



AGENDA BOARD OF VARIANCE MEETING

June 21, 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. **ADOPTION OF AGENDA:**
3. **ADOPTION OF MINUTES:**

- a. **Minutes**

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Minutes of the Open Board of Variance Meeting held in the Board Room,
Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on
Thursday, 2018-FEB-15, at 5:30 p.m.

4. **PRESENTATIONS:**

- a. **Appointment of Chair**

- b. **Board of Variance Application No. BOV699 – 900 St Andrews Street**

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Legal Description: Lot 9, Block 2, District Lot 96-G, Nanaimo District Plan 2039

The applicant is 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. This represents a variance of 0.6m.

Zoning Bylaw No. 4500 (7.5.1) requires a minimum flanking side yard setback of 4m in the R1 zone.

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(a) Board of Variance Application No. BOV698 (250 Pine Street) was withdrawn by the applicant.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



COMMUNITY DEVELOPMENT

BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2018-JUN-21 at 5:30pm in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

APPEAL NO: **BOV00699**

Applicant: Re-New Surface Systems, Inc. (Mr. Luke Francoeur)

Civic Address: 900 St. Andrews Street

Legal Description: LOT 9, BLOCK 2, DISTRICT LOT 96-G, NANAIMO DISTRICT PLAN 2039

Purpose: The applicant is requesting to vary the provisions of Zoning Bylaw No. 4500 in order to reduce the minimum flanking side yard setback from 4m to 3.4m to raise and legalize an existing non-conforming house. This represents a variance of 0.6m.

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 flanking side yard setback of 4m 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-JUN-11 to 2018-JUN-21, inclusive.

LOCATION PLAN



BOARD OF VARIANCE NO. BOV00699

LOCATION PLAN



Subject Property

Civic: 900 St. Andrews Street
Legal Description: LOT 9, BLOCK 2, DISTRICT
LOT 96-G, NANAIMO DISTRICT, PLAN 2039



SITE PLAN SHOWING HOUSE LOCATION ON:

