



**DEVELOPMENT VARIANCE PERMIT NO. DVP00248**

**BOGUSLAW BROLEWICZ and CORINNE ANNE BROLEWICZ**

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

**Civic Address: 159 COLVILLETON TRAIL**

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 335, DOUGLAS ISLAND (ALSO KNOWN AS PROTECTION ISLAND),  
NANAIMO DISTRICT, PLAN 14111**

**PID No. 004-337-549**

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

*Section 7.5 – Siting of Buildings*

- Section 7.5.1 requires a 4.0m setback from the flanking side yard property line. A variance is granted to reduce the required flanking side yard setback to 1.5m from 4.0m, a variance of 2.5m.

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 Tree Location 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 24TH DAY OF NOVEMBER, 2014.

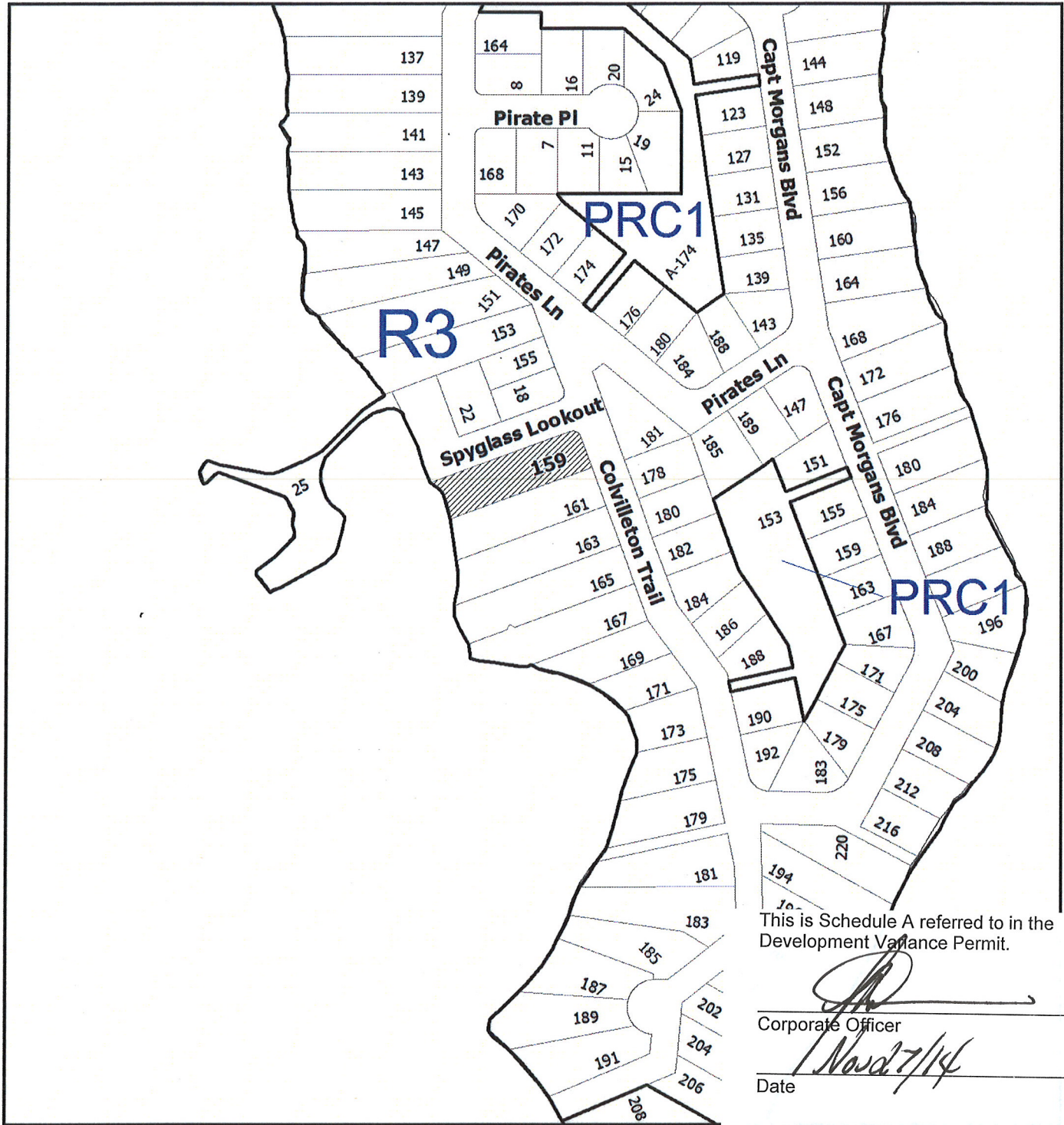
  
\_\_\_\_\_  
Corporate Officer

  
\_\_\_\_\_  
Date

GN/lb

Prospero attachment: DVP00248

# SCHEDULE A



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

Corporate Officer

Date

DEVELOPMENT VARIANCE PERMIT NO. DVP00248

## LOCATION PLAN

Civic: 159 Colvilleton Trail  
 Lot 335 Douglas Island (Also known as Protection Island)  
 Nanaimo District, Plan 14111



**Subject  
Property**

Letter of Rationale

Dear Sir or Madam;

According to the specified zoning setbacks in our area, We are required to have our principle residence a minimum of 4 meters from the flanking side yard & a minimum of 1.5 meters from the side yard. Our principle residence is 4.9 meters from the flanking side yard and 5.5 metres from the side yard.

