



PLANNING & DEVELOPMENT

BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday March 6th, 2025, at 4:00 p.m. in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

APPEAL NO: **BOV00784**

Applicant: Keene Anderson, Anderson Greenplan Ltd.

Civic Address: 1018 Shelby Ann Avenue

Legal Description: LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN EPP73313

Requested Variance: Section 6.6.2 of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” sets out a minimum separation distance of 3.0m between a principal building and an accessory building containing a secondary suite.

The applicant requests to reduce the minimum separation distance from 3.0m to 1.39 to allow the conversion of an existing accessory building (garage) to an accessory building containing a secondary suite.

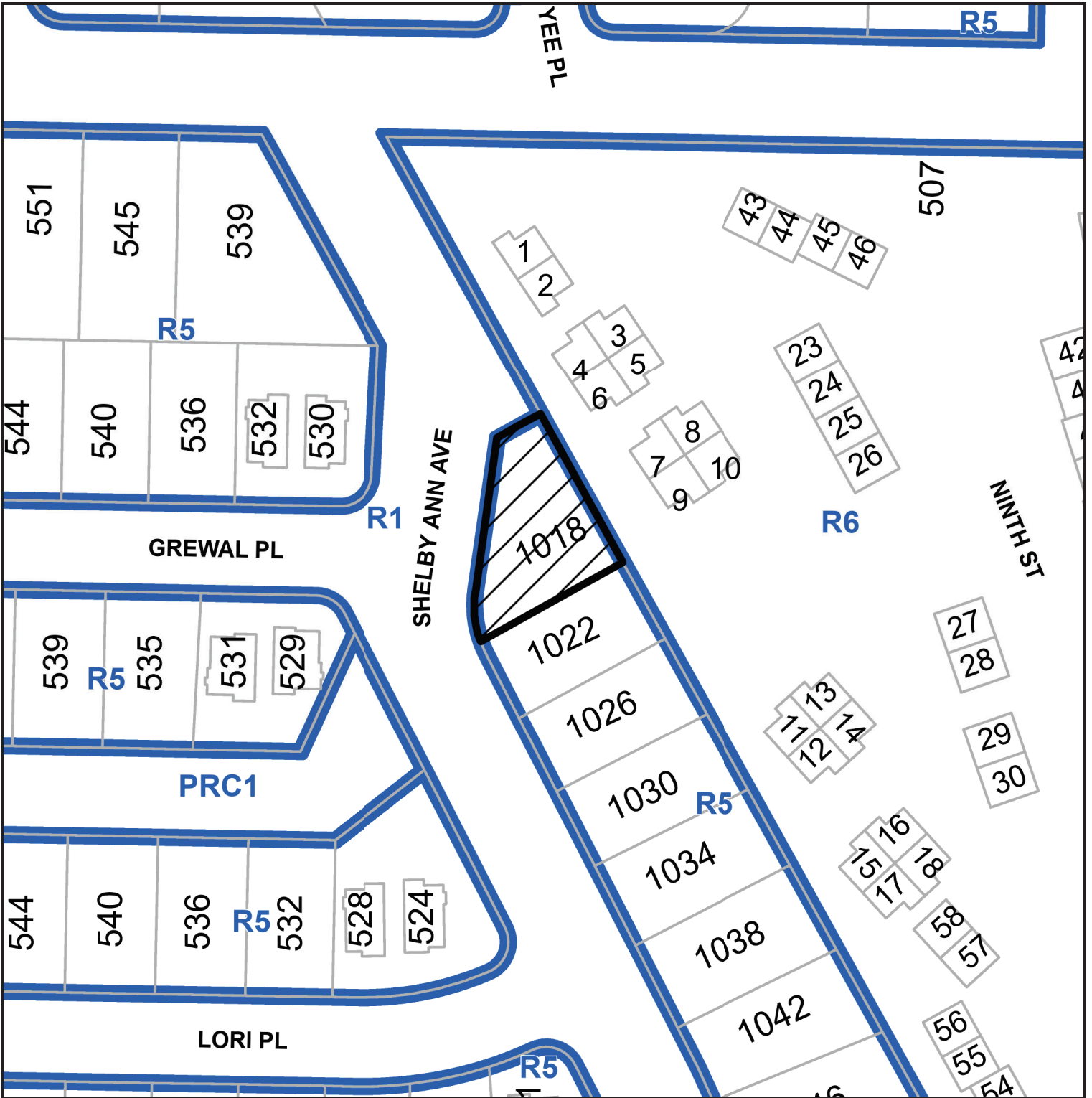
You are being notified as an owner or tenant of land that is adjacent to the property that is the subject of this application. If you deem your property is affected by the proposed variance, and wish to address this appeal, you will be given the opportunity to be heard at the Board of Variance meeting. Members of the public may submit comments in writing or attend the meeting in-person.

