



DEVELOPMENT VARIANCE PERMIT NO. DVP00214

**HANS CHRISTOPHER MCFARLANE and
SCOTT & ROSLYN BEDDALL**
Name of Owner(s) of Land (Permittee)

Civic Address: 3105 UPLANDS DRIVE

1. This development variance permit is issued subject to compliance with all of the bylaws of the municipality applicable thereto, except as specifically varied by this permit.
2. This permit applies to and only to those lands within the municipality described below, and any and all building structures and other developments thereon:

Legal Description:

LOT 7, SECTION 5, WELLINGTON DISTRICT, PLAN 10047

PID No. 001-163-655

3. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby varied as follows:
 - *Rear Yard Setback / Projections into Yards*
Part 7.5.1, Section 6.5.1 of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" requires that a rear yard setback of 7.5m be provided for lots within the single dwelling residential – R1 zone. The existing open deck on proposed Lot 1 is 3.14m from the proposed rear yard property line, but is allowed to encroach 2m into the required rear yard; therefore, a rear yard setback variance of 2.36m is required.
 - *Lot Depth*
Part 7.4.1 of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" requires a minimum lot depth of 30m for lots without a lane within the R1 zone. The proposed lot depth of Lot 1 is 23.94m; therefore, a lot depth variance of 6.06m is required. The proposed lot depth of Lot 2 is 27.69m, a variance of 2.31m.

4. The permittee, as a condition of the issuance of this permit, shall develop the land described herein strictly in accordance with the following terms and conditions and provisions and in accordance with any plans and specifications attached hereto which shall form a part thereof.

Schedule A - Location Plan
Schedule B - Rationale
Schedule C - Site Plan

5. If the permittee does not substantially commence the construction permitted by this permit within two years of the date of this permit, this permit shall lapse.
6. This permit prevails over the provisions of the bylaw in the event of conflict.
7. This permit is not a building permit nor does it constitute approval of any signage. Separate applications must be made for a building permit and sign permit.

AUTHORIZING RESOLUTION PASSED BY COUNCIL
THE 18TH DAY OF NOVEMBER, 2013.



