



**DEVELOPMENT VARIANCE PERMIT NO. DVP00272**

**VALERIE JO CAMPBELL**  
**Name of Owner(s) of Land (Permittee)**

**Civic Address: 3985 APSLEY AVENUE**

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 9, BLOCK 13, SECTION 5, WELLINGTON DISTRICT, PLAN 318**

**PID No. 000-053-708**

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

Section 7.5.1 – Siting of Buildings – requires a flanking side yard setback of 4.0m for the principal building and heat pump. The variance is to permit the principal building up to 2.0m from the flanking yard property line, a variance of 2.0m; and, permit the heat pump up to 2.6m from the flanking side yard property line, a variance of 1.4m.

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**

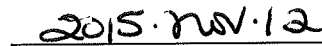
**Schedule B Site Plan**

**Schedule C Building Sections and Elevations**

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 2ND DAY OF NOVEMBER, 2015.

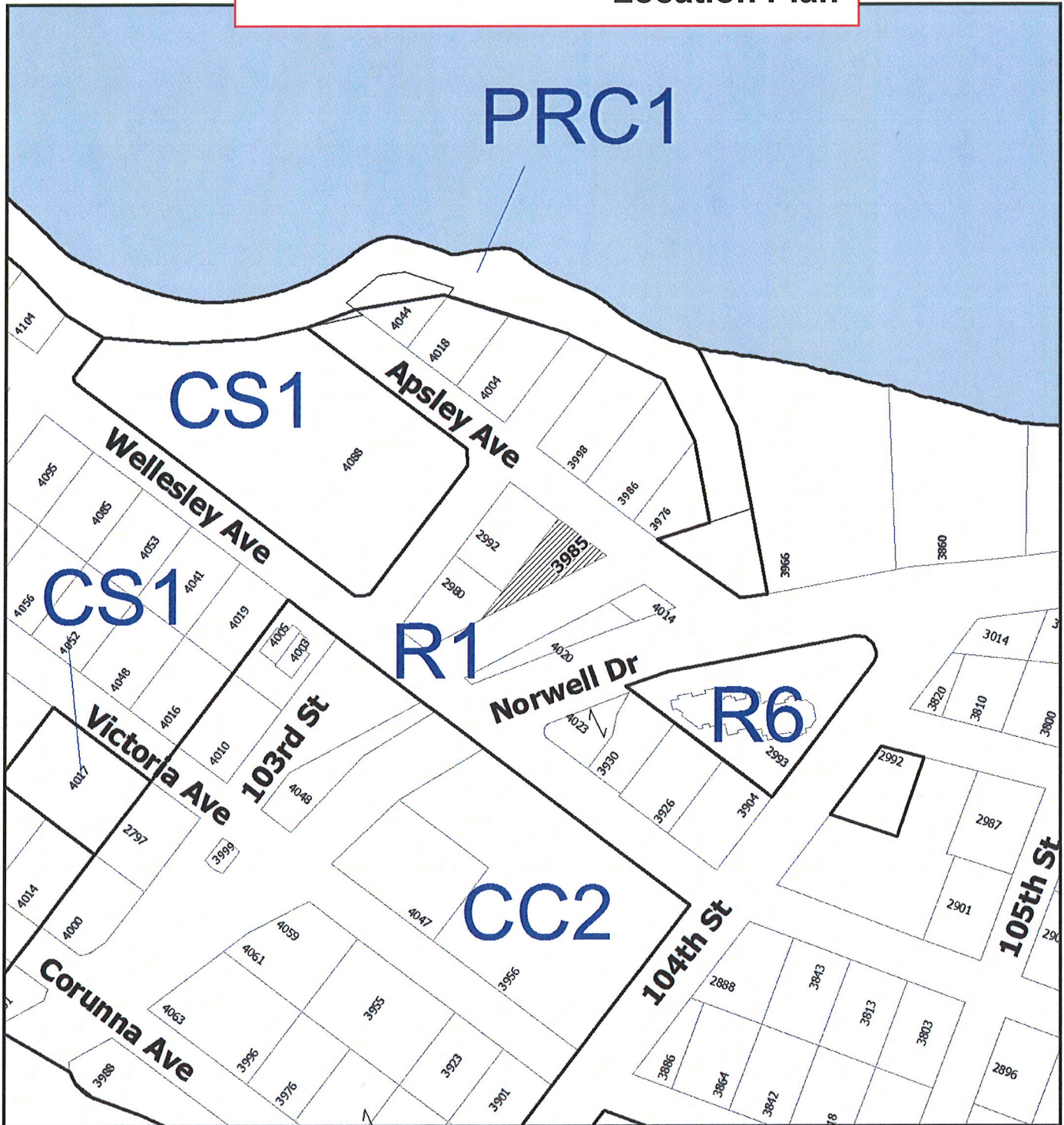
  
\_\_\_\_\_  
Dsp/Corporate Officer

  
\_\_\_\_\_  
Date

DS/ln

Prospero attachment: DVP00272


# Location Plan



DEVELOPMENT VARIANCE PERMIT NO. DVP00272

## LOCATION PLAN

Civic: 3985 Apsley Avenue

 Subject Property

Development Variance Permit DVP00272

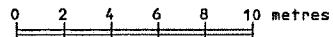
Schedule B

3985 Apsley Avenue

Site Plan

B. C. LAND SURVEYOR'S CERTIFICATE OF PROPOSED ADDITIONS TO:  
LOT 9, BLOCK 13, PLAN 318, SECTION 5, WELLINGTON DISTRICT.

SCALE 1: 200

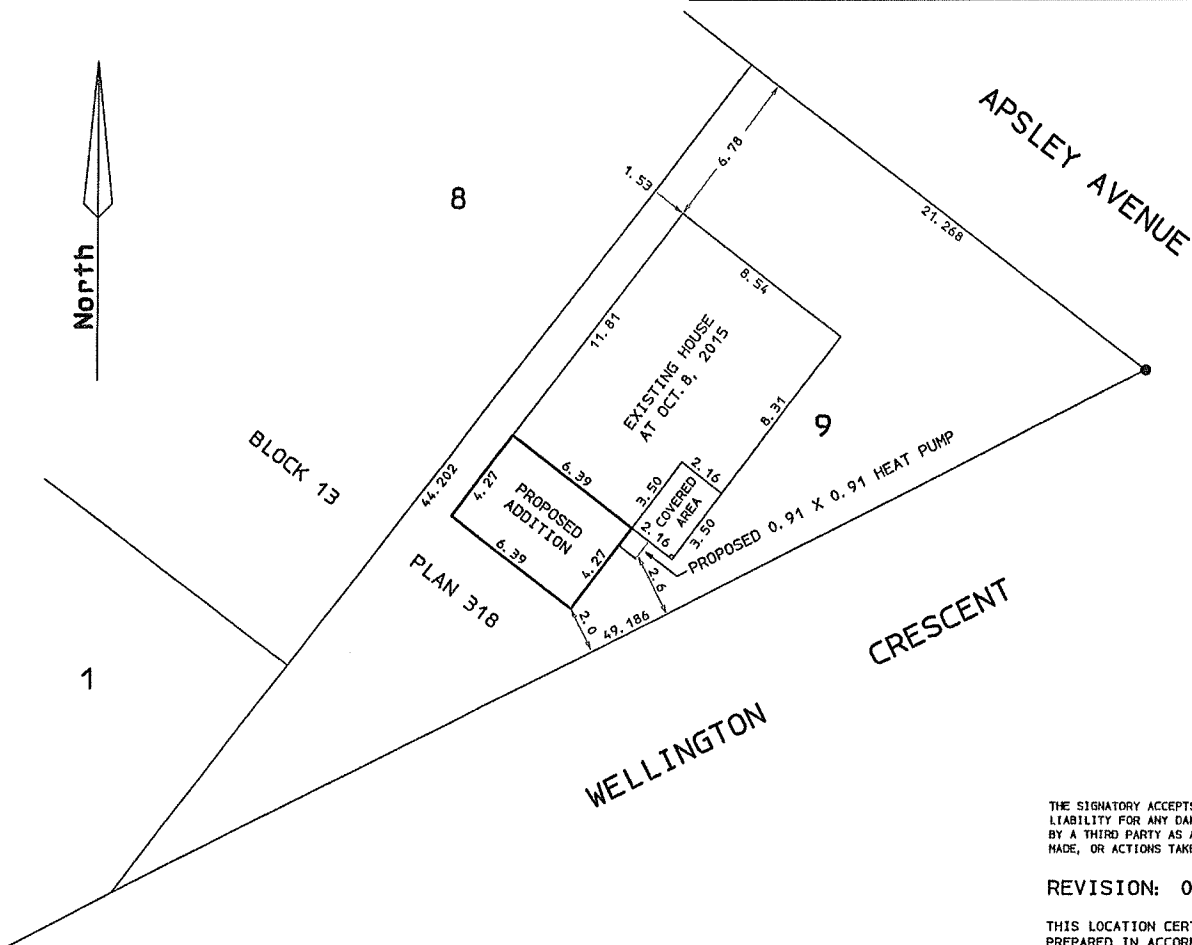


NOTES:

CIVIC ADDRESS: 3985 APSLEY AVENUE.

LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLAN 39752.

- STANDARD IRON POST FOUND.



THIS PLAN PURPORTS TO POSITION ONLY THE ACTUAL AND/OR PROPOSED IMPROVEMENT(S) SHOWN RELATIVE TO ONLY THE BOUNDARIES SHOWN OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).  
 THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY OTHER ACTUAL OR PROPOSED IMPROVEMENT(S) RELATIVE TO ANY BOUNDARY OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).  
 THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

REVISION: 01

THIS LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE AND IS CERTIFIED CORRECT THIS DATE OF: OCTOBER 13, 2015

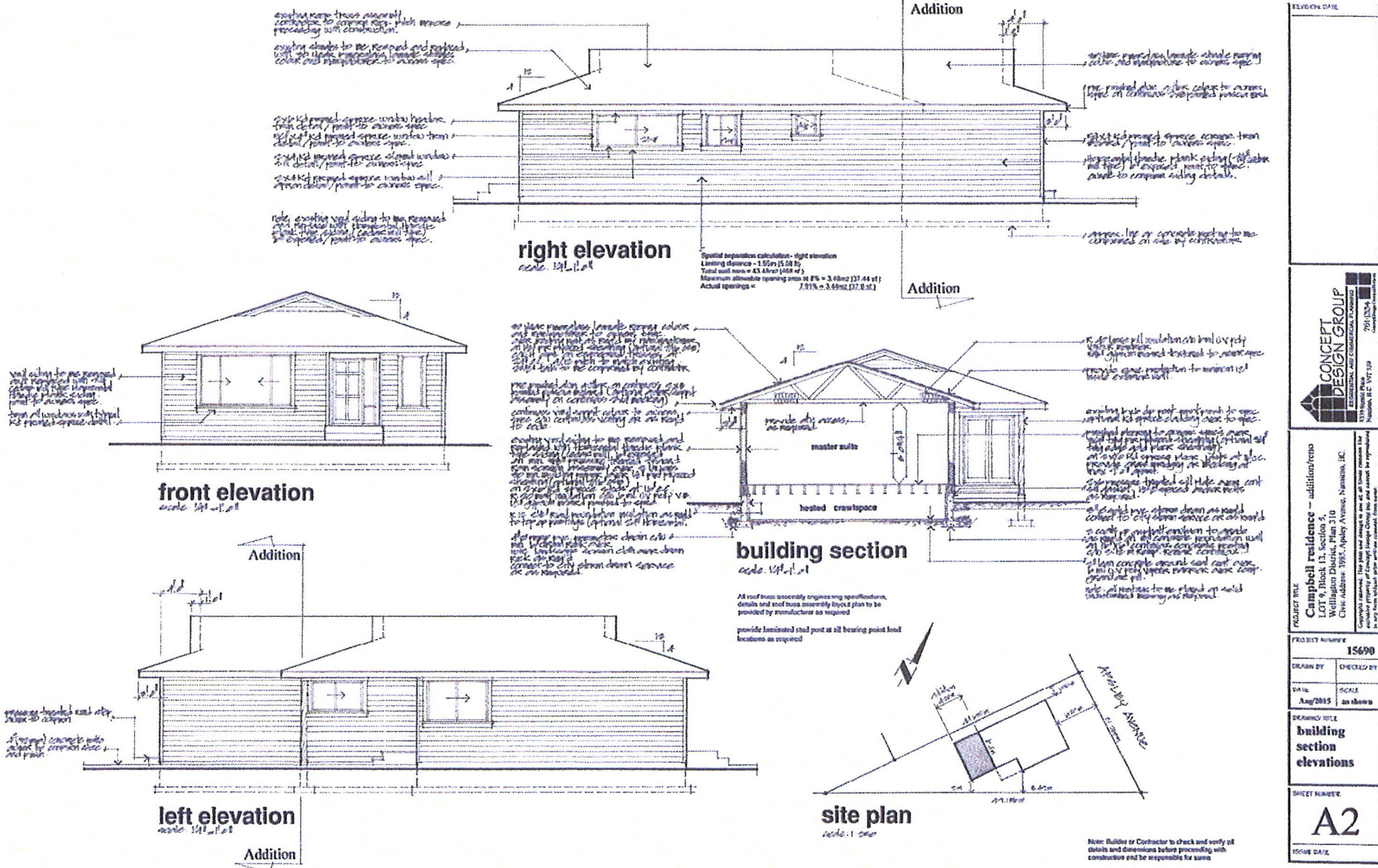
**WILLIAMSON & ASSOCIATES**  
 PROFESSIONAL SURVEYORS © 2011  
 3088 BARONS ROAD NANAIMO B.C. V9T 4B5  
 PHONE: 250-756-7723 FAX: 250-756-7724  
 EMAIL: WAPS@TELUS.NET  
 FILE: 15125-1 REV. 01 (BASE PLAN 12054)