We are asking for a variance of this ruling with a setback distance of 1.524 meters from the flanking Yard for our proposed Un-attached Garage. The flanking yard is on Spyglass Lookout, which is an unpaved road leading to the water. This is the only logical location for our garage with the dimensions of 24 ft. Deep by 20 ft. Wide, as there are 2 very large Heritage Trees (Gary Oak) and (Arbutus) near the house with a distance of 25 ft. from the flanking side yard and our shallow sewer lines to the septic tank are 30 ft from the flanking yard. The ground consists mostly of large rock.

The proposed location of our garage is between the large Gary Oak Tree and the Septic Tank. It will be located 24 ft. from the house, past the Gary Oak, which will allow us to save the heritage trees and not interfere with the sewer lines and septic tank. There will be a 1.524 meter setback from the flanking yard and 1.524 meter setback from the sewer lines. Also, the overhead garage door entrance to the garage is facing West towards the water for easy access from the end of Spyglass Lookout and not on the side road.

There are also several Large Heritage Trees on the South side of the Property and we are planning to keep these trees from harm. These trees are situated in such a way that there are no other clear areas on the property for us to build our garage. As well, from the proposed site, to move the garage further East and South would put the structure over top of city services (Septic tank and lines, as well as over the water line).

Not to confuse you with the different forms of measurement, but I still think in Feet & Inches, while the Codes are in Metres.

We live on a small Island with a multitude of Wildlife and Natural Settings. Wishing to preserve the Trees and natural habitat of this Island, We hope you see the validity of our reasons for the variance and Grant us this proposal.

Yours Most Gratefully,  
Ben & Corinne Brolewicz  
159 Colvilleton Trail  
Nanaimo B.C. V9R-6R1



