



**AGENDA
BOARD OF VARIANCE MEETING**

July 19, 2018, 5:30 PM
Board Room, Service and Resource Centre,
411 Dunsmuir Street, Nanaimo, BC

Pages

1. **CALL THE MEETING OF THE BOARD OF VARIANCE TO ORDER:**
2. **INTRODUCTION OF LATE ITEMS:**
3. **ADOPTION OF AGENDA:**
4. **ADOPTION OF MINUTES:**
 - a. **Minutes of the Open Board Variance Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2018-FEB-15, at 5:30pm.** 2 - 3
 - b. **Minutes of the Open Board Variance Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2018-JUN-21, at 5:30pm.** 4 - 5
5. **PRESENTATIONS:**
 - a. **Appointment of Chair**
 - b. **Board of Variance Application No. BOV700 - 3712 Polaris Drive** 6 - 14

Legal Description: Lot 1, District Lot 39, Wellington District, Plan 32002

The applicant is requesting to vary the provisions of Zoning Bylaw No. 4500 to reduce the minimum side yard setback from 1.5m to 1.4m in order to construct a second storey and legalize the siting of an existing non-conforming single residential dwelling. This represents a variance of 0.1m.

Zoning Bylaw No. 4500 (7.5.1) requires a minimum side yard setback of 1.5m in the R1 zone.
6. **ADJOURNMENT:**

MINUTES
BOARD OF VARIANCE MEETING
BOARD ROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2018-FEB-15, AT 5:30 P.M.

PRESENT: Members: Tyler Brown, Chair
 Mark Dobbs
 Richard Finnegan
 Gerry Johnson
 Gord Turgeon

 Staff: Keltie Chamberlain, Planning Assistant

1. CALL THE BOARD OF VARIANCE COMMITTEE MEETING TO ORDER:

The Open Board of Variance Meeting was called to order at 5:30 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Board of Variance Application No. BOV698 (250 Pine Street) was withdrawn by the applicant.

3. ADOPTION OF AGENDA:

 It was moved and seconded that the Agenda, as amended, be adopted. The motion carried unanimously.

4. ADOPTION OF MINUTES:

 It was moved and seconded that the Minutes of the Board of Variance Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2017-DEC-21 at 5:30 p.m. be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

(a) Board of Variance Application No. BOV697 – 5334 Georgiaview Crescent.

- Mr. Tyler Brown, Chair, read the application. Asked the applicant, Mr. Pieter Jonker, forward. Mr. Pieter Jonker, applicant, spoke regarding the rationale for the application to provisions of the City of Nanaimo 'ZONING BYLAW NO. 4500' in order to allow an existing deck with an addition to project 3m into the rear yard setback.
- The existing conditions were discussed including the ROW
- The stop work order was discussed

- The context of the neighbourhood and the topography was discussed
- Applicant indicated the conditions with a sketch.
- The applicant confirmed that the footings and deck will not be located in the ROW.
- A building permit will be required with inspections
- The hardship is the existing site conditions and meeting the Bylaw would mean that the stability of the bank would be compromised.

It was moved and seconded that application BOV697 for 5334 Georgiaview Crescent to vary provisions of the City of Nanaimo 'ZONING BYLAW NO. 4500" in order to allow an existing deck with an addition to project 3m into the rear yard setback be approved. The motion carried unanimously.

6. ADJOURNMENT:

It was moved and seconded at 5:45 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

MINUTES
BOARD OF VARIANCE MEETING
SERVICE AND RESOURCE CENTRE BOARDROOM, 411 DUNSMUIR STREET, NANAIMO,
BC, ON THURSDAY, 2018-JUN-21 AT 5:30 P.M.

PRESENT: Members: Gregory Blundell
 Robert Irwin
 Jessica Kaman
 Ronald Nadeau

 Absent: Gerry Johnson

 Staff: Caleb Horn, Planning Assistant
 Lauren Wright, Planner
 Lainya Rowett, Manager of Current Planning

1. CALL THE BOARD OF VARIANCE COMMITTEE MEETING TO ORDER:

The Open Board of Variance Meeting was called to order at 5:35 p.m.

