AGENDA
BOARD OF VARIANCE MEETING

April 1, 2021, 4:00 PM
Board Room, Service and Resource Centre,
411 Dunsmuir Street, Nanaimo, BC

Pages

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

   [Note: This meeting will be live streamed and video recorded for the public.]

2. INTRODUCTION OF LATE ITEMS:

3. ADOPTION OF AGENDA:

4. ADOPTION OF MINUTES: 3 - 5

   Minutes of the Open Board of Variance Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo BC, on Thursday, 2021-MAR-04, at 4:00 p.m.

5. PRESENTATIONS:

   a. Board of Variance No. BOV749 - 5524 Cliffside Road 6 - 29

      Legal description: Lot 13, District Lot 50, Wellington District, Plan VIP77213

      The applicant is requesting a variance to construct a single residential dwelling with a flat roof up to 9m in height. This represents a variance of 2m.

      Zoning Bylaw No. 4500 requires that a single residential dwelling with a flat roof (<4:12 pitch) within the Single Dwelling Residential (R1) zone not exceed a height of 7m.

      The applicant is requesting to vary the perimeter wall height from 7.32m to 9.30m on the east and west elevations, and to vary the perimeter wall height from 9.14m to 9.50m on the south elevation. This represents a variance of 1.98m on the east and west elevations, and 0.36m on the south elevation.

      Zoning Bylaw No. 4500 permits a perimeter wall height up to 7.32m in the R1 zone, except on rear and internal side yard elevations where a perimeter wall height of 9.14m is permitted when the wall face does not exceed 7.32m in width.

b. **Board of Variance No. BOV750 - 3230 Singleton Road** 30 - 36

Legal description: Lot A, Section 5, Wellington District, Plan 46541

The applicant is requesting to reduce the required setback for a garage door from 6m to 4.47m in order to legalize the existing dwelling setback and allow for a proposed addition (east side) to an existing attached garage. This represents a variance of 1.53m.

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.

6. OTHER BUSINESS:

7. ADJOURNMENT:

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 Robarts 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

CITY OF NANAIMO
THE HARBOUR CITY

DEVELOPMENT SERVICES DEPARTMENT

BOARD OF VARIANCE

REVISED NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2021-APR-01, at 4:00 p.m. in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

APPEAL NO:	**BOV00749**
Applicants:	MICHEL AND ROBIN BRULOTTE
Civic Address:	5524 CLIFFSIDE ROAD
Legal Description:	LOT 13, DISTRICT LOT 50, WELLINGTON DISTRICT, PLAN VIP77213
Purpose:	***Addendum*** Zoning Bylaw No. 4500 requires that a single residential dwelling with a flat roof (< 4:12 pitch) within the Single Dwelling Residential (R1) zone not exceed a height of 7m. The applicant is requesting a variance to construct a single residential dwelling with a flat roof up to 9m in height. This represents a variance of 2m. Zoning Bylaw No. 4500 permits a perimeter wall height up to 7.32m in the R1 zone, except on rear and internal side yard elevations where a perimeter wall height of 9.14m is permitted when the wall face does not exceed 7.32m in width. The applicant is requesting to vary the perimeter wall height from 7.32m to 9.30m on the east and west elevations, and to vary the perimeter wall height from 9.14 to 9.50m on the south elevation. This represents a variance of 1.98m on the east and west elevations, and 0.36m on the south elevation.
Zoning Regulations:	Single Dwelling Residential – R1. The applicant requests a variance to the "City of Nanaimo Zoning Bylaw No. 4500": *Section 7.6.1 – Size of Buildings* *The maximum height of a principal building for a flat roof building is 7m.*

Section 7.6.6 – Size of Buildings
Notwithstanding Subsection 7.6.1, the maximum perimeter wall height may be increased on rear and internal side yard elevations to a maximum of 9.14m, provided:

(a) *any rear wall face over 7.32m in height is a maximum of 10m from the rear property line;*

(b) *no wall face over 7.32m in height shall exceed 7.32m in width and must be offset by a minimum of 0.61m from any adjacent wall over 7.32m in height; and*

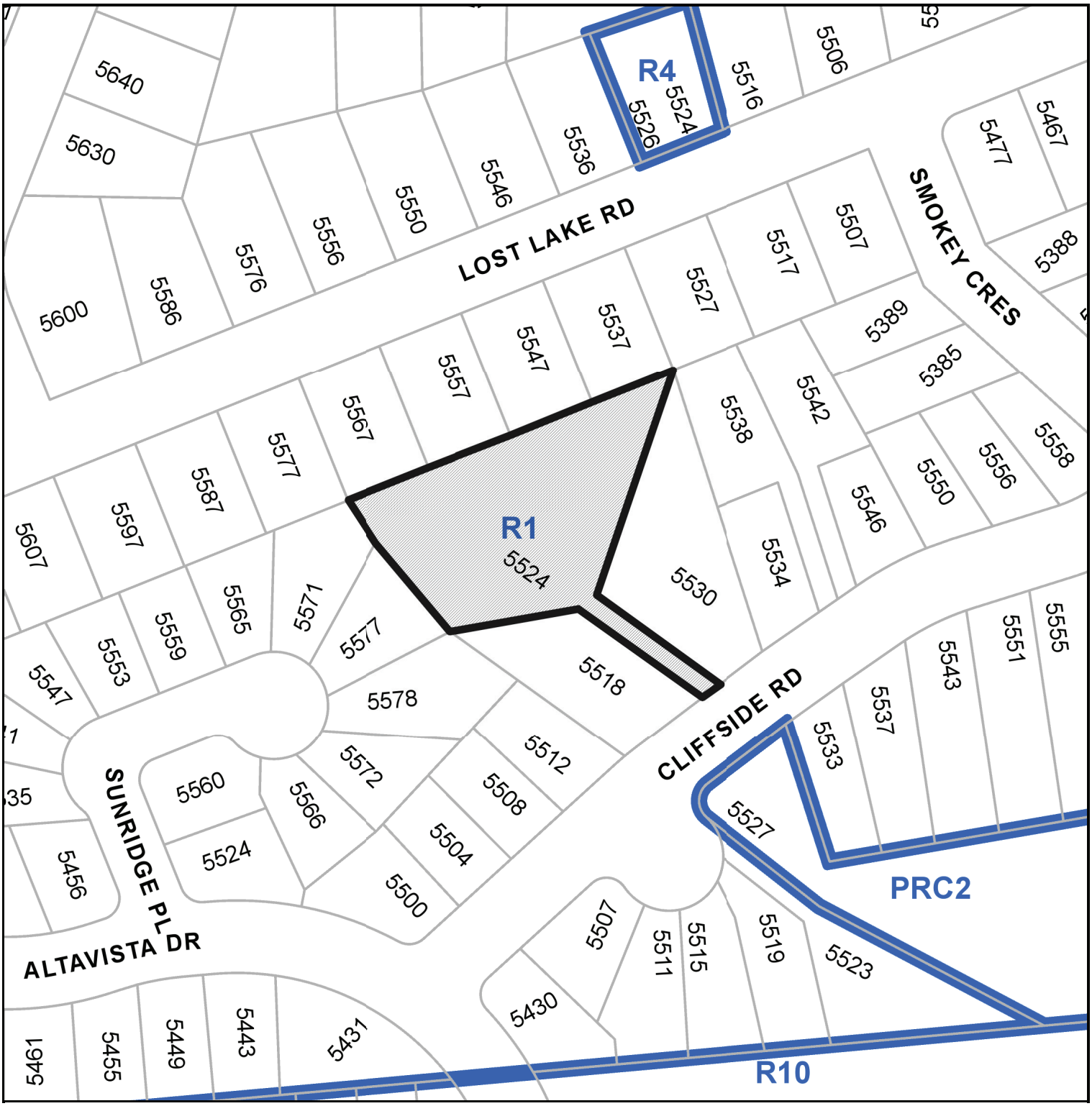
(c) *any eave or gable end associated with a wall face over 7.32m in height must not exceed 8.53m in width and must be offset by at least 0.61m from any adjacent eave or gable end which is associated with any adjacent wall face over 7.32m in height.*

You are being notified as an owner or tenant of land that is adjacent to land that is the subject of this application. The Board of Variance decision will apply to subsequent owners of the land.
If you deem your property is affected by the proposed variance, you will be given opportunity to be heard by the Board of Variance. In light of COVID-19, members of the public may submit comments in writing or pre-register to attend via Zoom. In-person attendance will not be permitted at this time.

WRITTEN SUBMISSION: To submit comments in writing you must contact the Current Planning Section no later than 2:30 p.m., April 1st, 2021 by emailing planning@nanaimo.ca or calling 250-755-4429 (x4302).

ATTEND VIA ZOOM: To attend electronically as a delegation, you must register no later than 11:00 a.m., March 29th, 2021 by emailing planning@nanaimo.ca or calling 250-755-4429 (x4302).

LOCATION PLAN



BOARD OF VARIANCE NO. BOV00749

CIVIC: 5524 CLIFFSIDE ROAD

Subject Property

LEGAL: LOT 13, DISTRICT LOT 50, WELLINGTON DISTRICT, PLAN VIP77213

B.C. LAND SURVEYOR'S CERTIFICATE OF PROPOSED LOCATION ON:

LOT 13, DISTRICT LOT 50, WELLINGTON DISTRICT, PLAN VIP77213

SCALE 1:250

0 2 4 6 8 10 15 metres

DISTANCES AND ELEVATIONS ARE IN METRES.

NOTES:

CIVIC ADDRESS: 5524 CLIFFSIDE ROAD, NANAIMO

LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS.

ELEVATION DATUM IS DERIVED FROM INTEGRATED SURVEY CONTROL MONUMENTS.

HOUSE DESIGN FROM COLIZZA BRUNI ARCHITECTURE DRAWINGS RECEIVED MARCH 15, 2021.

THE UNDERSIGNED CONFIRMS THAT HE HAS BEEN RETAINED BY MICHEL AND ROBIN BRULOTTE TO PROVIDE FOUNDATION LAYOUT IN ACCORDANCE WITH THE FOUNDATION LOCATION SHOWN ON THIS PLAN.

182.00 DENOTES PROPOSED GARAGE SLAB.

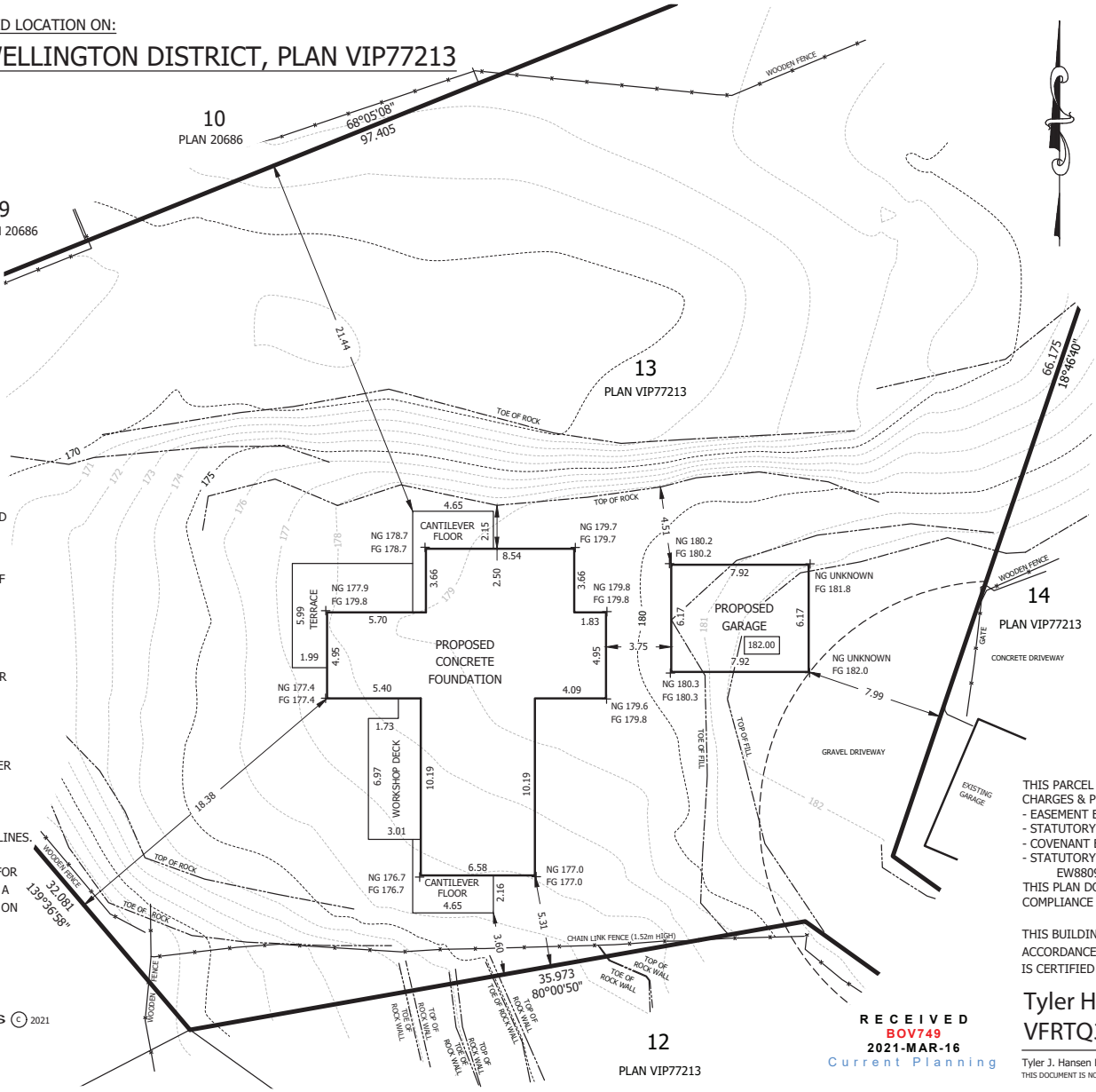
FG 177.4 DENOTES TYPICAL SPOT ELEVATION OF PROPOSED FINISHED GRADE (FG).

