



**DEVELOPMENT VARIANCE PERMIT NO. DVP00243**

**RALPH MACGREGOR**

**Name of Owner(s) of Land (Permittee)**

**Civic Address: 370 WESTWOOD ROAD**

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 2, SECTION 10, RANGE 7, MOUNTAIN DISTRICT, PLAN VIP64275**

**PID No. 023-594-772**

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

The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" limits the height of a fence or retaining wall within a front yard to no more than 1.2m within the Single Dwelling Residential (R1) zone. A variance was granted to vary the maximum allowable fence/retaining wall height from 1.2m to 2.52m, a variance of 1.32m

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 Letter of Rationale**

**Schedule C Site Survey**

**Schedule D Cross Section**

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.

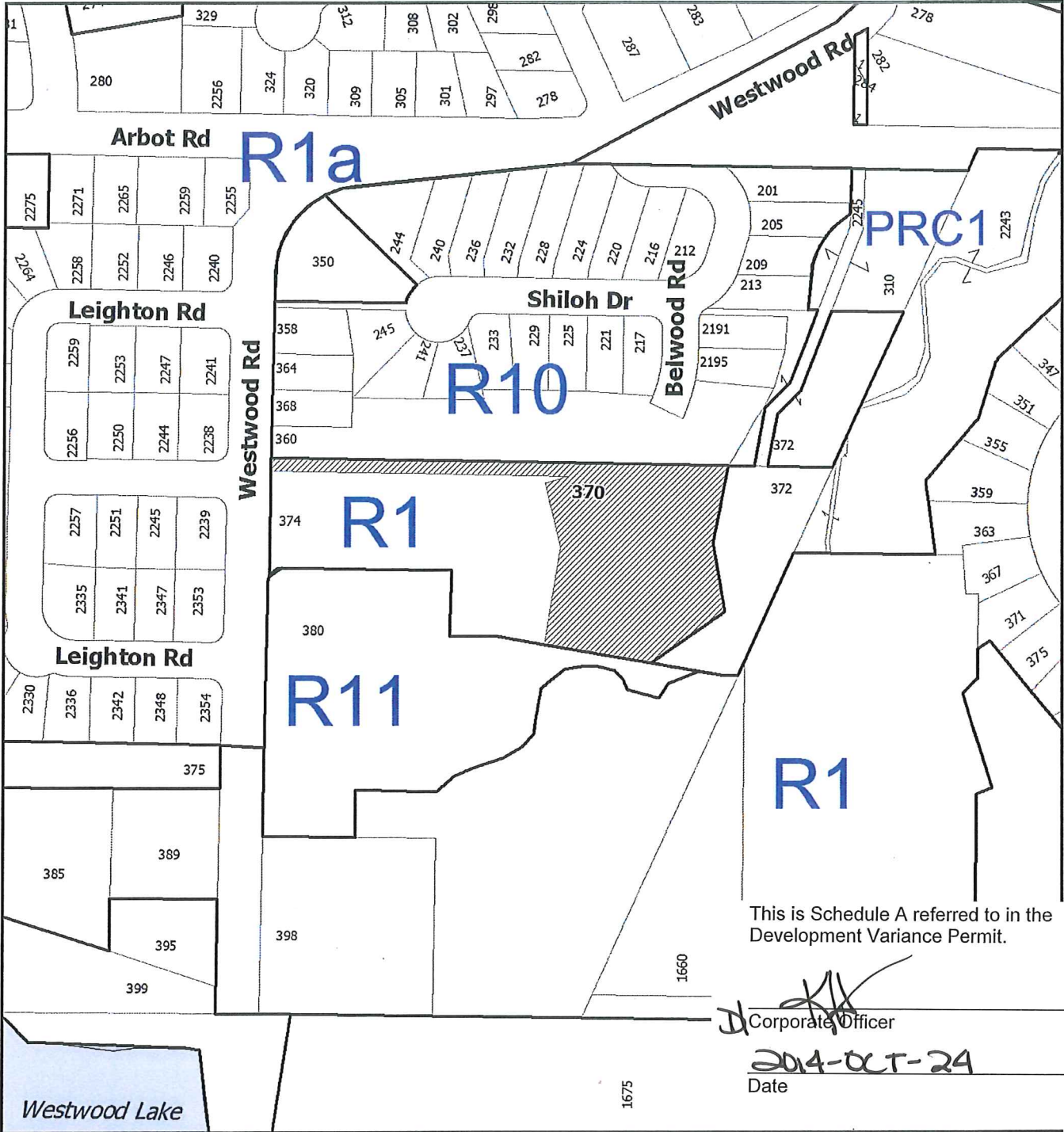
AUTHORIZING RESOLUTION PASSED BY COUNCIL  
THE 20TH DAY OF OCTOBER, 2014.

