******

**BOARD OF VARIANCE**

**NOTICE OF MEETING**

A meeting of the Board of Variance will be held on Thursday, 2013-JUL-18 at 5:30pm in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

**APPEAL NO: BOV627**

**Applicant:** Mr. Jeff Windley of Windley Contracting (2010) Ltd. on behalf of Mr. Scott Lewis and Ms. Leanne Lewis

**Civic Address:** 5658 Oceanview Terrace

**Legal Description:** LOT 2, DISTRICT LOT 40, WELLINGTON DISTRICT, PLAN VIP86893

**Purpose:** Zoning Bylaw No. 4500 requires a rear yard setback of 7.5m; an open deck is permitted to encroach into the setback by 2m. The applicant is requesting to vary the provisions of Zoning Bylaw 4500 in order to permit the construction of a deck 5.3m from the rear yard lot line. This represents a variance request of 0.2m

**Zoning Regulations:** Single Family Residential – R1. The applicant requests a variance to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500":

*Section 7.5.1 – Yard Requirements*

*A rear yard setback of 7.5m is required.*

*Section 6.5.1 – Projections into Yards*

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Feature | | Permitted Projection into  Required Yard Setback | | | | | | | Conditions of Use |
| **Front** | **Side** | | **Flanking Side** | | **Rear** | |
| Open Deck | 2m | | | **- - -** | | 2m | | 2m |  |

**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-JUL-08 to 2013-JUL-18, inclusive.