

REGIONAL DISTRICT OF NANAIMO

**BOARD MEETING
TUESDAY, .OCTOBER 26, 2010**

A D D E N D U M

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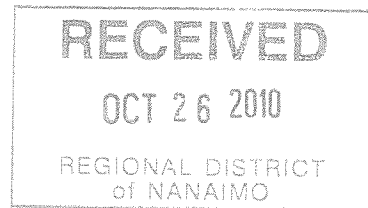
COMMUNICATIONS/CORRESPONDENCE

- 2 **Bruce & Ronalyn Cownden**, re Development Permit with Variances Application No. PL2010-109 – Fern Road Consulting Ltd. – Mariner Way – Area ‘G’.
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Regional District of Nanaimo

October 26, 2010

Bruce and Ronalyn Cownden
801 Mariner Way
Parksville, BC V9P 1S4



Attention: Planning Department

Re: Variance Application No. PL2010-109 Lot 1 Mariner Way

Dear Board of Variance;

We have reviewed the above Variance Application that was mailed to us by the RDN and have no concerns with the variances requested.

If necessary, we can be reached at 250-248-7452.

Thank you,

Bruce and Ronalyn Cownden
801 Mariner Way, Parksville

October 20, 2010

Regional District of Nanaimo
Development Services

RE: Notice of Development Permit with Variances Application No. PL2010-109
Lot 1 Mariner Way Electoral Area 'G';

Firstly, let me say that the timeframe for comments seems somewhat short especially given that the documents provided are confusing at best. Schedule 1 page 1 of 2 is not legible. Then, Schedule 2, Development Permit with Variances PL 2010-109 Building Elevations (Page 2 of 2) shows above the flood plain elevation to be 10 feet for the main floor elevation and 15 feet 3 inches from the upper floor level to the highest roof ridge. These total 25 feet 3 inches which is within the 26 feet 8 inches provided by the maximum permitted dwelling height. So, why is a variance in height requested?

On a straight theoretical issue, why would you want to allow a 5 foot 4 inch increase in height to the maximum permitted height? A few inches probably, a foot possibly but 5 feet 4 inches? Allowing this level of laxity in the height maximum permitted requirement makes it no more than a suggested maximum height. 5 feet 4 inches is almost an average persons height so it is not insignificant. Such a house would tower over those around it creating an imbalance that the bylaw was designed to prevent. This is so in any neighbourhood but especially so when we are addressing waterfront property where views are so important. We would be opposed to any house being approved a 5 foot 4 inch height increase from the bylaw maximum height.



Barbara Cowperthwaite



John Cowperthwaite

Pursuant to your Notice of Development Permit with Variances Application No. PL2010-109, Lot 1 Mariner Way, Electoral Area 'G' we respectfully ask that this application be **denied**.

We feel we have not been given enough time to give this proposal careful consideration. We received the notice on Tuesday October 19, which gave us only 4 business days to review and respond. We found the documentation accompanying the notice to be unreadable, which necessitated a trip to RDN offices in order to inspect the documents on file, and have readable copies made. The staff answered our questions and were helpful.

We live across the street from said lot, and the requested increase to 9.6 meters from the regulation 8 meters would greatly affect the enjoyment of our property. This increase is in excess of 5 feet; a small variance would not be an issue, but we feel this an extreme increase. We knew when we bought our house that there would be a chance of a building going on said property, but it should be within the stipulated by-laws already set out for existing houses. It will greatly change the appearance and dominate the neighbourhood. It appears that this house is too big for the shape and size of the lot, and is not in keeping with the appearance of existing property.

On reviewing the plans they show that they were created with the full knowledge that a variance would be required. Building by-laws are put in place for a reason, so why should plans be created that knowingly exceed the building by-laws.

There should also be taken into account our fire situation in this area. Reducing the minimum setback from the interior side lot line would hinder emergency access to properties and could also create a fire hazard.

We again stipulate that building by-laws are created for a reason. Therefore, we feel everyone should adhere to them, or they are become redundant.

Therefore, we recommend that these requests be denied since they do not meet the current building by-laws for this area.

Patricia and Stephen Harman
816 Mariner Way,
Parksville BC
V9P 1S3



Development permit for application No PL2010-109 lot 1 Mariner Way area G

We are the immediate neighbours of this lot.

If the zoning bylaw and regulations are adhered to this application for a development permit with variances should be denied. The coastal areas were surveyed years ago and therefore the minimum flood construction level would have been well known by the company that has drawn up these plans. It would therefore appear that they have knowingly tried to bend the bylaws.