  
\_\_\_\_\_  
Corporate Officer  
Kristin King

2014-OCT-24  
\_\_\_\_\_  
Date

DS/lb

Prospero attachment: DVP00243



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

*[Signature]*  
 Corporate Officer

2014-OCT-24  
 Date



DEVELOPMENT VARIANCE PERMIT NO. DVP00243

**LOCATION PLAN**

Civic: 370 Westwood Road  
 Lot 1, Section 10, Range 7,  
 Mountain District, Plan VIP64275

 **Subject Property**



Letter of Rationale

**From:** Dave [dgw@jeanderson.com]  
**Sent:** Thursday, September 18, 2014 9:17 AM  
**To:** David Stewart  
**Cc:** 'Mr. Ralph N. MacGregor'  
**Subject:** Rationale letter - Retaining Wall

Our File: 87598

David:

**Re: DVP Application – Retaining Wall Rationale – Westwood lake Estates-MacGregor**

Further to your recent request regarding our Development Variance Application on the above noted property please find outlined below the rationale for the application:

The owner is developing thirty-three single family lots in three phases connecting Belwood Road to Westwood Road. Phase one was completed late last year. Phase two is at the final approval stage. The existing elevations prior to design and construction from the end of Belwood through to Westwood Road indicates approximately an 8-10 metre change in the first 80 metres. That design resulted in a 2-3 metre change in elevation from the back of sidewalk to the property (Proposed Lot 24). The site was graded somewhat during construction but the result is an approximate 2 metre bank fronting Lot 24 that needed to be retained by the constructed wall.


The alternative would be to lower the elevation over Lot 24 but with existing buildings and the amount of material that would have to be removed that would not be practical or economical. In conclusion the rationale for the retaining wall was that the cut required for the road design resulted in an approximate two metre bank of material that needed to be retained with the constructed wall along the property line of Lot 24. The retaining wall is approximately 2 metres in height which exceeds the bylaw by 0,6 metres

We trust you will find this satisfactory. If you have any questions in this regard please contact the undersigned.

David G. Wallace, BCLS  
**JE Anderson & Associates**  
Suite 1A - 3411 Shenton Road  
Nanaimo, BC V9T 2H1  
Phone: (250) 758-4631  
Fax: (250) 758-4660  
Email: [dgw@jeanderson.com](mailto:dgw@jeanderson.com)



