



DEVELOPMENT VARIANCE PERMIT NO. DVP00245

**MARK WHITE
EVA KOLBERG**

Name of Owner(s) of Land (Permittee)

Civic Address: 95 MILTON STREET

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:

**THE SOUTH 1/2 OF SECTION D OF LOT 1, BLOCK M, SECTION 1,
NANAIMO DISTRICT, PLAN 584**

PID No. 007-463-251

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

Maximum Allowable Height

The maximum allowable height for a single dwelling residential, with a flat roof is 7.0m. The roof height is varied to 8.6m, a variance of 1.6 m.

Rear Yard Setback

The required rear yard setback is 7.5m. The rear yard setback is varied to 4.3m, a variance of 3.2m.

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 Survey
Schedule C Letter of Rationale
Schedule D Elevation

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.



D/ Corporate Officer
Kristin King

2014-OCT-24

Date

DS/lb

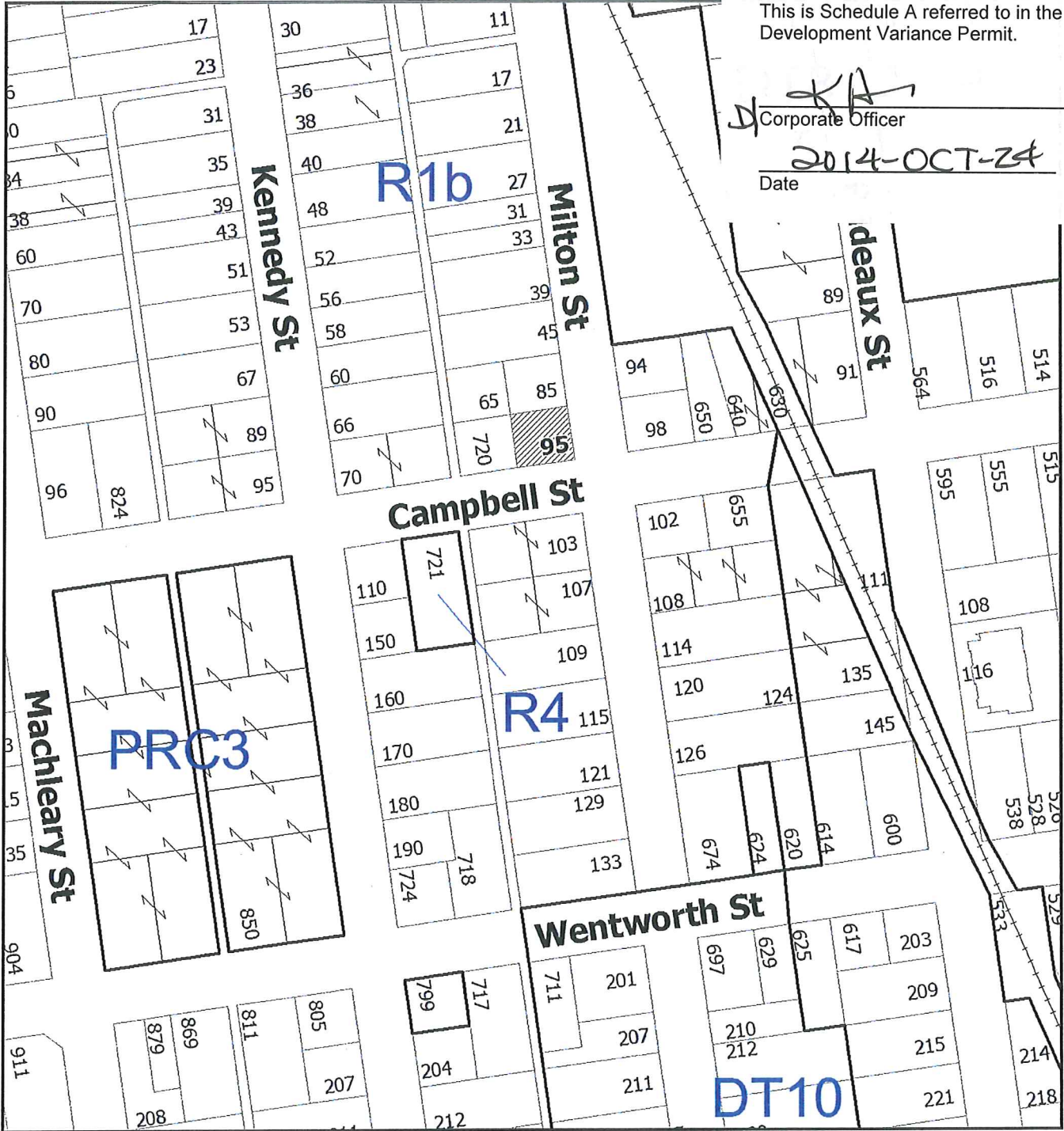
Prospero attachment: DVP00245

Location Plan

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

[Signature]
Corporate Officer

2014-OCT-24
Date



DEVELOPMENT VARIANCE PERMIT NO. DVP00245

LOCATION PLAN

Civic: 95 Milton Street
The South 1/2 of Section D, Lot 1, Block M,
Section 1, Nanaimo District, Plan 584



 Subject Property

Site Plan showing:
 The South 1/2 of Section D of Lot 1,
 Block M, Section 1, Nanaimo District, Plan 584.