2. ADOPTION OF AGENDA:

 It was moved and seconded that the Agenda be adopted. The motion carried unanimously.

3. ADOPTION OF MINUTES:

 It was moved and seconded that adoption of the Minutes of the Board of Variance Meeting held 2018-FEB-15 in the Service and Resource Centre Building, Room 105, Nanaimo, BC be deferred until the next Board of Variance Meeting scheduled for 2018-JUL-19. The motion carried unanimously.

4. PRESENTATIONS:

(a) Appointment of Chair

- Board of Variance members introduced themselves.

 It was moved and seconded that appointment of a Board of Variance Chair be deferred until the next Board of Variance Meeting scheduled for 2018-JUL-19. The motion carried unanimously.

(b) Board of Variance Application No. BOV00699 - 900 St Andrews Street

- Robert Irwin read the application requesting to vary the provisions of Zoning Bylaw No. 4500 to reduce the minimum flanking side yard setback from 4m to 3.4m in order to raise and legalize an existing non-conforming house.

- Luke Francoeur, the applicant, spoke to the rationale for the application.
- The requested variance and demonstration of undue hardship were discussed.

It was moved and seconded that application BOV699 for 900 St Andrews Street to vary the provisions of the City of Nanaimo "ZONING BYLAW NO. 4500" in order reduce the flanking side yard setback from 4m to 3.4m be approved. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 5:45p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER



COMMUNITY DEVELOPMENT

BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2018-JUL-19 at 5:30pm in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

APPEAL NO: **BOV00700**

Applicant: Ecklundson Construction Ltd. (Ms. Michelle Bates)

Civic Address: 3712 Polaris Drive

Legal Description: LOT 1, DISTRICT LOT 39, WELLINGTON DISTRICT, PLAN 32002

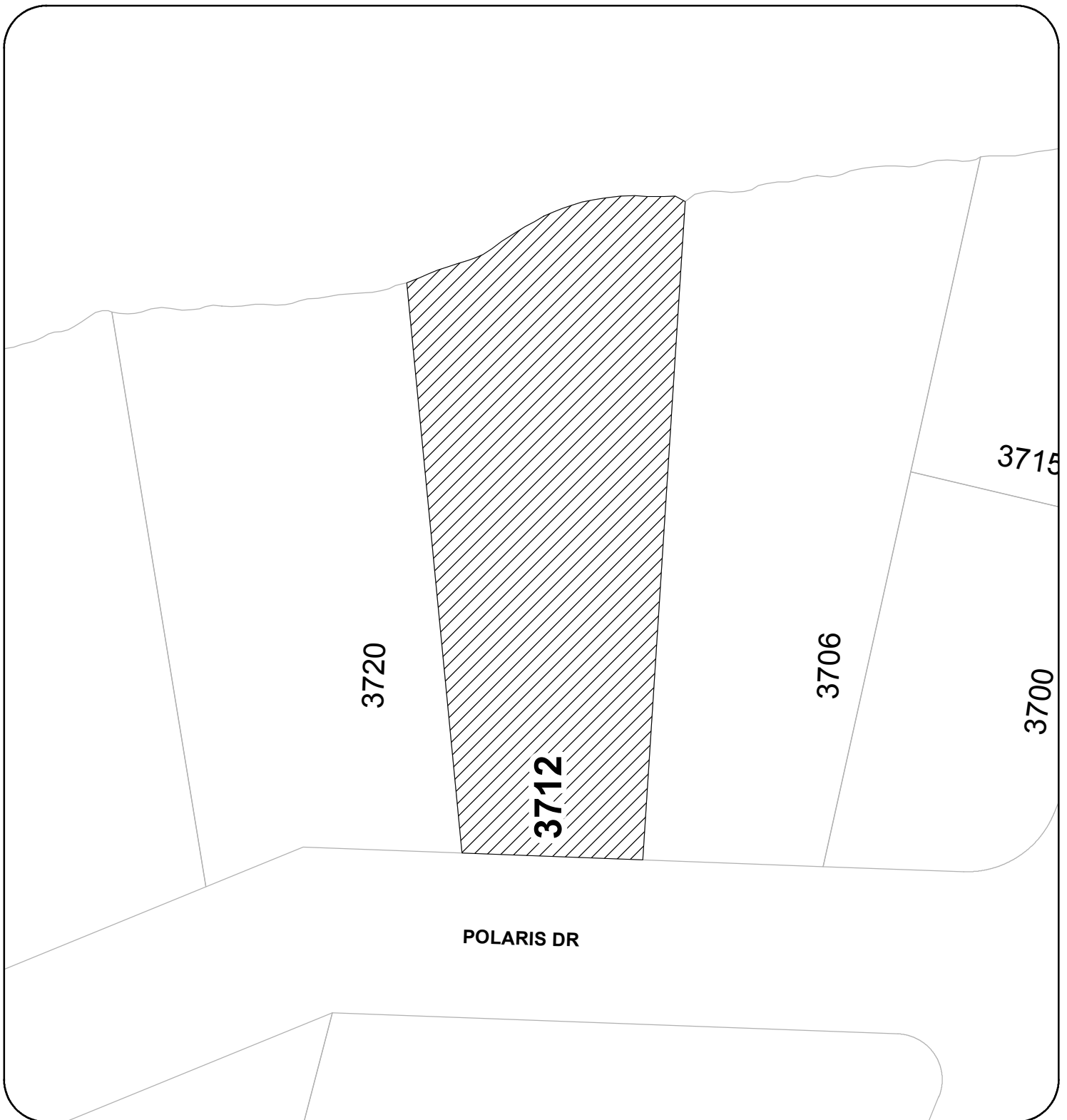
Purpose: The applicant is requesting to vary the provisions of Zoning Bylaw No. 4500 to reduce the minimum side yard setback from 1.5m to 1.4m in order to construct a second storey and legalize the siting of an existing non-conforming single residential dwelling. This represents a variance of 0.1m.