NG 177.4 DENOTES TYPICAL SPOT ELEVATION OF NATURAL GRADE (NG) IN CONFORMANCE WITH THE CITY OF NANAIMO BYLAW.

CONTOURS SHOWN ARE DERIVED FROM 2019 FIELD SURVEY OF EXISTING CONDITIONS AND ARE 1.0 METRE INTERVAL.

THIS PLAN PURPORTS TO POSITION ONLY THE ACTUAL AND/OR PROPOSED IMPROVEMENT(S) SHOWN RELATIVE TO ONLY THE BOUNDARIES SHOWN OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).
THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY OTHER ACTUAL OR PROPOSED IMPROVEMENT(S) RELATIVE TO ANY BOUNDARY OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).
THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.



MAXIMUM HOUSE HEIGHT CALCULATION BY GRADES

MEAN FG	=	178.61
MEAN NG	=	178.35
MAXIMUM HEIGHT	+	7.00
CON MAXIMUM ROOF PEAK	=	185.35
PROPOSED MAIN SLAB	=	180.00
APPROX. HEIGHT TO 2ND FLOOR	+	3.14
PROPOSED 2ND FLOOR	=	183.14
APPROX. HEIGHT TO PEAK	+	4.17
PROPOSED ROOF PEAK	=	187.31

PROPOSED ROOF PEAK	=	187.31
CON MAXIMUM ROOF PEAK	-	185.35
VARIANCE REQUIRED	=	1.96

MAXIMUM GARAGE HEIGHT CALCULATION BY GRADES

MEAN FG	=	181.08
MEAN NG	=	180.25
MAXIMUM HEIGHT	+	7.00
CON MAXIMUM ROOF PEAK	=	187.25
PROPOSED GARAGE SLAB	=	182.00
HEIGHT TO TOP OF DORMER	+	4.68
TOP OF DORMER	=	186.68

THIS PARCEL MAY BE SUBJECT TO REGISTERED CHARGES & PERMITS:
- EASEMENT EW88161;
- STATUTORY BUILDING SCHEME EW88103;
- COVENANT EW88097;
- STATUTORY RIGHT OF WAYS EW88096, EW88098, EW88099 & EW88101;

THIS PLAN DOES NOT PURPORT TO VERIFY COMPLIANCE WITH THE RESTRICTIONS THEREIN.

THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL & IS CERTIFIED CORRECT THIS DATE OF: MARCH 16, 2021

Tyler Hansen VFRTQ3

Digitally signed by Tyler Hansen VFRTQ3
DN: c=CA, cn=Tyler Hansen VFRTQ3, o=BC Land Surveyor, ou=Verify ID at www.juricert.com/LKUP.cfm?id=VFRTQ3
Date: 2021.03.16 13:59:53 -07'00'

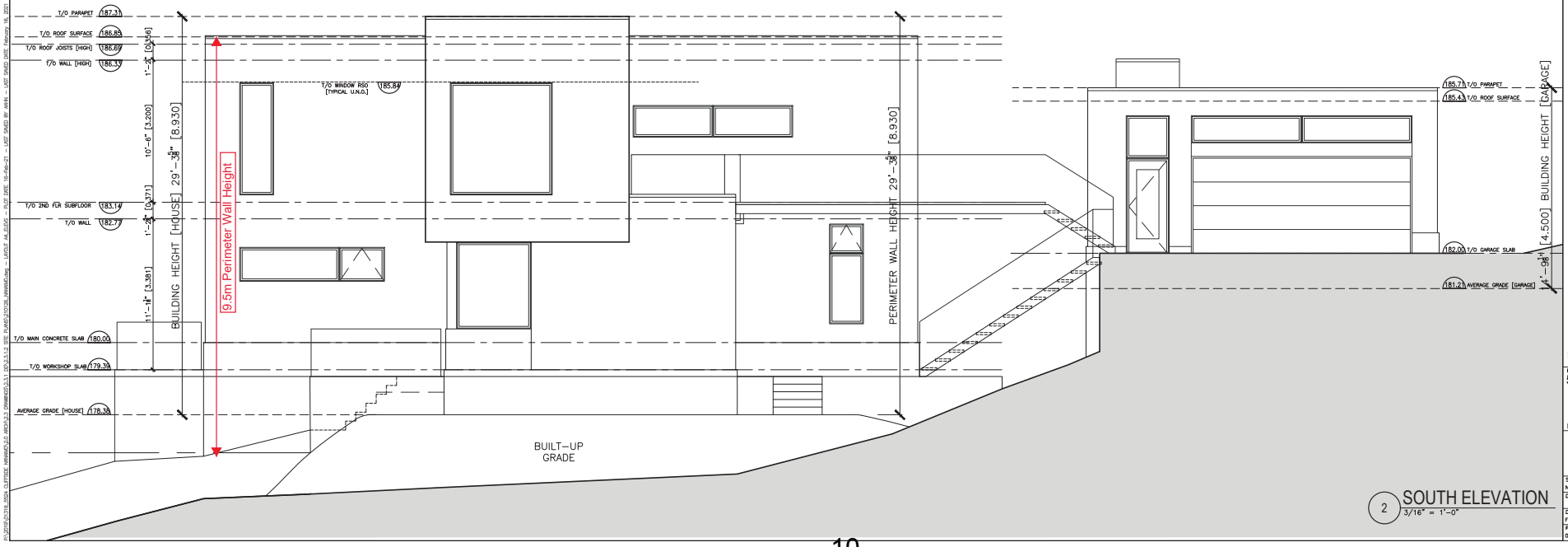
Tyler J. Hansen B.C.L.S.

THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED.

RECEIVED
BOV749
2021-MAR-16
Current Planning

WILLIAMSON & ASSOCIATES
PROFESSIONAL SURVEYORS © 2021
3088 BARONS ROAD NANAIMO B.C. V9T 4B5
PHONE: 250-756-7723 FAX: 250-756-7724
EMAIL: WAPS@VIBCLS.CA
FILE: 19118-2 HEIGHT SURVEY (BASE PLAN 06128)

1 EAST ELEVATION
3/16" = 1'-0"



2 SOUTH ELEVATION
3/16" = 1'-0"

GENERAL NOTES

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE AND REPORT ANY ERRORS AND OMISSIONS TO THE ARCHITECT. ALL CONTRACTORS MUST COMPLY WITH ALL PERTINENT CODES AND BY-LAWS. DO NOT SCALE DRAWINGS. THESE DRAWINGS MAY NOT BE USED FOR CONSTRUCTION UNTIL SIGNED. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF COLIZZA BRUNI ARCHITECTURE INCORPORATED.COPYRIGHT RESERVED.

NO	REV DATE	REV DESCRIPTION
1	20/04/16	FOR CLIENT REVIEW
2	20/07/08	FOR CDA APPLICATION

RECEIVED
BOV749
2021-MAR-01
Current Planning

COLIZZA BRUNI
architecture
76 CHAMBERLAIN AVE · OTTAWA · ONTARIO · K1S 1V9
T 613.238.2644 · F 613.238.6777 · www.colizzabruni.com

PROJECT NAME
5524 CLIFFSIDE ROAD

NANAIMO, BC

DRAWING TITLE
ELEVATIONS

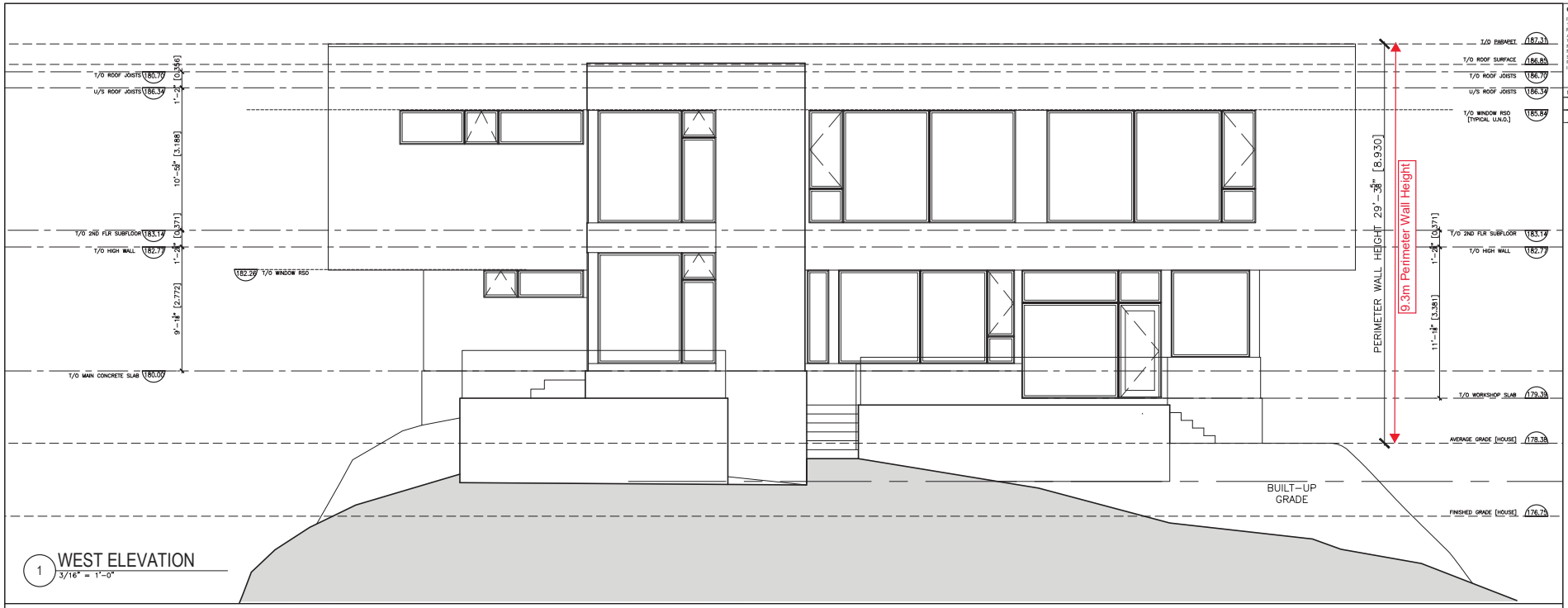
SCALE
NOTED

DRAWN BY

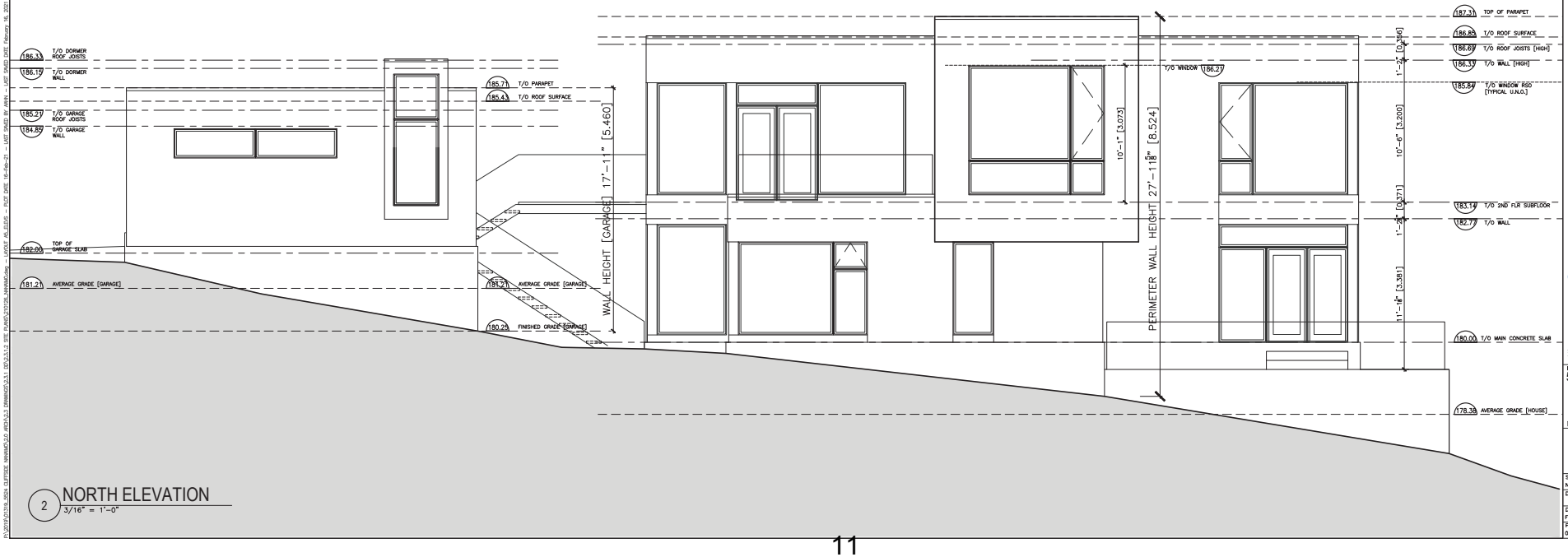
DATE
FEB 2021

PROJECT NO.
013–19

DRAWING NO.
A4



1 WEST ELEVATION
3/16" = 1'-0"



2 NORTH ELEVATION
3/16" = 1'-0"

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PROJECT NAME
5524 CLIFFSIDE ROAD

NANAIMO, BC

DRAWING TITLE
ELEVATIONS

SCALE
NOTED

DRAWN BY

DATE
FEB 2021

PROJECT NO.
013-19

DRAWING NO.
A5

P:\2019\01\19-3024 CLIFFSIDE NANAIMO\02 ARCH\23 DRAWINGS\23-1 ISSUED\19-3024 PLANS\19-3024 PLANS.dwg – LAYOUT: A1_ELEVS – PLOT DATE: 16-Feb-21 – LAST SAVED BY: AMAN – LAST SAVED DATE: February 16, 2021

REQUEST FOR MINOR VARIANCE TO RELIEVE HARDSHIP

Local Government Act, Section 901.(1)(a)

A person may apply to a board of variance for an order under subsection (2) if the person alleges that compliance with any of the following would cause the person hardship:
(a) a bylaw respecting the siting, dimensions or size of a building or structure, or the siting of a manufactured home in a manufactured home park.

Purpose of Application

The proposed development of 5524 Cliffside Road is to construct a two-storey single family dwelling with detached garage on a steeply sloping site. See Attachment 1, and Attachment 2.

Due to the topography of the site and the technical bylaw definition of Building Height & Perimeter Wall Height, the proposed home requires the following variances.
1) Increase in Building Height: See Attachment 2, drawing A4
a) For the home, from 7.0 m to 9.0 m

2) Increase in Perimeter Wall Height: See Attachment 2, drawing A5
a) For the West and East walls of the home, from 7.32 m to 9.3 m
b) For the South wall of the home, from 9.14 m to 9.5 m

Site Context

The pertinent characteristics of the site are:

- It appears that the site is a “remnant piece” or “leftover” after the surrounding lots were created.
- It is a relatively large lot (larger than 0.9 acres) when compared to neighbouring residential lots, allowing for large set-backs from adjacent properties. Please see the analysis of bylaw requirement compliance in Table 1.
- It has significant slopes – on the order of 9 meters in some locations (See attached Topographic Map).
- The buildable area is further restricted due to seismic set-back requirements, as recommended by Lewkowich Engineering Associates.
- The surface of the buildable area is exposed bedrock as reported by Lewkowich Engineering Associates.
- The perimeter of the site is well treed (bottom) while the center is somewhat barren (top).
- The recognition of this set of unique characteristics, was, in fact, the inspiration for the design and siting of the proposed home.

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2021-MAR-16
Current Planning

Table 1: R1 Bylaw Compliance Analysis

Bylaw Provision	Requirement	Proposed
Minimum Lot Size	500 m^2	3650 m^2
Minimum Lot Frontage	15 m	6.28 m – Note 1
Minimum Lot Depth	30 m	96 m (from road)
Front Yard Setback	4.5 m	60.1 m
Side Yard Setback	1.5 m	West: 18.6 m East: 7.8 m (Garage) 18.3 m (House) South: 3.8 m
Rear Yard Setback	7.5 m	21.6 m
Maximum Lot Coverage	40%	6% (Including Garage)
Height of Principal Building	7.0 m	9.0 m – Note 2
Perimeter Wall Height – East and West walls	7.32 m	9.3 m – Note 3
Perimeter Wall Height – South wall	9.14 m	9.5 m – Note 3

Notes: 1. Lot geometry was approved as part of a subdivision plan.
2. Variance is required for building height. The building height was calculated based on average natural grade.
3. Variance is required for perimeter wall height. The perimeter wall height was calculated based on the proposed finished grade.

Design Commentary

The positioning of the proposed home on its lot is a consequence of the desire to minimize the impact of the built form on the natural landscape of the site and the wish to maximize the views to the water and mountains from the house. Although the variance requests are for increase in building heights, it should be noted that the home would appear as a bungalow from Cliffside Road. The home is entered by a bridge at its 2nd level which accommodates the “living spaces” while the bedrooms are below at the 1st level. The built form “steps down” the sloping site. The buildings also use a flat roof, which reduces the vertical extent of the buildings. Since the proposed home is a good distance from its lot lines and the site is well treed at its perimeter, the impact of shadowing and privacy issues on neighbouring properties will be minimized as presented in Attachments 3 and 4. We believe that we have considered the impact of the proposed development and will communicate our intentions with our future neighbours by letter due to the Covid-19 pandemic restrictions (Attachment 5 includes a sample letter).

Assessment Against Local Government Act 901.(2)(c)

Section 901.(2)(c)(i) – Inappropriate development of the site: The neighbouring properties have all been developed with single-family dwellings, most are two-storey although some of the older dwellings are one-storey, or one-storey with daylight basements. The proposed development will be a two-storey single-family dwelling, with a small daylight basement that is necessitated by the steeply sloping topography of the site.

Section 901.(2)(c)(i.1) – Adversely affect the natural environment: The development is designed to maintain the natural lot surface to the greatest extent possible, minimizing the impact on the natural environment of the site.

Section 901.(2)(c)(ii) – Substantially affect the use and enjoyment of adjacent land: The adjacent land will be grouped according to location around the development site. The impact of the variances required for the proposed development will not have any impact on the noise, dust or safety environment for any of the adjacent properties. The effects of the proposed development on the available direct sunlight are presented in Attachment 3 and the views of the proposed development from adjacent properties are presented in Attachment 4.

- 5530, 5533 and 5538 Cliffside Rd:
    - Located to the south and east of the proposed development, the only effect on sunlight would be late afternoon for 5530 Cliffside Dr only.
    - Elevation is at or higher than the development lot so effect on view would be only be affected to the west for 5530 and 5538 Cliffside Dr. This effect will be mitigated by the fact that the predominant feature to view are the mountains to the west, and will generally be unaffected by the proposed development, especially with the large distances between existing and proposed buildings.

- 5512 and 5518 Cliffside Rd:
    - Located to the south of the proposed development, there is no impact on sunlight.
    - Elevation is lower than the development lot. The effect on the view will be limited to the northerly view, which is a view of the ocean and coastal mountains. This reduced view to the north is not aggravated by the requested variance since the view is already currently obscured by trees, and would be affected in the same way without the requested variance.

- 5571, 5577 and 5578 Sunridge Pl:
    - Located to the west of the proposed development, the only effect on sunlight would be early morning. This reduced early morning sunlight is not aggravated by the requested variance due to the large distance between existing and proposed buildings.
    - Elevation is lower than the development lot. The effect on the view will be limited to the easterly view, which is a view of other houses. This reduced view to the east is not aggravated by the requested variance since the view is already currently partially obscured by the cliff and trees, and would be affected in the same way without the requested variance.

- 5527, 5537, 5547, 5557, 5567 and 5577 Lost Lake Rd:
    - Located to the north of the proposed development, the only effect on sunlight would be in the winter months (Sun Studies Attachment). This reduced sunlight is slightly aggravated by the requested variance as can be seen in the Sun Studies Attachment. The reduced sunlight is greatest for 5557 Lost Lake Rd, and is much reduced for the other properties.
    - Elevation is lower than the development lot. The effect on the view will be limited to the southerly view, which is a view of other houses. This reduced view to the south is not aggravated by the requested variance since the view is already currently partially obscured by the cliff and trees, and would be affected in much the same way without the requested variance.

Section 901.(2)(c)(iii) – Vary permitted uses and densities under the bylaw: The lot is designated as R1 and the proposed development does not change the permitted uses or densities of the lot.

Section 901.(2)(c)(iv) – Defeat the intent of the bylaw: The intent of the bylaw is to allow for the construction of a single-family dwelling of two stories in height on a R1 lot. The proposed building is two stories high, and if built on a flat lot, or one that was not bedrock, would not require any variances to the bylaw.

Undue Hardship

The topography of the lot makes constructing a single-family home within the building height and wall height limits an undue hardship. The highest point on the lot is at the driveway with the lot dropping more than 3 m over the length of the house. The buildable area is further restricted due to seismic set-back requirements. In addition, major excavation in bedrock would be difficult and would disrupt the natural drainage patterns of the property.