LOT 9, BLOCK 2, DISTRICT LOT 96-G,

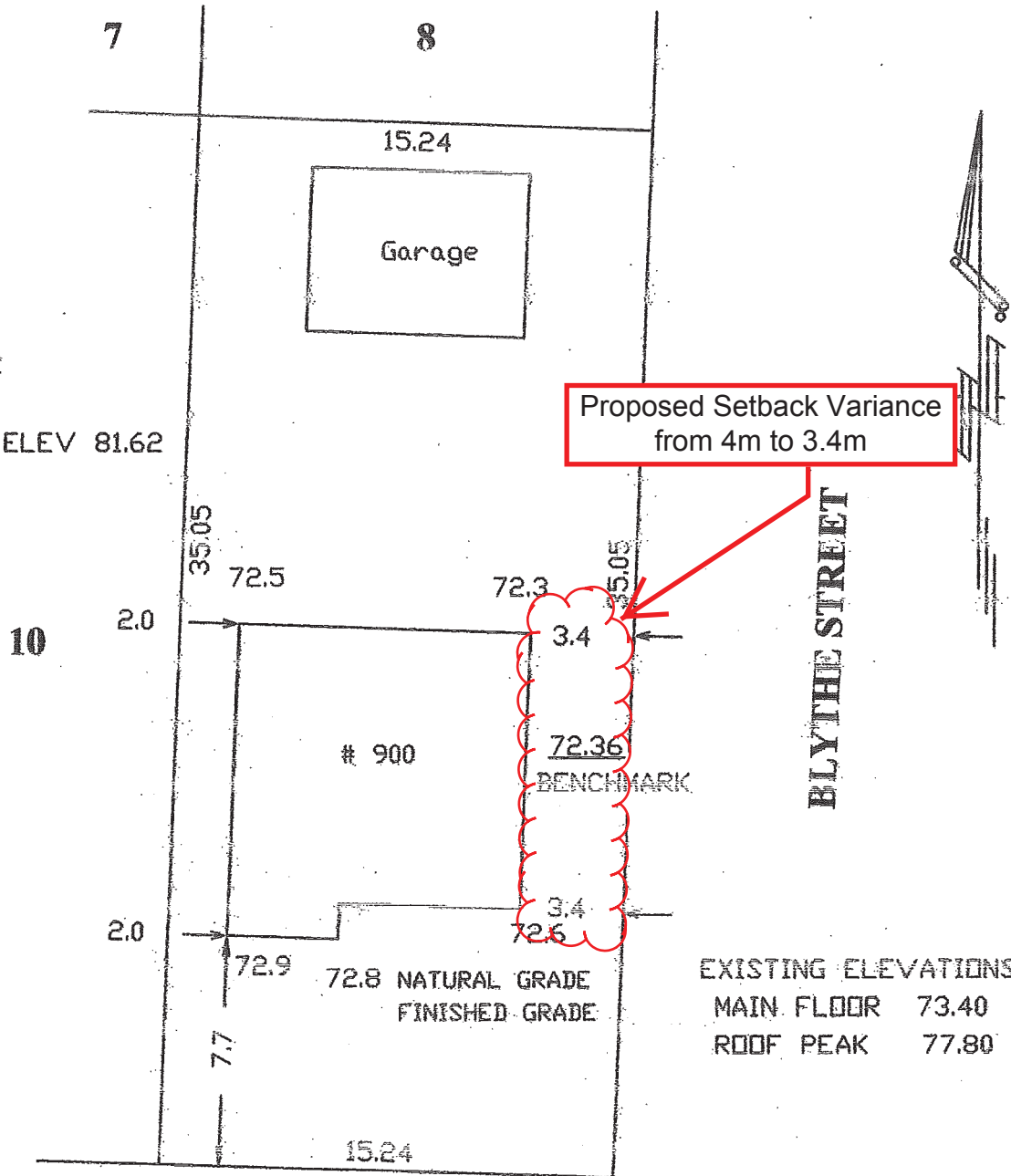
NANAIMO DISTRICT, PLAN 2039

NATURAL GRADE HAS BEEN DETERMINED
ACCORDING TO CITY ZONING BYLAWS

SCALE 1:250

ALL MEASUREMENTS ARE IN METRES
ELEVATIONS ARE GEODETIC

AVERAGE GRADES:
NATURAL 72.62
FINISHED 72.62
MAX ALLOW ROOF ELEV 81.62



ST. ANDREWS STREET

T.G. Hoyt
B.C. Land Surveyor
2275 Godfrey Road
Nanaimo, B.C.
V9X 1E7
250-753-2921

FB 375/36

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This 27th day of April, 2018.

B. C. L. S.

B00699

Board of Variance Application Form

BOV 00609

Contact Information	
Name of Applicant (Contact Person): <small>** If the applicant is not the registered owner an Appointment of Agent form is required.</small>	Please Print
Company Name (If Applicable):	RE-NEW SURFACE SYSTEMS INC.
Company Search (If Applicable):	
Phone: [REDACTED]	Cell: [REDACTED]
Fax: [REDACTED]	Email: [REDACTED]
Mailing Address:	
[REDACTED]	
Please indicate preferred method of correspondence: <input checked="" type="checkbox"/> Email <input type="checkbox"/> Post <input type="checkbox"/> Fax	

Property	
Civic Address of Property:	900 ST. ANDREWS ST.
Legal Description of Property: <small>** Must match title</small>	LOT 9, BLOCK 2, DISTRICT LOT 96-G
Proposed Variance Requested:	PLAN 2039
Purpose of Proposed Variance:	SET BACK ON BLYTHE TO 1 FT HOUSE AND FINISH BASEMENT AND NEW WINDOW AND BASEMENT ENTRANCE
<input checked="" type="checkbox"/> Is this variance required to legalize a building or structure that has already been constructed? <input type="checkbox"/> Was a valid Building Permit issued prior to construction? If yes, BP#: _____	
<small>** Please note: in order for a variance to remain valid a Building Permit must be issued within six months of the appeal date. This time limit may be increased or decreased at the Board's discretion. A relaxation granted by the Board applies only to the City bylaw specified.</small>	



Signature for Board of Variance Application

I / we hereby declare that all of the above statements and the information and materials submitted in support of this application are, to the best of my knowledge, true and correct in all aspects.

