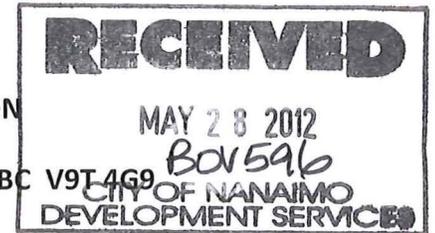


APPLICATION FOR A VARIANCE FOR THE LOCATION
OF NEW HEAT PUMP AT 141 SHAMMYS PLACE, NANAIMO, BC V9T 4G9



TO WHOM IT MAY CONCERN:

We wish to apply for a variance for the location of our heat pump at our home at 141 Shammys Place, Nanaimo BC. The basis for this request is that moving the heat pump from its current location would create an undue hardship for us, in that:

- Most significantly:
 - i) The basis for its current placement was based entirely on a 'good neighbour' policy. If the heat pump had been installed in our backyard (lake side), we would never see, nor hear it, as it would be below a terrace. It would, however, severely impact our immediate neighbours.
 - ii) Our back yard is home to many species of birds and waterfowl and our concern was that the intermittent noise factor of a heat pump would negatively impact the bird's habitat.
 - iii) Sound travels more efficiently over water than land and the noisy heat pump could disrupt our neighbours across the (narrow) lake.
 - iv) Our immediate neighbours would be outraged if we placed the heat pump in our back yard, as it would negatively impact their view and their sleep. (It would be in front of their respective bedrooms.)
 - v) Re-locating the heat pump to the back of our property would place the heat pump between the house and the lake, causing a significant loss to the amenity aspect of our property.

In support of our application, we have included the following:

- Board of Variance Application Check list,
- A cheque to the city to cover our fee of \$100.00
- Board of Variance Appeal Application Form and Consent of Neighbours form,
- Letters from neighbours supporting the current location for our heat pump,
- Certificate of Title, (Title Search, dated March 9th, 2012)
- Site Plans(Figures 1 & 2), Site Photographs setting out heat pump location and characteristics of the property,

We believe that the current heat pump location satisfies the intent of the By-Law in that;

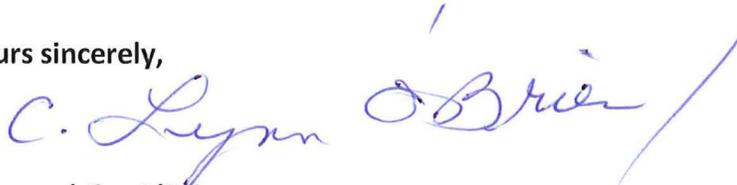
- It does not adversely affect the natural environment,
- It is located as far as possible from our neighbours so as to have no influence on their continued enjoyment of their property. It is tucked against our garage, 10' to 12' below street level, behind a rock wall and a densely treed and bushy area, out of sight and hearing from everyone in the neighbourhood, and anyone driving by on the road.

In further consideration, this is our first build and we were unaware of a bylaw regarding the location of our heat pump placement until we were well into the build. Had we known that obtaining a variance for this was our responsibility, we'd have dealt with it immediately.

We trust that the above information provides sufficient information to allow the Board to approve a variance for our heat pump location. If the board requires further clarification or a site visit, please do not hesitate to contact the undersigned.

Thank you for your consideration in this issue.

Yours sincerely,

A handwritten signature in blue ink that reads "C. Lynn O'Brien". The signature is written in a cursive style with a long, sweeping flourish at the end.

Lynn and Jim O'Brien