Zoning Regulations: Single Family Residential – R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

*Section 7.5.1 – Siting of Buildings
A minimum side yard setback of 1.5m is required.*

The Board of Variance decision will apply to subsequent owners of the land. If you deem your property to be affected by this appeal, please feel free to attend this meeting. Anyone wishing to address this appeal will be afforded the opportunity to be heard at the Board of Variance meeting. This application may be reviewed with Staff at the Community Safety & Development offices, 411 Dunsmuir Street, Nanaimo, BC, or by calling 250-755-4460 (x4344), during normal business hours, Monday to Friday, excluding statutory holidays, from 2018-JUL-09 to 2018-JUL-19, inclusive.

LOCATION PLAN



BOARD OF VARIANCE APPLICATION NO. BOV00700

LOCATION PLAN

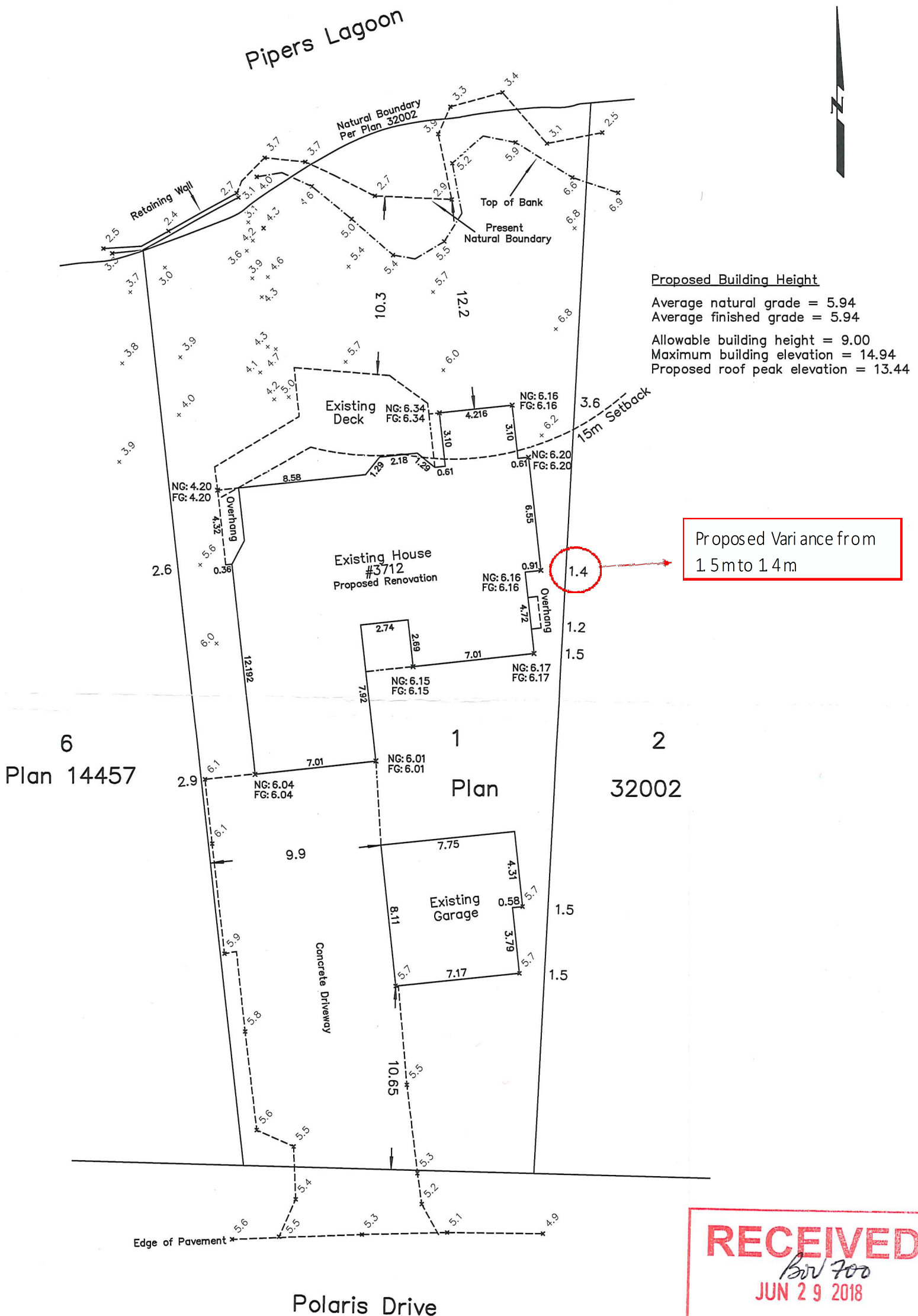
Civic: 3712 POLARIS DRIVE
Legal Description: LOT 1, DISTRICT LOT 39,
WELLINGTON DISTRICT, PLAN 32002



Subject Property

Site Plan showing:
Lot 1, District Lot 39,
Wellington District, Plan 32002.

Client: Harris			
Civic Address: 3712 Polaris Drive, Nanaimo			
File: 17-023	Scale: 1:250	Date: March 21st, 2018	Drawn by: DRW



0 10 20
Scale 1:250
Distances and elevations are in metres.
Geodetic elevations are derived from control monument 90H6361.

RECEIVED
Bar 700
JUN 29 2018
CITY OF NANAIMO
COMMUNITY DEVELOPMENT

Note:
This property is affected by
the following registered documents:
M76300.

Turner land surveying

250.753.9778
605 Comox Road
Nanaimo, BC V9R 3J4

Certified correct this 21st day of March, 2018.

Ryan Turner
YNBxB2

Digitally signed by Ryan Turner YNBxB2
DN: c=CA, cn=Ryan Turner YNBxB2,
o=BC Land Surveyor, ou=Verify ID at
www.juricert.com/LKUP.cfm?
id=YNBxB2
Date: 2018.03.21 08:27:13 -07'00'

B.C.L.S.

(This document is not valid unless originally signed and sealed.)

