



**AGENDA FOR THE MEETING OF THE BOARD OF VARIANCE
TO BE HELD ON THURSDAY, 2016-FEBRUARY-18 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: 2015-JAN-21 BOV MEETING**
3. **APPLICATIONS:**

APPEAL NO: **BOV674**

Applicant: Ms. Kara Wiseman, on behalf of Mr. Shane Norhaug

Civic Address: 60 Acacia Avenue

Legal Description: LOTS 39 AND 40, BLOCK 7, SECTION 1, NANAIMO DISTRICT, PLAN 1465

Purpose: Zoning Bylaw No. 4500 requires a side yard setback of 1.5m for a principal dwelling. The applicant is requesting to vary provisions of Zoning Bylaw No. 4500 in order to permit the construction of a deck and stairs 0.8m from the side yard property line. This represents a variance request of 0.7m.

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

*"Section 7.5.1 – Yard Requirements
A side yard setback of 1.5m is required."*

Local Government Act: The existing fence is considered legal non-conforming. Section 911 (9) and (10) of *the Local Government Act* states:

"If the use and density of buildings and structures conform to a bylaw under this division...but the siting, size or dimensions of a building or structure constructed before the bylaw was adopted does not conform with the bylaw, ... the building or structure ... may be maintained, extended or altered ... only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the bylaw than that existing at the time the repair, extension or alteration was started."

APPEAL NO: **BOV675**

Applicant: Mr. Thomas Hoyt, on behalf of Harjit Singh Kahlon and Amanpreet Knur Kaholn

Civic Address: 4634 Sheridan Ridge Road

Legal Description: LOT 9, DISTRICT LOT 55, WELLINGTON DISTRICT, PLAN VIP84780

Purpose: Zoning Bylaw No. 4500 requires a side yard setback of 1.5m for a principal dwelling. The applicant is requesting to vary provisions of Zoning Bylaw No. 4500 in order to permit a single residential dwelling 0.9m from the side yard property line, as shown on the attached survey. This represents a variance request of 0.6m.

Zoning Regulations: Steep Slope Residential – R10. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

*"Section 7.5.1 – Yard Requirements
A side yard setback of 1.5m is required."*

Local Government Act: The property is considered legal-conforming and, as such; Local Government Act, Section 911 - Non-conforming Uses and Siting, does not apply.

4. OTHER BUSINESS:

5. ADJOURNMENT