



NOTICE

INFORMATION FOR INDIVIDUALS RECEIVING A BOARD OF VARIANCE NOTICE

You have received a copy of an appeal to the Board of Variance. This means that you are either residing adjacent to, or own land adjacent to, a property which is the subject of an application for a variance from the provisions of the City of Nanaimo's Zoning Bylaw.

Please assess how the variance, if granted, may impact your property.

The applicant(s) for this variance will be at the monthly Board of Variance meeting to state their case. You, as a surrounding property owner / occupier, have the right to address the Board or submit your comments in writing. This is unnecessary if you have no concerns with respect to the application. The Board generally rules based on hardship and, in most cases, the Board of Variance decision is final.

If you have any questions, or require further information, please contact:

Mr. David Stewart, Planner
Planning & Design Section
Community Development Division
411 Dunsmuir Street
Nanaimo, BC
V9R 0E4

Email: david.stewart@nanaimo.ca

Phone: 250-755-4429

Fax: 250-755-4439

If you have a QR scanner on your mobile device, click on the following link for more information:



You may search by file number or address.



If you plan to attend the meeting and have difficulty negotiating stairs, please contact staff and appropriate arrangements will be made to assist you. Our facilities are equipped for wheelchair assistance.



BOARD OF VARIANCE

NOTICE OF MEETING

A meeting of the Board of Variance will be held on Thursday, 2014-FEB-20 at 5:30pm in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

APPEAL NO: BOV00643

Applicant: Mr. Bryan Markel on behalf of Ms. Wilma Markel

Civic Address: 3226 Greystone Place

Legal Description: STRATA LOT 16, SECTION 5, WELLINGTON DISTRICT, STRATA PLAN 1634 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

Purpose: Zoning Bylaw No. 4500 requires a front yard setback of 4.5m for a principal dwelling and 6.0m for garage doors facing the road; a flanking side yard setback of 4.0m; and a side yard setback of 1.5m. The applicant is requesting to legalize the existing, non-conforming siting of the single family dwelling, as noted on the attached survey, including the following variances:

- front yard setback for a garage from 6m to 4.3m, a variance request of 1.7m;
- front yard setback from 4.5m to 2.47m, a variance request of 2.03m;
- side yard setback from 1.5m to 0.79m, a variance request of 0.71m; and
- flanking side yard setback from 4m to 2.8m, a variance request of 1.2m.

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

"Section 7.5.3– all garage doors facing a highway on a single residential dwelling must be setback at least 6m."