Client: ATC Home Solutions Inc.

Civic Address: 95 Milton Street

File: 14-077

Date: July 23rd, 2014

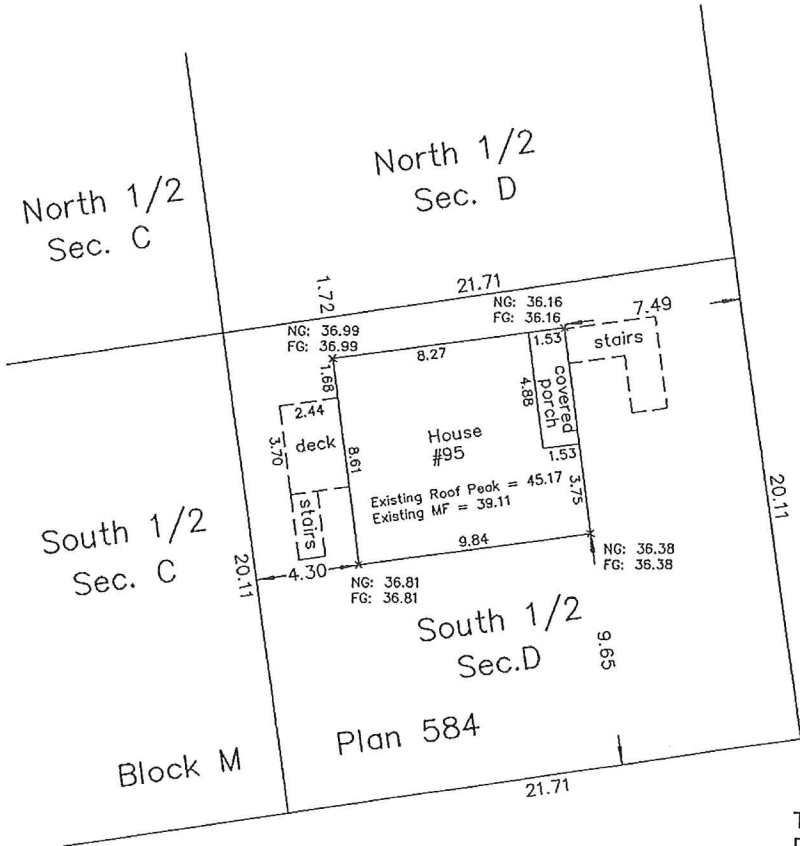
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Drawn by: RJT



Proposed Building Height

Average natural grade = 36.58
 Average finished grade = 36.58
 Allowable building height = 9.00
 Maximum building elevation = 45.58
 Proposed roof peak elevation = 45.17 (existing)



Schedule B
 Survey

Development Variance Permit DVP00245
 95 Milton Street

This is Schedule B referred to in the
 Development Variance Permit

[Signature]
 Corporate Officer
 2014-OCT-24
 Date

Distances and elevations are in metres.
 Geodetic elevations are derived from control monument 77H5212.

Turner & land surveying
 250.753.9778
 605 Comox Road
 Nanaimo, BC V9R 3J4

Certified correct this 23rd day of July, 2014.

[Signature]

B.C.L.S.

(This document is not valid unless originally signed and sealed.)

Letter of Rationale

VARIANCES FOR CONSIDERATION OF 95 MILTON STREET

October 1, 2014

OUR MEETING AT THE NANAIMO CITY HALL PLANNING DEPARTMENT was attended by the following with the exception of Inspector Mike Bates. The meeting was informative and very helpful for us. Please find our review for consideration of variance change.

We were advised to do the DVP and in order to do this we were to write a letter why it is important for us to do this out lining the advantages to us and the community.