For questions, please contact Kirsten Dafoe, Planning Assistant by email at kirsten.dafoe@nanaimo.ca, or by phone at 250-755-4460 ext. 4509.

WRITTEN SUBMISSION: Written comments must be submitted by email to above address no later than 2:30 p.m. March 6th, 2025.

ATTEND IN-PERSON: To address this appeal in person you must attend this meeting, in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Thursday, March 6th, 2025 at 4:00 p.m.

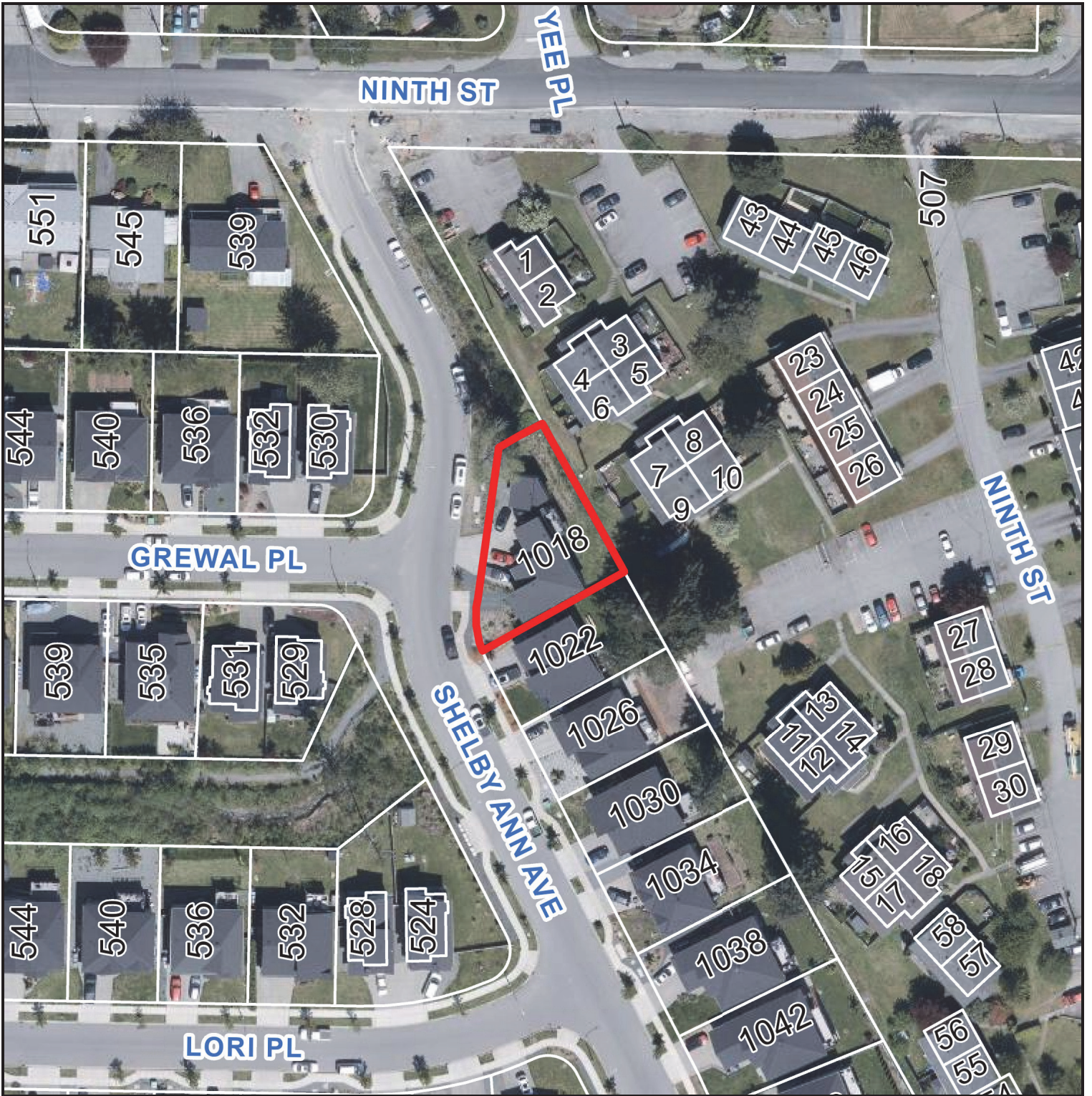
SUBJECT PROPERTY MAP



 1018 SHELBY ANN AVENUE



AERIAL PHOTO



 1018 SHELBY ANN AVENUE

B.C. LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE ON:

