# BOARD OF VARIANCE MEETING TO BE HELD IN THE BOARD ROOM OF CITY HALL, THURSDAY, JANUARY-20 ${ }^{\text {TH }}, 2005$ AT 7:00 P.M., 455 WALLACE STREET, NANAIMO, B.C. 

## AGENDA

1. Adoption of Minutes of the Board of Variance Meeting held 2004-December-16 $6^{\text {th }}$
2. APPEAL: BOV00225

APPLICANT: Green Trader Enterprises
LOCATION: Legal Description: LOT 29, SECTION 15 AND 16, CRANBERRY DISTRICT, PLAN 77863
Civic Address: 65 Ranchview Drive
PURPOSE: The applicant is requesting that the maximum height of a principal dwelling, as measured from curb level, be increased from 5 metres (16.4 feet) to 7 metres ( 22.97 feet), in order to construct a single family dwelling. This represents a height variance of 2 metres ( 6.56 feet).

## ZONING REGULATIONS:

This property is included in the Single Family Residential Zone (Large lot) (RS-2) and the appeal seeks to vary the following provisions of the "City of Nanaimo Zoning Bylaw 4000":
"Section 6.2.7.3 - Height of Buildings
Notwithstanding Subsection 6.2.7.1 and 6.2.7.2, on lots less than 1,666.66 square metres (17,940.36 square feet) the height of a principal dwelling may also be measured from curb level of the highest street abutting the property as outlined in the following table:

| Roof Pitch | Maximum Height |
| :--- | :--- |
| A flat roof (<4:12) | 3 metres $(9.84$ feet) |
| A sloped roof ( $\geq 4: 12)^{*}$ | 5 metres (16.4 feet) |

*for an area of at least $80 \%$ of all roof surfaces measured in plan view."
3. APPEAL:

BOV00226

## APPLICANT:

## Gurdial Kaur Janjua

LOCATION: Legal Description: LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP63361
Civic Address: $\quad \mathbf{6 4 0}$ Howard Avenue
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PURPOSE: The applicant is requesting that the maximum height of a principal dwelling be increased from 8.25 metres ( 27.06 feet) to 8.32 metres (27.29 feet), for a single family dwelling under construction. This represents a height variance of 0.07 metres ( 0.23 feet).

## 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 6.2.7.1 - 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 (< than 4:12) | 6.71 metres (22 feet) |
| A sloped roof ( $\geq 4: 12)^{*}$ | 8.25 metres (27.06 feet) |

*for an area of at least $80 \%$ of all roof surfaces measured in plain view
4. APPEAL:

APPLICANT: Felix and Rose Cassidy
LOCATION: Legal Description: THE SOUTH 141.43 FEET OF SECTION 24, RANGE 18, OF SECTION 20, RANGE 4, CRANBERRY DISTRICT, PLAN 1332
Civic Address: 1359 Cranberry Avenue

PURPOSE: The applicant is requesting that the Board of Variance permit a structural addition to a mobile home pad, which is non- conforming as to use, in order to replace a single wide mobile home with a double wide.

## ZONING REGULATIONS:

This property is zoned Single Family Residential (RS-1) and the appeal seeks to vary the following provisions of the Local Government Act:
"Section 9.11. - Non-conforming Uses and Siting
(5) A structural alteration or addition, except one that is required by an enactment or permitted by a board of variance under section 901(2), must not be made in or to a building or structure while the non-conforming use is continued in all or any part of it."

## 5. APPEAL: BOV00228 <br> APPLICANT: James Stuart <br> LOCATION: Legal Description: LOT A, DISTRICT LOT 54, WELLINGTON DISTRICT, PLAN 37239 <br> Civic Address: 4931 Fillinger Crescent

PURPOSE: The applicant is requesting that the maximum height of a fence (fence and retaining wall) in the side yard be increased from 2.4 metres ( 7.87 feet) to 7.57 meters ( 24.83 feet), in order to construct a retaining wall with a fence on top. This represents a variance of 5.17 metres (16.96 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 "City of Nanaimo Zoning Bylaw 4000":
"Section 4.1- Definitions
"RETAINING WALL"- means a wall erected to hold back water, or support a bank of earth, and which is considered a 'fence' for the purpose of regulating height"
"Section 6.1.9.2. - Height of Fences
The height of a fence shall not exceed 2.4 metres ( 7.87 ft .) in any side or rear yard".

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
P. Murphy, Manager, Property Services Manager, DSD
R. Topliffe, Supervisor, Building Inspection Division, DSD
G. Trimmer, Engineering Liaison/Support Technician, Engineering \& Environmental Division, DSD
J. Holm, Planner, DSD
D. Stewart, Assistant Planner, DSD
g/devplan/files/legis/3720/bovajan2005