"Section 7.5.1 – Yard Requirements

A front yard setback of 4.5m is required

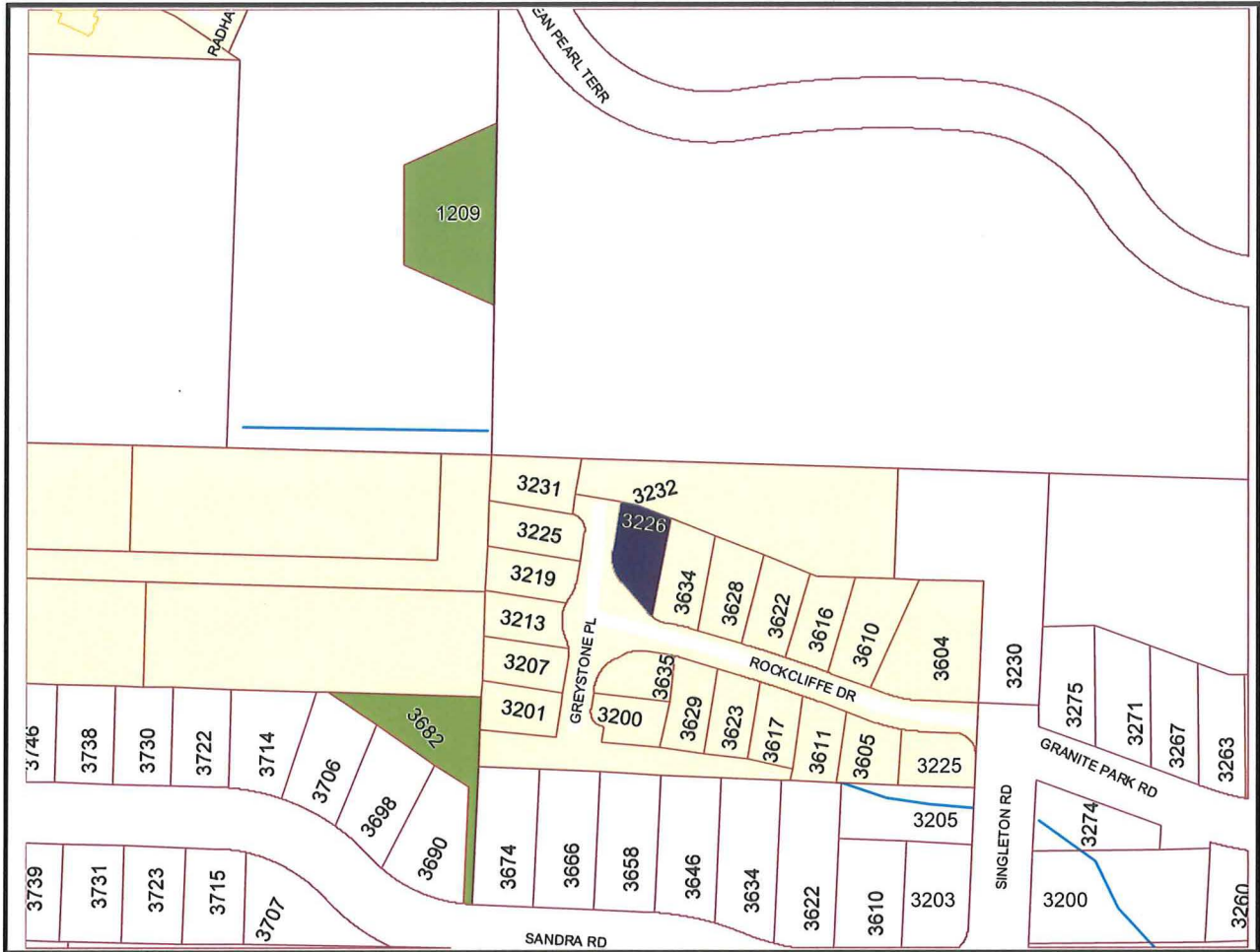
A side yard setback of 1.5m is required

A flanking side yard setback of 4.0m is required."

Local Government Act: The existing single family dwelling is considered legal non-conforming. Section 911 (9) and (10) of *the Local Government Act* states:

"If the use and density of buildings and structures conform to a bylaw under this division...but the siting, size or dimensions of a building or structure constructed before the bylaw was adopted does not conform with the bylaw, ... the building or structure ... may be maintained, extended or altered ... only to the extent that the repair, extension or alteration would, when completed, involve no further contravention of the bylaw than that existing at the time the repair, extension or alteration was started.

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 Development offices, 411 Dunsmuir Street, Nanaimo, BC, or by calling 250-755-4429 (x4332), during normal business hours Monday to Friday, excluding statutory holidays, from 2014-FEB-11 to 2014-FEB-20, inclusive.



