



DEVELOPMENT VARIANCE PERMIT NO. DVP00233

**MR. GLENN DOUMONT
MS. LORI DOUMONT
Name of Owner(s) of Land (Permittee)**

Civic Address: 2242 NEIL 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 47, SECTION 11, RANGE 7, MOUNTAIN DISTRICT, PLAN 25146,

PID No. 002-891-557

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

Section 6.5.2 of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" requires that a heat pump be located to the rear of a principal dwelling and shall not be closer than 4.5m from the side property line.

A variance has been granted to allow the heat pump to be located to the side of a single residential building.

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.

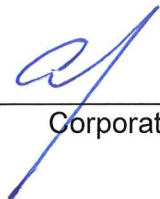
Schedule A Location Plan

Schedule B Site Plan

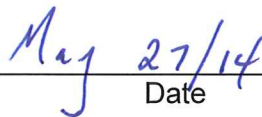
Schedule C Variance Rationale

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 26TH DAY OF MAY, 2014.



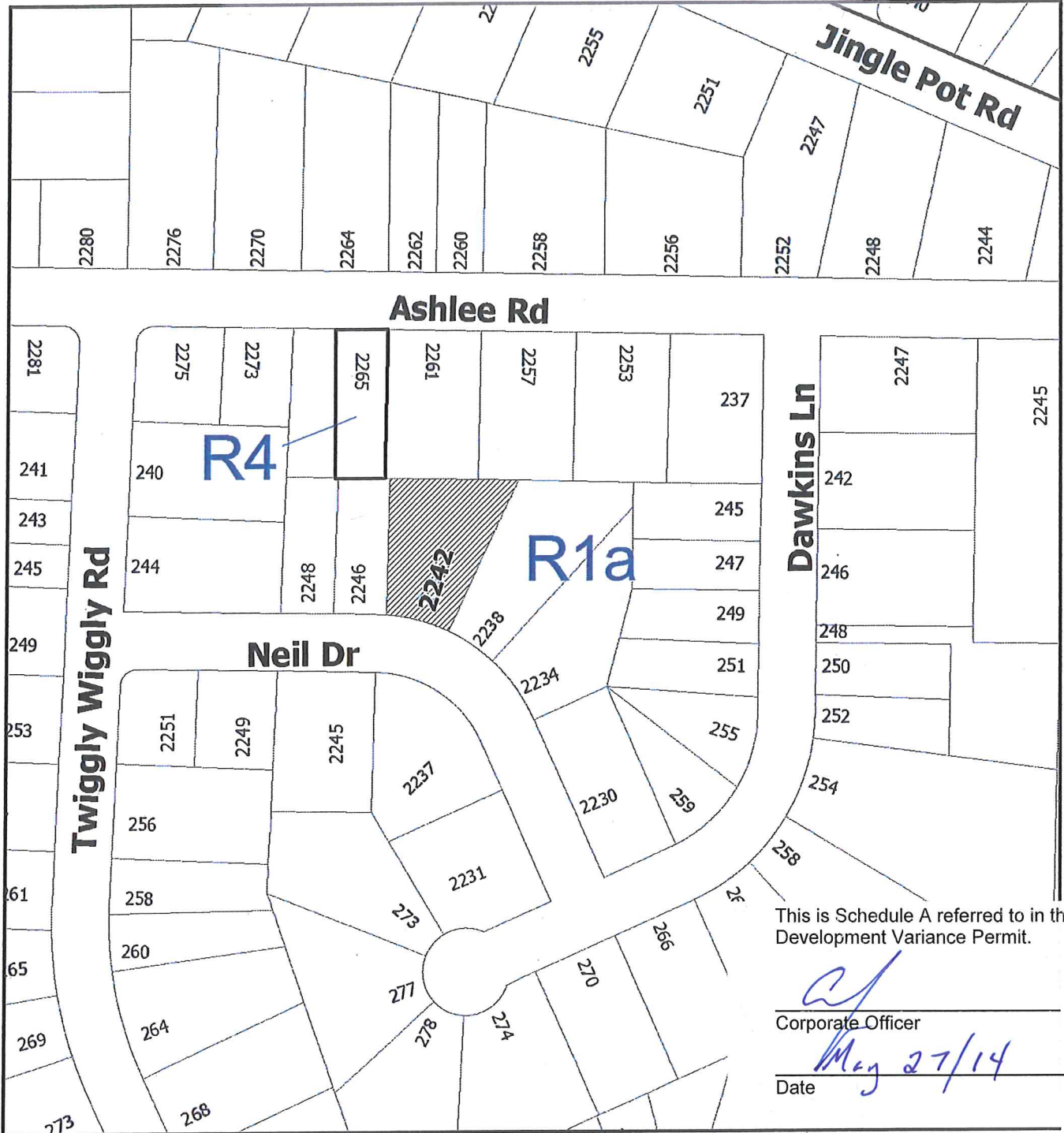
Corporate Officer



Date

DS/lb

Prospero attachment: DVP00233



DEVELOPMENT VARIANCE PERMIT NO. DVP00233

LOCATION PLAN

Civic: 2242 Neil Drive
Lot 47, Section 11, Range 7
Mountain District, Plan 25146

 Subject Property

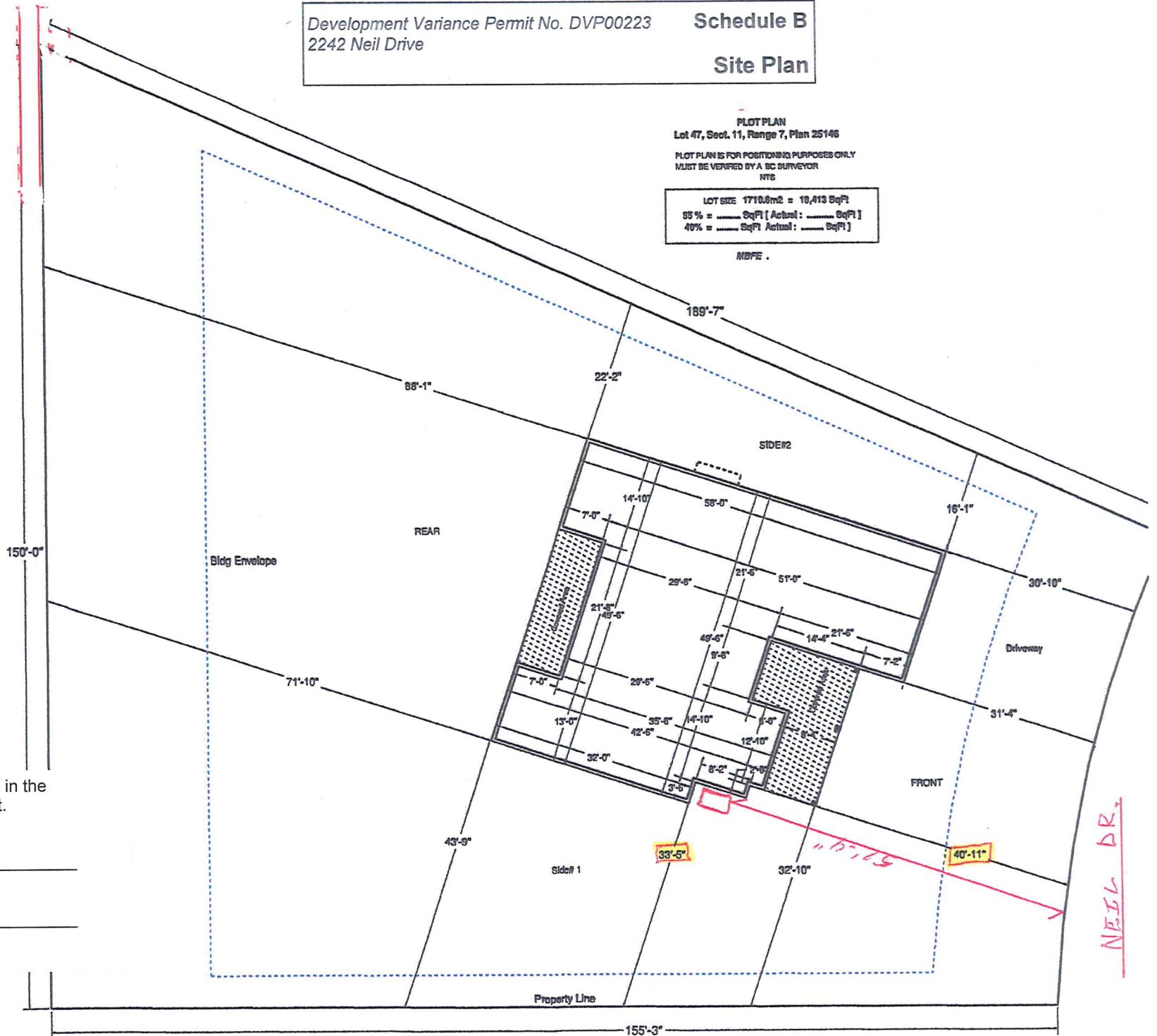
Development Variance Permit No. DVP00223
2242 Neil Drive

Schedule B
Site Plan

PLOT PLAN
Lot 47, Sect. 11, Range 7, Plan 25146
PLOT PLAN IS FOR POSITIONING PURPOSES ONLY
MUST BE VERIFIED BY A BC SURVEYOR
NTS

LOT SIZE 1710.6m² = 10,413 SqFt
55% = SqFt [Actual : SqFt]
40% = SqFt Actual : SqFt]

MBFE .



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

[Signature]
Corporate Officer

May 27/14
Date

NEIL DR.

Variance Rationale

To Whom It May Concern,

Thank you for being here to listen to our application to request the relaxation of zoning regulations in respect to our heat pump location of our residential home.