June 29, 2018

City of Nanaimo
455 Wallace Street
Nanaimo, BC

Attention: Board of Variance

Re: Variance Rationale: Zoning Bylaw No. 4500 – Zone R1 - Side Yard Set Back

Members of the Board,

We are writing to request a variance to the Side Yard Set Back allowed for an existing residence at 3217 Polaris Drive which would permit us to construct a second floor.

The variance requested is for .1m; from 1.5m to 1.4m. See Attached Site Plan

The foundation at 3217 Polaris and first floor will remain in the location it has been since it was originally constructed, the second story will be constructed on top of the existing foundation.

Project Description:

1643 square feet on the main floor being renovated with 791 square feet being added over the garage and master bedroom area.

In working with the designer to develop a residential home that would fit the existing foot print, the neighbourhood design was taken into consideration as well as the Owner's requirements and the environment. The outcome was the Ocean side, modern Craftsman style wood frame home that fits in with the existing neighborhood and the natural environment through the use of materials and design. See Attached Elevations A-1/6 and A-2/6

Rationale:

3712 Polaris Drive is located in the City of Nanaimo's waterfront Development Permit area and as such an Environmental Impact & Revegetation Assessment was conducted and the resulting DP001052 was issued for this property. In order to ensure minimal impact to existing area, the addition has been designed with no change to the house footprint. See Photograph A

By designing the addition using the existing house foundation the house continues to fit in with the design of the current neighborhood and does not impact adjacent property as the foundation has been in the existing location since it was originally constructed. See Photograph B



The addition has been designed in such a way that it will not change the lot coverage, location of the existing residence or vary the use or density.

- i) This will not affect or change density or permitted uses on the site. The neighboring residences are a range of one & two plus stories and take advantage of the ocean views. This would fit in with the existing residential scheme and would not "stick out like a sore thumb"
- ii) The environment impact of the renovation will be mitigated because of the use of the existing footprint. By allowing the variance it will minimize the impact and allow us to complete the addition and renovation and allow the natural environment to be better preserved, not affecting it.
- iii) The adjacent land is not affected at all by allowing the side yard variance of .1m as the foundation location will not be changing and has existed since construction.

The requested side yard variance ties into Development Permit No. DP001052 (attached).

Thank you for your consideration of this variance request.