BOARD OF VARIANCE APPLICATION BOV00643

LOCATION MAP

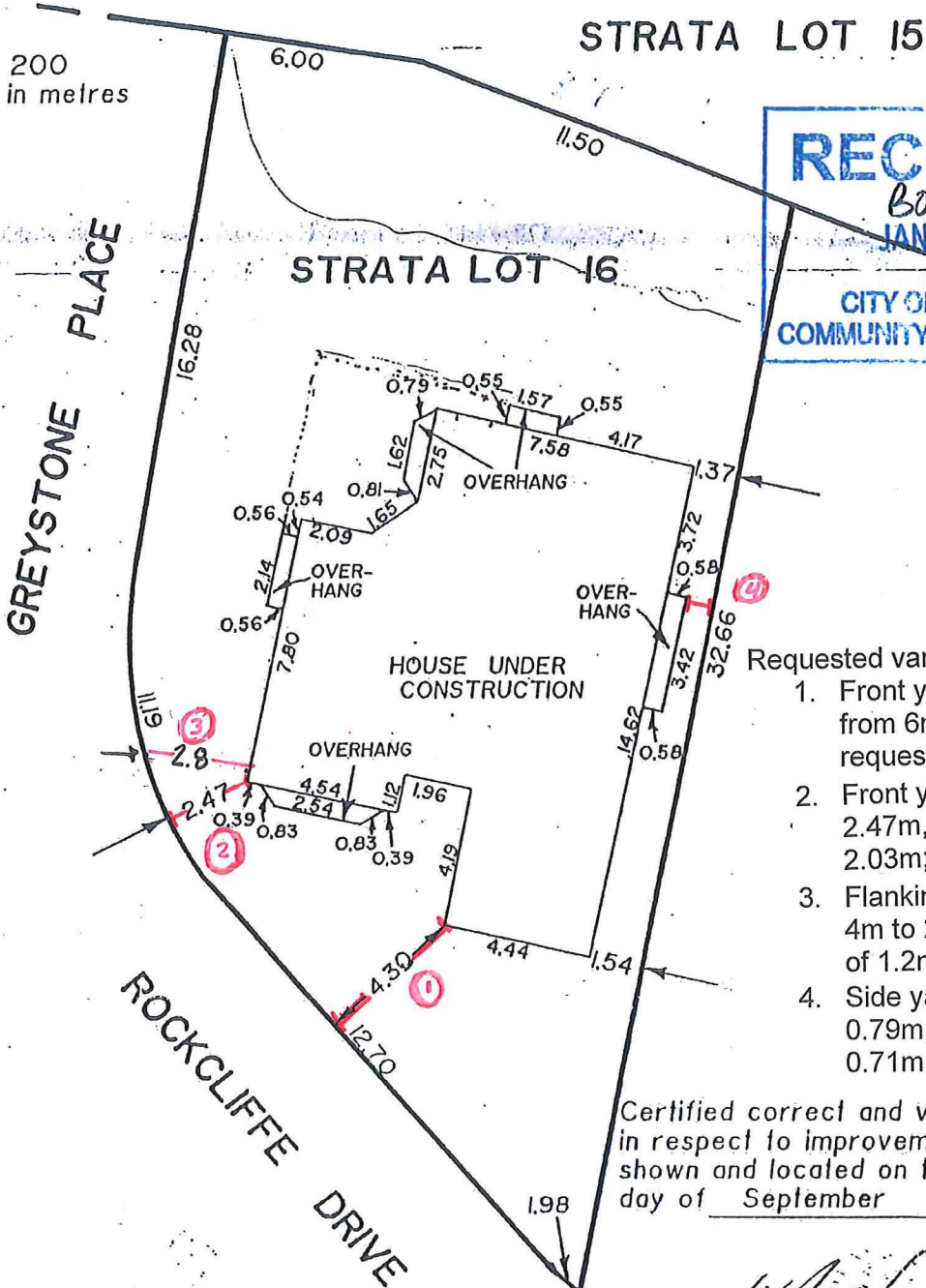
CIVIC: 3226 GREYSTONE PLACE

LEGAL: STRATA LOT 16, SECTION 5, WELLINGTON DISTRICT, STRATA PLAN 1634 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

SURVEYOR'S CERTIFICATE ON:

STRATA LOT 16, SECTION 5, WELLINGTON DISTRICT,
STRATA PLAN 1634.

SCALE 1:200
distances are in metres



RECEIVED
B0100643
JAN 30 2014
CITY OF NANAIMO
COMMUNITY DEVELOPMENT

Requested variances:

1. Front yard setback for a garage from 6m to 4.30m, a variance request of 1.70m;
2. Front yard setback from 4.5m to 2.47m, a variance request of 2.03m;
3. Flanking side yard setback from 4m to 2.8m, a variance request of 1.2m;
4. Side yard setback from 1.5m to 0.79m, a variance request of 0.71m.

Certified correct and valid only
in respect to improvements as
shown and located on the 22nd
day of September, 1989.

W.A. Hutchinson
B. C. L. S.

Not valid unless originally sealed.

W.R. HUTCHINSON
B.C. LAND SURVEYOR
94 CLIFF STREET
NANAIMO, B.C.
V9R 5E7

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