

May 5, 2021



Board of Variance
City of Nanaimo
411 Dunsmuir Street
Nanaimo, BC V9R 0E4

To Nanaimo Board of Variance,

Please find further information regarding the Variance request in this Variance Rationale letter for the following property.

Civic Address – 237 Irwin Street (Nanaimo)

Legal Description of Property – Southerly 29 Feet of Lot 5, Block 3, section 1, Nanaimo District, Plan 584

Variance request details:

- We wish to legalize and upgrade the existing addition on the back of our current dwelling at 237 Irwin Street that is non-confirming as there is currently a zero set back from lot line.
- With the proposed addition upgrade, we would like to add a second storey and 4' to the back of the current dwelling, which would also be a zero lot line set back, in line with the current structure.

The requested variance falls under the five grounds for appeal, namely the reconstruction of a non-conforming building.

The current request is understood to fall under the scope of a minor variance request and will NOT do any of the following:

1. Result in inappropriate development of site
2. Adversely affect the natural environment
3. Substantially affect the use and enjoyment of adjacent land
4. Change or vary use or density
5. Defeat the intent of the bylaw

Rationale for Variance request:

- Our current structure has a zero setback from the lot line. In fact, a small portion of the current building is over the lot line which is covered under an easement agreement.

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Current Planning

- The current addition is a poorly constructed, one-storey addition with a roof that needs replacement.
- The upgrades to the addition would create a safer structure than the existing addition, which would include pouring proper footings and upgraded building materials. With the work being done, we would like to make the following changes:
 - o Add a second floor to the addition with the proposed roof peak height at 7.80m, therefore under maximum allowed elevation.
 - o Add 4' to the rear (east side) of the current dwelling.
 - o Remove a portion of the encroachment and realigned to the property line.
- There is an empty lot to the south of our lot (where the current zero set back is) and has been since early 2000s. There would be no impact to that lot. That said, with potential for future development on the empty lot, the zero lot line wall of the addition will be fire-rated to increase safety and we will follow any other needed requirements.
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Undue Hardship:

- Our current dwelling, built in 1912, is an existing structure that has been situated on the lot line of the property since the land was subdivided, therefore we are asking for a variance of a bylaw that was adopted after the construction of the structure.
- Moving any portion of the existing dwelling or addition over to the current set back requirements would limit access to the backyard.
- Moving the existing dwelling over to the current set back requirements would be unsafe from a structural engineering standpoint and would require a complete rebuild of the current structure and addition.
- Rebuilding the addition on the existing location allows the flow of the house to remain uninterrupted and will have no impact on neighbouring lot.
- The structural engineer has indicated that we cannot safely do structural changes to the original building.

Thank you for your time and we will be in attendance at the Board of Variance Meeting on June 3, 2021 to answer any further questions that you may have.

Kind regards,

[Redacted Signature]

[Redacted Address Line 1]
[Redacted Address Line 2]