5.1 metres (16.73 feet) in order to enclose an existing carport and construct a second story. This represents a variance of 0.9 metres (2.95 feet).

Note: A Board of Variance appeal (BOV# 82- 34) was granted 1982-AUG-08<sup>th</sup>, to reduce the front yard setback requirement from 6 metres (19.69 feet) to 4.04 metres (13.25 feet), in order to construct a carport.

## **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 6.1.6.1 – Yard Requirements

A front yard of not less than 6.0 metres (19.96 feet) shall be provided"

# **DISCUSSION**

Mrs. Barbara Wilson (1105 Thunderbird Drive) appeared in support of this appeal

Mr. Ralph Topliffe (City of Nanaimo, Building Supervisor) submitted a letter for informational purposes regarding the appeal.

### **DECISION**

MOVED by Patricia Portsmouth, SECONDED by Dan Hooper, that the appeal be **granted**, subject to a building permit being issued within 3 months (2006-March-15<sup>th</sup>)

**CARRIED** 

5. APPEAL: BOV00292

APPLICANT: Ronald Ashton & Camille Ashton

LOCATION: Legal Description: LOT 1, DISTRICT LOT 53,

WELLINGTON DISTRICT, PLAN VIP76367
Civic Address: 6504 Peregrine Road

**PURPOSE:** The applicant is requesting that the maximum projection for an open deck into the required rear yard setback be increased from 2 metres (6.56 feet) to 2.12 metres (6.96 feet), for an open deck under construction. This represents a variance of 0.12 metres (0.40 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 5.4.2- Projections

The maximum projection into the required front and rear yard shall be 2 metres (6.56 feet) or half the distance of the required yard which ever is less..."

#### **DISCUSSION**

Mr. Ira Lewis (5839 Delta Circle) appeared in support of this appeal.

# **DECISION**

MOVED by Dan Hooper, SECONDED by Patricia Portsmouth, that the appeal be **granted**, subject to a building permit being issued within three months (2006-March-15<sup>th</sup>)

**CARRIED** 

### 6. MINUTES

MOVED by Dan Hooper, SECONDED by Patricia Portsmouth, that the minutes of the meeting held 2005-November-17<sup>th</sup> be adopted

**CARRIED** 

# 7. ATTENDANCE

It was determined that all members present will be in attendance

# 8. OTHER BUSSINESS

Prior to the meeting, Roger Richer presented Joy Cameron with a letter on behalf of the Board of Variance thanking for her service as a Board Member. Joy Cameron will no longer be serving as a member of the Board of Variance due to her election to council.

ADJOURNMENT MOVED by Dan Hooper, SECONDED by Patricia Portsmouth, that the me be adjourned at 7:14 p.m.		
	be adjourned at 1.11 p.m.	CARRIED.
	Roger Richer	Dave Stewart
	Chairperson, Board of Variance	Secretary, Board of Variance
	Planning and Development Department	
	Building Inspection Department	
	Bylaw Services Department	
	Cam Scott, Communications Officer	
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