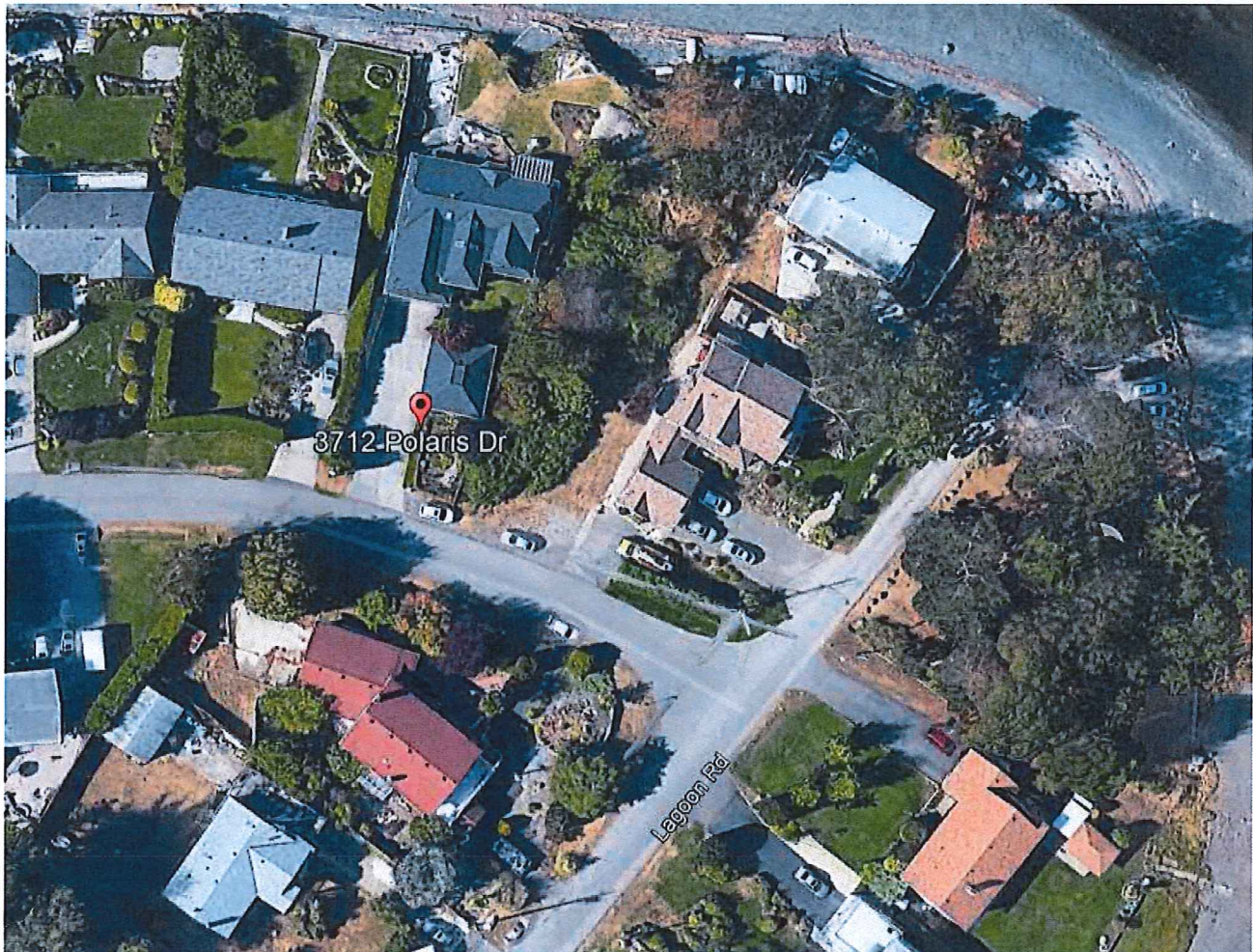
If there are any questions, I can be reached at [REDACTED], or via e-mail: [REDACTED]

Regards [REDACTED]
[REDACTED]

Ecklundson Construction Ltd.

Cc: [REDACTED] Ecklundson Construction Ltd.

