CITY OF NANAIMO
THE HARBOUR CITY

DEVELOPMENT VARIANCE PERMIT NO. DVP00232

DERRICK R. BLACKWOOD
ECHO C. BLACKWOOD
Name of Owner(s) of Land (Permittee)

Civic Address: 3500 OSPREY LOOKOUT

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 28, SECTION 11, WELLINGTON DISTRICT, PLAN 29620

   PID No. 001-379-500

3. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby varied as follows:

   Section 6.5.2 requires a heat pump to be located to the rear of a principal building and not closer than 4.5m from the side lot lines. A variance has been granted to allow the heat pump to be located to the side of the principal dwelling and 2.9m from the side yard property line.

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 Site Plan
   Schedule C Rationale

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 **12TH** DAY OF **MAY**, **2014**.

Corporate Officer

May 23/14
Date

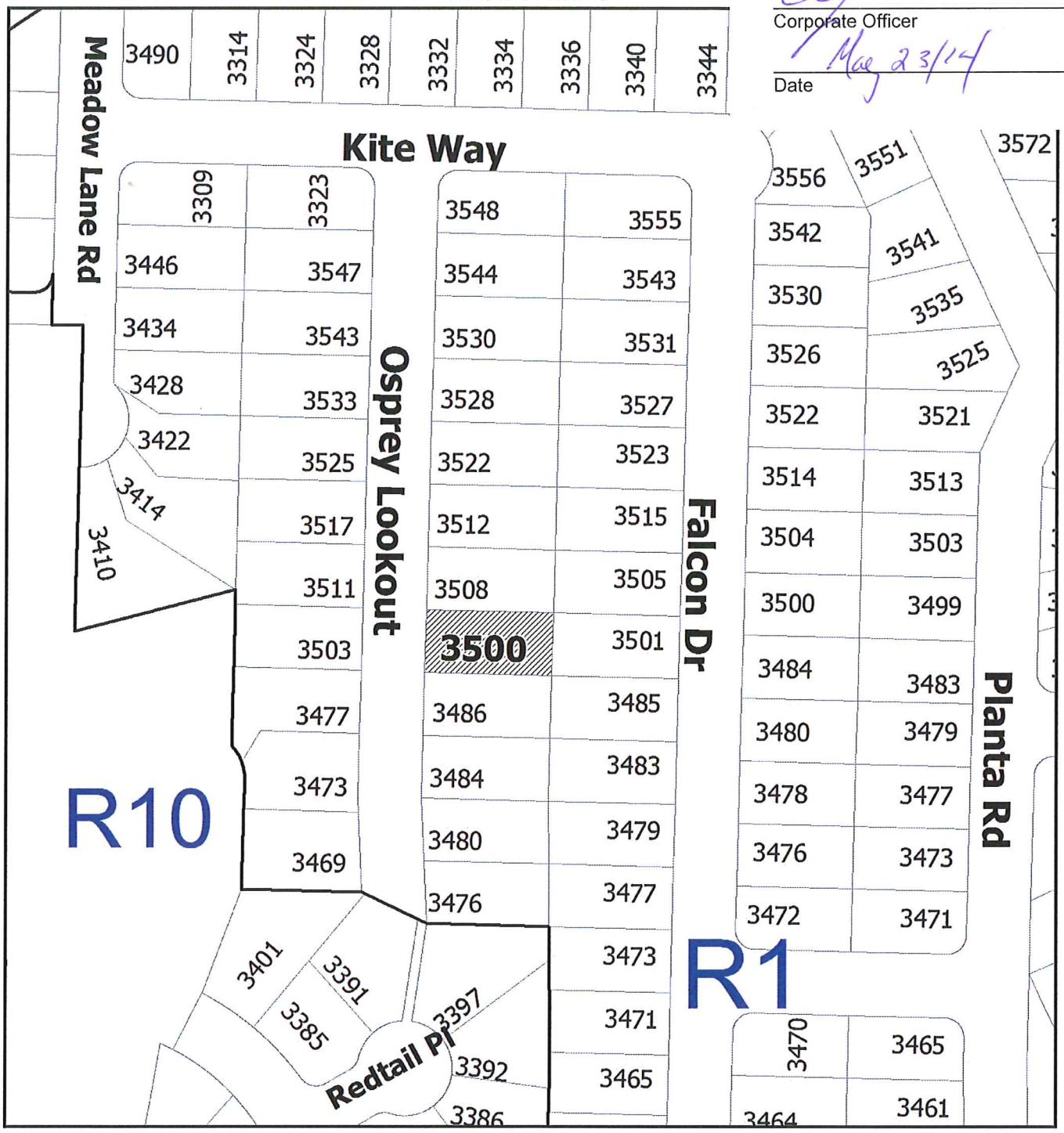
DS/lb
Prospero attachment: DVP00232

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

Corporate Officer

May 23/14
Date

SCHEDULE A



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DEVELOPMENT VARIANCE PERMIT NO. DVP00232

LOCATION PLAN

Civic: 3500 Osprey Lookout
Lot 28, Section 11, Wellington District,
Plan 29620

Subject Property

Our property faces west, with the side of the house running north /south. The land has been graded to work with the sloping hills of the area, which places our house lower than our neighbours. Our house is also centered in our property, which puts the rear of the neighbour's house parallel to the middle of ours. The back yard continues to slope downwards, and the previous owners have built a ground level deck to accommodate this. It extends 15 feet east off the back of the house, where there is a 1ft drop down to ground level. Also on the side of the house is three concrete stairs from the back door, and the existing hot tub purchased with the house. 8 feet from the back of the house above the stairs and hot tub, is a deck from the second storey back door. The foundation of the stairs is 6 feet from the ground level with a 1 foot retaining wall to level it off, leaving little room underneath. During our home inspection it was determined that the back yard currently has drainage issues, and needs to be addressed. The resolution is to dig up the top soil, lay down drainage rock, and then re-apply the soil on top. In order to do this properly, we have been recommended to wait until the summer/fall and to re-level the whole backyard. The south side of our house is our main living area, where our family will spend most of its time. The upstairs is our dining room, combined with our living room. The open concept of the top floor allows air flow to be pushed into the bedrooms from this main area. The downstairs on the same side of the house is divided into two rooms, with double doors between them. Our intention is to install one unit upstairs and a second smaller unit downstairs to efficiently heat and cool our house with minimal construction and changes.

