



**DEVELOPMENT VARIANCE PERMIT NO. DVP00249**

**DAVID KEVIN KITAGAWA**  
**Name of Owner(s) of Land (Permittee)**

**Civic Address: 1105 OLD VICTORIA 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 1, SECTION 1, NANAIMO DISTRICT, PLAN 31455**

**PID No. 001-161-601**

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 minimum front yard setback for single dwelling residential lot of 4.5m. The front yard setback is varied to 3.2m, a variance of 1.3m.

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 Plan / Survey**

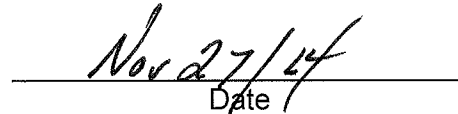
5. If the permittee does not substantially commence the construction permitted by this permit within two years of the date of this permit, this permit shall lapse.
6. This permit prevails over the provisions of the bylaw in the event of conflict.
7. This permit is not a building permit nor does it constitute 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



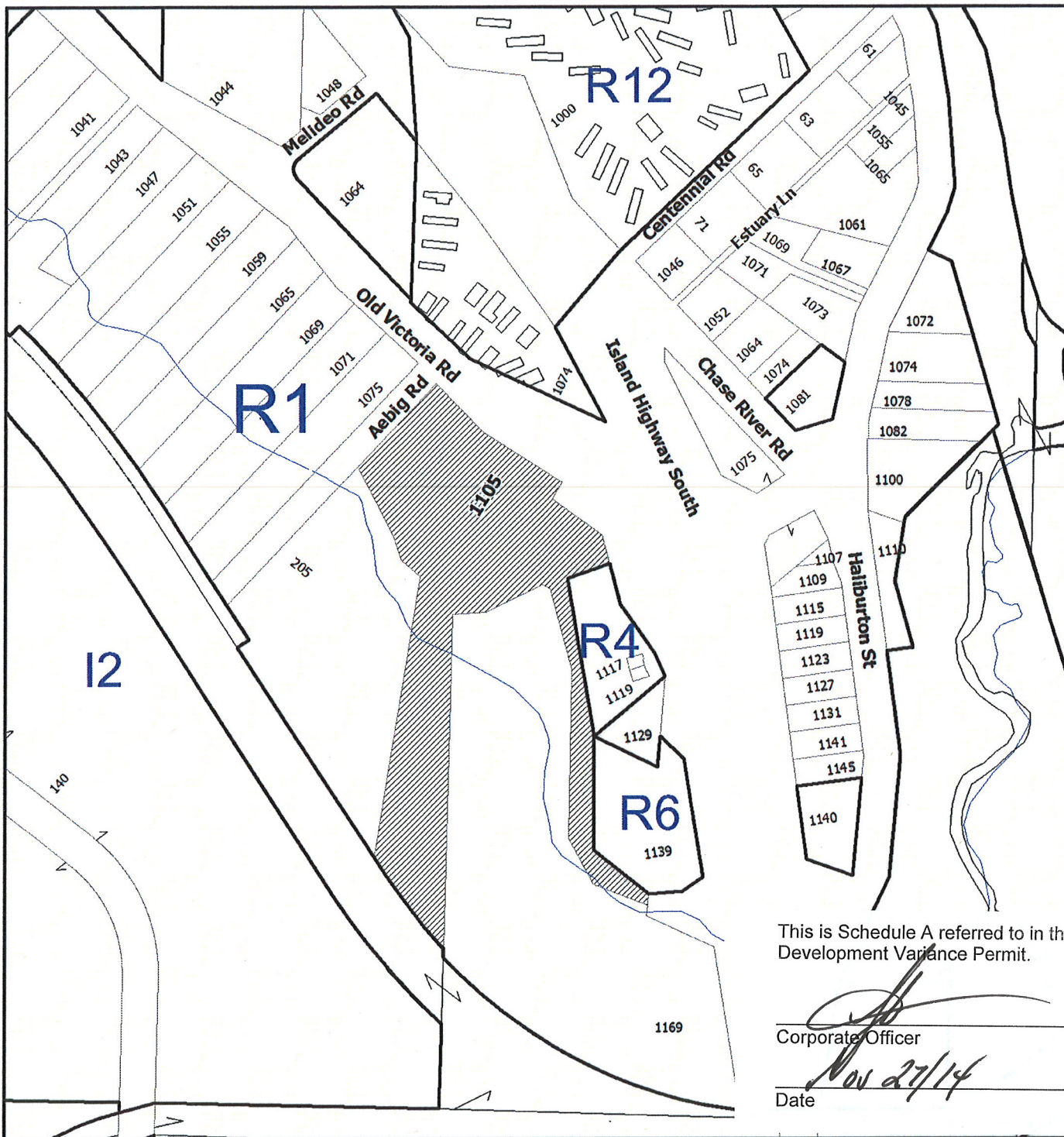
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Date

*GN/b*

*Prospero attachment: DVP00249*


SCHEDULE A



DEVELOPMENT VARIANCE PERMIT NO. DVP00249

### LOCATION PLAN

Civic: 1105 Old Victoria Road  
Lot 1, Section 1, Nanaimo District,  
Plan 31455

 **Subject Property**



# KRASTEL DESIGN GROUP INC

#204b – 2520 Bowen Rd.  
Nanaimo, BC V9T 3L3  
(250) 756-1110

Oct. 26, 2014

Development Variance Permit DVP00249

Schedule B

1105 Old Victoria Road

1/3

Letter of Rationale

## 1105 Old Victoria Rd. – DVP Rationale

On behalf of my clients, David & Branka Kitagawa, I am writing to you to explain our necessity to receive a Development Variance to the Front Setback for this difficult property.

