

MINUTES
BOARD OF VARIANCE MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2021-MAR-04 AT 4:00 P.M.

PRESENT: Members: Jessica Kaman, Chair, At Large Member
 Nelson Allen, At Large Member
 Allan Dick, At Large Member (joined electronically)
 Daryoush Firouzli, At Large Member (joined electronically)
 Kenneth Hample, At Large Member (joined electronically)

 Staff: C. Horn, Planner
 M. Rempel, Planning Assistant (joined electronically)
 S. Robinson, Planning Assistant (joined electronically)
 K. Berke, Recording Secretary

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

The Open Board of Variance Meeting was called to order at 4:03 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Board of Variance Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Thursday, 2021-JAN-07, at 4:00 p.m., be adopted as circulated. The motion carried unanimously.

4. PRESENTATIONS:

(a) Board of Variance No. BOV747 – 21 Robarts Street

The Chair read the application requesting to reduce the front yard setback from 3m to 2.5m in order to reconstruct a previously existing, non-conforming front porch. This represents a variance of 0.5m. Zoning Bylaw No. 4500 requires a minimum front yard setback of 3m in the DT8 zone. A porch is permitted to project up to 2m into the front yard setback on a single residential dwelling.

Brittany Martin, First General Services, spoke on behalf of the owner in regards to the application. She stated that a vehicle struck the homeowner's house and front

porch. The front porch has been in its current location since 1905 and hasn't been an issue to the neighbourhood or neighbouring properties. The homeowner plans to rebuild the porch in the same location and to the size it was previously.

Discussion took place regarding:

- The previously existing porch being non-conforming
- Whether or not the house is occupiable
- Reconstruction of the porch in the same location
- The front and side yard setbacks
- The building permit application process
- The possibility of rebuilding the porch with concrete posts for protection

It was moved and seconded that application BOV747 for 21 Roberts Street to vary Section 11.5.1 of Zoning Bylaw No. 4500, to reduce the front yard setback from 3m to 2.5m in order to reconstruct a previously existing, non-conforming front porch be approved. The motion carried unanimously.

(b) Board of Variance Application No. BOV748 – 1382 Rose Ann Drive

The Chair read the application in regards to reducing the required setback for a garage door from 6m to 4.36m in order to permit a proposed addition to an existing single residential dwelling. This represents a variance of 1.64m. Zoning Bylaw No. 4500 requires a minimum setback of 6m for all garage doors and carport entrance ways facing a street on a single residential dwelling.

Valerie Fulford, one of the owners, spoke to the hardship for the application. She stated that over the years many modifications have been made to the existing garage in order to add more living space because the living space is limited within the main dwelling. Due to the location and configuration of the existing house and the slope and size of the back yard, the location of the proposed new garage and addition is limited. They would like to keep the house as a single storey house to keep the architecture the way it is and believe the overall proposed addition will be more appealing for neighbours.

Josh Knight, Shining Knight Construction, spoke to the rationale and re-iterated that they spent a lot of time trying to make the proposed space conform to the property as best they could.

Murray Walters, neighbour at 3015 King Richard Drive, spoke in support of the application as he believes it is a fair request. He believes the proposed addition will enhance the character of the neighbourhood because it has a nice design balance, it fits in well with the Garry Oak trees, and the property has a wide driveway (which should not pose a problem for sightlines). He also stated that building the addition any further back would be difficult due to the steepness and the solid rock.

Discussion took place regarding:

- Whether the garage door setback issue is sightline or esthetic related
- Whether much mature lush landscaping will be removed
- Whether there is a suite on the property
- The property having lots of frontage and parking, as well as the quiet nature of the neighbourhood

It was moved and seconded that application BOV748 for 1382 Rose Ann Drive to vary Section 7.5.3 of Zoning Bylaw No. 4500, to reduce the required setback for a garage door from 6m to 4.36m in order to permit a proposed addition to an existing single residential dwelling be approved. The motion carried unanimously.

5. OTHER BUSINESS:

(a) New Staff Liaison

Sadie Robinson, Planning Assistant, was introduced as the new staff liaison for the Board of Variance.

6. ADJOURNMENT:

It was moved and seconded at 4:46 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

RECORDING SECRETARY