In choosing a contractor to install a heat pump, we researched out the latest brands and models to help us make a choice. The heat pump unit we chose is by Pridiom, which is a new company leading in the heat pump industry. It has an Outdoor Noise Level of 65 db, and the fan stands up which blows horizontally instead of vertically. It is 39 inches tall, and is only 13.6 inches wide. It is refrigerated by R-410A, which does not contribute to ozone depletion unlike the alkyl halide of the traditional heat pumps. As an additional step in having a heat pump we also installed an upgraded house panel at 200amps, as the house, hot tub, and heatpump would overload the previous 100 amp panel.

When discussing the installation of the outdoor unit with the contractor, we have discussed different possibilities to abide with the city regulations. Due to the existing layout of the property, and the difficulty with the sloping yard, we have the following possible locations:

1. Along the backside of the house, on the north side yard
    a. The side yard is 5.1 meters, which would leave the heat pump protruding from the back yard if we went with the 4.5 meter set back
    b. There is an existing deck that would have to be removed if we wanted to put it on the back of the house
    c. The distance for the heat pump to reach the indoor units is too long and it would decrease efficiency, and has not been recommended by the contractor
2. In the yard below our stairs from the upper deck, at least 4.5 meters from the south side yard
    a. We would need to dig up and put in drainage rock, then level the ground before installing the heat pump. Seasonal challenges and restraints with our mortgage are preventing us from completing this on time
    b. The distance to the indoor units will reduce efficiency, and has not been recommended by our contractor

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

Corporate Officer

May 23/14

Date

3. Along the side of the house, on the south side yard
    a. This is the only spot recommended by our contractor, to ensure maximum efficiency
    b. The ground is level, and there is currently a vegetable garden along the side of the house
    c. The yard is below the neighbours property, and also separated by a 6 foot privacy fence

We are asking for a variance of 1.3 meters, to install the heat pump in the south side yard leaving 3.2 meters of setback. We are hopeful that you will empathize with our time restrictions and the existing features of the property, and we look forward to working with city staff and council to find a resolution.