Attachments

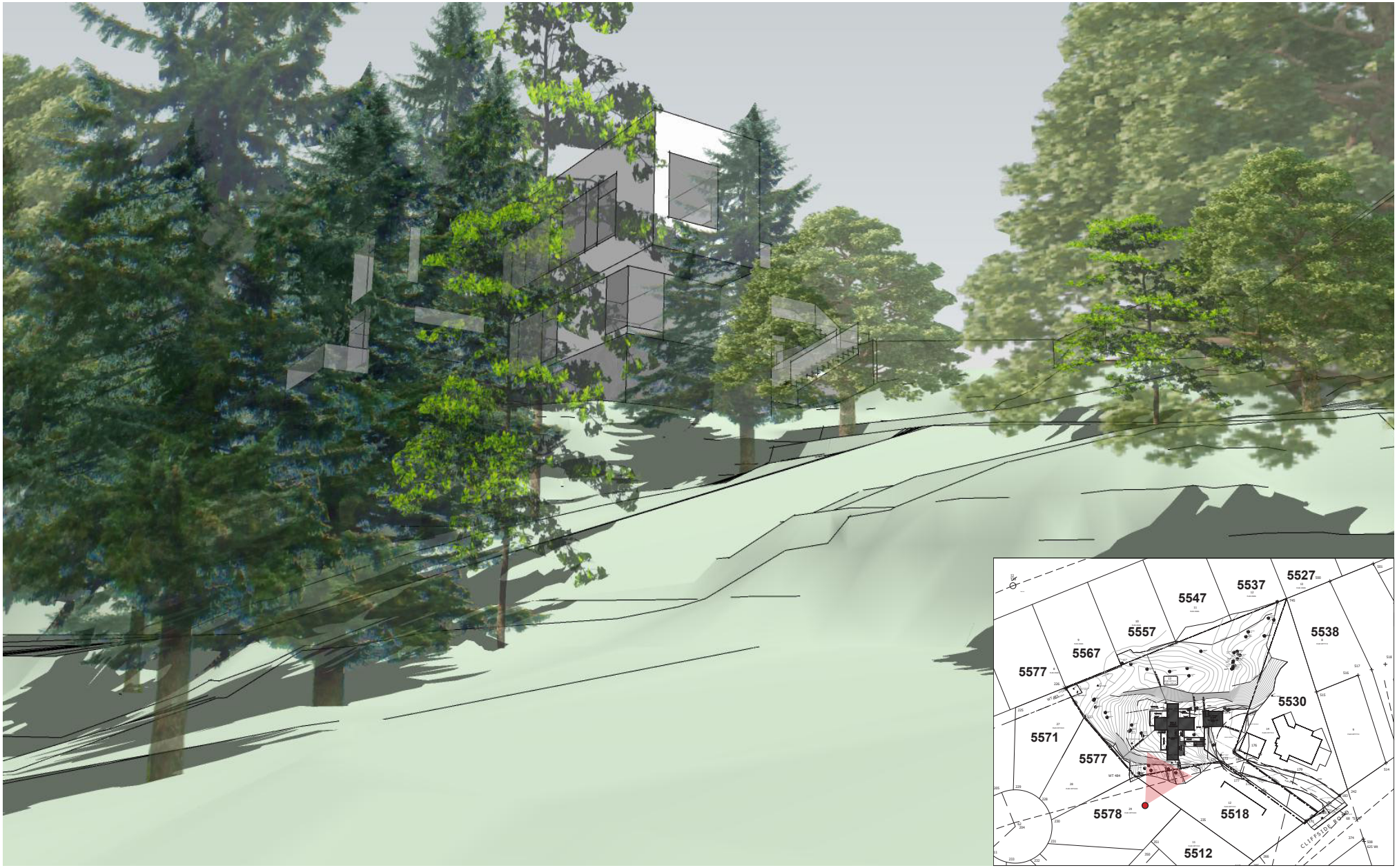
Attachment 1: Context Plan with Proposed 5524 Cliffside Development.

Attachment 2: Proposed 5524 Cliffside Development Plan and Elevations.

Attachment 3: Sun Studies for Neighbouring Properties.

Attachment 4: View of Proposed Development from Neighbouring Properties.

Attachment 5: Sample Letter to Neighbours.



VIEW FROM 5578 SUNRIDGE PL.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

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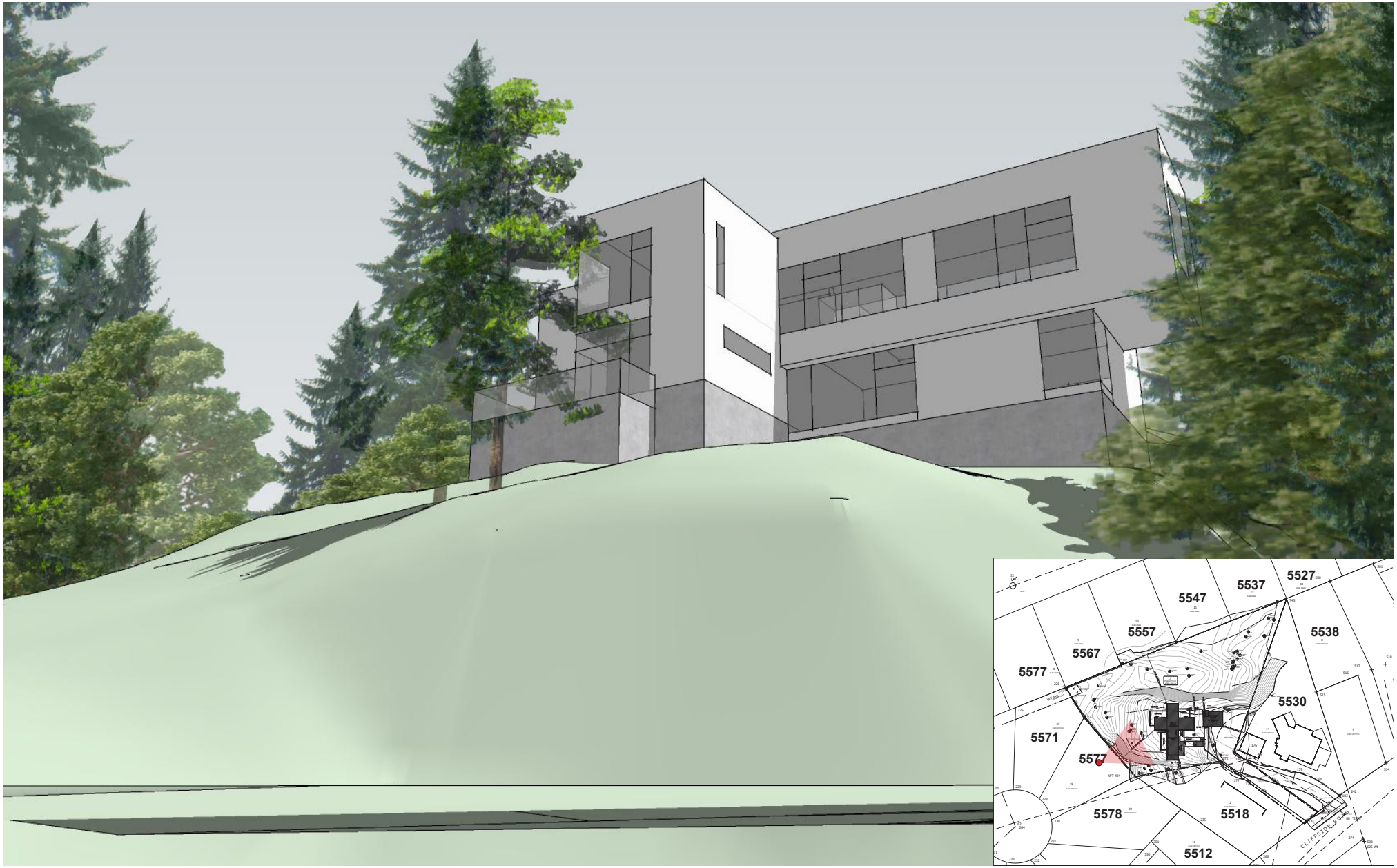
BOV749
2021-MAR-01
Current Planning



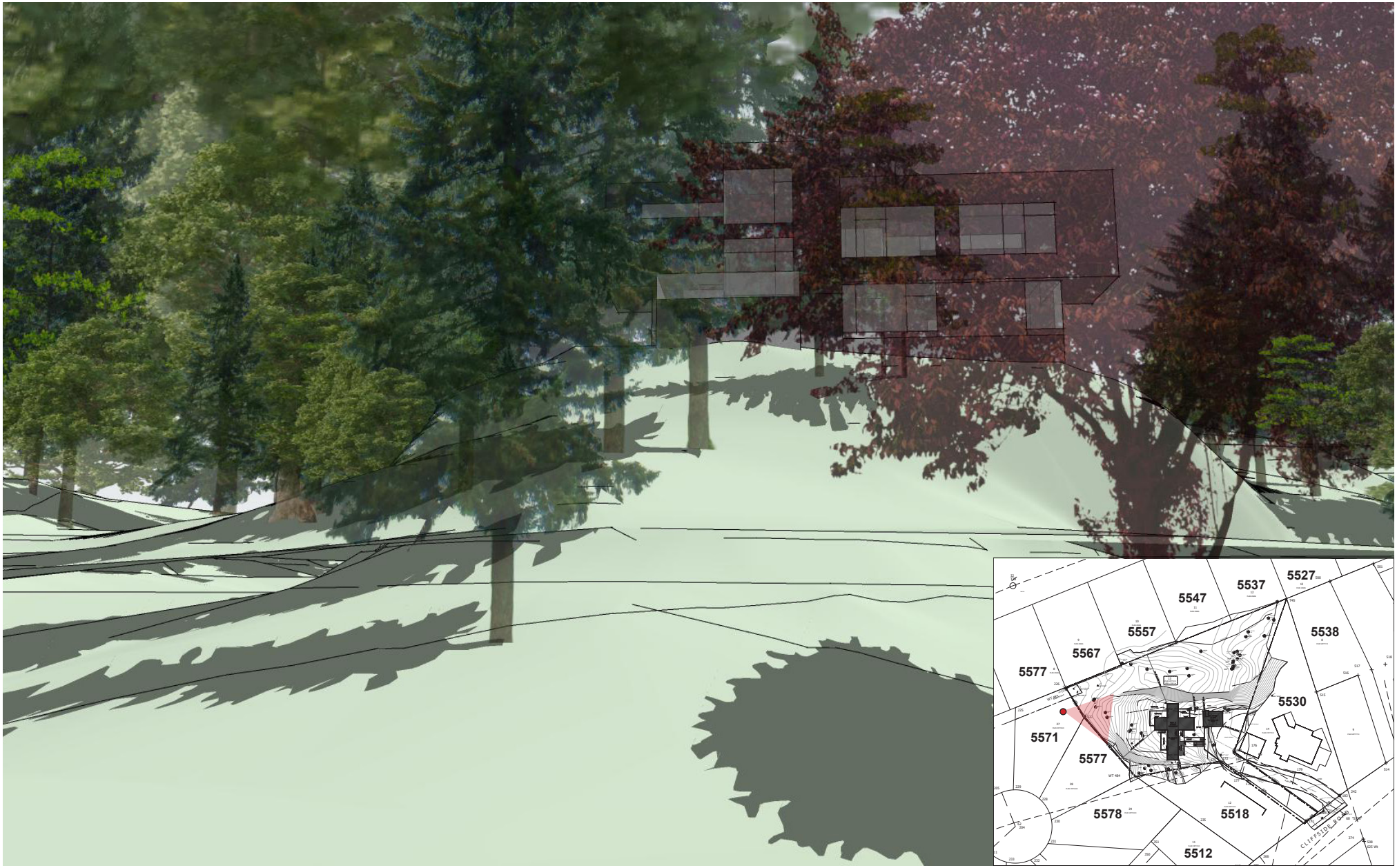
VIEW FROM 5577 SUNRIDGE PL.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

RECEIVED
BOV749
2021-MAR-01
Current Planning



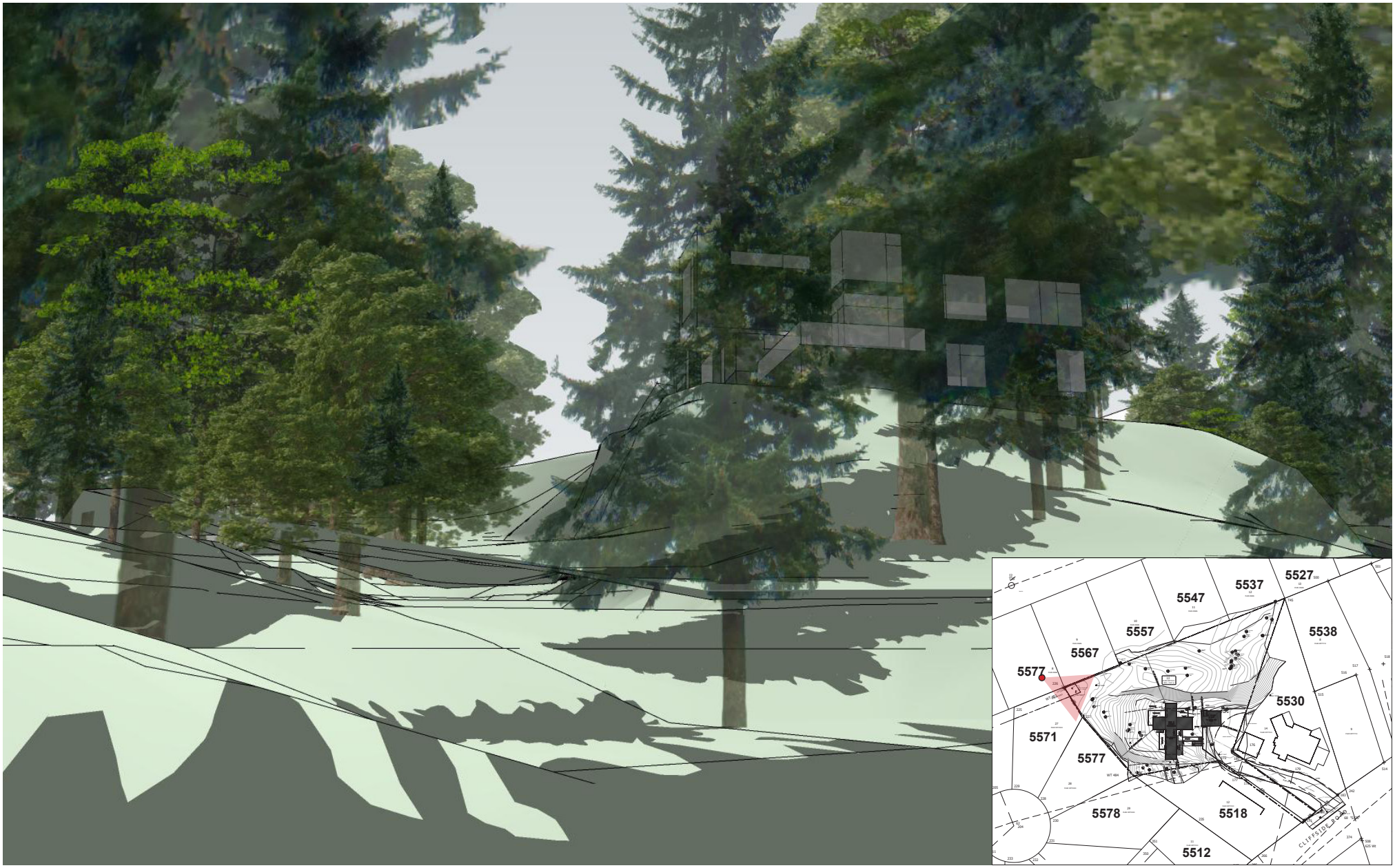
VIEW FROM 5571 SUNRIDGE PL.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