OWNERS -Mark White & Eva Kolberg

LAWYER – Sandy Bartlett of Bartlett & Company Corporation

CITY OF NANAIMO PLANNING DEPARTMENTS

-Manager of Building Inspections & Community Development – Tom Weinreich

-Planner, Planning & Design – Dave Stewart

-Planning Assistant , Planning & Design – Jill Collinson


-Building Official Community Safety & Development – Jason Wiles

-Supervisor Building Inspections Community Development – Darcy Fox

*Not in attendance but on site follow up

-Building Official Community Development – Mike Bates

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


Corporate Officer

2014-OCT-24
Date

VARIANCES REQUESTED FOR CONSIDERATION OF CHANGE

“ We understand and agree with the need of regulations and respect the process and in this regard hired professionals to do our due diligence to make sure it's done right ”

The home at present is viewed by the neighbours as a very negative influence in the neighbourhood. Feedback from the neighbours is the house as it stands has been an absentee landlord rental unit and it's not thought of as a family home. It is a rental for revenue stream with the basement suite and upper used as rental. The main floor is not conducive for a family environment as everything runs off the open space kitchen such as two small bedrooms, the bathroom and a very small front room. The layout is confined and living area small. There is a small living area in the upper floor but the ceilings are low and the stairs are not legal

Therefore it is important to develop existing wasted space in the attic to allow the house to become a functioning family home which would bring it in line with the immediate neighbourhood which is mainly a single family environment which is why we were attracted to locate in this area for our daughter and granddaughter.

VARIANCES

1) THE BUILDING IS NOT THE CORRECT DISTANCE FROM THE PROPERTY to the west.

There is a driveway and a large fence between the two properties. The property was first subdivided in 1898 and the house was built in 1939, since then, new codes have been applied but considering this property and the building's history one would think it would be grandfathered.

Past subdivisions for this and neighbouring properties have possibly created this variance, research with planning does not offer any information on which one at what time.

2) THERE IS AN INCREASE OF LIVING AREA of 256 sq feet in the upper floor due to suggested shed dormers. This increased space does not go outside the existing buildings foot print and allows the house to become a proper family dwelling. When realizing we have to replace the deteriorated roof and roof structure it is found the existing roof pitch does not allow us to put back the 398 sq feet because the stairs would be illegal due to a structural engineer deficiency. By doing the suggested renovation with the increased living space we can use the upper floor and make it into sensible and legal family dwelling.

3) THERE IS AN INCREASE OF ROOF HEIGHTH of approximately 1 meter (3x12 pitch) allowing for correct ceiling height in the upper rooms. Also the stairs can be engineered and built structurally correct and therefore legal. The house on the north is on a slight down slope and is not effected for view corridor and it is thought little light would be lost. The house to the west does not seem to have direct view corridor at this time so there is nothing taken away and once again it is of opinion as well, minimum light would be lost.

THE SECONDARY BASEMENT SUITE had a successful inspection in 1998 and is well built and spacious with legally high ceilings and also large legal size windows which allows for excellent natural light for livability Yet, it is over the sq footage suite allowance (40%) but this can and will be corrected directly at this time by the suggested renovation due to the upper floor increased sq footage. The suite has been City inspected during this process and is planned for an up grade during the renovation to the status of authorized. Not much has to be done as the suite is in very good order. Please note * the only time a suite can be certified as legal is in the construction of new homes. Therefore authorized is the highest level of suite qualification for older homes and that is what the suite in 95 Milton will have...it can be grandfathered for now as unauthorized until the next round of suite up grades but we are here for the long run and want to do it right... now...at every level.


AT THE TIME WE DECIDED TO PROCEED WITH THE RENOVATION we had plans drawn up and the contractor submitted them to the city planning department. I in turn drafted a letter outlining our suggested renovation and distributed them to the homes in the neighbourhood which was 10 in total. I talked to 3 at the time and they were very enthusiastic regarding 95 Milton Street changing from a absentee landlord rental property to an owner occupied family home with the type of renovation that fits the style of the neighbourhood's architectural characterization.

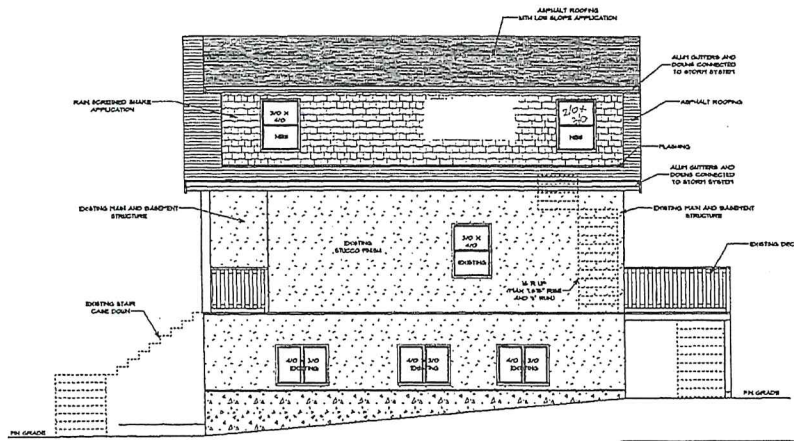
OUR DAUGHTER HAS BEEN LIVING AT MILTON FOR A MONTH now and she has had 6 different neighbours come to her cheering her project on. The actual feed back similar to what i'v already mentioned is the neighbours feel the property has been difficult due to the fact it was a absentee landlord rental in a residential neighbourhood. Our planned renovation changes that so 95 Milton is in step with all the other renovations and up grades in the area and predominately as a residence in this residential area.

