



COMMUNITY SAFETY & DEVELOPMENT

BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2013-FEB-21 at 5:30pm in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

APPEAL NO.: BOV618

Applicant: Mr. George Datoff (Datoff & Sons Building Ltd.) on behalf of Mr. Claudio and Mrs. Madonna Addis

Civic address: 5340 Cascara Drive

Legal Description: LOT 3, DISTRICT LOT 50, WELLINGTON DISTRICT, PLAN VIP88206

Purpose: The applicant is requesting to vary the provisions of Zoning Bylaw 4500 in order to permit the placement of a heat pump to the side of the single residential dwelling. Zoning Bylaw 4500 requires a heat pump be located to the rear of a dwelling and a side yard setback of 4.5m from the side parcel line. The existing heat pump meets the required 4.5m setback; however, as it is located to the side of the dwelling and not to the rear of the dwelling, a variance is required.

Zoning Regulations: Steep Slope Residential - R10. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

6. 5. 2 - Heat pumps and central air condition units must be located to the rear of a principal building and shall not be closer than 4.5m from the side lot lines or closer than 3m from the rear property line.

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, 411 Dunsmuir Street, Nanaimo, BC, or by calling 250-755-4429 (x4344), during normal business hours, Monday to Friday, excluding statutory holidays, from 2013-FEB-12 to 2013-FEB-21, inclusive.