RECEIVED
BOV749
2021-MAR-01
Current Planning



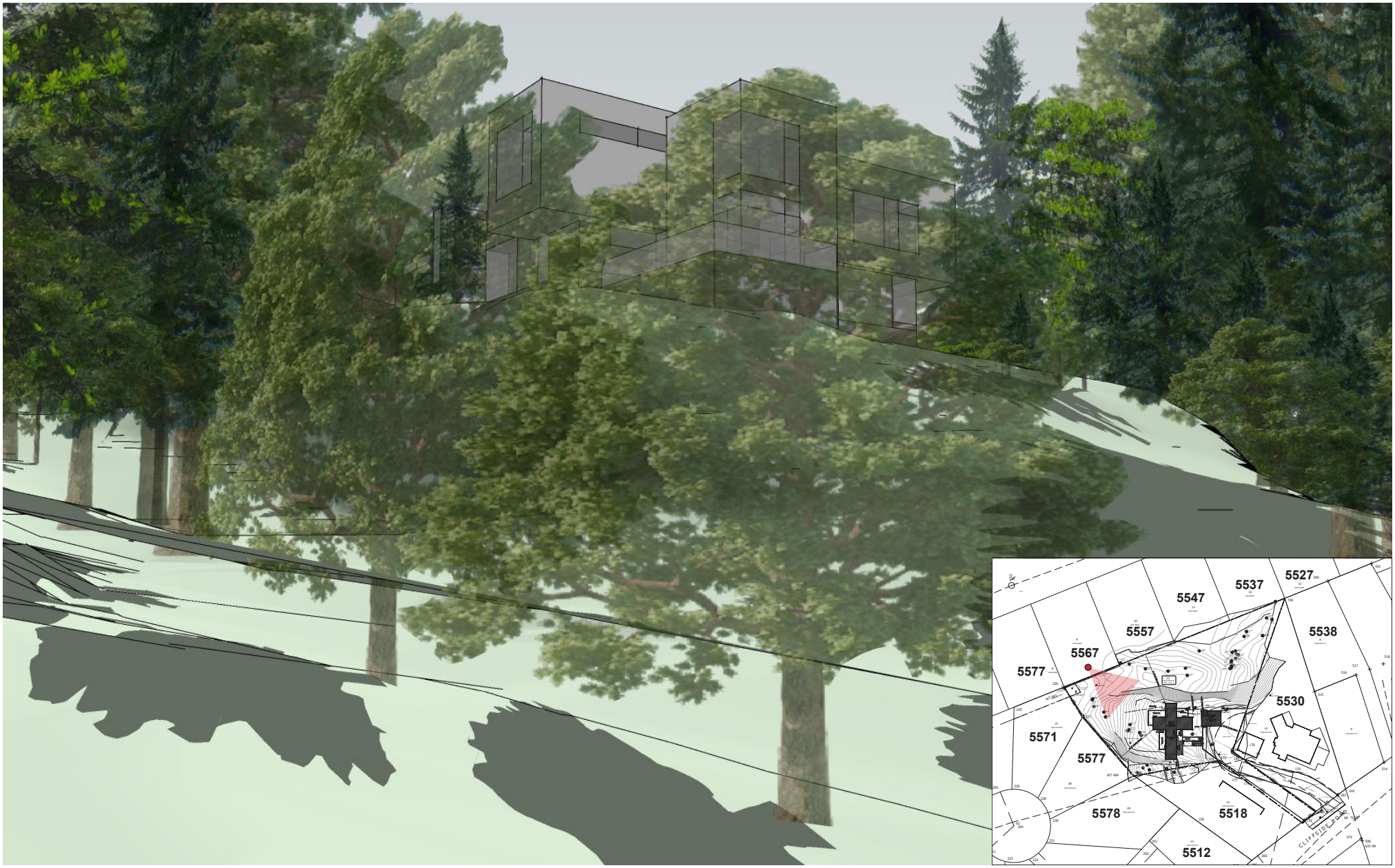
VIEW FROM 5577 LOST LAKE RD.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

RECEIVED
BOV749
2021-MAR-01
Current Planning



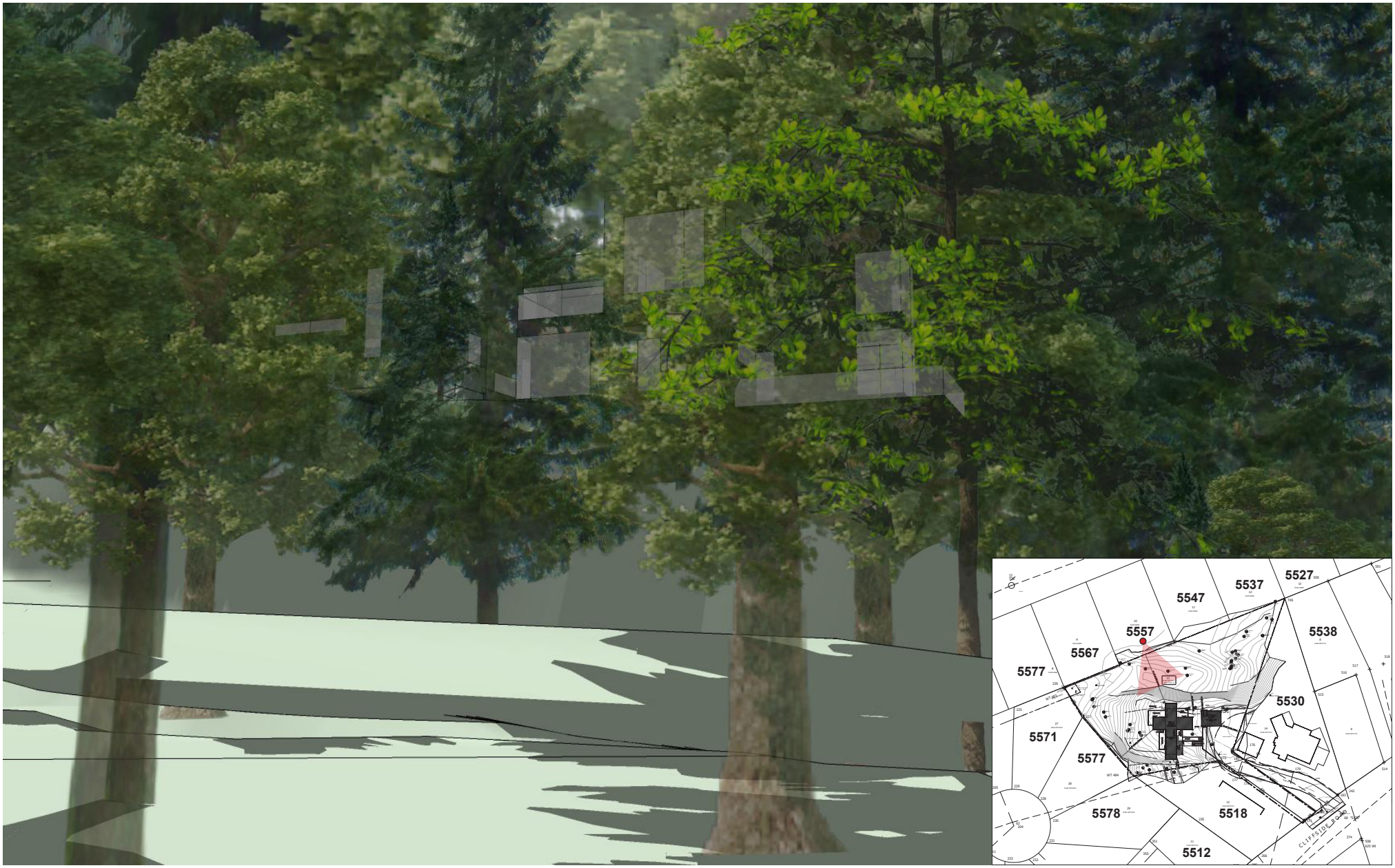
VIEW FROM 5567 LOST LAKE RD.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

RECEIVED
BOV749
2021-MAR-01
Current Planning



VIEW FROM 5557 LOST LAKE RD.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

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BOV749
2021-MAR-01
Current Planning

VIEW FROM 5547 LOST LAKE RD.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

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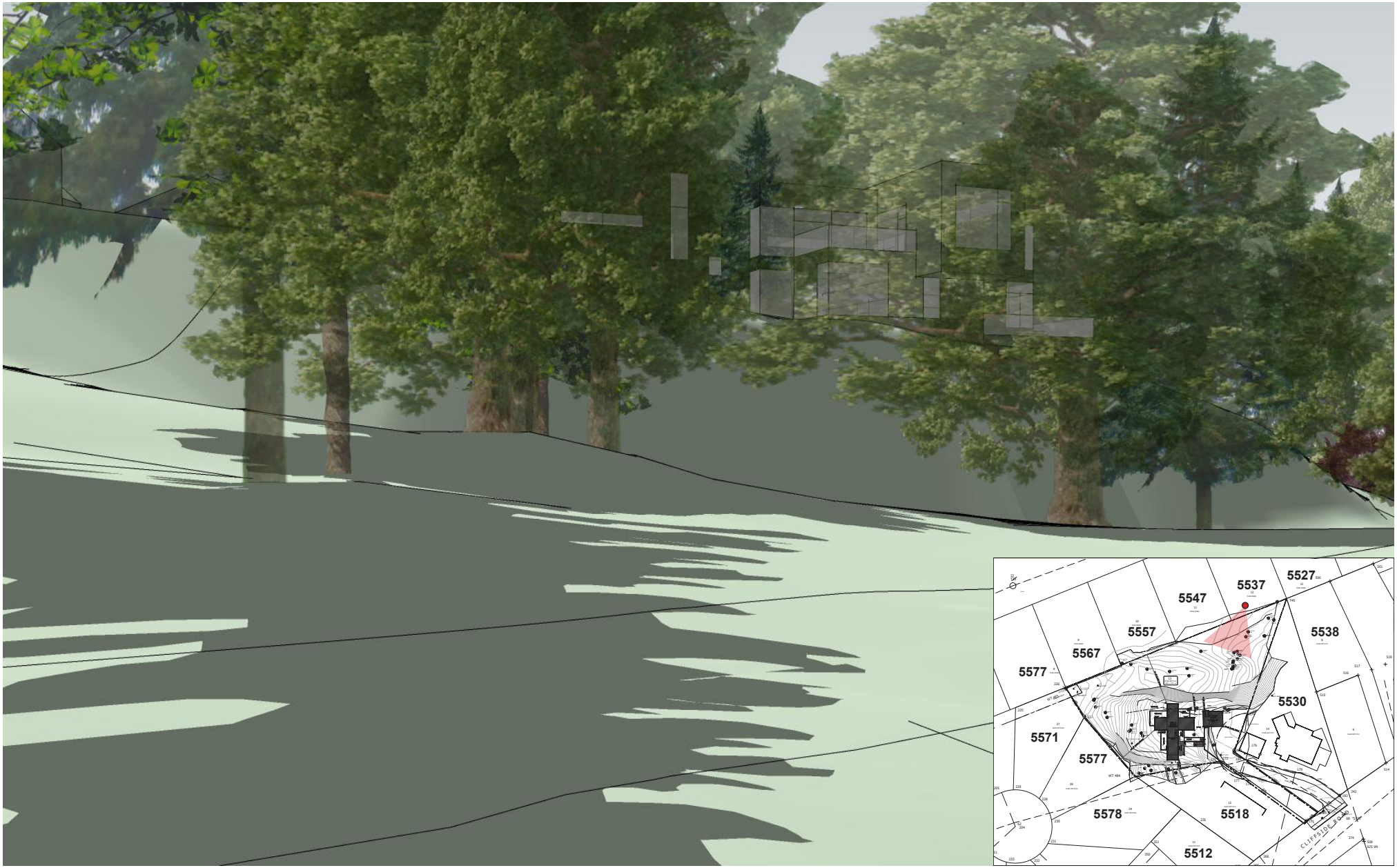
2021-MAR-01
Current Planning



