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**BOARD OF VARIANCE**

**NOTICE OF MEETING**

A meeting of the Board of Variance will be held on Thursday, 2012-SEP-20 at 7pm in the Boardroom, City Hall, 455 Wallace Street, Nanaimo, BC to hear the following appeal:

**APPEAL NO.: BOV606**

**Applicant:** Ms. Stella Botto

**Civic address:** 501 Woodhaven Drive

**Legal Description:** STRATA LOT 173, SECTION 5, WELLINGTON DISTRICT, STRATA PLAN 830 (PHASE 3), TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1.

**Purpose:** The applicant is requesting the required side yard setbacks be reduced from 1.5m to 0.7m (east side of deck) and 1.5m to 1.2m (west side of deck), respectively, as shown on the attached survey, in order to permit two recently constructed open decks. This represents side yard variance requests of 0.8m (east side of deck), and 0.3m (west side of deck), respectively.

**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 property is considered legal-conforming and, as such; *Local Government Act, Section 911* - *Non-conforming Uses and Siting,* does not apply.

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, 238 Franklyn Street, Nanaimo, BC, or by calling 250-755-4429 (x4332), during normal business hours, Monday to Friday, excluding statutory holidays, from 2012-SEP-07 to 2012-SEP-20, inclusive.