**LOT 1, SECTION 1,
NANAIMO DISTRICT, PLAN EPP73313**

P.I.D. 030-348-919

Civic Address: 1018 SHELBY ANN AVENUE, NANAIMO

This document was prepared for municipal and mortgage purposes and is for the exclusive use of our client, ROGER CREEK DEVELOPMENT. This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners. Turner Land Surveying Inc. accepts no responsibility for and hereby disclaim all obligations and liabilities for damages arising out of or in connection with any direct or indirect use or reliance upon the plan beyond its intended use.

Certified correct this 2nd day of June, 2020.

Matthew Schnurch Digitally signed by Matthew Schnurch KAHJN6
Date: 2020.06.02 10:07:28 -07'00'

Matthew D. Schnurch, B.C.L.S.

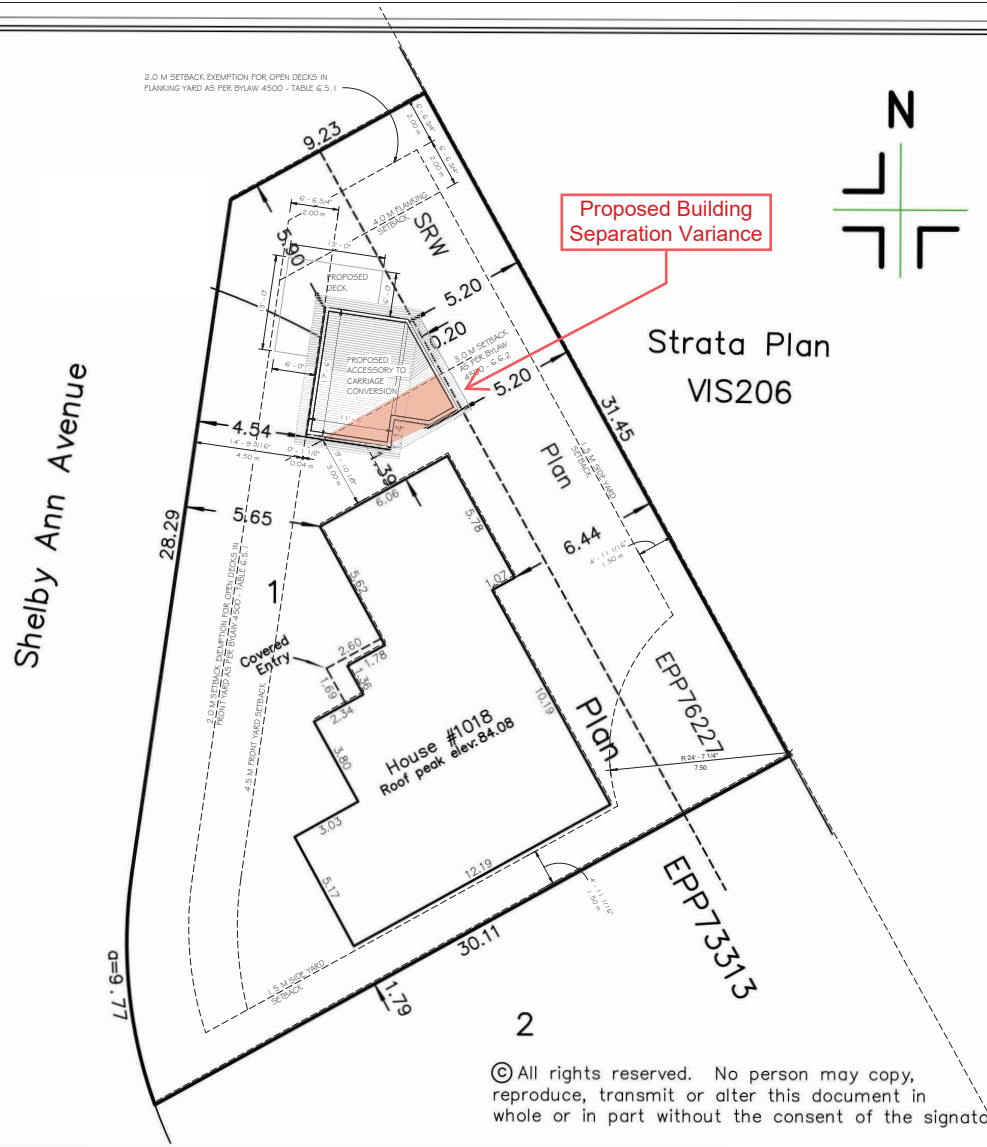
(This document is not valid unless originally signed and sealed.)

