

CITY OF NANAIMO

BOARD OF VARIANCE

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

PRESENT: Roger Richer, Chairperson,
Dan Hooper
Jerome Howell

STAFF: Maureen Pilcher

1. CALL TO ORDER:

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

2. APPEAL: *BOV00121*

APPLICANT: Kuk & Cho Enterprises Ltd., Inc. No. 640424

LOCATION: **Legal Description:** Section 10, Range 12, of
Section 1, Nanaimo District, Plan 630
Civic Address: **971 Douglas Street**

PURPOSE: The applicant is requesting that the rear yard setback requirement be reduced from 3.0 metres (9.84 feet) to 1.88 metres (6.16 feet) in order to locate a mobile home. This represents a variance of 1.12 metres (3.67 feet).

ZONING REGULATIONS:

This property is zoned Mobile Home Park Subdivision Zone (RM-8) and the appeal seeks to vary the following provisions of "City of Nanaimo Zoning Bylaw 4000":

"Section 7.8.6.4 – Yard Requirements

Individual Mobile Home Lot

A rear yard of not less than 3.0 metres (9.84 feet) shall be provided."

DISCUSSION

Mr. Eunsook Cho, Yang Soocho, Allen Cho and Stu Philips appeared in support of this appeal.

DECISION

MOVED by Dan Hooper, SECONDED by Jerome Howell, that this appeal be **granted**, subject to a building permit being issued within three months (2003-May-20th).

CARRIED.

3. APPEAL: BOV00122

APPLICANT: Antonio and Wilma Arruda

LOCATION: **Legal Description:** Lot 54, District Lot 29,
Wellington District, Plan 36479
Civic Address: 413 Belmonte Place

PURPOSE: The applicant is requesting that the height requirement be increased from 8.25 metres (27.06 feet) to 8.96 metres (29.39 feet) in order to construct a single dwelling unit. This represents a variance of 0.71 metres (2.33 feet).

ZONING REGULATIONS:

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

"Section 6.2.7 – 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. Tony Arruda, Mrs. Wilma Arruda and Mr. Richard Nash appeared in support of this appeal.

DECISION

MOVED by Jerome Howell, SECONDED by Dan Hooper, that this appeal be **granted**, subject to a building permit being issued within three months (2003-May-20th).

CARRIED.

4. **APPEAL:** **BOV00123**

APPLICANT: **Heather Lane**

LOCATION: **Legal Description:** Lot 12, Block 2, District Lot 96-G, Nanaimo District, Plan 2039
Civic Address: **926 St. Andrews Street**

PURPOSE: The applicant is requesting that front yard setback requirement be reduced from 6.0 metres (19.69 feet) to 3.47 metres (11.4 feet) in order to accommodate a reconstructed porch on a single dwelling unit. This represents a variance of 2.53 metres (8.30 feet).

ZONING REGULATIONS:

This property is zoned Single Family Residential (RS-1a) 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."

**for an area of at least 80% of all roof surfaces measured in plan view."*

DISCUSSION

Ms/ Heather Land and Mr. Steve Gray appeared in support of this appeal.

DECISION

MOVED by Dan Hooper, SECONDED by Jerome Howell, that this appeal be **granted**, subject to a building permit being issued within three months (2003-May-20th).

CARRIED.

MINUTES

MOVED by Dan Hooper, SECONDED by Jerome Howell that the minutes of the meeting held 2002-January-16th be adopted as circulated.

CARRIED

5. **ADJOURNMENT**

MOVED by Dan Hooper, SECONDED by Jerome Howell that the meeting
be adjourned at 7:25 p.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. Topliffe, Building Inspection Division
T. Neil, Engineering Division, Development Services Department.

<g/devplan/files/legis/3720/bovmfeb2003>