

MINUTES
BOARD OF VARIANCE MEETING
BOARDROOM, SERVICE AND RESOURCE CENTRE
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2020-AUG-20 AT 5:30 P.M.

PRESENT: Members: Jessica Kaman, Chair, At Large Member
 Nelson Allen, At Large Member
 Ron Nadeau, At Large Member
 Kenneth Hample, At Large Member

 Absent: Allan Dick, At Large Member

 Staff: L. Nowak, Planner
 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 5:33 p.m.

2. ADOPTION OF AGENDA:

 It was moved and seconded that the Agenda be adopted. 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, 2020-JUL-16, be adopted as circulated. The motion carried unanimously.

4. PRESENTATIONS:

(a) Board of Variance No. BOV739 – 93 Ashlar Avenue

 The Chair read the application requesting a variance to allow a side yard setback of 1.2m along the northern property line in order to permit the addition of a second storey on an existing non-conforming single family dwelling. This represents a side yard setback variance of 0.3m. Zoning Bylaw No. 4500 requires a minimum side yard setback of 1.5m in the R1 zone.

 The applicant, Colleen Price, spoke to the rationale. She stated that they would like to increase the square footage of their home by building upwards. The current square footage of their home is quite small, only about 22 x 26 feet. This addition would allow them to have a media room and office which would be more

spacious for her while she is working from home. She also added that she checked with surrounding neighbours and they did not have any objection.

Discussion took place regarding:

- The meaning of “legal non-conforming” and the relation to the subject property.

It was moved and seconded that application BOV739 for 93 Ashlar Avenue to vary the provisions of “City of Nanaimo Zoning Bylaw No. 4500” to reduce the minimum required side yard setback from 1.5m to 1.2m along the northern property line in order to permit the addition of a second storey on an existing non-conforming single family dwelling be approved. The motion carried unanimously.

(b) Board of Variance Application No. BOV740 – 458 Park Avenue

The Chair read the application requesting a front yard setback of 4.0m and a rear yard setback of 1.5m in order to construct a single family dwelling. This represents setback variances of 3.0m and 6.0m, respectively. Zoning Bylaw No. 4500 requires a minimum front yard setback of 7.0m where a property abuts a major road and minimum rear yard setback of 7.5m in the R1 zone.

The applicant, Douglas Riddell, Sun Porch Homes Ltd., spoke to the rationale and hardship of the application. He stated that 454 and 458 Park Avenue are four legal lots and there is one existing house encroaching on all four lots. He claimed the house is in disrepair and adds no positive street presence. His plan is to demolish the house and build four residential houses on the four separate lots. His main reason for the variance is because the required setbacks for Lot C make a very small building parcel that would not be feasible.

Discussion took place regarding:

- The existing four parcels and house.
- The setbacks required for Lot C.
- Rationale for mimicking the required setbacks for Lot A on Lot C.
- The civic address and building potential of Lot D as the only frontage is on a lane.
- Floor plans and designs of the proposed new houses.
- Figure 1. SRW CA6358857 being a right-of-way for a BC residential gas line and it being removed from title once the current house is demolished.
- Whether the shed will also be demolished.

It was moved and seconded that application BOV740 458 Park Avenue to vary the provisions of “City of Nanaimo Zoning Bylaw No. 4500” to reduce the front yard setback from 7.0m to 4.0m and the rear yard setback from 7.5m to 1.5m in order to construct a single family dwelling be approved. The motion carried unanimously.