FLANKING SIDE YARD VARIANCE  
 REQUIRED FOR HOUSE  
 MINIMUM FLANKING SIDE YARD SETBACK: 4.0  
 PROPOSED FLANKING SIDE YARD SETBACK: -2.0  
 VARIANCE REQUIRED: =2.0

FLANKING SIDE YARD VARIANCE  
 REQUIRED FOR HEAT PUMP  
 MINIMUM FLANKING SIDE YARD SETBACK: 4.0  
 PROPOSED FLANKING SIDE YARD SETBACK: -2.6  
 VARIANCE REQUIRED: 1.4

Brian S. Henning B.C.L.S.  
 THIS DOCUMENT IS VOID UNLESS ORIGINALLY SIGNED

# Elevations



DATE	
PROJECT TITLE <b>Campbell residence - addition/renovation</b> 3985 Apsley Avenue North Bay Village, FL 33150 Client address: 3985 Apsley Avenue, North Bay Village, FL 33150	
PROJECT NUMBER	15690
DRAWN BY	CHECKED BY
DATE	SCALE
Aug/2015	as shown
DRAWING TITLE	building section elevations
SHEET NUMBER	A2
DATE	

Note: Builder or Contractor to check and verify of details and dimensions before proceeding with construction and be responsible for same.

All work to be done in accordance with The B.C. Building Code, current edition and to all local Building Bylaws.

## Letter of Variance

Dear Sir/Madam

We are the owners of Driftwood Carpentry and have been contracted by the owner of 3985 Apsley Avenue, Valerie Campbell, to renovate her home and build the proposed addition to the rear of the existing building.

Our architect, Charlie Janic, visited the City of Nanaimo building inspections department to discuss the required setback bylaws before drawing up the plans for the addition. Upon requesting the site survey and lot placement he discovered that there was a road that was originally planned to run parallel to the site between 3985 Apsley Avenue and Wellington Crescent. This road was never constructed so there has only ever been a flanking side yard between 3985 Apsley Avenue and Wellington Crescent.

Charlie Janic was informed that due to the site not being classed as a corner lot that the required setback was 2 metres. He proceeded to draw up plans for the proposed addition, we applied for our building permit and began excavating the land and reallocating the original buildings layout to allow for the new addition once the permit was issued.

We were told that our permit was to be issued on Friday 9<sup>th</sup> October 2015. We then received an email on Wednesday 7<sup>th</sup> October 2015 from Jason Wiles stating that due to the building location on the existing lot and the flanking side yard, we would require a 4 metre setback. Due to this misinformation we are now in a position that we cannot build the proposed addition until variance is granted.

We are applying for variance allowance of 2 metres on the addition wall facing south east to allow a setback of 2 metres to the existing flanking side yard. The land is not residential or has ever been used for access such as roads and allowing this variance will not in our opinion effect the neighbouring properties in any way.

The second variance we would like to apply for is the location of the heat pump. We would like to locate it on corner of the south east facing side of the new addition next to the existing covered area as this will prevent any noise pollution to all of the neighbouring properties. If the heat pump is located anywhere at the rear of the property on the southwest facing wall of the new addition as in accordance with local bylaws, the noise produced could become an annoyance to the neighbours as it will be located directly next to their yards. The variance allowance we request is 1.4 metres leaving an actual setback of 2.6 metres to the heat pump.

Thank you for your consideration on these matters.

Regards

Richard Ryall & Wesley Tonge

Driftwood Carpentry Inc.