Date May 07 2018

Applicant Signature (print name below) [REDACTED]

LUKE FRANCOEUR

Board of Variance Application Checklist

Required Items

- ☐ Application Fee of \$250.00 (No GST)
- ☒ Completed Board of Variance Application Form
- ☐ Certificate of Title
- ☒ Variance Rationale Letter
- ☒ Completed Board of Variance Checklist (Dated and Signed)

Additional Items

- ☒ Appointment of Agent Form (When Applicant is not on Title to the Property)
- ☒ BCLS Site Survey (Setback Variances)
- ☒ BCLS Height Survey (Height Variances)
- ☒ Elevation Drawings
- ☐ Letter from Applicable Professional (i.e.: Mechanical Engineer)

Please note: a discussion with staff is required to determine additional application requirements.

Certificate of Title (1 Copy)

Copy of the Certificate of Title for the subject land(s) and a copy of all relevant covenants. These documents must be obtained no longer than two weeks prior to application.

Variance Rationale Letter

A letter outlining the rationale of the proposed variance and how the current Zoning Bylaw regulations cause an "undue hardship" to the subject land(s).

BCLS Site Survey (2 Copies)

A sealed, legal survey from a Certified British Columbia Land Surveyor is required to confirm proposed dimensions and distances. The site survey needs to include all existing and proposed enhancements on the subject land(s) and must indicate distances from outer corners and external walls to adjacent property lines as well as to adjacent buildings or structures.

Certificate of Title (1 Copy)

Copy of the Certificate of Title for the subject land(s) and a copy of all relevant covenants. Must be obtained no longer than two weeks prior to application.

Signature for Board of Variance Application

I / we hereby declare that all of the above statements and the information and materials submitted in support of this application are, to the best of my knowledge, true and correct in all aspects.

Date

May 07 2018

Applicant Signature (print name below)

[Redacted Signature]

This is a letter to the Board of Variance Committee regarding our home at 900 St Andrews St.

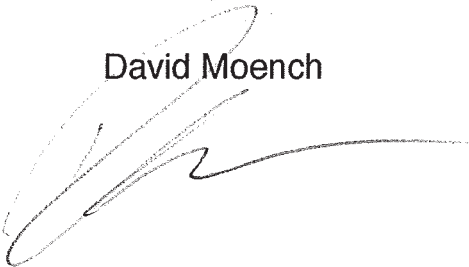
We are working on our home to improve the structure of the house, partially due to it's age. Our home sits on the corner of St Andrews St. and Blythe Ave. During our renovations, we found that our home is 0.6 meters off the set back variance, rather than 4 meters which would be compliant with the requirement for set back from Blythe Ave. The house at this moment is already non compliant and it has been that way since it was built in 1948. We are not changing the foot print of the house and will not extend beyond what is the current foot print of the house during our renovations.

We request the Board of Variance please consider allowing us to continue with the improvements so that we will be a legal home on our block. We wish to abide by the regulations and bylaws of the City of Nanaimo. We cannot physically move the foundation of our house 60 centimetres further away from Blythe Ave to be compliant with the law, as this would encroach on the easement of our neighbour's property to the west. Our hardship is that we cannot move our foundation, therefore we need a variance to be in compliance with the laws of Nanaimo. With this set back variance we will be compliant and able to rest assured that anything going forward will be in accordance with City Bylaw.

Lifting our house will make our home better suited to the needs of our family. We have been in contact with the Public Works department to contract them to lower the sewer line so we will no longer need a mulcher and pump to remove the grey water and waste from the downstairs bathroom and laundry facilities. The renovation will allow for a standard height bedroom, bathroom/laundry room and a recreation room rather than the under height rooms that were present when we bought the house. These improvements will increase the livability of our home for our family.

Thank you

David Moench



Katherine Lush



May 5, 2018

City of Nanaimo

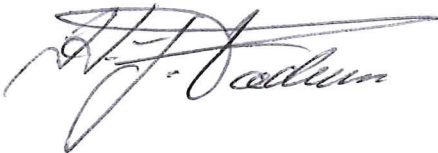
To Whom it May Concern:

David Moench and Katherine Lush of 900 St Andrews St, Nanaimo, BC V9S 1S9 have requested the approval of their neighbours to lift their home and make further improvements to their property.