The property is 4.3 acres in area and Chase River runs through the southern part of the main section of this area of land. There are currently two dwellings on this property. David and Branka are in the process of demolishing the older of these and replace it with a new house in the same location.

### Hardships:

- 1- **Steep Slope:** The drop in elevation from Old Victoria Rd down to the flat area of the site is approximately 15m. The existing driveway is very steep, but is located in the only area of the site where access is feasible. The proposed dwelling cannot be built any closer to the road because of the steep slope and the driveway location.
- 2- **Front Property Line:** For some unknown reason there is an unusual "jog" in the front property line which cuts back into the property by approximately 11m. This is near the area of the site where we are replacing the existing house. If we are forced to use the regular front setback from these two lines, it will result in the dwelling be moved significantly towards the west. This would bring the dwellings closer together and restrict access to the remainder of the site. If the front property lines did not have this "jog" and a straight connected line connect the two adjoining lines, it would result in a front setback distance of 13m, which would result in our proposal conforming comfortably. Please note: my clients are considering applying for a Road Closure (land exchange) possibly in the future, which the city supports. This would allow the dwelling to conform to the bylaw. But this process will take months which is not acceptable.
- 3- **30m Watercourse Setback:** Chase River runs through the property to the south of the dwellings. The minimum 30m setback creates a setback line which the existing house abuts to. Any effort to build further to the south would result in a DVP for a watercourse setback which we do not want to do.

### Design Efforts Incorporated:

- 1- **Siting of Dwelling:** The proposed dwelling has been sited as close to the steep driveway as possible and on the opposite side, as close to the watercourse setback as possible. We sited the dwelling to the east which will result in the best access for the site.
- 2- **Building Design:** The proposed dwelling, while over 107' wide, is only 37' in depth.

We ask you to review these hardships and respect the extensive efforts we have made to design a dwelling to fit into this awkward and restrictive area of the site. Please support our DVP to reduce the front yard setback.

Thank you.

Sincerely,

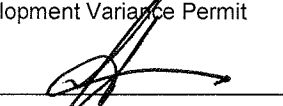


Kevin Krastel

This is Schedule B referred to in the  
Development Variance Permit

Corporate Officer

Date

  
27/14





**RECEIVED**  
OCT 31 2014  
CITY OF NANAIMO  
COMMUNITY DEVELOPMENT







PROPOSED NEW HOUSE LOCATION ON  
PART OF LOT 1, SECTION 1,  
NANAIMO DISTRICT, PLAN 31455

NATURAL GRADE HAS BEEN DETERMINED  
ACCORDING TO CITY ZONING BYLAWS

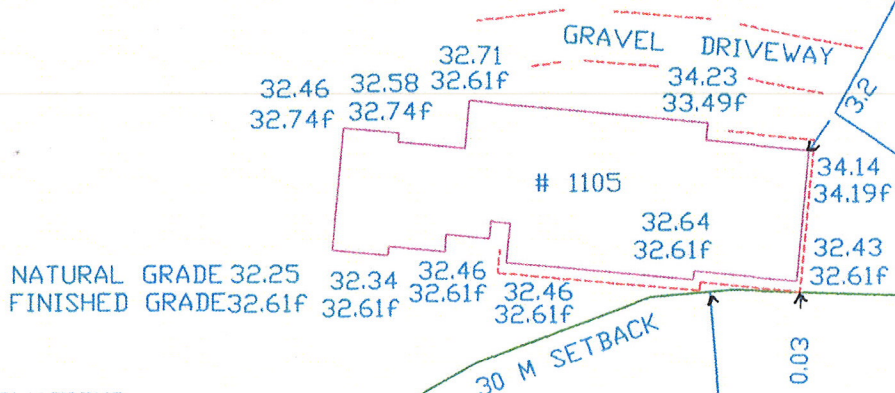
SCALE 1:500

All measurements are in metres

Elevations are based on an assumed datum

Chase River Natural Boundary Elevation = 30.48

M.B.F.E. 32.00



NATURAL GRADE 32.25  
FINISHED GRADE 32.61f

32.34 32.61f  
32.46 32.61f  
32.46 32.61f

32.46 32.58 32.61f  
32.74f 32.74f

34.23  
33.49f

# 1105

32.64  
32.61f

34.14  
34.19f

32.43  
32.61f

PROPOSED ELEVATIONS:

CRAWL SPACE SLAB	32.00
GARAGE SLAB	32.74
MAIN FLOOR	33.98
ROOF PEAK	41.49
MBFE	32.00

AVERAGE GRADES:

NATURAL	32.79
FINISHED	32.86
MAX ALLOW ROOF ELEV	41.79

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

Corporate Officer

Date

*[Signature]*  
Nov 27/14

DD 379924-I

T.G. Hoyt  
B.C. Land Surveyor  
2275 Godfrey Road  
Nanaimo, B.C.  
V9X 1E7  
250-753-2921

HOUSE LOCATION TO BE PINNED  
PRIOR TO FOUNDATION FORMING  
FB 364/1

Certified Correct

This 28th day of October, 2014.

*[Signature]*  
B. C. L. S.