



COMMUNITY SAFETY & DEVELOPMENT

BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2015-JULY-16 at 5:30pm in the Boardroom of the Service and Resource Centre located at 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

APPEAL NO: BOV658

Applicant: Mr. David Poiron on behalf of Ms. Deanne Orrell & Mr. Darren Rinaldi

Civic Address: 410 Kennedy Street

Legal Description: THAT PART OF SECTION D, LOT 17, BLOCK H, SECTION 1, NANAIMO DISTRICT, PLAN 584, LYING TO THE NORTH OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 36 FEET FROM THE SOUTHERLY BOUNDARY OF SAID LOT

Purpose: The applicant is requesting to vary the provisions of Zoning Bylaw No. 4500 in order to permit a structural alteration to a legal non-conforming single residential dwelling which is located 0.45m from the west side lot line and 0.55m from the east side lot line. This represents a side yard setback variance of 1.05m and 0.95m, respectively.

Zoning Regulations: Old City Duplex Residential – R13. 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 single family dwelling 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 Safety & Development offices, 411 Dunsmuir Street, Nanaimo, BC, or by calling 250-755-4429 (x4344), during normal business hours, Monday to Friday, excluding statutory holidays, from 2015-JULY-07 to 2015-JULY-16.



BOARD OF VARIANCE APPLICATION BOV00658

LOCATION MAP

CIVIC: 410 KENNEDY STREET

LEGAL: THAT PART OF SECTION D, LOT 17, BLOCK H, SECTION 1, NANAIMO DISTRICT, PLAN 584, LYING TO THE NORTH OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 36 FEET FROM THE SOUTHERLY BOUNDARY OF SAID LOT

B.C. LAND SURVEYOR'S CERTIFICATE OF PROPOSED HOUSE ADDITION LOCATED ON:

THAT PART OF SECTION D, LOT 17, BLOCK H, SECTION 1, NANAIMO DISTRICT, PLAN 584, LYING TO THE NORTH OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 36 FEET FROM THE SOUTHERLY BOUNDARY OF SAID LOT.

SCALE 1:250



DISTANCES ARE IN METRES.

NOTES:

CIVIC ADDRESS: 410 KENNEDY STREET

LOT DIMENSIONS ARE DERIVED FROM FIELD SURVEY.

HOUSE DESIGN FROM CHECKWITH POIRON ARCHITECTS INC.
DRAWINGS RECEIVED JUNE 18, 2015.

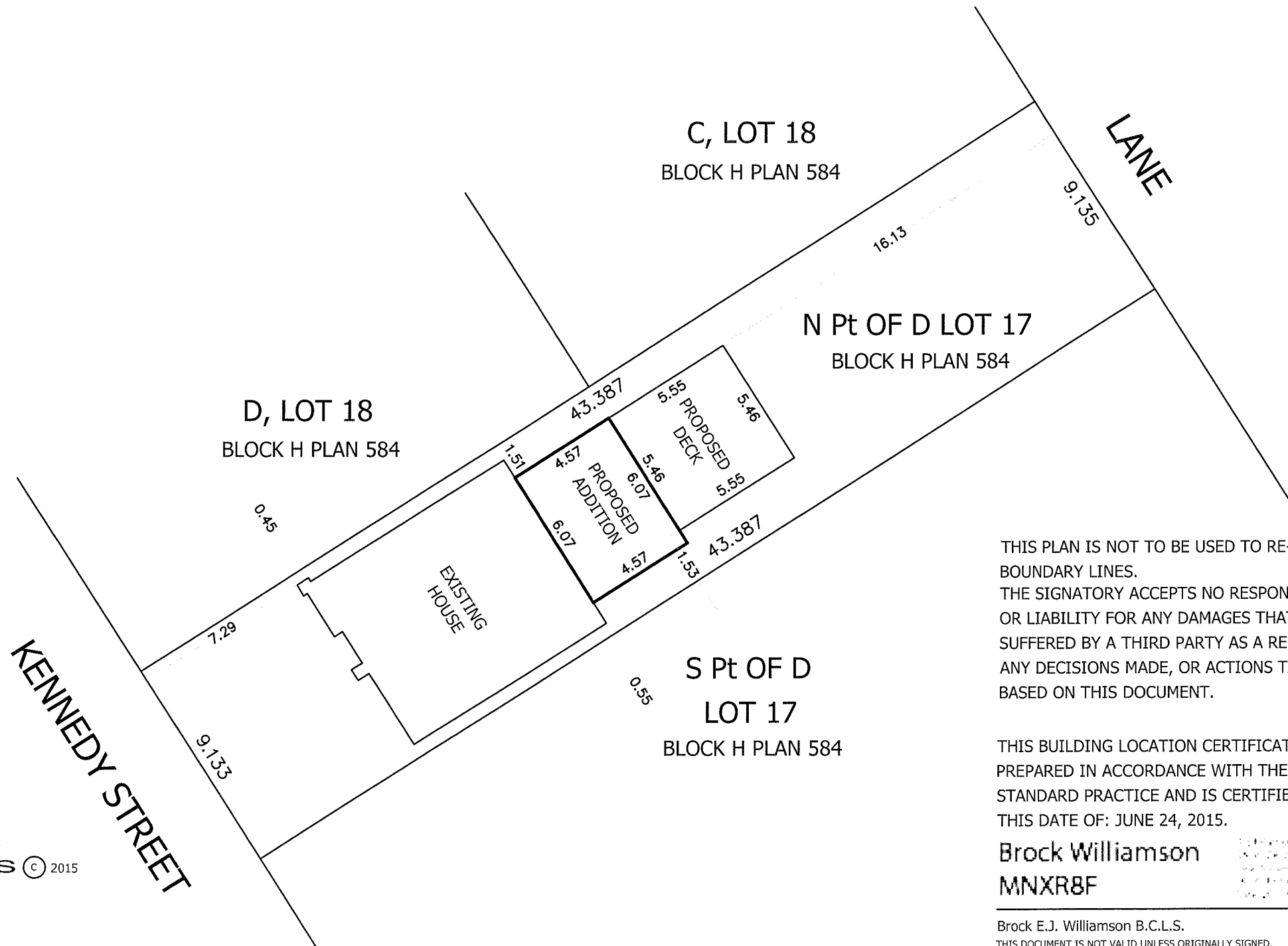
THIS PLAN PURPORTS TO POSITION ONLY THE ACTUAL AND/OR PROPOSED IMPROVEMENT(S) SHOWN RELATIVE TO ONLY THE BOUNDARIES SHOWN OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).

THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY OTHER ACTUAL OR PROPOSED IMPROVEMENT(S) RELATIVE TO ANY BOUNDARY OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).



WILLIAMSON & ASSOCIATES
PROFESSIONAL SURVEYORS © 2015

3088 BARONS ROAD NANAIMO B.C. V9T 4B5
PHONE: 250-756-7723 FAX: 250-756-7724
EMAIL: WAPS@TELUS.NET
FILE: 15062-2 SITE PLAN (BASE PLAN 15062)



THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.
THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE AND IS CERTIFIED CORRECT THIS DATE OF: JUNE 24, 2015.

Brock Williamson
MNXR8F

This plan was prepared by Brock Williamson, B.C.L.S., a member of the British Columbia Association of Professional Surveyors, under the supervision of Brock Williamson, B.C.L.S., a member of the British Columbia Association of Professional Surveyors, on June 24, 2015.

Brock E.J. Williamson B.C.L.S.
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED.