

**BOARD OF VARIANCE MEETING
TO BE HELD IN THE BOARD ROOM OF CITY HALL,
THURSDAY, APRIL 15TH, 2004 AT 7:00 P.M.,
455 WALLACE STREET, NANAIMO, B.C.**

AGENDA

1. Adoption of Minutes of the Board of Variance Meeting held 2004-March-18th.

2. **APPEAL:** **BOV00176**

APPLICANT: **Jaspal Singh Saroya**

LOCATION: **Legal Description:** PARCEL B (DD 2098N) OF
LOT 4, BLOCK 24, SECTION 1, NANAIMO
DISTRICT, PLAN 584

Civic Address: **690 Albert Street**

PURPOSE: The applicant is requesting that the Board of Variance permit the completion of a structural addition to a building (J & J Market), which a portion of is non-conforming as to use.

ZONING REGULATIONS:

This property is zoned Old City Low Density (Fourplex) Residential (RM-9) and the appeal seeks to vary the following provisions of the Local Government Act:

Section 9.11.1 - Non-conforming Uses and Siting

(5) A structural alteration or addition, except one that is required by an enactment of 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.

3. APPEAL: BOV00177

APPLICANT: Wendy Tracy Leeson

LOCATION: Legal Description: LOT 1, DISTRICT LOT 23G, WELLINGTON DISTRICT, PLAN 18903, EXCEPT THAT PART IN PLANS 20327 AND 33807

Civic Address: 5931 Island Highway North

PURPOSE: The applicant is requesting that the major road setback requirement from the Island Highway (Highway 19A) be reduced from 7.5 metres (24.6 feet) to 5.3 metres (17.39 feet), in order to construct an addition (stairs and porch) to a proposed modular home. This represents a setback variance of 2.2 metres (7.21 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 "City of Nanaimo Zoning Bylaw 4000":

"Section 5.2.1.1 – Location and Siting Buildings and Structures to Major Roads

Principal or accessory buildings or structures shall not be closer than 7.5 meters (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."

4. APPEAL: BOV00178

APPLICANT: Elizabeth Kim and Geoffrey George Letwin

LOCATION: Legal Description: LOT: 6 SECTION: 8 PLAN: 21559, WELLINGTON DISTRICT

Civic Address: 6696 Jenkins Road

PURPOSE: The applicant is requesting that the height requirement be increased from 8.25 metres (27.068 feet) to 8.71 metres (28.57 feet) in

order to construct a single family dwelling. This represents a height variance of 0.46 metres (1.50 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 6.1.7.1. – Height of Buildings

The height of a principal building shall not exceed 8.25 metres (27.06 feet)."

<i>Roof Pitch</i>	<i>Maximum Height</i>
<i>A sloped roof (> than 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."*

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

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