WE FEEL THE RENOVATION c/w new roof, shed dormers with cedar shingles and cedar siding and heritage bar windows (as a start as there will be more to come over time) will change it's look more towards the ' Old Quarter ' characterization as we notice many homes have done over time. It will enhance the neighbourhood and our family will live in it with pride. When looking to locate our daughter and granddaughter in Nanaimo we specifically chose the ' Old Quarter ' as the location of preference and are excited about becoming a positive and contributing part of it and so far it's turning out to be a great neighbourhood for our family.

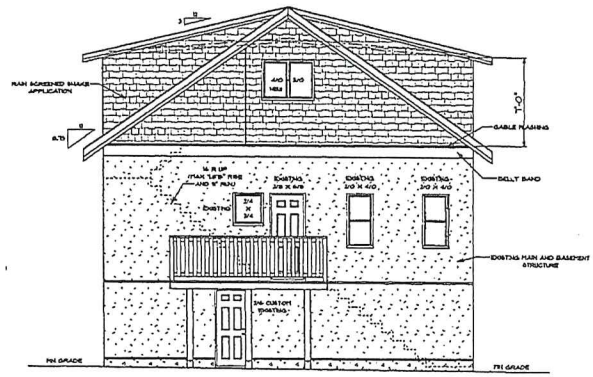
As a final note, upon reflection, it is our opinion as well as many others that we have been in contact with regarding our plan, that with the variances changes, this some what worn and weathered home will be revitalized and reestablished for the benefit of all concerned.

Sincerely,


Mark White & Eva Kolberg

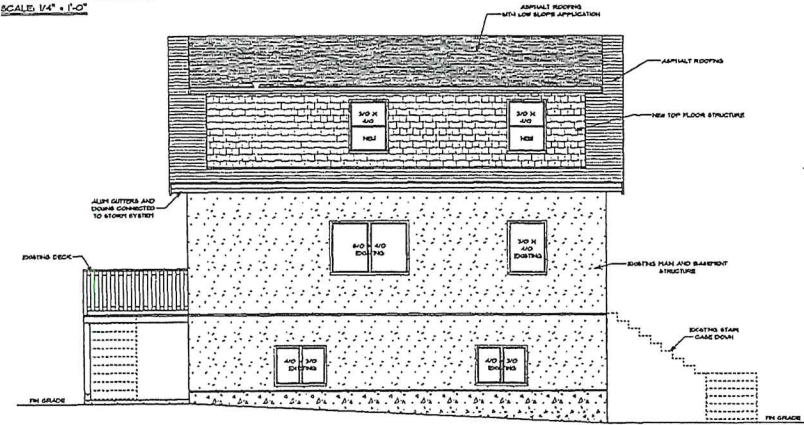


RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

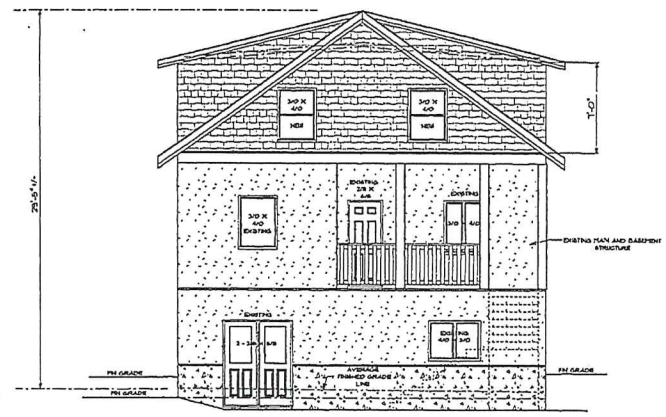


REAR ELEVATION
SCALE: 1/4" = 1'-0"

VENT TRUSS ROOF SYSTEM - 1/300



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

NO.	DATE	REVISIONS

RON DIRKSON DESIGN SERVICES
PO BOX 816 STATION A
NANAIMO, B.C.
V9R 5H6
TEL: (250) 750-4784
FAX: (250) 750-4784

DESIGNERS
PLANNERS

PROJECT NO.	
CLIENT'S NAME	
QUALIFYING PLAN	
SCALE	1/4" = 1'-0"
DATE	JUNE / 14
PROJECT	HOME REN 95 MILTON NANAIMO, E

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

Corporate Officer

2014-OCT-24
Date