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**BOARD OF VARIANCE**

**NOTICE OF MEETING**

A meeting of the Board of Variance will be held on Thursday, 2012-OCT-18 at 5:30 pm in the Boardroom, City Hall, 455 Wallace Street, Nanaimo, BC to hear the following appeals:

**APPEAL NO.: BOV608**

**Applicant:** Mr. Siegfried Hildebrandt and Mrs. Karin Hildebrandt

**Civic address:** 5643 Big Whale Lookout

**Legal Description:** LOT 2, DISTRICT LOT 50, WELLINGTON DISTRICT, PLAN 46656

**Purpose:** The applicant is requesting to vary the provisions of Zoning Bylaw 4500 in order to allow for an open area and stairs to encroach into both side yard area(s).  The required side yard setback is 1.5m. The proposed setback is 0.3m (southern property line) and 0.4m (northern property line).  The applicant is requesting variances of 1.2m and 1.1m, 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 (x4344), during normal business hours, Monday to Friday, excluding statutory holidays, from 2012-OCT-10 to 2012-OCT-18, inclusive.