VIEW FROM 5537 LOST LAKE RD.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

RECEIVED
BOV749
2021-MAR-01
Current Planning

VIEW FROM 5527 LOST LAKE RD.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

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Current Planning

VIEW FROM 5538 CLIFFSIDE RD.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

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2021-MAR-01
Current Planning

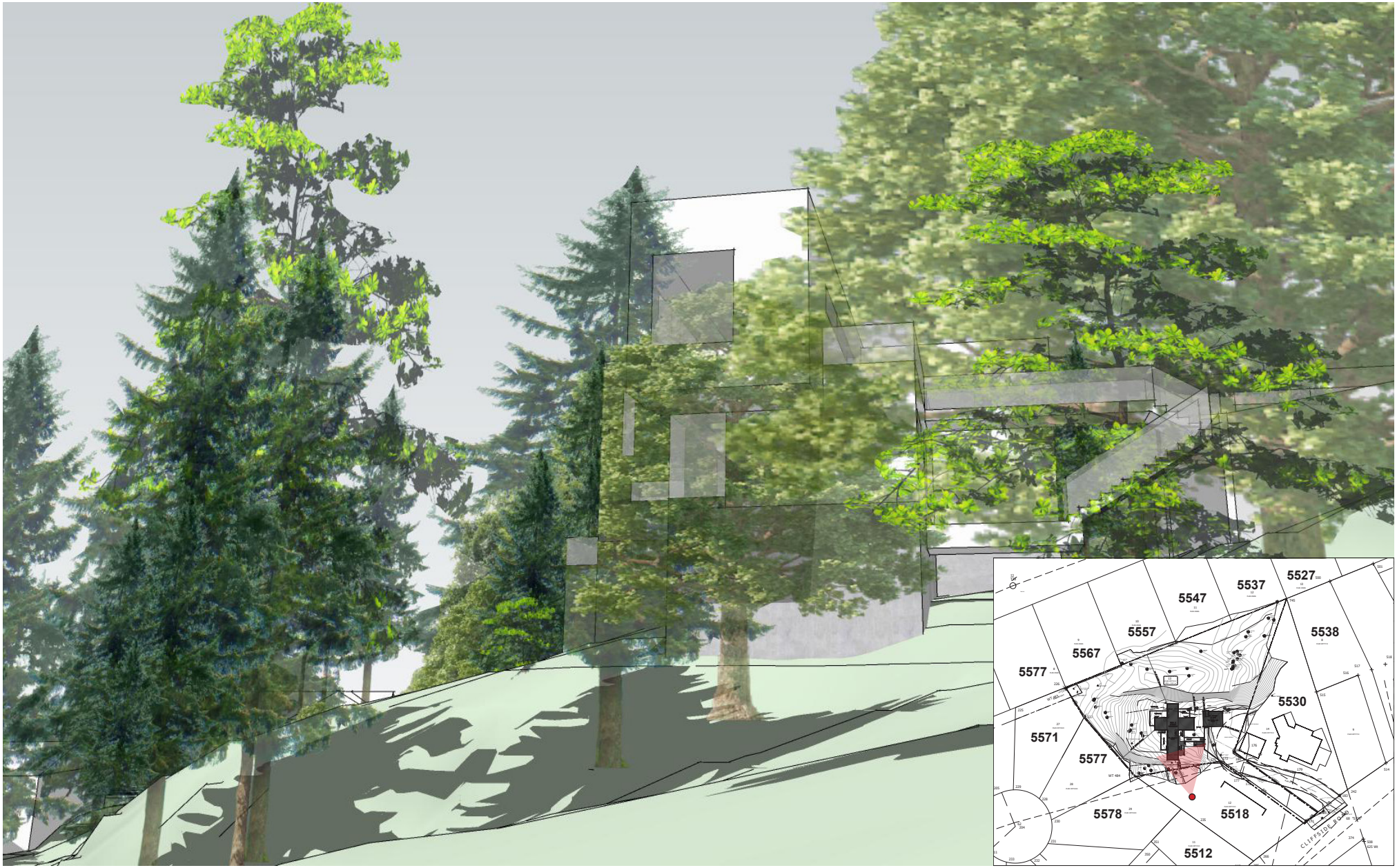
VIEW FROM 5530 CLIFFSIDE RD.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

RECEIVED
BOV749
2021-MAR-01
Current Planning



VIEW FROM 5518 CLIFFSIDE RD.

5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

RECEIVED
BOV749
2021-MAR-01
Current Planning

VIEW FROM 5512 CLIFFSIDE RD.

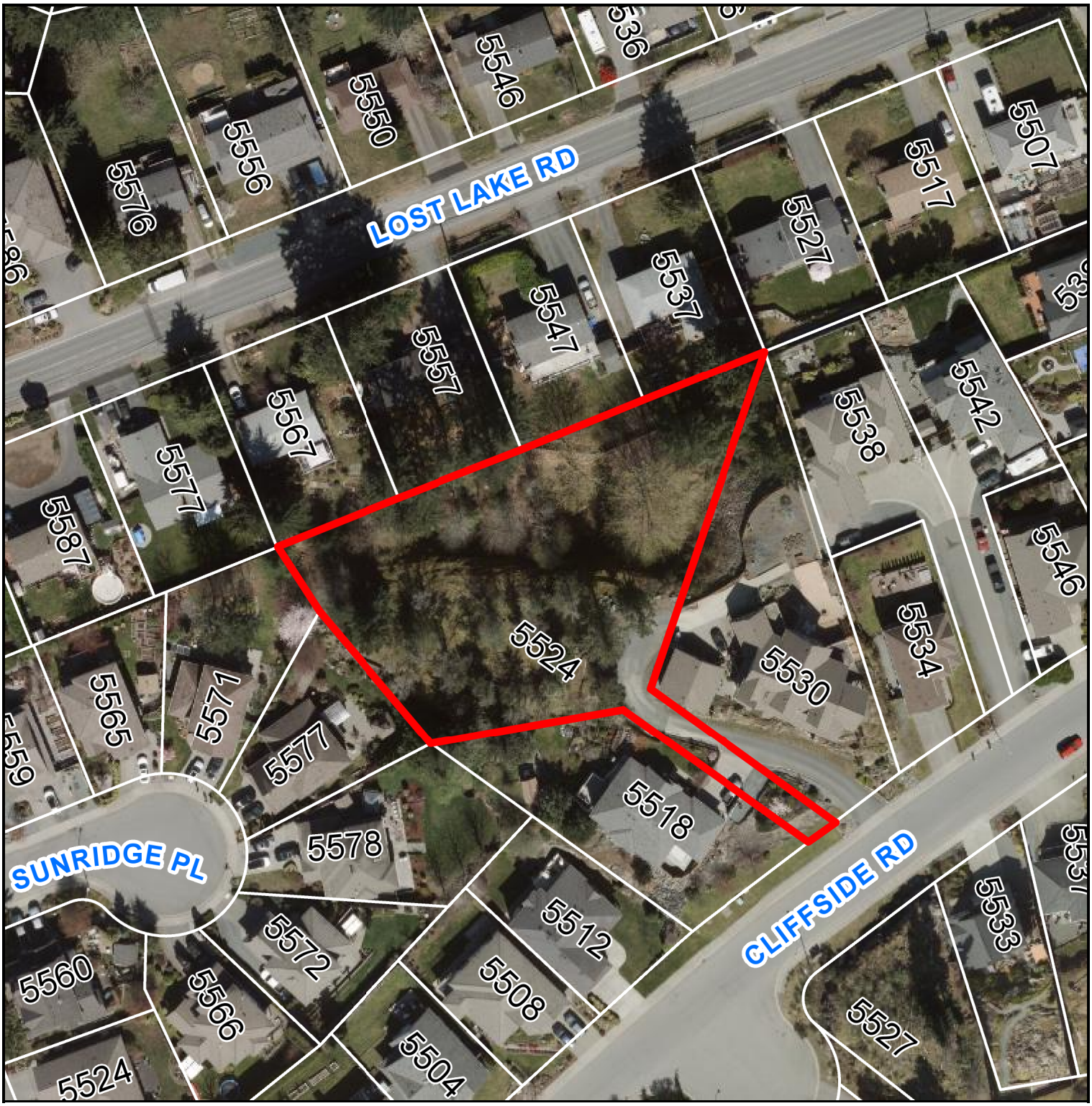
5524 CLIFFSIDE DRIVE

COLIZZA BRUNI

architecture

RECEIVED
BOV749
2021-MAR-01
Current Planning

AERIAL PHOTO



BOARD OF VARIANCE NO. BOV00749

5524 CLIFFSIDE ROAD

CITY OF NANAIMO
THE HARBOUR CITY

DEVELOPMENT SERVICES DEPARTMENT

BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2021-APR-01, at 4:00 p.m. in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

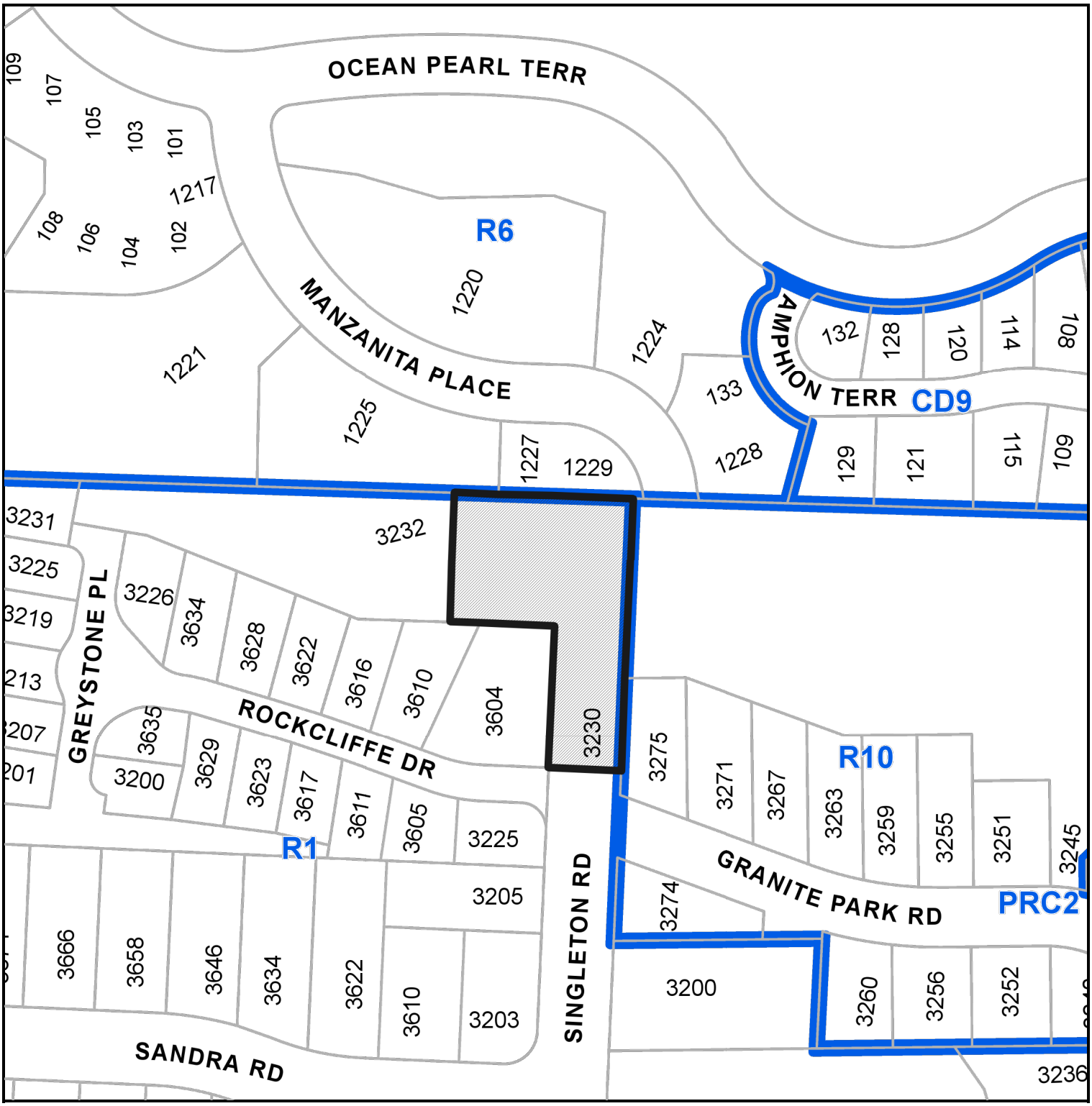
APPEAL NO:	**BOV00750**
Applicants:	ALAIR HOMES, TIM KROEKER
Civic Address:	3230 SINGLETON ROAD
Legal Description:	LOT A, SECTION 5, WELLINGTON DISTRICT, PLAN 46541
Purpose:	Zoning Bylaw No. 4500 requires a minimum setback of 6m for all garage doors and carport entrance ways facing a street on a single residential dwelling. The applicant is requesting to reduce the required setback for a garage door from 6m to 4.47m in order to legalize the existing dwelling setback and allow for a proposed addition (east side) to an existing attached garage. This represents a variance of 1.53m.
Zoning Regulations:	Single Dwelling Residential – R1. The applicant requests a variance to the "City of Nanaimo Zoning Bylaw No. 4500": *Section 7.5.3* *All garage doors and carport entrance ways facing a street on a single residential dwelling or duplex must be setback at least 6m.*