NOTE:
THIS PROPERTY IS AFFECTED BY THE FOLLOWING REGISTERED DOCUMENTS:
M76301, CA6557665, CA6557667, CA6557678, CA6557684 & CA6557686.

Scale 1:250
DISTANCES SHOWN ARE IN METRES.

Turner + land surveying™

605 Comox Road
Nanaimo, B.C.
V9R 3J4
250-753-9778
www.turnersurveys.ca
File: 17-195-1



© All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

Revision

© Copyright reserved. All instruments of service, these plans and design are and all their contents the property of the signatory and may not be reproduced without written permission.

1018 SHELBY ANN AVE
CARRIAGE HOUSE RENO CONCEPT

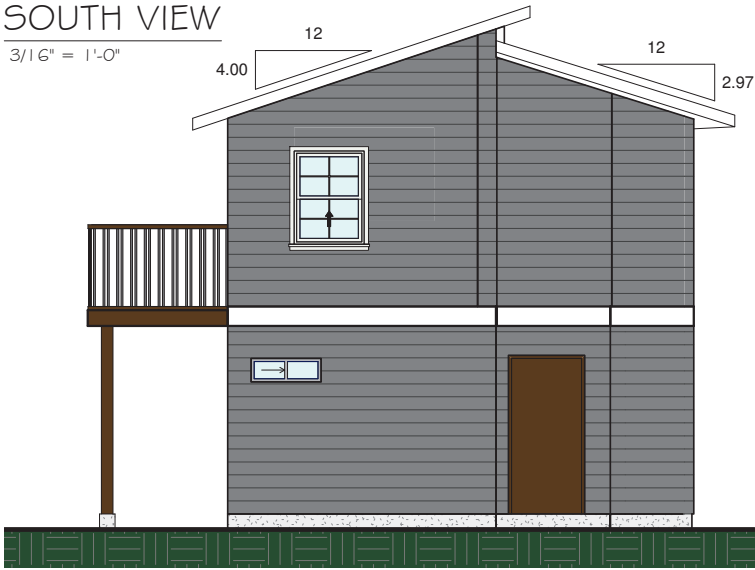
Greenplan
1655 Cedar Road
Nanaimo, B.C.
(250) 722-3456
www.greenplan.ca
info@greenplan.ca

Designed	Drawn	Checked
Designer	Author	Checker
Date		
15/07/2020		
Project		
14114		
Drawing#		
24114-0207-71		
Scale		
1/8" = 1'-0"		
Sheet Title		
ENTERPLAN		
Sheet #		
A-5		

RECEIVED
507784
2025-FEB-07
Current Planning

SOUTH VIEW

3/16" = 1'-0"



EAST VIEW

3/16" = 1'-0"



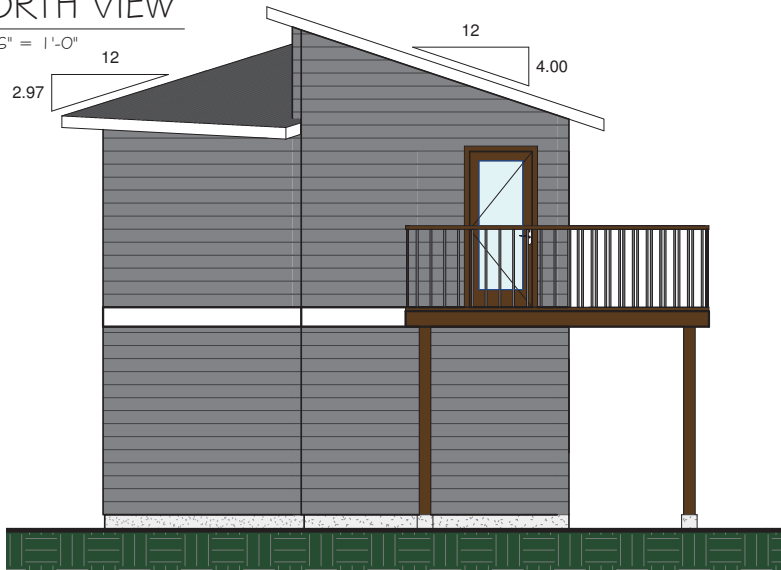
RECEIVED
BOV784
2025-FEB-07
Current Planning

Revisions

© Copyright reserved. As instruments of service, these plans and designs are and at all times remain the property of Anderson Greenplan Ltd. To be used once for the project shown and may not be reproduced without written permission.