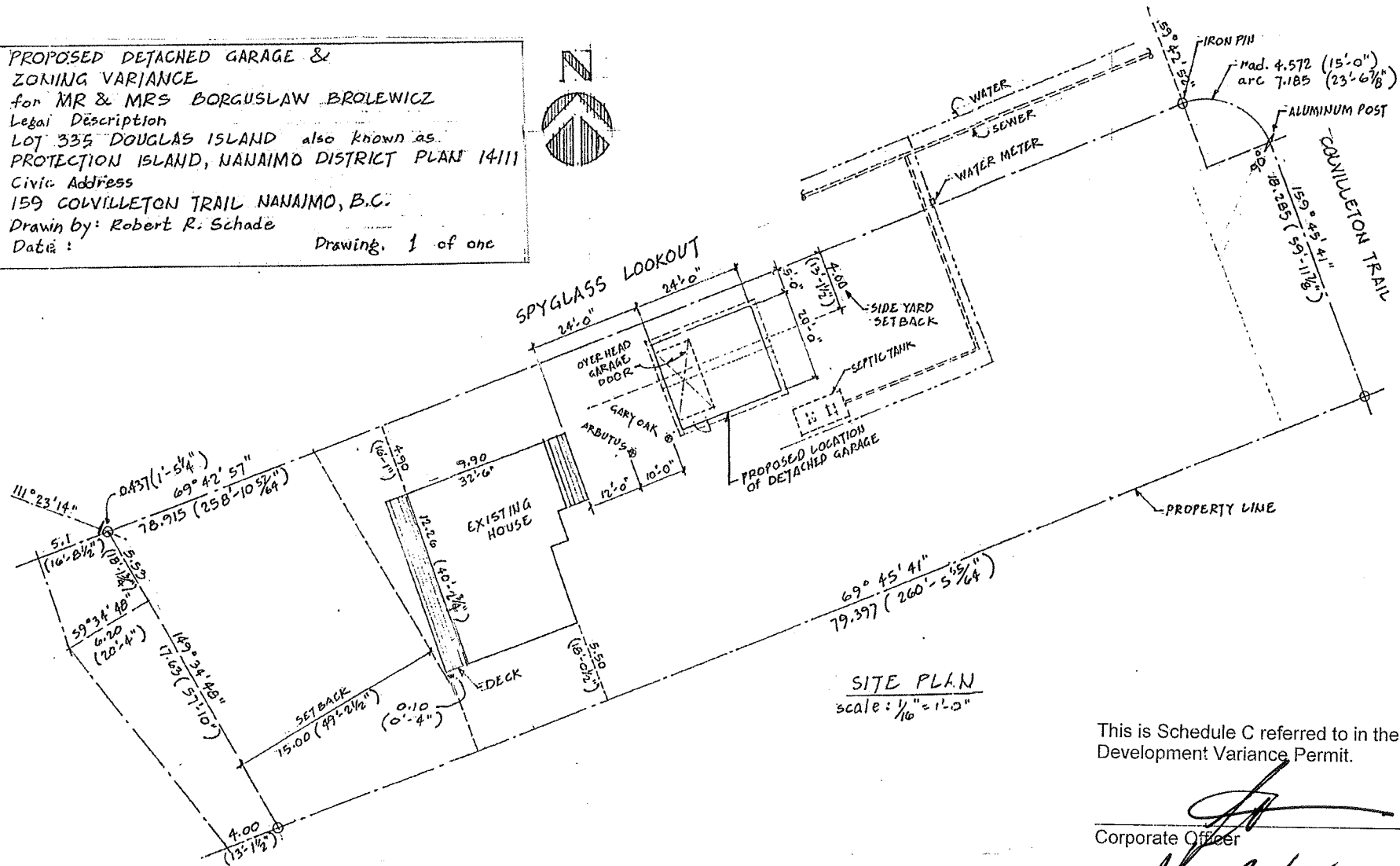
This is Schedule B referred to in the  
Development Variance Permit.

  
\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Date

Nov 27/14

PROPOSED DETACHED GARAGE &  
ZONING VARIANCE  
for MR & MRS BORGUSLAW BROLEWICZ  
Legal Description  
LOT 335 DOUGLAS ISLAND also known as  
PROTECTION ISLAND, NANAIMO DISTRICT PLAN 14111  
Civic Address  
159 COLVILLETON TRAIL NANAIMO, B.C.  
Drawn by: Robert R. Schade  
Date: Drawing. 1 of one