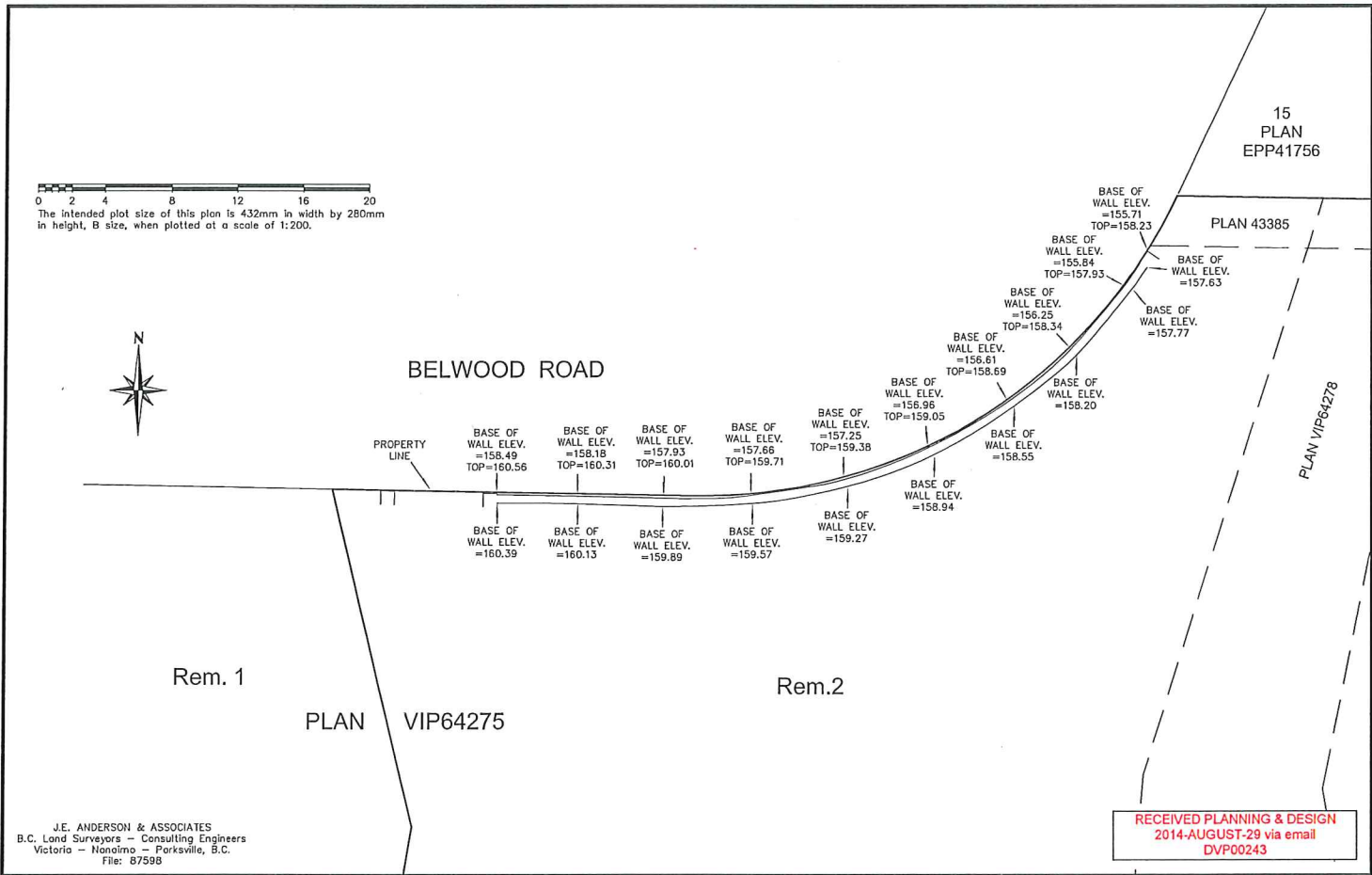
This is Schedule B referred to in the Development Variance Permit.

  
\_\_\_\_\_  
Corporate Officer  
2014-OCT-24  
\_\_\_\_\_  
Date

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Development Variance Permit DVP00243  
 370 Westwood Road

