

REGIONAL DISTRICT OF NANAIMO

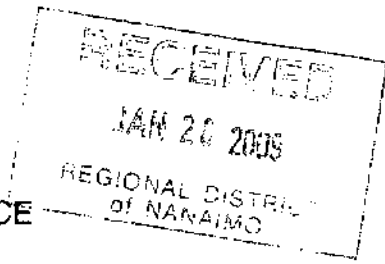
**BOARD MEETING
TUESDAY, JANUARY 27, 2009**

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NOTICE OF DEVELOPMENT VARIANCE
PERMIT APPLICATION NO 90824
3606 Allsop Road
Electoral Area 'C'

Dear Board Members:

In regard to the above application we as neighbours strongly oppose the issuance of the variance permit. The owner of the above mentioned property has tried to build this structure without the proper permits knowing it would not be allowed, as its end use contravenes the Regional District land use bylaws with regard to multifamily rental dwelling as well as height restriction. When this was discovered by concerned residents and the RDN bylaw enforcement issued a stop work order the owners continued to build with total disregard for the RDN rules and concerned neighbours. We do not believe the blatant disregard for the rules and due process that protect neighbours should be rewarded by the granting of variance. We do not feel that the argument of "well it is already built" should be considered.

It came to the attention of concerned neighbours that the owners of the property were planning on using this building as a multifamily rental unit, using the basement, main floor and new upper storey as suites. In the variance application floor plans it shows a wet bar in the upper storey which could simply be a way to get plumbing passed at inspection before putting in a kitchen for the upper storey's real end use as a rental suite. Also there don't seem to be any stairs inside the building to get from the main floor to the upper floor. This would mean the only access would be from outside, a clear indication of the end use of the upper storey.

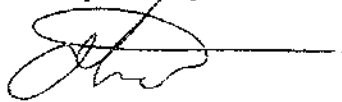
In your RDN variance evaluation policy B1.5 page 3 section 3ai it states that if the applicant is requesting a height variance in order to accommodate a third storey the application will be denied. This policy should apply in this case as the plans show that the basement is the first storey on the North and West elevation creating a third storey.

As concerned neighbours we strongly oppose the height as well as use of this building as a rental unit as it will negatively affect our rural residential area and send it in a direction that we don't want it to go. One of these effects could be the environmental impact of the addition of more bedrooms (more people using water) causing what is probably an old septic system to fail and negatively affect property owners downhill who rely on surface water for their homes.

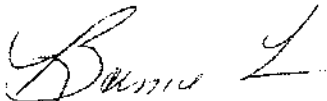
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JAN 26 2009
REGIONAL DISTRICT
OF NANAIMO

As tax paying concerned citizens we expect the RDN to do everything in it's power to uphold the rules and regulations that we all live by and hope that the refusal of this application will deny the owners the use of this building as a rental unit. We have been informed that there are other processes at the RDN's disposal to stop illegal rental suites but we don't have much faith in these processes as they probably rely on the owners willingness to abide by the rules and regulations and have loop holes that allow some to circumvent the intentions of said rules. We hope the RDN Directors will take into consideration the property owners past disregard for rules and regulations as an indication of what their intentions could be for this building so it does not affect the ability of the neighbours to enjoy our single family dwelling rural residential community.

Thank you for your time.



Ole Lind



Bernice Lind

3583 Ranch Point Road
Lot # 27
Nanaimo B.C.
V9R 6W9
250-756-7748

NOTICE OF DEVELOPMENT VARIANCE PERMIT APPLICATION NO. 90824
3606 Allsop Road
Electoral Area 'C'



Dear Board Members,

I am against the approval of this application for a Development Variance Permit specifically regarding height.

All of the homes surrounding Lot 7, Section 18, Range 3, Mountain District, Plan 34810 were built before the RDN changed the height restriction from 8 metres to 9 metres and therefore are 8 metres or less in height. If Lot 7 is allowed to now build a 9 metre structure, this building will appear to tower over surrounding properties. Before the owners added - on, the skyline had a subtle incline of roof lines, now this house is sitting above everyone else's houses, and the added windows can now peer into our once private yards and homes.

From the floorplan submitted it appears that this extra height will allow for a full suite including extra bedrooms and wet bar/kitchen. If the multi-family dwelling is allowed to proceed I am very concerned with the negative affects this will have on the environment specifically the extra load on the septic system and the potential contamination of a near by feeder stream.

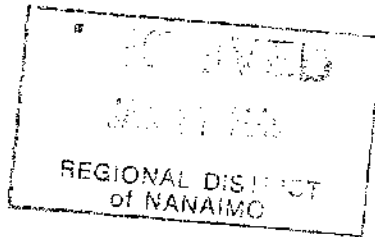
In closing I trust that the owners of Lot 7, Section 18, Range 3, Mountain District, Plan 34810 are not rewarded by the Regional District of Nanaimo for defying the rules and regulations that the neighbouring single family dwellings have respected as a community.

Thankyou for your time and attention in this matter.

