

CITY OF NANAIMO

BOARD OF VARIANCE

**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE
HELD ON THURSDAY, 2004-JANUARY-15TH, IN THE BOARD ROOM,
CITY HALL, 455 WALLACE STREET, NANAIMO, BC**

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

STAFF: Jason Carvalho

1. CALL TO ORDER:

The meeting was called to order at 7:02 p.m.

2. APPEAL: BOV00166

APPLICANT: Arthur and Laurel Henderson

**LOCATION: Legal Description: LOT A, SECTION 11, RANGE
7, MOUNTAIN DISTRICT, PLAN 40772
Civic Address: 2283 Ashlee Road**

PURPOSE: The applicant is requesting that the front yard setback requirement be reduced from 6.0 meters (19.69 feet) to 4.26 metres (13.98 feet), for an accessory building under construction. This represents a variance of 1.74 metres (5.71 feet).

ZONING REGULATIONS:

This property is zoned Single Family Mobile Home Residential Zone (RS-3), and the appeal seeks to vary the following provisions of "City of Nanaimo Zoning Bylaw 4000":

*"Section 6.3.5.1. – Yard Requirements
A front yard of not less than 6 metres (19.69 feet) shall be provided."*

DISCUSSION

Mr. Arthur Henderson and Mrs. Laurel Henderson appeared in support of this appeal. Mr. Brian Guttridge submitted a letter against this appeal.

DECISION

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

CARRIED.

3. APPEAL: BOV00167

APPLICANT: Louis and Lucille Chrystian

LOCATION: Legal Description: LOT 14, SECTION 19,
RANGE 5, MOUNTAIN DISTRICT, PLAN 22499
Civic Address: 2342 Pheasant Terrace

PURPOSE: The applicant is requesting that:

1. the flanking side yard setback requirement be reduced from 4 meters (13.12 feet) to 1.83 metres (6.0 feet);
2. and that the maximum size of an accessory building be increased from 70 square metres (753.5 square feet) to 76.32 square metres (821.5 square feet);

in order to permit an existing accessory building (storage shed). This represents a flanking side yard setback variance of 2.17 metres (7.12 feet) and a gross floor area variance of 6.32 square metres (68 square 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 5.5.5 – Accessory Buildings and Structures

The sum total of all accessory buildings on a lot zoned single family residential shall not exceed a gross floor area of 70 square metres (753.5 square feet)."

“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).”

DISCUSSION

Mr. Louis Chrystian and Mrs. Lucille Chrystian appeared in support of this appeal.

DECISION

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

This motion FAILED.

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

CARRIED.

4. MINUTES

MOVED by Patricia Portsmouth, SECONDED by Dan Hooper, that the minutes of the meeting held 2003-December-18th be adopted as circulated.

CARRIED.

5. ATTENDANCE

It was determined that all Board of Variance members will be present for the next Board of Variance meeting to be held 2004-February-19th

6. ADJOURNMENT

MOVED by Patricia Portsmouth, SECONDED by Roger Richer, that the meeting be adjourned at 7:27 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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