D/ Corporate Officer
Kristin King

2013-Nov-26

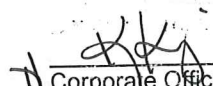
Date

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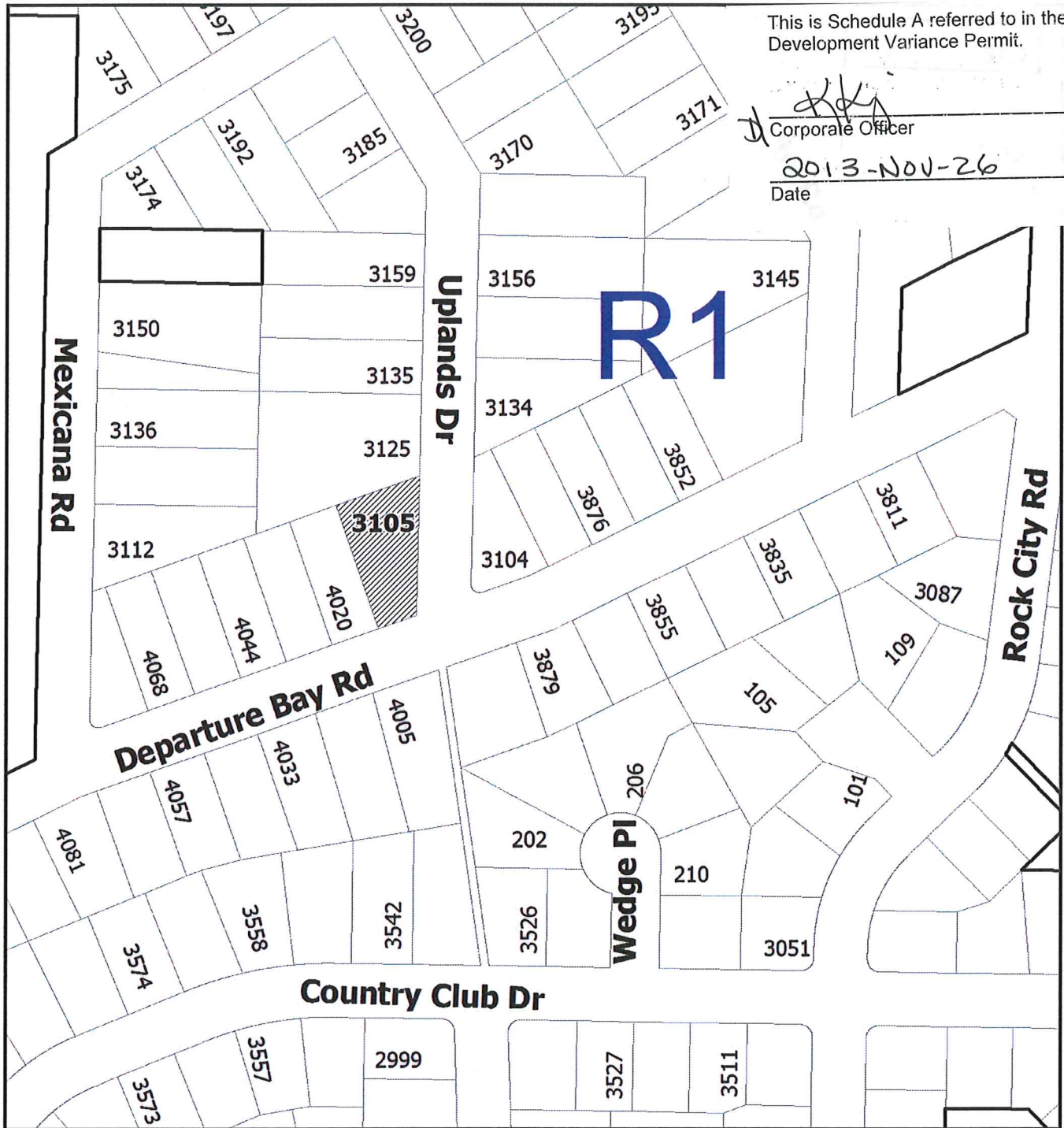
Prospero attachment: DVP00214

SCHEDULE A

This is Schedule A referred to in the Development Variance Permit.


Corporate Officer

2013-NOV-26
Date



DEVELOPMENT VARIANCE PERMIT NO. DVP00214



LOCATION PLAN

Civic: 3105 Uplands Drive
Lot 7, Section 5, Wellington District, Plan 10047

 **Subject Property**


EIVED



08 July 2013

Planning Department
City of Nanaimo
455 Wallace Street
Nanaimo, B.C.
V9R 5J6

This is Schedule B referred to in the
Development Variance Permit.


Corporate Officer
2013-11-26
Date

Dear Sirs:

Re. Development Variance Permit Application-3105 Uplands Drive

Please find enclosed an application for a Development Variance Permit for the above noted property.

The owners of this property wish to subdivide the rear (Northern) portion of this property, in order to create two lots fronting Uplands Drive. In order to accommodate this, required 3 variances to be approved in order to allow a two-lot subdivision to occur.

Existing Lot A – Lot Depth

Existing Lot A –Rear of house to lot line

Proposed Lot 1 – Lot Depth

The subject parcel is an odd shape corner lot at the corner of Uplands Drive and Departure Bay Rd. Due to the age of the existing dwelling the current lot setbacks are non-conforming with today's standards.

Although the layouts of the proposed lots do not meet the depth requirement within current zoning, the frontage of both of these lots make up for that area due to its shape.

The configuration on the lot of the existing dwelling provided excess land that is not being utilized to its full potential. The total size of this lot is 1017.5 square metres which when subdivided into two lots fully meets the size requirement within R1 zoning.

The parcel is located in an established family neighbourhood, is on multiple bus routes and is within walking distance to schools.

By having these variances approved would allow the potential subdivision of this parcel, following the OCP by creating higher density and community development.

The following documentation is submitted in support of this application:

- Completed Development Variance Permit application form
- Application Fee-\$500
- Appointment of Agent form
- Certificate of Title
- Survey indicating existing house, requested variances and proposed lots

We look forward to working with you through this application process, and
Thank you for your consideration.