The requested extension on the ocean side for a very large roofed patio goes over the development permit area and will destroy the western view of ourselves and that of our neighbours, and the privacy that we all enjoy on the ocean side will be lost.

The size of the house will also destroy the ambiance of the district. Because of one mistake in this area we do not need to make another one. Without the accretion would the house size be too big for the lot?

Also there have been recent discussions regarding fire regulations for the whole of the San Pareil development, and changing the setback could possibly cause difficulties and create a potential hazard. This is unacceptable. We have had in the past to call both the fire dept. and the police due to beach fires .

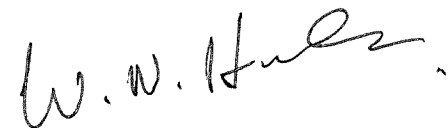
Regarding the height variance it should be noted that the house on lot V1P83755 at 823 Mariner way had to have smaller windows on the second floor to comply with the zoning bylaws. The bylaws were followed.

In view of the above we recommend that the variances be denied.

Neville and Lee Hunter
817 Mariner Way

October 19th 2010 *

Document # 3

A handwritten signature in black ink, appearing to read "W. W. Hunter". The signature is written in a cursive style with a long horizontal stroke at the end.

t.sharman@shaw.ca

From: "Bill McKnight" <bill.mcknight@southcoastcasuals.com>
To: <t.sharman@shaw.ca>
Sent: October-21-10 9:52 PM
Subject: Regional District of Nanaimo
Oct 20,2010

Regional District of Nanaimo
6300 Hammond bay Road
Nanaimo, B.C.
V9T 6N2

Re: Development Permit with variances
Lot 1, District Lot 181, Nanoose District, Plan VIP71847

Dear Sirs

I'm the owner of 820 Mariner way and I'm writing to voice my objections of the application for a Variance for this property. I object to both and height and the setback increases. When this subdivision was developed the waterfront and lots across the street were offset to allow the inland lots to have a view of the water. With today's larger homes this opportunity is rapidly disappearing. In the case of the subject property it has already been increased in size and there is lots of opportunity to build a very large home without requiring a Variance.

Thank you,

Bill McKnight
820 Mariner Way
604---240-2776

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Bill McKnight
Owner, South Coast Casuals
5028 48th Avenue
Ladner Village
Delta, BC V4K 1V8

tel: (604) 946-8590 fax: (604) 946-0987

Rose Anne McQueen
808 Mariner Way
Parksville, BC, V9P 1S3

October 24, 2010

Area Directors
Regional District of Nanaimo

**RE: Development Permit with Variances and Site Specific Exemption,
Lot 1, District Lot 181, Nanoose District, Plan VIP71847
Mariner Way - Electoral Area 'G'**

I am the owner of 808 Mariner Way situated directly across the street from Lot 1. I am strongly opposed to these variance applications and Development Permit Area Exemption.

I purchased my property 11 years ago with the full knowledge that at sometime in the future a house would be built on this property. I have never had any objections to this because it has always been my assumption that any buildings on Lot 1 would meet the RDN bylaws on setbacks and height and that a house would be constructed that was appropriate to the site and was in keeping with the homes in the immediate area.

Therefore, I was greatly disappointed when I found out that the owners of Lot 1 were proposing a house that will require a height variance of 20% over bylaw requirements, a side yard variance of 25% and not to mention a beach front yard exemption to encroach into the Development Permit Area by 1.7 meters. To build such a home will have a significant impact upon our living environment.

As you can see from the enclosed pictures a house 9.6 meters high would tower over the adjacent dwellings, compromise neighbours views and change the unique character of our neighbourhood.

At the time of purchase the owners must have been aware that they were building on a flood plain and in a Development Permit Area which had definite implications as to how they could develop the lot; particularly in regards to the size, location and height of their house.

I appreciate that having to meet the flood construction levels and conform to a Development Permit Area can pose particular challenges for new home construction. However, other home owner's in our area have met these challenges and stayed within the bylaws – I do not believe that the applicant has demonstrated that a 20% and 25% variance and beach front exemption in the regulations is the only option available to allow for the development of their property.

In closing let me say that I find it regrettable that I have to take such an opposing stand in regards to my new neighbours' building plan. However, bylaws are set in place to govern the development of a neighbourhood thereby ensuring that consistent standards are met. They should only be varied when no other alternatives exist. In this instance I fail to see how this is the case.

Respectfully submitted,

A handwritten signature in cursive script that reads "RAM Queen". The letters are fluid and connected, with a prominent "Q" and "u" in the last name.

Rose Anne McQueen