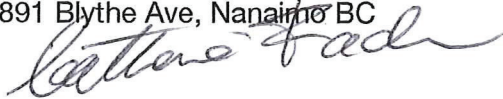
By signing below, I am granting my approval for these changes and the improvement of the property of David Moench and Katherine Lush at 900 St Andrews St, Nanaimo, BC.

Sincerely,

Hans Fadum
891 Blythe Ave, Nanaimo BC



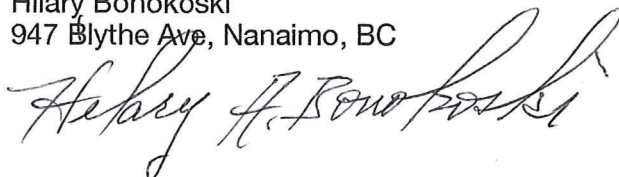
Cathy Fadum
891 Blythe Ave, Nanaimo BC

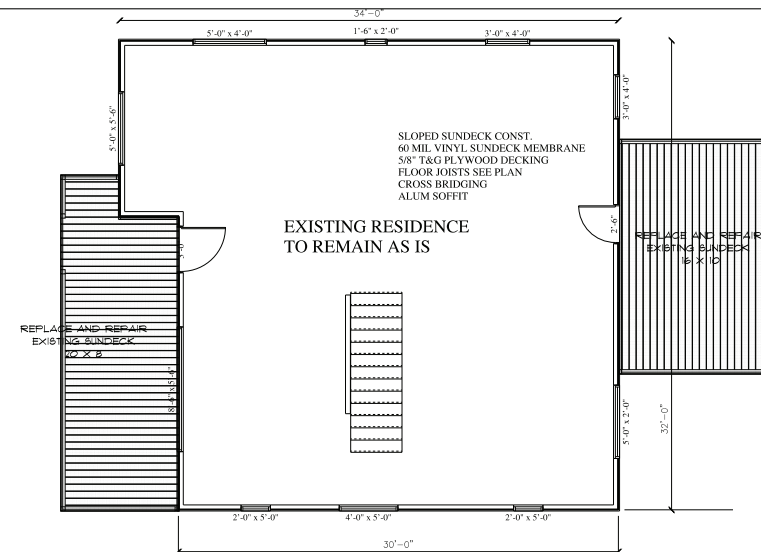


Valerie Smith
902 St Andrews St, Nanaimo BC



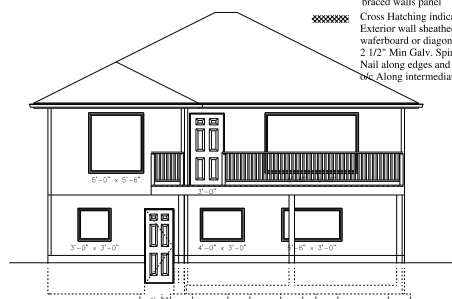
Hilary Bonokoski
947 Blythe Ave, Nanaimo, BC



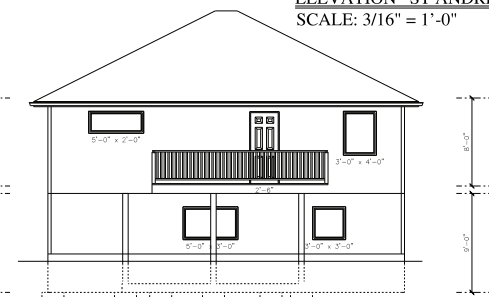


MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"

SLOPED SUNDECK CONST.
60 MIL VINYL SUNDECK MEMBRANE
5/8" T&G PLYWOOD DECKING
FLOOR JOISTS SEE PLAN
CROSS BRIDGING
ALUM SOFFIT



ELEVATION ST ANDREW ST
SCALE: 3/16" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"

LATERAL BRACING PLAN
SCALE: 1/4" = 1'-0"

PROJECT:		RENOVATION TO 900 St. ANDREW Street	
DRAWING TITLE:		LATERAL BRACED WALL PLAN	
SCALE:	DATE:	DRAWN BY:	REVISED:
As Noted	MAY 10 2018	K.B.	

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