

CITY OF NANAIMO

BOARD OF VARIANCE

**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE
HELD ON THURSDAY, 2003-DECEMBER-18TH, IN THE BOARD ROOM, CITY
HALL, 455 WALLACE STREET, NANAIMO, BC**

PRESENT: Roger Richer, Chairperson
Dan Hooper
Patricia Portsmouth

STAFF: Jason Carvalho

1. CALL TO ORDER:

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

2. APPEAL: BOV00156

APPLICANT: 441647 B.C. Ltd. (Robert Boyle)

LOCATION: Legal Description: LOT 1, DISTRICT LOT 96G,
NANAIMO DISTRICT, PLAN 3852 EXCEPT THE
NORTHERLY 79.1 FEET THEREOF
Civic Address: 725 Terminal Avenue North

PURPOSE: The applicant is requesting that the maximum height of a fence along the front property line be increased from 1.2 metres (3.94 feet) to 1.83 metres (6.0 feet). This represents a variance of .63 metres (2.06 feet).

ZONING REGULATIONS:

This property is zoned Core Area Commercial Zone (C-11) and the appeal seeks to vary the following provisions of "City of Nanaimo Zoning Bylaw 4000":

“Section 9.11.7.1. – Height of Fences

The height of a fence shall not exceed 1.2 metres (3.94 feet) in a front yard.”

DISCUSSION

Mr. David Scott Tranfield (725 Terminal Avenue), Mr. Steven Tranfield (679 Terminal Avenue), Mr. Robert Boyle (360 Wesley Street), Mr. Carl Bluenast (745 Terminal Avenue), Mrs. Georgina Lum (745 Terminal Avenue), Mrs. June Louma (151 Terminal Avenue), Mr. Dick Louma (151 Terminal Avenue) and Mrs. Winnifred Turner (529 Terminal Avenue) appeared in support of this appeal.

DECISION

MOVED by Dan Hooper, SECONDED by Patricia Portsmouth, that this appeal be **granted**.

CARRIED.

(Roger Richer opposed this motion.)

3. APPEAL: BOV00164

APPLICANT: Donald Paul Sober

LOCATION: Legal Description: LOT 2, SECTION 20,
RANGE 4, MOUNTAIN DISTRICT, PLAN 26387
Civic Address: 3890 Jingle Pot Road

PURPOSE: The applicant is requesting that the maximum height requirement be increased from 8.25 metres (27.06 feet) to 8.4 metres (27.56 feet), for a single family dwelling under construction. This represents a height variance of .15 metres (.5 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 6.3.6.1. – Height of Buildings

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

DISCUSSION

Mr. Donald Sobotkiewicz (former legal name Donald Sober) appeared in support of this appeal.

DECISION

MOVED by Patricia Portsmouth, SECONDED by Dan Hooper, that this appeal be **granted**, subject to a building permit being issued within three months (2004-March-18th).

CARRIED.

4. **APPEAL:** **BOV00165**
- APPLICANT:** **Philip Landick Developments Ltd.**
- LOCATION:** **Legal Description:** STRATA LOT 57 DISTRICT LOT 24G WELLINGTON DISTRICT STRATA PLAN VIS3925 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1
Civic Address: **5803 Quarry Crescent**
- PURPOSE:** The applicant is requesting that the maximum height requirement for a single family dwelling be increased from 8.25 metres (27.06 feet) to 9.45 metres (31.0 feet). This represents a height variance of 1.2 metres (3.94 feet).

ZONING REGULATIONS:

This property is zoned Single Family Residential Small Lot Zone (RS-6), and the appeal seeks to vary the following provisions of "City of Nanaimo Zoning Bylaw 4000":

"Section 6.6.8.1. – 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. Brian Henning (3088 Barons Road) and Mr. Philip Landick (6116 Garside Road) appeared in support of this appeal.

DECISION

MOVED by Dan Hooper, SECONDED by Patricia Portsmouth, that this appeal be **granted**, subject to a building permit being issued within three months (2004-March-18th).

CARRIED.

5. MINUTES

MOVED by Dan Hooper, SECONDED by Patricia Portsmouth, that the minutes of the meeting held 2003-November-20th be adopted as circulated.

CARRIED.

6. ATTENDANCE

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

7. ADJOURNMENT

MOVED by Roger Richer, SECONDED by Dan Hooper, that the meeting be adjourned at 7:21 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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