



BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Tuesday, 2014-JUN-19 at 5:30pm in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

APPEAL NO: BOV00645

Applicant: Mr. Leif Brooke on behalf of Mrs. Carole Brooke

Civic Address: 450 Renfrew Street

Legal Description: LOT 15, SECTION 1, NANAIMO DISTRICT, PLAN 1751

Purpose: Zoning Bylaw No. 4500 requires a side yard setback of 1.5m. The applicant is requesting to reconstruct an existing non-conforming accessory building 0.15m from the side property line, as noted on the attached survey. This represents a variance request of 1.35m.

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 accessory building 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"

The Board of Variance decision will apply to subsequent owners of the land. If you deem your property to be affected by this appeal, please feel free to attend this meeting. Anyone wishing to address this appeal will be afforded the opportunity to be heard at the Board of Variance meeting. This application may be reviewed with Staff at the Community Development offices, 411 Dunsmuir Street, Nanaimo, BC, or by calling 250-755-4429 (x4332), during normal business hours Monday to Friday, excluding statutory holidays, from 2014-JUN-10 to 2014-JUN-19, inclusive.