NORTH VIEW

3/16" = 1'-0"



WEST VIEW

3/16" = 1'-0"



1018 SHELBY ANN AVE
CARRIAGE HOUSE
RENO CONCEPT

Greenplan
Empowering with nature
1665 Cedar Road
Nanaimo, B.C.
(250) 722-3456
www.greenplan.ca
info@greenplan.ca

Designed <i>Designer</i>	Drawn <i>Author</i>	Checked <i>Checker</i>
Date 02/06/2025		
Project 24114		
Drawing # 24114-0206-71		
Scale 3/16" = 1'-0"		
Sheet Title ELEVATIONS		
Sheet # A-E		

2025-02-06

City of Nanaimo

Board of Variance Application

1018 Shelby Ann Ave

PID 030-348-919

Lot 1, Sect 1, Nanaimo Dist., Plan EPP73313

Letter of Rationale

Dear BOV Members,

This letter is provided on behalf of Bryce and Kathleen Smith and family who recently purchased this home due to its potential for offering a safe, comfortable and multi-generational home. They have both growing young family and aging parents, (on both sides of the family), that require care and support. They also value the improved opportunity for their parents to share in the lives of their grandchildren, perhaps a hidden benefit of recent BC mandated, urban density increases.

The intention is to convert an existing garage/shop on the property to serve as a detached secondary suite for one of their mothers. Our company, Greenplan, was retained to assist the Smiths in determining a workable home layout for the existing structure and to ensure it can be converted to a safe, comfortable and code compliant dwelling unit. See Schedule 1 for details on the proposed building design. The problem is highlighted in yellow within Bylaw 4500

6.6.2 Accessory buildings shall not be closer than 1.2m to any principal building or other accessory building, as measured between the foundations of each or from the exterior wall where no foundation is present. **Where the accessory building contains a secondary suite, the accessory building shall not be closer than 3m to a principal building, as measured between the foundations of each.** (4500.219; 2024-MAR-04)

The BCLS survey, (Schedule 2) notes that the distance between the two buildings at its closest point is 1.39m, which was legal and sufficient when the garage was built but if converted to a secondary suite, it would then be insufficient of the required 3m distance.

The general triangular shape of the lot and Right-of-Way Plan Epp76227 limited the original size and location of the garage and as the previous owners need at the time of construction, was a garage/shop, a 3m setback to the main house wasn't needed. These same property limitations would constitute the hardship this family faces in trying to create a detached suite anywhere else on the property. Their hope for a suite for one of their mothers appears dependent on your support for this variance. Still, safety for their family is most important.

To meet BCBC 2024 fire safety requirements, Greenplan and the clients have been in consultation with Des Glazewski with Des Design Ltd. for a mechanical sprinkler system to service this small residence. An engineered system will be incorporating either through a

RECEIVED
BOV784
2025-FEB-07
Current Planning

service line or tanked system within the small secondary suite to ensure proper protection for the tenants.

The 3M setback distance between dwellings and the residential sprinkler system share the same intention: to limit the spread of fire and offer tenants greater time to escape a burning building. We believe the sprinkler system can offset the purpose of the 3m setbacks justifying the setbacks and are cooperating with City Building Officials to ensure this building meets all BC Building Code requirements. Further note the setback variance distance of 1.39 is to a corner point and all wall faces fade further away.

We trust the Board will recognize the opportunity to support a multi-generational family with the knowledge that occupational safety hasn't been compromised.

Regards

Keene Anderson

[REDACTED]
Sent: Wednesday, February 26, 2025 2:34 PM

To: Kirsten Dafoe

Subject: BOVØØ784

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

A couple of points ...

1. Requested Variance ... most concerning as to Fire Safety separation, as construction is Vinyl siding.

2. Balcony. Currently there is no Balcony on the "garage". The drawing shows one basically on the north face. Construction of said Balcony would severely infringe upon my privacy in my rear yard (and that of unit 4 beside me).

Since the development of Shelby Ann Avenue, to have any semblance of privacy, I've had to build a fence and then had to later raise the height to the legal limit. The addition of such a Balcony would have them peering straight down into my yard.

I've been in my home over 20 years, and value my privacy. When I first bought here, we had a wonderful forest behind this complex, filled with wildlife.

R E C E I V E D
BOV784
2025-FEB-26
Current Planning



RECEIVED
BOV784
2025-FEB-26
Current Planning