

CITY OF NANAIMO

BOARD OF VARIANCE

**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE
HELD ON THURSDAY, 2004-MARCH-18TH, IN THE BOARD ROOM,
CITY HALL, 455 WALLACE STREET, NANAIMO, BC**

PRESENT: Roger Richer, Chairperson
Joy Cameron
Jerome Howell
Dan Hooper

STAFF: Jason Carvalho

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

2. APPEAL: BOV00172

- **APPLICANT: Rocky Creek Holdings Ltd. (Ted Chappell)**

LOCATION: **Legal Description:** LOT 14, BLOCK 8, SECTION
1, NANAIMO DISTRICT, PLAN 1555
Civic Address: 642 Railway Avenue

PURPOSE: The applicant is requesting that the side yard setback requirement be reduced from 1.5 meters (4.92 feet) to 1.4 meters (4.59 feet) for a duplex under construction. This represents a variance of .1 metres (.33 feet).

ZONING REGULATIONS:

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

"Section 7.1.6 2 – Yard Requirements

Side yards of not less than 1.5 metres (4.92 feet) shall be provided."

DISCUSSION

Mr. Ted Chappell appeared in support of this appeal.

DECISION

MOVED by Jerome Howell, SECONDED by Dan Hooper, that this appeal be **granted**,

CARRIED.

3. APPEAL: BOV00173

APPLICANT: Derek Edward Sims

LOCATION: Legal Description: LOT 10 SECTION 16
RANGE 4 CRANBERRY DISTRICT PLAN
VIP75515
Civic Address: 1771 Harvest Place

PURPOSE: The applicant is requesting that the rear yard setback requirement be reduced from 7.5 metres (24.60 feet) to 7.4 metres (24.27 feet) for a single family dwelling under construction. This represents a variance of .1 metres (.33 feet).

ZONING REGULATIONS:

This property is included in the Single Family Residential (Large lot) Zone (RS-2) and the appeal seeks to vary the following provisions of "City of Nanaimo Zoning Bylaw 4000":

"Section 6.2.6.3. – Yard Requirements

A rear yard of not less than 7.5 metres (24.60 feet) shall be provided for a principal building."

DISCUSSION

Mrs. Tammy Sims (4951 Aho Road) appeared in support of this appeal.

DECISION

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

CARRIED.

4. **APPEAL:** **BOV00174**

APPLICANT: **Dueck General Contracting**

LOCATION: **Legal Description:** LOT 4, DISTRICT LOT 53,
PLAN VIP76210, WELLINGTON DISTRICT
Civic Address: **6514 Gerke Place**

PURPOSE: The applicant is requesting that the the maximum height requirement be increased from 8.25 metres (27.06 feet) to 8.38 metres (27.49 feet), for a single family dwelling under construction. This represents a height variance of .13 metres (.43 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."*

DISCUSSION

Mr. Blair Dueck (6861 Wayne Place) appeared in support of this appeal.

DECISION

MOVED by Jerome Howell, SECONDED by Dan Hooper, that this appeal be **granted**,

CARRIED.

5. **APPEAL:** **BOV00175**

• **APPLICANT:** **The Brad Harley Construction Company Inc.**

LOCATION: **Legal Description:** LOT 5, DISTRICT LOT 38,
WELLINGTON DISTRICT, PLAN VIP75256
Civic Address: **5470 Ventura Drive**

PURPOSE: The applicant is requesting that the maximum height requirement be increased from 8.25 metres (27.06 feet) to 9.25 metres (30.34 feet), for a single family dwelling under construction. This represents a height variance of 1.0 metres (3.28 feet).

ZONING REGULATIONS:

This property is zoned 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 the maximum height shown in the following table:

<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."*

DISCUSSION

Mr. Brad Harley (2158 Wren Place) appeared in support of this appeal.

DECISION

MOVED by Jerome Howell, SECONDED by Dan Hooper, that this appeal be **granted**,

CARRIED.

6. MINUTES

MOVED by Dan Hooper, SECONDED by Jerome Howell, that the minutes of the meeting held 2004-February-19th be adopted as circulated.

CARRIED

7. ATTENDANCE

It was determined that all Board of Variance members will be present for the next Board of Variance meeting to be held 2004-April-15th

8. ADJOURNMENT

MOVED by Joy Cameron, SECONDED by Dan Hooper, that the meeting be adjourned at 7:10 p.m.

CARRIED.

Roger Richer
Chairperson, Board of Variance

Jason Carvalho
Secretary, Board of Variance

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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