

CITY OF NANAIMO

BOARD OF VARIANCE

**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE
HELD ON THURSDAY, 2003-NOVEMBER-20TH, IN THE BOARD ROOM, CITY
HALL, 455 WALLACE STREET, NANAIMO, BC**

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

STAFF: Jason Carvalho

1. CALL TO ORDER:

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

2. APPEAL: BOV00162

APPLICANT: Henry Frederick Jackson Taylor

LOCATION: Legal Description: LOT 24, SECTION 1,
NANAIMO DISTRICT, PLAN 31157
Civic Address: 204 Emery Way

PURPOSE: The applicant is requesting that the maximum height of a fence along the front property line for a through lot be increased from 1.2 metres (3.94 feet) to 2.4 metres (7.87 feet). This represents a variance of 1.2 metres (3.94 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 4.1. – Definitions

Lot, Through – means a lot abutting 2 parallel or approximately parallel highways;

Lot Line, Front – means the lot line abutting the highway, and

(3) in the case of a through lot, the lines abutting the highway shall be considered front lot lines.”

“Section 6.1.9.1 – Height of Fences

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

DISCUSSION

Mr. Fred Taylor appeared in support of this appeal.

DECISION

MOVED by Patricia Portsmouth, SECONDED by Jerome Howell, that this appeal be **granted**.

CARRIED.

LOCATION:

Legal Description: LOT 23, SECTION 1,
NANAIMO DISTRICT, PLAN 31157

Civic Address: 214 Emery Way

PURPOSE: The applicant is requesting that the maximum height of a fence along the front property line for a through lot be increased from 1.2 metres (3.94 feet) to 2.4 metres (7.87 feet). This represents a variance of 1.2 metres (3.94 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 4.1. – Definitions

Lot, Through – means a lot abutting 2 parallel or approximately parallel highways;

*Lot Line, Front – means the lot line abutting the highway, and
(3) in the case of a through lot, the lines abutting the highway
shall be considered front lot lines.”*

*“Section 6.1.9.1 – Height of Fences
The height of a fence shall not exceed 1.2 metres (3.94 feet) in a front
yard.”*

DISCUSSION

Mr. Fred Taylor appeared in support of this appeal.

DECISION

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

CARRIED.

3. APPEAL: BOV00163

APPLICANT: Saywell Contracting Ltd.

LOCATION: **Legal Description:** LOT 16, SECTION 15,
RANGE 4, CRANBERRY DISTRICT, PLAN
VIP60041
Civic Address: **1930 Kells Bay**

PURPOSE: The applicant is requesting that the front yard setback
requirement be reduced from 6.0 metres (19.69 feet) to 5.0 metres (16.41
feet), for a single family dwelling under construction. This represents a
variance of 1.0 metres (3.28 feet).

ZONING REGULATIONS:

This property is zoned 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 6.2.6.1. – Yard Requirements
A front yard of not less than 6 metres (19.69 feet) shall be provided.”*

DISCUSSION

Mr. Don Saywell (Saywell Contracting Ltd.) appeared in support of this appeal.

DECISION

MOVED by Joy Cameron, SECONDED by Jerome Howell, that this appeal be **granted**, subject to a building permit being issued within three months (2004-February-20th).

CARRIED.

4. MINUTES

MOVED by Joy Cameron, SECONDED by Dan Hooper, that the minutes of the meeting held 2003-October-16th be adopted as circulated.

CARRIED.

5. ADJOURNMENT

MOVED by Dan Hooper, SECONDED by Roger Richer, that the meeting be adjourned at 7:15 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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