I would like to begin by saying that we were unaware of this by law. The placement of this heat pump was done inadvertently. We certainly were not in defiance to the bylaw and we thought we were conforming to everything required by us. It was not until the final inspection that the placement wasn't allowed did we realize and we are not looking to make any permanent changes to the Bylaw.

We understand the Bylaw has a legitimate purpose for noise abatement and we are fully willing to build a shroud or fence around it. It would literally cost us thousands of dollars to change the location now to a location that could potentially cause a negative impact on our neighbours. The closest neighbors have all signed the petition and told us in person that they are okay with the location as it sits now and have no trouble with it maintaining its location.

The place where it is located is more in conformity with the intent of the Bylaw because if it was moved to the rear of the property it would have a much greater potential of being a nuisance to the neighbors. To move it would impact our neighbors more so than to leave it in its place.

I would like to point out on the Site Survey the distance it is from the nearest neighbor's property line. The Bylaw states it "shall not be closer than 4.5 meters from the side lot lines" which is 14.7 feet. Our heat pump is almost twice this distance. It is 7.99 meters away which is more than 26 feet.

Our neighbors, the Lewis', had written a statement in support of our application. That was submitted to the BOV. There have been no complaints over the past 21 months with regards to the heat pump.

Since our original application with the BOV in 2013, we have unfortunately been forced to sell our home due to financial reasons. With this issue in place, we are unable to list our home without an occupancy permit. My wife and I would be forever grateful if council would approve the existing location of the heat pump so we can obtain our occupancy permit, enabling us to list our house for sale.

Regards,

Glenn and Lori Doumont

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



Corporate Officer

Date

May 27/14