You are being notified as an owner or tenant of land that is adjacent to land that is the subject of this application. The Board of Variance decision will apply to subsequent owners of the land.
If you deem your property is affected by the proposed variance, you will be given opportunity to be heard by the Board of Variance. In light of COVID-19, members of the public may submit comments in writing or pre-register to attend via Zoom. In-person attendance will not be permitted at this time.

WRITTEN SUBMISSION: To submit comments in writing you must contact the Current Planning Section no later than 2:30 p.m., April 1st, 2021 by emailing planning@nanaimo.ca or calling 250-755-4429 (x4302).

ATTEND VIA ZOOM: To attend electronically as a delegation, you must register no later than 11:00 a.m., March 29th, 2021 by emailing planning@nanaimo.ca or calling 250-755-4429 (x4302).

LOCATION PLAN



BOARD OF VARIANCE NO. BOV00750

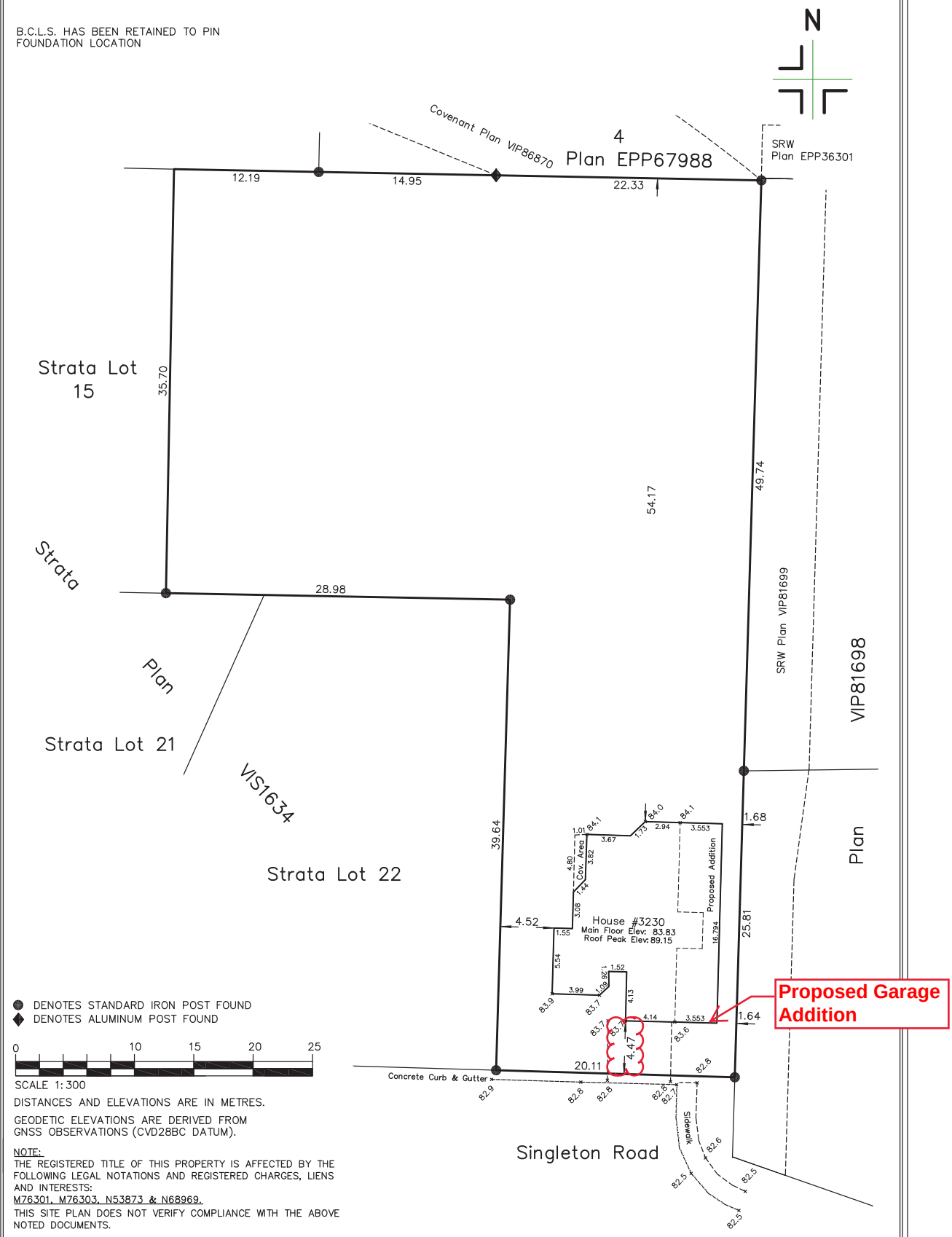
CIVIC: 3230 SINGLETON ROAD

LEGAL: LOT A, SECTION 5, WELLINGTON DISTRICT, PLAN 46541

Subject Property

SITE PLAN SHOWING PROPOSED ADDITION ON:
LOT A, SECTION 5, WELLINGTON DISTRICT, PLAN 46541

Client: ALAIR HOMES			
Civic Address: 3230 SINGLETON ROAD, NANAIMO			
File: 20-099	Scale: 1:300	Drawn by: DRW	Property Zoning: R1



DISTANCES AND ELEVATIONS ARE IN METRES.

GEODETIC ELEVATIONS ARE DERIVED FROM GNSS OBSERVATIONS (CVD28BC DATUM).

NOTE:
THE REGISTERED TITLE OF THIS PROPERTY IS AFFECTED BY THE FOLLOWING LEGAL NOTATIONS AND REGISTERED CHARGES, LIENS AND INTERESTS:
M76301, M76303, N53873 & N68969.
THIS SITE PLAN DOES NOT VERIFY COMPLIANCE WITH THE ABOVE NOTED DOCUMENTS.

Turner & Associates
land surveying Inc.
250.753.9778
435 Terminal Avenue North
Nanaimo, BC V9S 4J8
www.turnersurveys.ca

Certified correct this 13th day of November, 2020.

Matthew Schnurch KAHJN6

Digitally signed by Matthew Schnurch KAHJN6
Date: 2020.11.13 09:49:45 -08'00'

B.C.L.S.

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

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BOV750
2021-MAR-09
Current Planning

To whom it may concern;

I am applying for a variance in zoning for the setback on 3230 Singleton Road. The original dwelling was built shortly before zoning was changed to R1 in the area. The original single garage door had a setback of 4.47m from the front lot line. The new setback implemented by re-zoning is 6m. We would like to increase the width of the garage to a double garage door using the same setback as the original garage. We would not be encroaching into the setback any further than the original garage. If the garage was set back 1.5m to 6m, it would make it unusable for the purpose of a garage. It would not affect any part of the original development of the site or the natural environment. It would not affect the use or enjoyment of any adjacent land or defeat the intent of the bylaw.

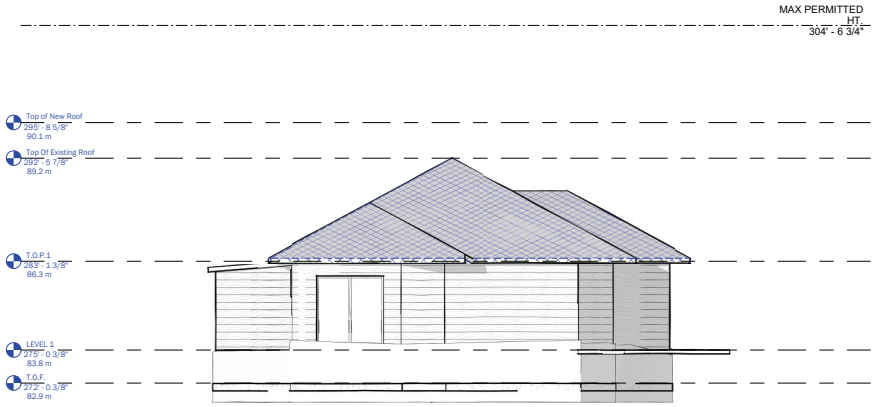
Thank you,

Tim Kroeker
Project Manager

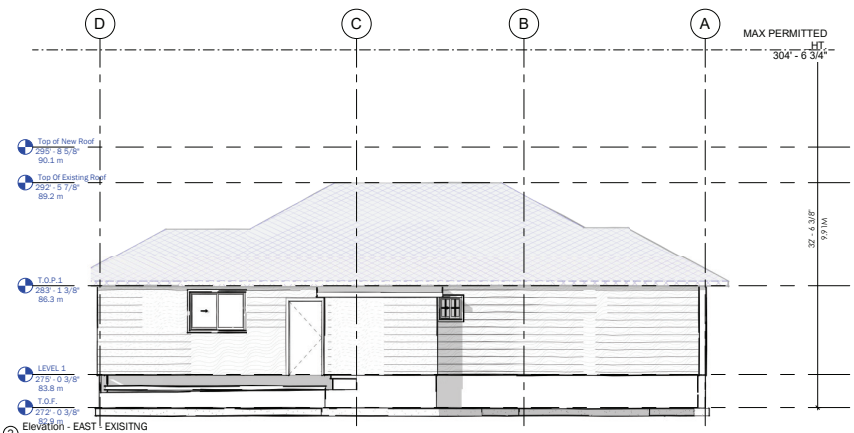
[redacted]

ALAIR
LIVING BETTER STARTS HERE

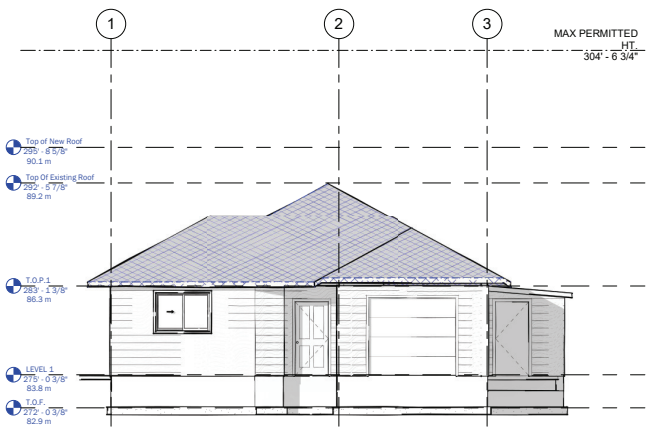
RECEIVED
BOV750
2021-MAR-09
Current Planning