Schedule C  
 Site Survey



RECEIVED PLANNING & DESIGN  
 2014-AUGUST-29 via email  
 DVP00243

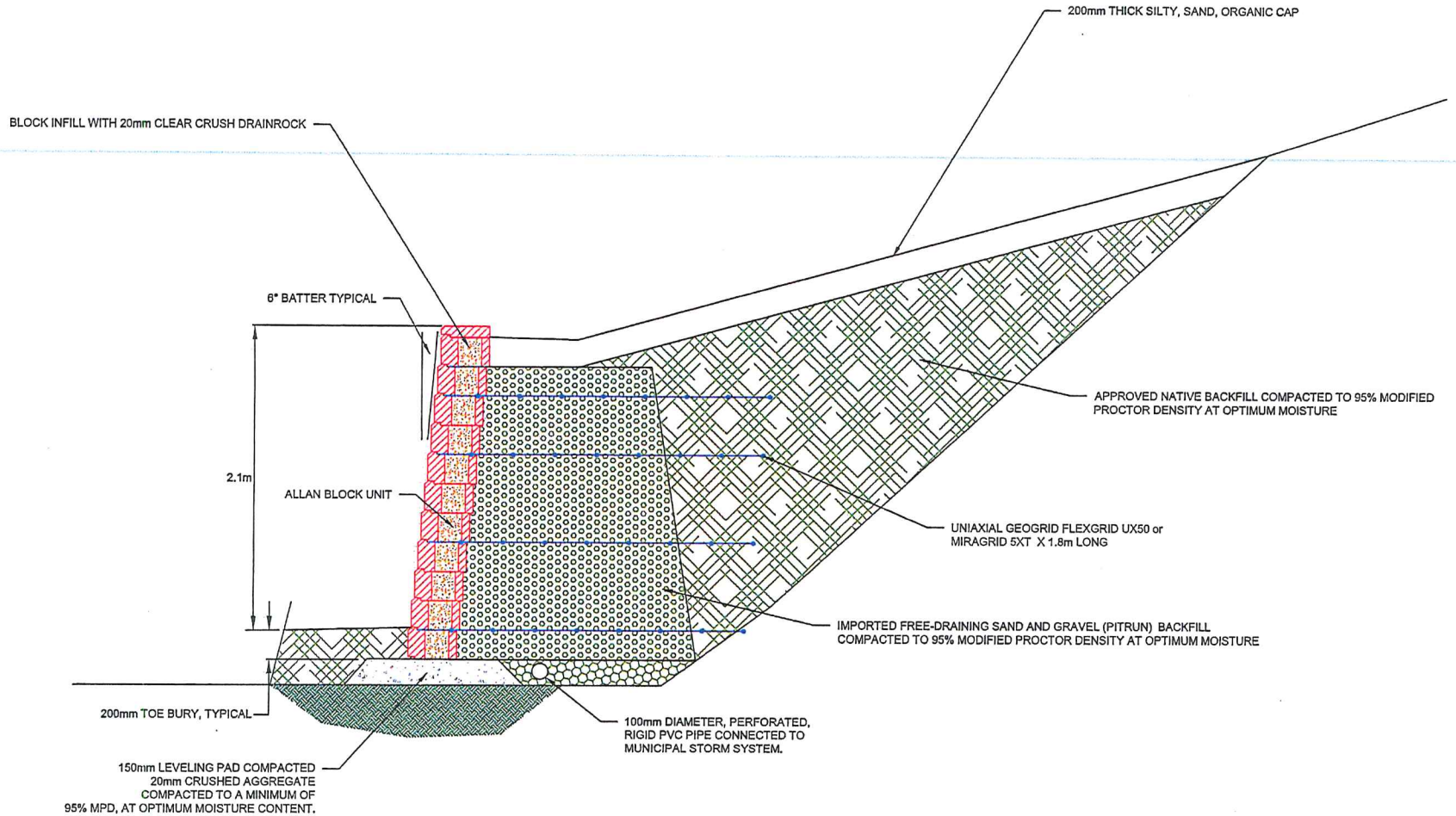
This is Schedule C referred to in the  
 Development Variance Permit.

*[Signature]*  
 Corporate Officer  
 2014-OCT-29  
 Date

J.E. ANDERSON & ASSOCIATES  
 B.C. Land Surveyors - Consulting Engineers  
 Victoria - Nanaimo - Portsville, B.C.  
 File: 87598

RECEIVED PLANNING & DESIGN  
2014-AUGUST-29 via email  
DVP00243

NOTES:  
GEOTECHNICAL PERSONNEL TO PROVIDED QUALITY ASSURANCE FOR WALL DESIGN  
AT SUBGRADE, DRAINAGE , BACKFILL STAGES..



REV.	DESCRIPTION	DRAWN	DATE
01	ASBUILT	JH	OCT 4, 2013



Lewkowich Engineering Associates Ltd.

Date: JULY 31, 2013  
Drawn By: JH

ALLAN BLOCK RETAIN  
WESTWOOD LAKE I  
NANAIMO, B

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

Corporate Officer

Date