Sincerely,



Hans McFarlane
(250)885-4267



**SITE PLAN SHOWING PROPOSED SUBDIVISION LINE ON:
LOT 7, SECTION 5, WELLINGTON DISTRICT, PLAN 10047.**

SCALE 1:400 DISTANCES ARE IN METRES.
LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS.
CIVIC ADDRESS: 3105 UPLANDS DRIVE, NANAIMO
PID: 001-163-655, ZONING: R1

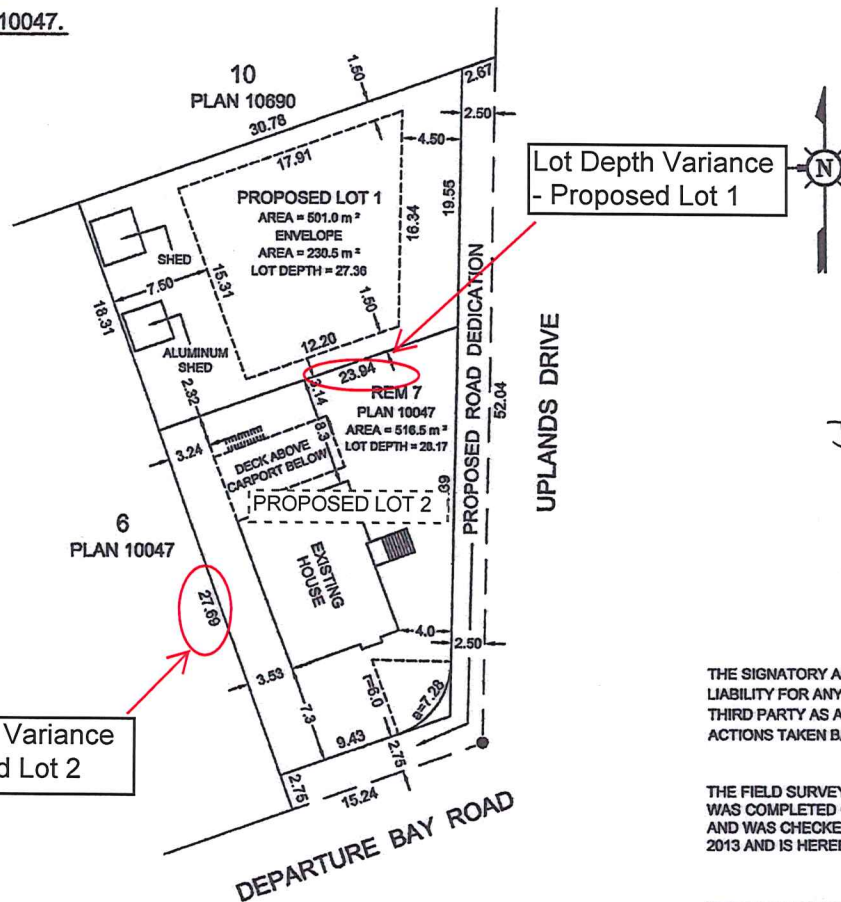
LEGEND

● DENOTES STANDARD IRON POST FOUND.

THIS PLAN PURPORTS TO POSITION ONLY THE ACTUAL AND/OR PROPOSED IMPROVEMENT(S) SHOWN RELATIVE TO ONLY THE BOUNDARIES SHOWN OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S). THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY OTHER ACTUAL OR PROPOSED IMPROVEMENT(S) RELATIVE TO ANY BOUNDARY OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S). THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.

Harbour City Land Surveying Ltd.
1825 LATIMER ROAD © 2013
NANAIMO BC V9S 5H2
PHONE: 250-758-4180

DRAWING: 13044-PROPOSED- SUBDIVISION.DWG
LAYOUT: 1



This is Schedule C referred to in the Development Variance Permit.

[Signature]
Corporate Officer

2013-NOV-26
Date

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 28TH DAY OF JUNE, 2012 AND WAS CHECKED ON THE 28TH DAY OF JUNE, 2013 AND IS HEREBY CERTIFIED CORRECT.

ANDRE MCNICOLL,

BCLS