CITY OF NANAIMO

BOARD OF VARIANCE

MINUTES OF THE MEETING OF THE BOARD OF VARIANCE HELD ON THURSDAY, 2005-MARCH -17TH, IN THE BOARD ROOM, CITY HALL, 455 WALLACE STREET, NANAIMO, BC

PRESENT: Roger Richer, Chairperson

Patricia Portsmouth

Dan Hooper Jerome Howell Joy Cameron

STAFF: Maureen Pilcher

David Stewart

1. CALL TO ORDER:

The meeting was called to order at 7:05 p.m.

2. MINUTES

MOVED by Patricia Portsmouth, SECONDED by Jerome Howell, that the minutes of the meeting held 2005-February-17th be adopted as circulated.

CARRIED

3. 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"

DISCUSSION

Mrs. Jasbir Manhas (6056 Breonna Drive) appeared in support of this appeal

DECISION

MOVED by Jerome Howell, SECONDED by Dan Hooper, that the appeal be **granted**, subject to a building permit being issued within three months (2005-June-17th)

CARRIED

4. 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 principal 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 Agricultural/ 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)."

DISCUSSION

Mr. Richard Wilmer and Ms. Christina McCullough appeared in support of this appeal

DECISION

MOVED by Dan Hooper, SECONDED by Jerome Howell, that the appeal be **granted**, subject to a building permit being issued within three months (2005-June-17th)

CARRIED

5. 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."

DISCUSSION

Ms. Barbara J. Malcomson (622 Kennedy) appeared in support of this appeal. Mr. Michael J. Ondusko (618 Kennedy) submitted a letter in opposition to the appeal. This letter was read into the minutes (attached)

DECISION

MOVED by Patricia Portsmouth, SECONDED by Joy Cameron, that the appeal be **denied.**

CARRIED

6. 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 principal 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:

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

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

DISCUSSION

Mr. Cameron Mehrassa appeared in support of the appeal.

DECISION

MOVED by Joy Cameron, SECONDED by Jerome Howell, that the appeal be **granted.**

Patricia Portsmouth requested that her opposition to this motion be noted

7. ADJOURNMENT

MOVED by Patricia Portsmouth, SECONDED by Jerome Howell, that the meeting be adjourned at 7:45 p.m.

CARRIED.

Roger Richer	Dave Stewart
Chairperson, Board of Variance	Secretary, Board of Variance

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