



**AGENDA FOR THE MEETING OF THE BOARD OF VARIANCE
TO BE HELD ON THURSDAY, 2016-NOVEMBER-17 AT 5:30PM IN THE BOARDROOM OF THE
SERVICE AND RESOURCE CENTRE, LOCATED AT 411 DUNSMUIR STREET, NANAIMO, BC**

1. **CALL TO ORDER**
2. **ADOPTION OF MINUTES: 2016-OCT-20 BOV MEETING**
3. **APPLICATIONS:**

APPEAL NO: **BOV687**

Applicant: Mr. Brad Wood and Ms. Nancy Wood

Civic Address: 561 Cumberland Place

Legal Description: LOT 1, SECTION 9, WELLINGTON DISTRICT, PLAN VIP86943

Purpose: The City of Nanaimo “ZONING BYLAW 2011 NO. 4500” requires a front yard setback of 4.5m for a principal building and 6m for a garage or carport. The applicant is requesting to vary the provisions of the Zoning Bylaw in order to construct a single residential dwelling with an attached garage 0.16m from the front property line. This represents a front yard garage setback variance of 5.84m.

Zoning

Regulations: Single Dwelling Residential – R1. The applicant is requesting a variance to the City of Nanaimo “ZONING BYLAW 2011 NO. 4500”:

Section 7.5.1 – Siting of Buildings
A front yard setback of 4.5m is required.

Section 7.5.3 – Siting of Buildings
Notwithstanding Subsection 7.5.1, all garage doors and carport entrance ways facing a street on a single residential dwelling or duplex must be setback at least 6m.

Local

Government Act: The property is considered legal-non-conforming as to siting; Section 529 of the *Local Government Act* does not apply.

APPEAL NO: BOV688

Applicant: Mr. Paul Minhas

Civic Address: 5159 Laguna Way

Legal Description: LOT 85, DISTRICT LOT 54, WELLINGTON DISTRICT, PLAN 25430

Purpose: The City of Nanaimo “ZONING BYLAW 2011 NO. 4500” requires a maximum retaining wall height of 2.4m in the rear yard. The applicant is requesting to vary the provisions of the Zoning Bylaw in order to increase the maximum allowable height for a retaining wall within the rear yard from 2.4m to 2.9m; and, within the front yard from 1.2m to 1.6m in order to permit a recently constructed retaining wall. This represents a variance of 0.5m and 0.4m respectively.

Zoning Regulations: Single Dwelling Residential – R1. The applicant is requesting a variance to the City of Nanaimo “ZONING BYLAW 2011 NO. 4500”:

Section 6.10.2 – Fence and Retaining Wall Height- Front Yard
The maximum allowable height for a retaining wall in the front yard is 1.2m

Section 6.10.2 – Fence and Retaining Wall Height- Rear Yard
The maximum allowable height for a retaining wall in the rear yard is 2.4m

Local Government Act: The property is considered legal-non-conforming as to siting; Section 529 of the *Local Government Act* does not apply.

4. **OTHER BUSINESS:**

5. **ADJOURNMENT:**