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

Corporate Officer

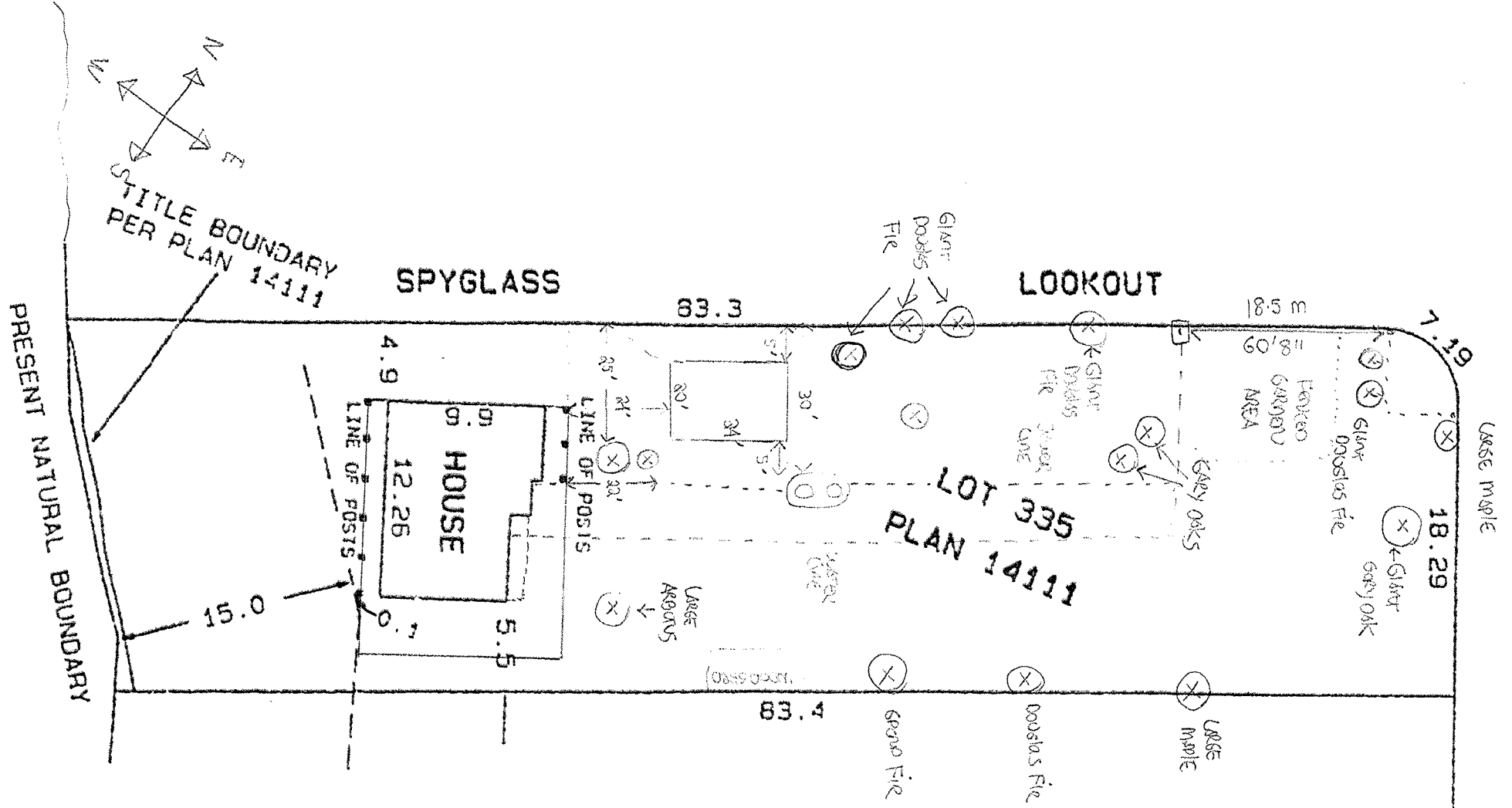
Date

Nov 27/14

Development Variance Permit DVP00248  
159 Colvilleton Trail

Schedule C  
Site Survey





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

Corporate Officer

Date

Development Variance Permit DVP00248  
159 Colvilleton Trail

Schedule D

Tree Location Plan

Nov 27/14