



DEVELOPMENT VARIANCE PERMIT NO. DVP00273

ANDRE DENNIS SULLIVAN

Name of Owner(s) of Land (Permittee)

Civic Address: 106 PINE 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:

**SECTION A, OF LOT 2, BLOCK S, SECTION 1, NANAIMO DISTRICT,
PLAN 584**

PID No. 008-844-682

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

Section 6.5.2. – Projections into Yards – Heat pumps and central air conditioning units must be located to the rear of the property and shall not be closer than 4.5m from the side lot lines. The heat pump location is within the side yard 0.26m from the side yard lot line, a variance of 4.24m.

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 Survey
Schedule C Letter of Rationale

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 16TH DAY OF NOVEMBER, 2015.



Corporate Officer

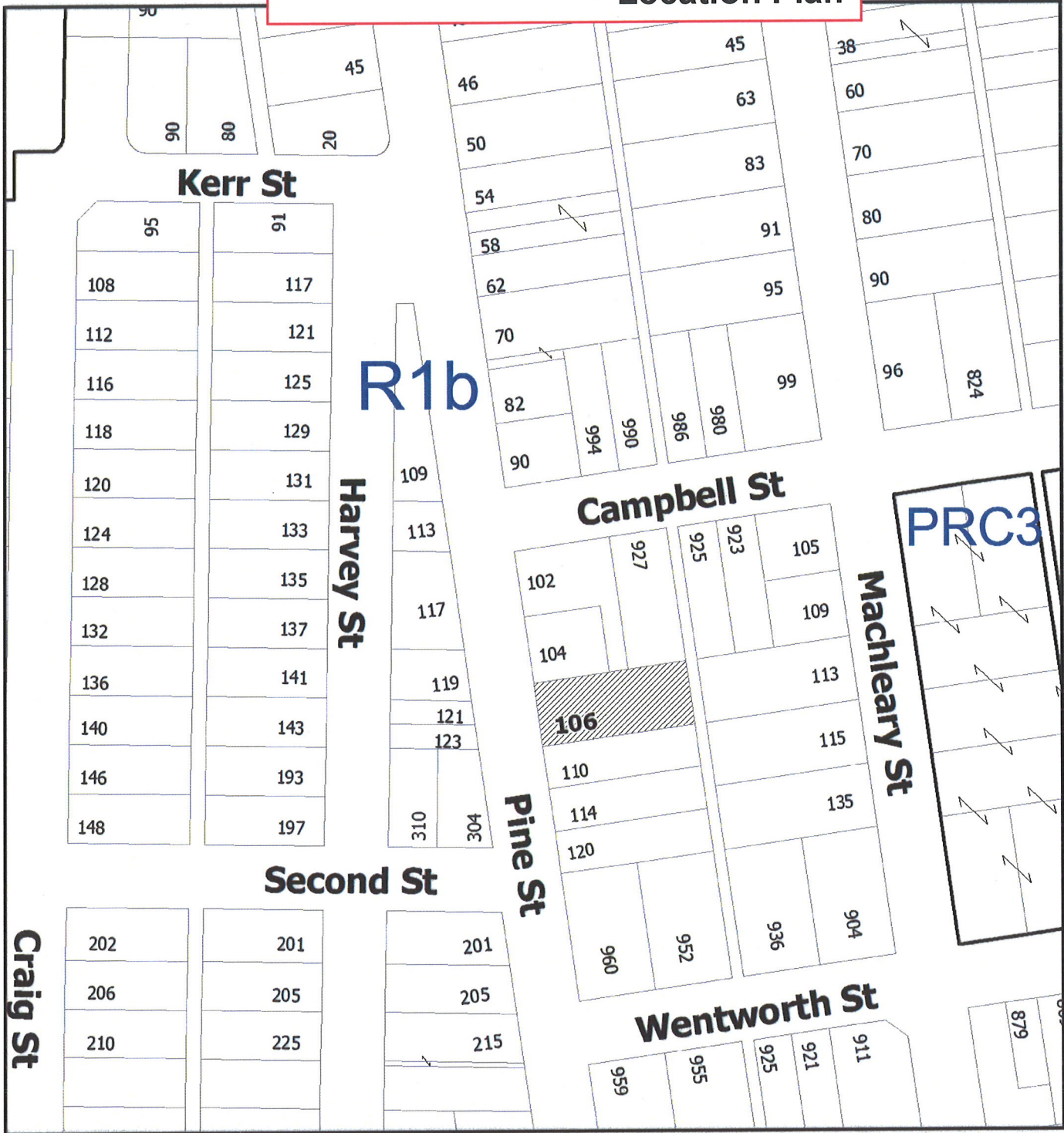


Date

DS/In

Prospero attachment: DVP00273

Location Plan



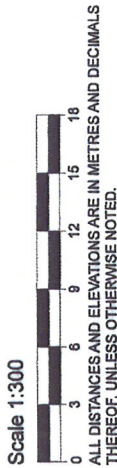
DEVELOPMENT VARIANCE PERMIT NO. DVP00273

LOCATION PLAN

Civic: 106 Pine Street

 Subject Property

**B.C. LAND SURVEYOR'S CERTIFICATE OF PROPOSED PUMP LOCATION ON:
 SECTION A, OF LOT 2, BLOCK S, SECTION 1, NANAIMO DISTRICT, PLAN 584.**



LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS.

CIVIC ADDRESS: 106 PINE STREET

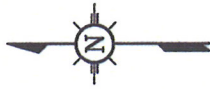
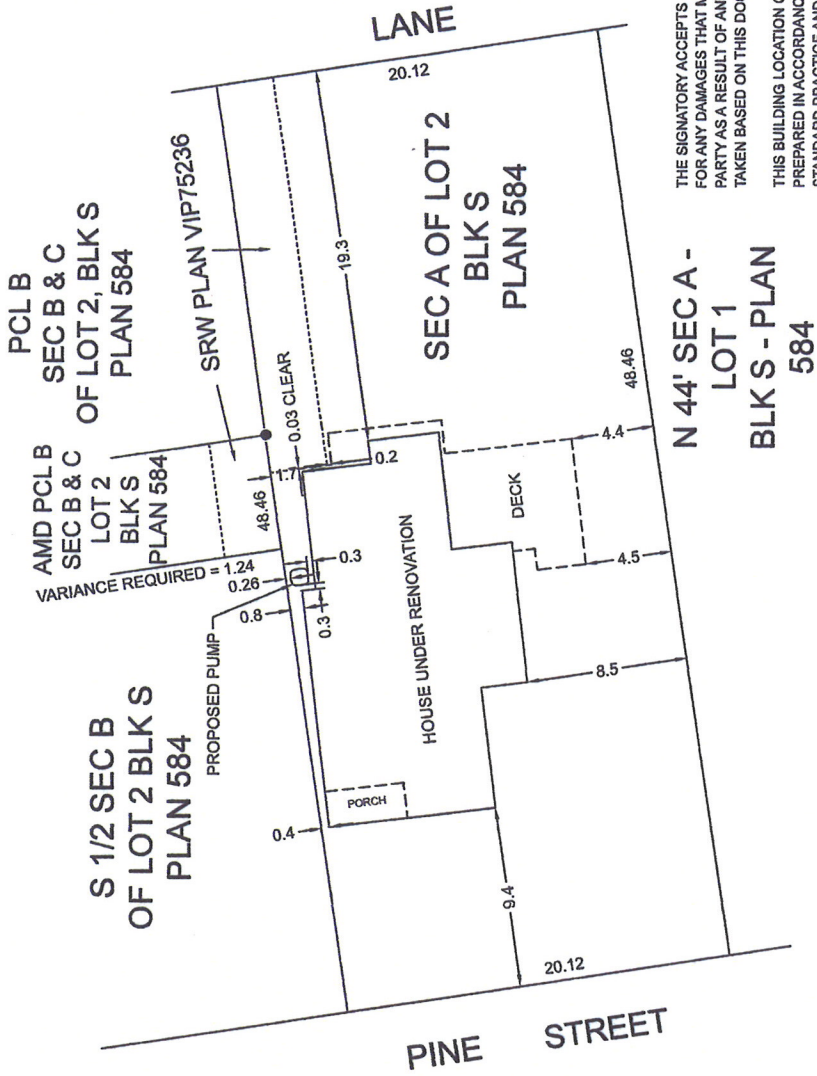
PID: 008-844-682

ELEVATION DATUM IS DERIVED FROM OBSERVATION TO GEODETIC CONTROL MONUMENT 77H5116 MONUMENT ELEVATION = 53.781

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.