PHOTOGRAPH A



3712 Polaris Drive Existing Location – Not to be Changed



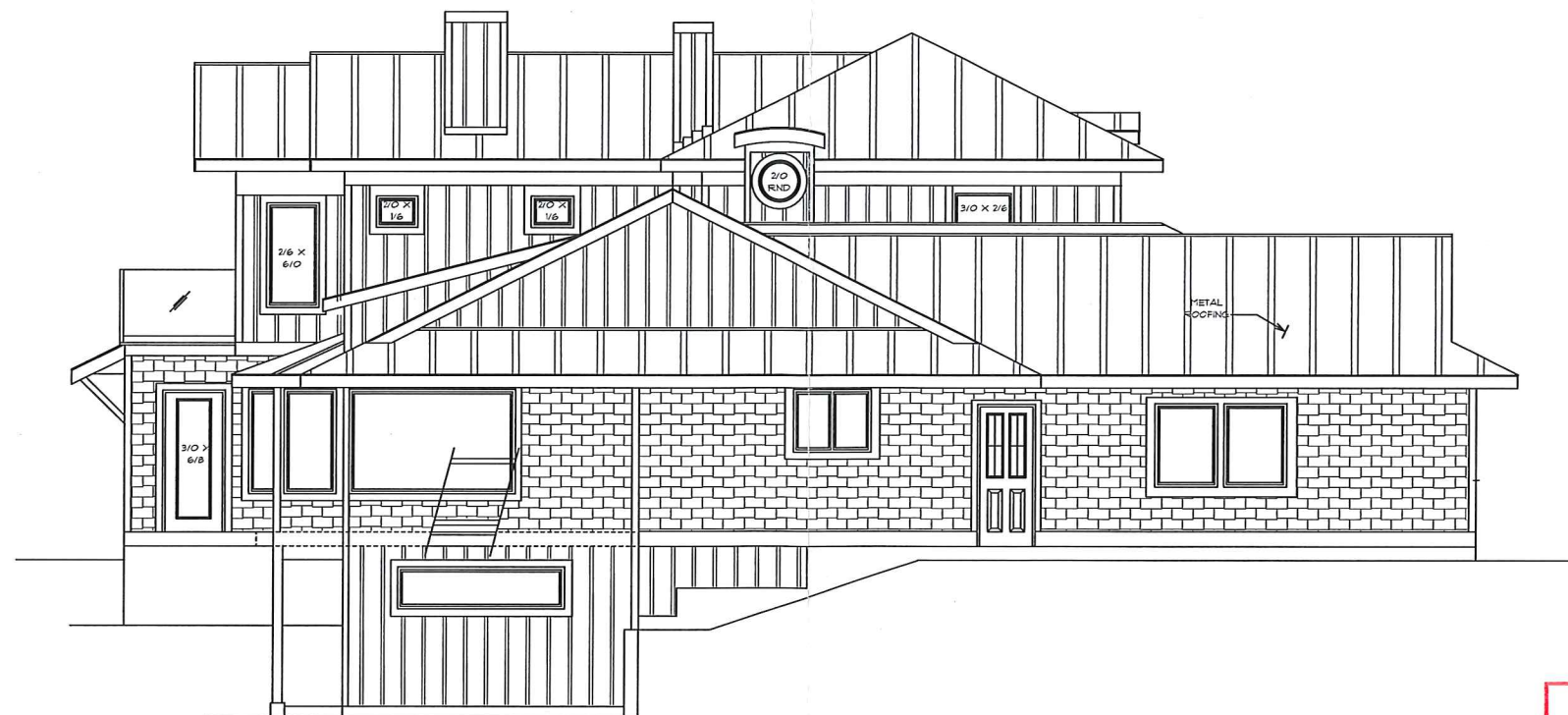
PHOTOGRAPH B



Existing House street facing. Design, location and color will not change.



FRONT (SOUTH) ELEVATION
SCALE : 1/4" = 1' 0"



LEFT (WEST) ELEVATION
SCALE : 1/4" = 1' 0"

REVISION

3112 POLARIS DRIVE
RESIDENCE

Anderson Greenplan

1655 Cedar Road
Nanaimo, BC
(250) 722-3456
info@greenplan.ca

Designed: Drawn: RME Checked:

Date:
01 MAR 2018

Project:
1643 - MHR

Drawing #:
1643 - MHR - ELEV

Scale:
1/4" = 1' 0"

Sheet Title:
ELEVATIONS

Sheet #:

A- 1 / 6

RECEIVED
Bob 700
JUN 29 2018
CITY OF NANAIMO
COMMUNITY DEVELOPMENT



REAR (NORTH) ELEVATION

SCALE : 1/4" = 1' 0"



RIGHT (EAST) ELEVATION

SCALE : 1/4" = 1' 0"

SPATIAL SEPARATION
1st LIMITING DISTANCE: 13.5 SQ M (132 SQ FT) BLDG FACE,
8.75% MAX AREA UNPROTECTED OPENINGS,
6.43 SQ M (69 SQ FT) MAX AREA
OPENINGS • 69 SQ FT (6.3 SQ M) AREA • 8.5%

RECEIVED
Bon 700
JUN 29 2018
CITY OF NANAIMO
COMMUNITY DEVELOPMENT

REVISION

3712 POLARIS DRIVE
RESIDENCE

Anderson Greenplan

1655 Cedar Road
Nanaimo, BC
(250) 722-3456
info@greenplan.ca

Designed Drawn Checked
RME

Date
01 MAR 2018

Project
1643 - MHR

Drawing #
1643 - MHR - ELEV

Scale
1/4" = 1' 0"

Sheet Title
ELEVATIONS

Sheet #

A-2 / 6