Lana Cuddeford

Richard Cuddeford

3079 Andres Road
Lot 16
Nanaimo, BC
V9R 6X2
250-758-3500



Karen Grady & Daniel Fortin
3607 Ranch Point Road
Nanaimo, BC
V9R 6X2

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

Re: Permit Application NO. 90824

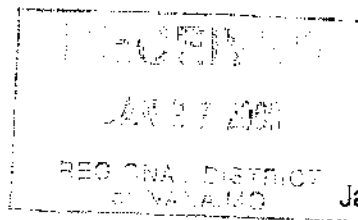
Members of the Regional District Board:

This letter addresses our concerns regarding the proposed variance for permit no. 90824 to increase the maximum height of the building located at 3606 Allsop Road from 8 to 9 metres. We are not in support of the increase in the maximum height of the building as the increase will affect us as a close neighbour in the following ways:

- I am not in support of the increase in the height of the building as it will be disproportionate in size and out of character with our house and the surrounding houses. We believe the house should be cohesive with what is in the neighbourhood. On average houses in the neighbourhood are at the maximum of 8 metres in height.
- We are not in support of this increase in maximum height as the extra 1 metre will affect our privacy as well as their privacy.
- We are not in support of this increase in the height, as the extra 1 metre will act to increase the travel pattern of sound waves towards our house. Any noise resulting from the extra 1 metre living space will be easily transmitted through to our property as well as other neighbors' property.
- We are not in support of the increase in maximum height as it will have an impact on the water table, which we rely on for water supply to our wells. The height increase will allow a liveable space on the second floor, and according to the plans it shows a full bathroom & wet bar. More demand on the water table will affect our wells especially through the summer months.

Thank-you for your time & consideration to our comments.

Sincerely,
Karen Grady
Daniel Fortin



January 27, 2009

The Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC
V9T 6N2

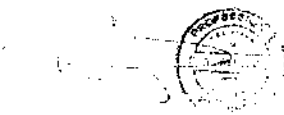
(Via email)

Re: **NOTICE OF DEVELOPMENT VARIANCE,
PERMIT APPLICATION NO 90824, 3606 Allsop Road, Area 'C'**

I am the owner of the neighbouring property, Lot #26, Section 18, Range 3. I am requesting the Board of the RDN to refuse issuing a development variance permit to the owner of Lot 7, Section 18, Range 3, mountain District, plan 34810 for the following reasons:

- I understand the residential building was built without any permit; and
- It appears the building has been designed as a multifamily rental unit; We live in an area where adverse conditions are encountered for the proper operation of septic fields and also where water supply is stressed in the drier part of the year. I rely on a shallow well for water supply and had to import water both in the summer and fall of 2006 and 2008. Therefore, I believe the increased water demand and the disposal of additional liquid waste associated with the potential future use of the proposed building will significantly impact neighbouring properties.

Yours truly,



Dr. Gilles Wendling, P.Eng.

3591 Ranch Point Road,
Nanaimo, BC, V9R 6W9
Tel: 250-758-8068

Armstrong, Jane

From: Rowett, Lainya
Sent: January 27, 2009 4:01 PM
To: Armstrong, Jane
Subject: FW: Variance permit

From: Sylvia Noble [mailto:edsyl54@shaw.ca]
Sent: Thursday, January 22, 2009 2:44 PM
To: email, planning
Cc: Bill Malainey
Subject: Variance permit

Regional District of Nanaimo
Development Services

January 22, 2009

Ref: your notice of variance permit application number 90823

Please be advised that we, Edward and Sylvia Noble of 1754 Admiral Tryon Blvd. Parksville, BC V9P 2V2 are NOT in favour of the above variance being granted. There are covenants against all of these properties to which we have adhered, and see no reason to approve such variance for one purchaser, who is very much aware of said covenants upon the purchase of his property.

Also the change in set-back would alter the general esthetics of the street.

Yours respectfully,

Edward and Sylvia Noble.

Armstrong, Jane

From: Rowett, Lainya
Sent: January 27, 2009 4:00 PM
To: Armstrong, Jane
Subject: FW: Development Variance Permit Application No. 90823

From: Marne McMillan [mailto:marnemcm@shaw.ca]
Sent: Sunday, January 25, 2009 6:53 PM
To: email, planning
Subject: Development Variance Permit Application No. 90823

Ms. M. J. McMillan
304 - 6328 Larkin Drive
Vancouver, BC
V6T 2K2
January 25, 2009
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2
Attn.: Development Services
Planning Department

email: planning@rdn.bc.ca

Re: Development Variance Permit Application No. 90823
Lot 26, District Lot 28, Nanoose District, Plan VIP 62528
1751 Admiral Tryon Blvd.

As owner of Lot 8, District Lot 28, Nanoose District, Plan VIP 62528, I strongly object to this application. My lot is directly across the street from Lot 26.

The intent of the minimum front yard setback is to guarantee a conformity and equal distance of all residential structures from other structures (across the roadway). To the best of my knowledge, this application is the first attempt to reduce the front yard setback within this subdivision. If granted, it would set a precedent that is not in the interest of either existing residents or other lot owners.

It is my understanding from the RDN documentation this application indicates a dwelling including garage of 327.29 square meters (3,523 square feet) which would be, I believe, the largest or one of the largest houses in the subdivision located on one of the smaller water front lots. In my opinion, anyone intending to build that much square footage on a waterfront lot should not be and can not be rightfully considered a hardship case that needs a development variance permit. In other words, I believe this applicant must be required to conform to the same bylaw setbacks that all other lot owners have had to respect.

In addition, upon reviewing the RDN documentation, I believe the applicant contravenes the Building Scheme Covenant. Although this is not the official responsibility of the RDN, I believe the developer, French Creek Estates Ltd., and the RDN have previously communicated at the planning and building permit level in order to ensure the other property owners within the subdivision are protected by enforcement of the rules. I trust the RDN will continue to work in this manner.

Please confirm your receipt of this letter by return e-mail. Thank-you.

Yours truly,

Ms. M.J. McMillan
cc. J. Beadle