Harbour City Land Surveying Ltd.
 1825 LATIMER ROAD
 NANAIMO BC V9S 5H2
 PHONE: 250-758-4180

DRAWING: 14045-PUMP.DWG
 LAYOUT: 1



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.

THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE AND IS CERTIFIED CORRECT THIS DATE OF: OCTOBER 23, 2015.

Andre McNicoll
 ANDRÉ MCNICOLL
 B.C.L.S.
 THIS DOCUMENT IS INVALID UNLESS SIGNED AND SEALED.

THIS PARCEL MAY BE SUBJECT TO REGISTERED CHARGES, INTERESTS AND LEGAL NOTATIONS AS SHOWN ON TITLE NO. CA1447423.

THIS PLAN DOES NOT PURPORT TO VERIFY COMPLIANCE WITH THE RESTRICTIONS THEREIN.

Letter of Rationale

Pheasant Hill
Homes Ltd.



October 15, 2015

City of Nanaimo
455 Wallace Street
Nanaimo, BC
V9R 5J6

Attention: Council Members

Re: Design Rationale for Development Variance Permit Request on By-law 4500 Heat Pump/Air Conditioner Set Back Requirements at 106 Pine Street

Dear Council Members,

Please accept this letter as our Design Rationale for the relaxation of the set-back requirements for Heat Pump/AC Units in a sideyard.

This variance request is to locate the heat pump/AC unit in the existing north side yard setback at 106 Pine Street, rather than at the rear of the house.

The area at the rear of the house where the heat pump would be installed to comply with the bylaw is comprised of lane driveway access to the two car garage at the rear of the home. As the home that is being constructed is a renovation and we are working with the existing footprint of the home, the option of constructing a residence that would allow the installation of an effective heat pump at the back of the house was not available to us. Attached you will find a letter from Hein Mechanical providing details on the efficient installation of a heat pump for this property.

The lane access creates a quiet area in the rear of the yard for residents along that lane to enjoy the outdoors and connect with the local residents as they pass by down alley. Installing a heat pump in this location would prevent access to the garage as per the plans approved by the building department and be an eye-sore as viewed from the alley. In addition, the manufacturer will not allow the unit to be installed under the rear deck.

Locating the heat pump in the North side yard allows for the necessary access to the back of the house for both vehicles and guests arriving at the main entrance (The main entrance is off the alley as there is no driveway or parking in front of the house on Pine Street).

The renovation at 106 Pine Street is being undertaken to keep the original look and feel of a heritage craftsman home while providing the Owners, and future Owners, with a home that is comfortable, durable, and energy efficient. The exterior features smooth cedar trim with a blend of heritage "double drop" cedar lap siding and painted cedar shingles which is true to the original construction of the home. Energy-efficient and conserving construction methods and materials that have been introduced to the home include: a new insulated concrete form foundation, 6" of foam insulation under the basement slab,

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#101 - 5170 Dunster Rd. Suite 524,
Nanaimo, BC V9T 6M4



cladding the exterior with 1.5" exterior insulation, refurbishing existing fixtures, doors and hardware for reuse, reusing the existing brick from the previous chimney, grey water recovery, and a high efficiency furnace and ductless heat pump system. The Heat Pump/AC side yard location provides the homeowners with an efficient heating/cooling source and meets the intention of a comfortable, energy efficient home that is in harmony, both functionally and aesthetically, with the surrounding neighbourhood. Note that the unit itself also comes with a sound-deadening blanket and will be screened to additionally dampen the sound and to be completely hidden from view.

Attached you will find letters of support from the adjacent neighbours. The affected neighbours to the North fully support this request. Due to the unique configuration of the lots on this block, locating the unit in the north side yard of 106 Pine St is the most favorable location for the surrounding neighbours as it borders their rear yards.

Thank you for your consideration of this application.

Warm Regards,



Jason Schmidt
Pheasant Hill Homes Ltd.

/mb

