

CITY OF NANAIMO

BOARD OF VARIANCE

**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE
HELD ON THURSDAY, 2003-JULY-17TH, IN THE BOARD ROOM, CITY
HALL, 455 WALLACE STREET, NANAIMO, BC**

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

STAFF: Maureen Pilcher
Jason Carvalho

1. CALL TO ORDER:

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

2. APPEAL: BOV00145

**APPLICANT: Akal Development Ltd
P.S.M. Management Ltd**

**LOCATION: Legal Description: LOT 30 DISTRICT LOT 51
WELLINGTON DISTRICT PLAN VIP64653
Civic Address: 4274 Gulfview Drive**

PURPOSE: The applicant is requesting that the height requirement be increased from 8.25 metres (27.06 feet) to 9.7 metres (31.82 feet) in order to construct a single family dwelling. This represents a variance of 1.45 metres (4.76 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. Paul Minhas appeared in support of this appeal.

DECISION

MOVED by Patricia Portsmouth, SECONDED by Jerome Howell, that this appeal be **granted**, subject to a building permit being issued within three months (2003-October-17th).

CARRIED.

3. APPEAL: BOV00146

APPLICANT: Peter & Sandra King

LOCATION: Legal Description: LOT 10, DISTRICT LOT 54,
WELLINGTON DISTRICT, PLAN 36604.
Civic Address: 4946 Fillinger Crescent

PURPOSE: The applicant is requesting that the front yard setback requirement be reduced from 6 meters (19.69 feet) to 0 meters (0 feet), for a recently constructed accessory building. This represents a variance of 6 metres (19.69 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 6.1.6.1. – Yard Requirements

A front yard of not less than 6 metres (19.69 feet) shall be provided."

DISCUSSION

Mr. Peter King and Mrs. Sandra King appeared in support of this appeal.

DECISION

MOVED by Patricia Portsmouth, SECONDED by Jerome Howell, that this appeal be **granted**, subject to a building permit being issued within three months (2003-October-17th).

CARRIED.

4. **APPEAL:** **BOV00147**

APPLICANT: **Century Holdings Ltd.**

LOCATION: **Legal Description:** LOT 72, DISTRICT LOT 41,
WELLINGTON DISTRICT, PLAN VIP58466
Civic Address: **4100 Gulfview Drive**

PURPOSE: The applicant is requesting that:

1. The height requirement for a single family dwelling be increased from 8.25 metres (27.06 feet) to 9.74 metres (31.95 feet);
 2. and that the maximum perimeter wall height be increased from 7.32 metres (24.02 feet) to 9.09 metres (29.82 feet),
- in order to construct a single family dwelling. This represents a height requirement variance of 1.49 metres (4.89 feet) and a maximum perimeter wall height variance of 1.77 metres (5.8 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 6.2.7.1 - 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.*

Section 6.2.8.1 - Maximum Perimeter Wall Heights

The perimeter wall height of the principal dwelling shall not exceed 7.32 metres (24 feet)."

Mr. Brian Henning, Mr. Sandy Donetz and Ms. Carolyn Almond appeared in support of this appeal.

MOVED by Joy Cameron, SECONDED by Patricia Portsmouth, that this appeal be **granted**, subject to a building permit being issued within three months (2003-October-17th).

5. APPEAL: **BOV00148**

APPLICANT: **Alan & Kathleen Faminoff**

LOCATION: **Legal Description:** LOT 7, DOUGLAS ISLAND
(ALSO KNOWN AS PROTECTION ISLAND),
NANAIMO DISTRICT, PLAN 21569
Civic Address: **206 Colvilleton Trail**

1. The height requirement for a single family dwelling be increased from 8.25 metres (27.06 feet) to 10.25 metres (33.62 feet);
2. and that the required front yard setback be reduced from 6.0 metres (19.69 feet) to 0.5 metres (1.64 feet),

in order to construct a single family dwelling. This represents a height requirement variance of 2 metres (6.56 feet) and a front yard setback variance of 5.5 metres (18.04 feet).

This property is zoned Single Family Residential Island Zone (RS-4) and the appeal seeks to vary the following provisions of “City of Nanaimo Zoning Bylaw 4000”

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

A front yard of not less than 6 metres (19.69 feet) shall be provided."

DISCUSSION

Mr. Alan Faminoff and Mrs. Kathleen Faminoff appeared in support of this appeal.

DECISION

MOVED by Joy Cameron, SECONDED by Patricia Portsmouth, that an appeal be **granted** to increase the height requirement for a single family dwelling from 8.25 metres (27.06 feet) to 10.25 metres (33.62 feet), subject to a building permit being issued within three months (2003-October-17th).

CARRIED.

MOVED by Joy Cameron, SECONDED by Patricia Portsmouth, that an appeal be **granted** to reduce the required front yard setback from 6.0 meters (19.69 feet) to 0.5 meters (1.64 feet), subject to a building permit being issued within three months (2003-October-17th).

CARRIED.

9. MINUTES

MOVED by Joy Cameron, SECONDED by Jerome Howell, that the minutes of the meeting held 2003-June-19th be adopted as circulated.

CARRIED.

10. ADJOURNMENT

MOVED by Jerome Howell, SECONDED by Patricia Portsmouth, that the meeting be adjourned at 7:35p.m.

CARRIED.

Roger Richer,
Chairperson, Board of Variance

Maureen Pilcher,
Secretary, Board of Variance

pc B.N. Mehaffey, General Manager, Development Services Department
D. Lindsay, Manager, Planning Division, Development Services Department
C. Sholberg, Land Use Regulations Planner, Development Services Department
T. Seward, Manager, Building Inspection Division,
R. Topcliffe, Building Inspection Division
T. Neil, Engineering Division, Development Services Department.

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