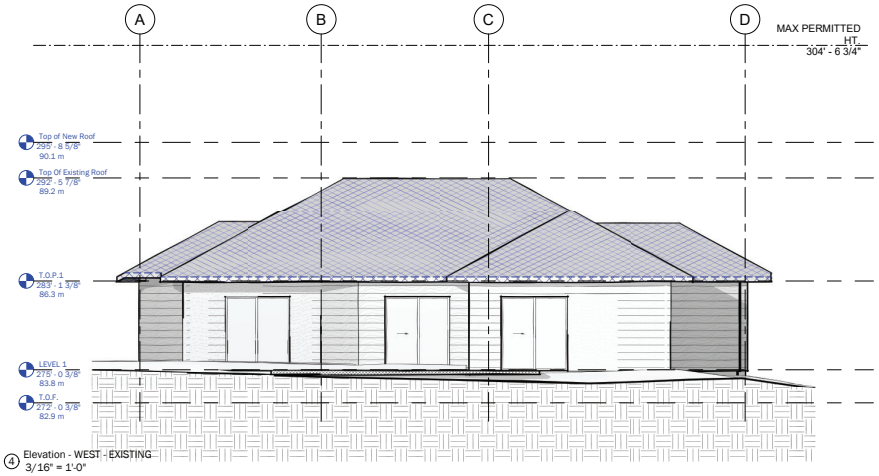
1 Elevation - NORTH - EXISTING
3/16" = 1'-0"



2 Elevation - EAST - EXISITNG
3/16" = 1'-0"



3 Elevation - SOUTH - EXISTING
3/16" = 1'-0"



4 Elevation - WEST - EXISTING
3/16" = 1'-0"

RECEIVED
BOV750
2021-MAR-09
Current Planning

ALAIR

ANCHOR BUILDING CO.
design | drafting
nanaimo b.c. | 250.713.3353
mrdylanlyons@gmail.com

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Merilees Renovation

3203 Singleton Rd
Nanimo BC

CLIENT

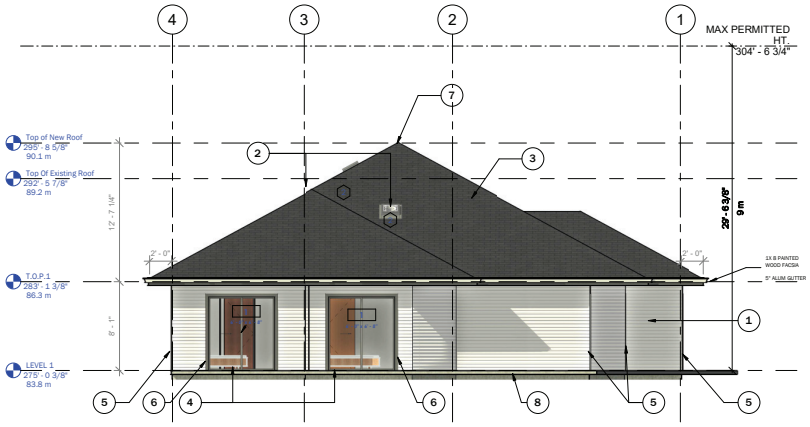
Alair Homes Nanaimo

DATE	#	DESCRIPTION
20.09.14	1	Concept
20.09.28	2	Rev. 1
20.10.12	3	Issued for Coordination
21.01.04	4	Issued for Construction

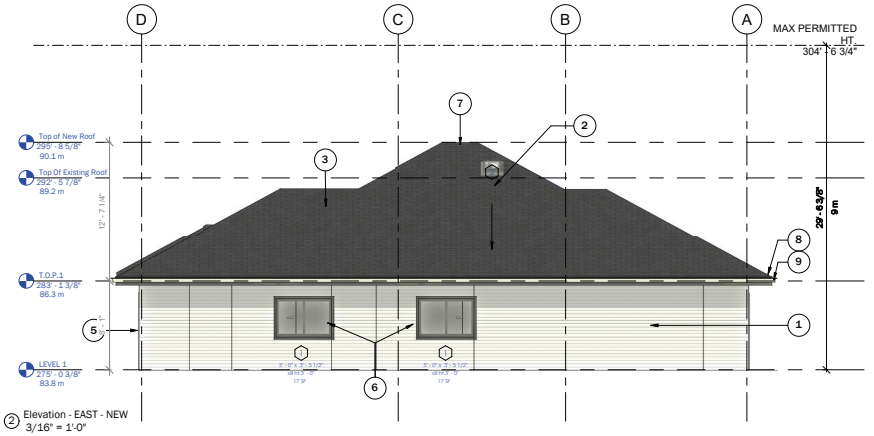
DATE	2020.09.14
SCALE	3/16" = 1'-0"
DRAWN BY	DL

ELEVATIONS - EXISITNG

A200

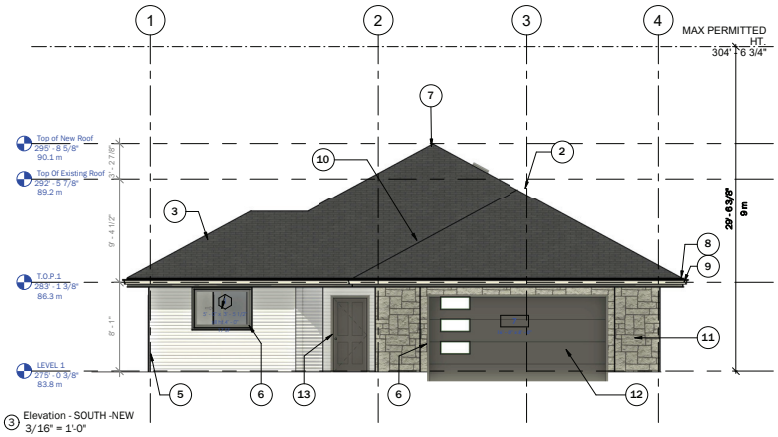


1 Elevation - NORTH - NEW
3/16" = 1'-0"

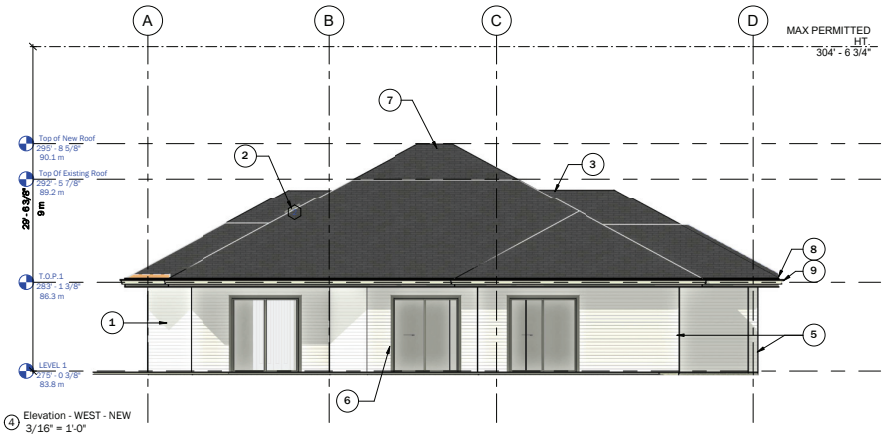


2 Elevation - EAST - NEW
3/16" = 1'-0"

1	8.25" HARDIE PLANK® - SELECT CEDARMILL - ARCTIC MIST
2	VELUX SUN TUNNEL
3	NEW ASPHALT ROOF
4	MATCH NEW PAATIO SLIDER TO EXISTING
5	5/4"X 3.5" HARDIETRIM® - ARCTIC WHITE
6	5/4"X 3.5" HARDIETRIM® - IRON GRAY
7	RIDGE VENT
8	1X8 PAINTED WOOD FASCIA - JAMES HARDIE COBBLE STONE
9	5" ALUM GUTTER C/W LEAF GUARD
10	METAL VALLEY FLASHINGS
11	CULTURED STONE VENEER
12	INSULATED GARAGE DOOR W/ 3 LITES
13	EXISTING DOOR PAINTED TO MATCH - IRON GRAY



3 Elevation - SOUTH -NEW
3/16" = 1'-0"



4 Elevation - WEST - NEW
3/16" = 1'-0"

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2021-MAR-09
Current Planning

A L A I R

ANCHOR BUILDING CO.
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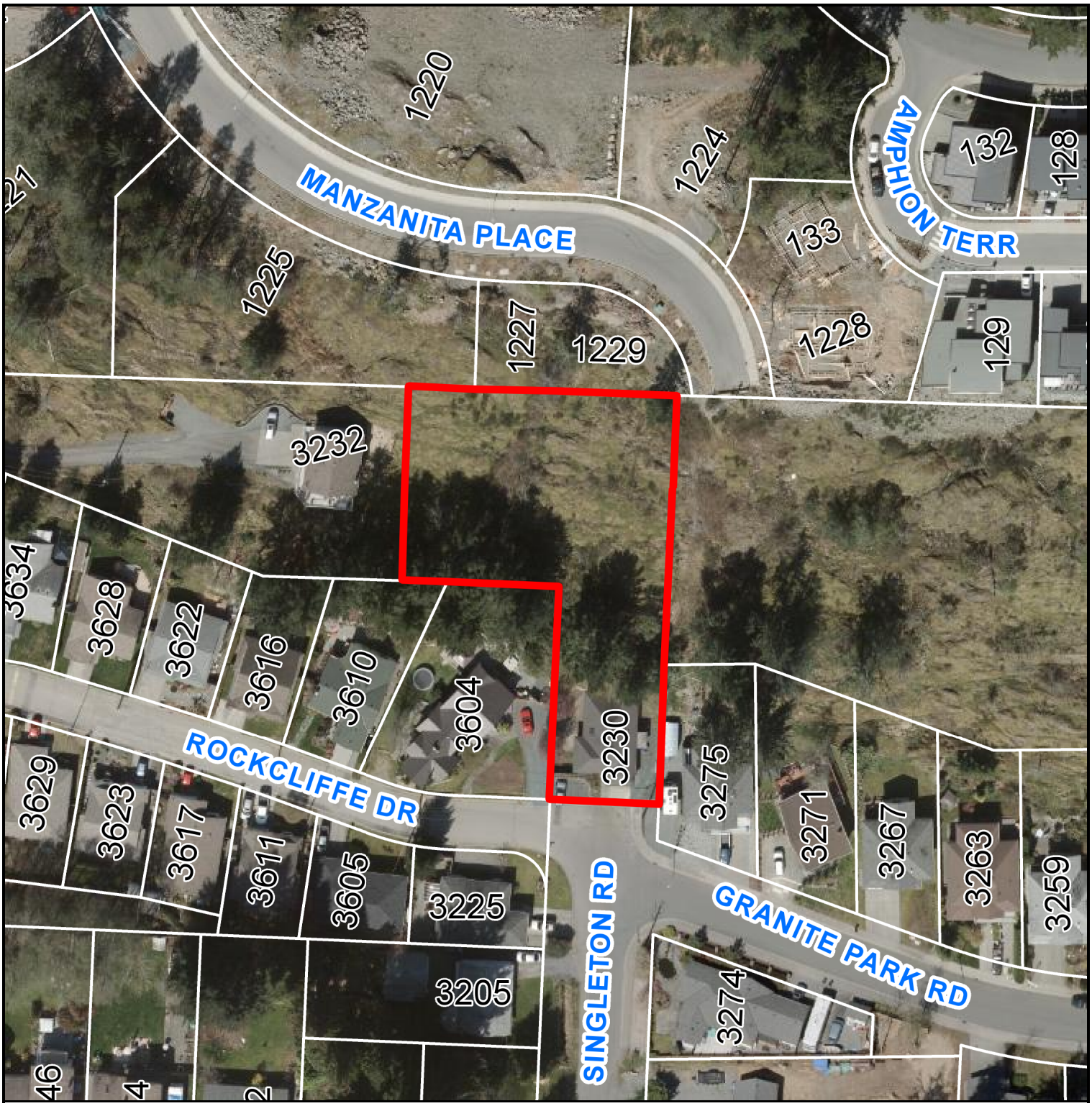
DATE 2020.09.14
SCALE 3/16" = 1'-0"
DRAWN BY DL

ELEVATIONS - NEW

A201

AERIAL PHOTO



BOARD OF VARIANCE NO. BOV00750

3230 SINGLETON ROAD