

**BOARD OF VARIANCE MEETING
TO BE HELD IN THE BOARD ROOM OF CITY HALL,
THURSDAY, MARCH-17TH, 2005 AT 7:00 P.M.,
455 WALLACE STREET, NANAIMO, B.C.**

AGENDA

1. Adoption of Minutes of the Board of Variance Meeting held 2005-February -17th

2. **APPEAL:** **BOV00231**

APPLICANT: **Jasbir Manhas**

LOCATION: **Legal Description:** LOT 8 DISTRICT LOT 40
WELLINGTON DISTRICT PLAN VIP76305
Civic Address: **5623 Muggies Way**

PURPOSE: The applicant is requesting that the front yard setback be reduced from 6 metres (19.69 feet) to 5.9 metres (19.36), for a single family dwelling under construction. This represents a variance of 0.10 metres (0.33 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 6.1.6.1- Yard Requirements
A front yard of not less than 6 metres (19.69 feet) shall be provided"*

3. **APPEAL:** **BOV00232**

APPLICANT: **Richard Wilmer & Christina McCullough**

LOCATION: **Legal Description:** LOT E, DISTRICT LOT 31,
WELLINGTON DISTRICT, PLAN 48719
Civic Address: **3321 Arrowsmith Road**

PURPOSE: The applicant is requesting that the maximum height of a principle dwelling, be increased from 9 metres (29.53 feet) to 9.25 metres (30.34 feet), for a single family dwelling under construction. This represents a height variance of 0.25 metres (0.82 feet).

ZONING REGULATIONS:

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

"Section 8.1.7.1- Height of Buildings

The height of a building or structure used for dwelling purposes shall not exceed 9 metres (29.53 feet)."

4. APPEAL: BOV00233

APPLICANT: Barbara J. Malcomson

LOCATION: Legal Description: THE WEST ½ OF SECTION C,
OF LOT 12, BLOCK F, OF SECTION 1, NANAIMO
DISTRICT, PLAN 584
Civic Address: 622 Kennedy Street

PURPOSE: The applicant is requesting that the maximum height of a fence in a front yard be increased from 1.2 metres (3.94 feet) to 1.83 metres (6.0 feet). This represents a variance of 0.63 metres (2.06 feet).

ZONING REGULATIONS:

This property is included in the Old City Low Density (Fourplex) Residential Zone (RM-9) and the appeal seeks to vary the following provisions of the "City of Nanaimo Zoning Bylaw 4000":

"Section 7.9.8.1- Height of Fences

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

5. APPEAL: BOV00234

APPLICANT: NUR Enterprises Ltd.

LOCATION: Legal Description: LOT 2, DISTRICT LOT 38,
WELLINGTON DISTRICT, PLAN VIP77284
Civic Address: 5808 Bradbury Road

PURPOSE: The applicant is requesting that the maximum height of a principle dwelling be increased from 8.25 metres (27.06 feet) to 8.40 metres (27.56 feet), for a single family dwelling under construction. This represents a height variance of 0.15 metres (0.5 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 6.1.7.1- Height of Buildings

The height of a principal building shall not exceed the maximum height shown in the following table:

<i>Roof Pitch</i>	<i>Maximum Height</i>
<i>A flat roof (< 4:12)</i>	<i>6.71 metres (22 feet)</i>
<i>A sloped roof (≥ 4:12)*</i>	<i>8.25 metres (27.06 feet)</i>

**for an area of at least 80% of all roof surfaces measured in plan view."*

6. APPEAL: BOV00235

APPLICANT: Woo Jong Kim & Yoo Sun Kim

**LOCATION: Legal Description: LOT 3, DISTRICT LOT 40,
WELLINGTON DISTRICT, PLAN VIP76116
Civic Address: 6081 Breonna Drive**

PURPOSE: The applicant is requesting that the flanking side yard setback be reduced from 4 metres (13.12 feet) to 2.91 metres (9.54 feet), in order to construct a single family dwelling. This represents a variance of 1.09 metres (3.58 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 6.1.6.2 - 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). "

Attachments to each appeal include:

- application form
- certificate of title
- letter from applicant
- detailed plans
- list of properties notified

pc B.N. Mehaffey, General Manager, Development Services Department
 D. Lindsay, Manager, Planning Division, DSD
 M. Pilcher Subdivision/Planning Technician, 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
 J. Holm, Planner, DSD
 J. Carvalho, Planner, DSD
 C. Scott, Communications Officer
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