

REGIONAL DISTRICT OF NANAIMO  
BOARD OF VARIANCE  
AGENDA

Wednesday, February 13, 2019

4:00 P.M.

Committee Room

Pages

1. CALL TO ORDER
2. APPROVAL OF THE AGENDA
3. ADOPTION OF MINUTES
  - 3.1 Board of Variance Meeting - December 12, 2018 2

That the minutes of the Board of Variance meeting held December 12, 2018, be adopted.
4. APPEALS
  - 4.1 Board of Variance Appeal No. PL2018-214 - Lot 6 Collingwood Drive, Electoral Area E 4

That the maximum height requirement for a dwelling unit be increased from 8.0 metres to 8.7 metres, as shown on the attached plan

That the Board vary "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987"
  - 4.2 Board of Variance Appeal No. PL2019-027 - 1920 Balsam Road, Electoral Area A 26

That the maximum height requirement for a dwelling unit be increased from 8.0 metres to 8.78 metres, as shown on the attached plan

That the Board vary "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500, 1987"
5. NEW BUSINESS
6. ADJOURNMENT

**REGIONAL DISTRICT OF NANAIMO  
MINUTES OF THE BOARD OF VARIANCE MEETING**

**Wednesday, December 12, 2018  
4:00 P.M.  
Committee Room**

In Attendance:	D. Wiwchar	Chair
	L. Mathews	BOV Member
	D. Holme	BOV Member
Also in Attendance:	P. Thompson	Manager, Current Planning
	S. Syme	BOV Secretary

**CALL TO ORDER**

The Chair called the meeting to order 3:52 PM.

**APPROVAL OF THE AGENDA**

It was moved and seconded that the agenda be approved as presented.

CARRIED UNANIMOUSLY

**ADOPTION OF MINUTES**

**Board of Variance Meeting - November 14, 2018**

It was moved and seconded that that the minutes of the Board of Variance meeting held November 14, 2018, be adopted.

CARRIED UNANIMOUSLY

**APPEALS**

The Chair detailed for each individual appeal the selection and structure for the Board of Variance and introduced the other Board members and staff. Excerpts of the *Local Government Act* were read and the grounds upon which an appeal may be granted were explained.

**Board of Variance Appeal No. PL2018-194 - 2795 Webster Road, Electoral Area C**

Notification of the appeal was given to the owners and occupiers of all real property located within 50 metres of the property about which this appeal was being heard. The applicant provided no letters of support from neighbours and no additional correspondence was received.

Kristopher Staines spoke in support of the appeal.

It was moved and seconded that the Board of Variance found undue hardship and is of the opinion that the request does constitute a minor variance. The appeal submitted by Kristopher and Tanina Staines to vary "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500, 1987" so that the maximum height requirement for an accessory building be increased from 9.0 metres to 9.06 metres, and that the maximum combined floor area of accessory buildings be increased from 400 m<sup>2</sup> to 409 m<sup>2</sup>, be granted.

CARRIED UNANIMOUSLY

**Board of Variance Appeal No. PL2018-206 - 1856/1858 Kirkstone Way, Electoral Area A**

Notification of the appeal was given to the owners and occupiers of all real property located within 50 metres of the property about which this appeal was being heard. The applicant provided no letters of support from neighbours and no additional correspondence was received.

Jack Anderson from Greenplan spoke in support of the appeal.

It was moved and seconded that the Board of Variance found undue hardship and is of the opinion that the request does constitute a minor variance. The appeal submitted by Colin and Jennifer Jones to vary "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500, 1987" so that the maximum height requirement for an accessory building be increased from 6.0 metres to 8.0 metres, be granted.

Opposed (1): D. Wiwchar

CARRIED

**ADJOURNMENT**

It was moved and seconded that the meeting be adjourned.

TIME: 4:20 PM

CARRIED UNANIMOUSLY

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CHAIR

**TO:** Board of Variance **DATE:** February 13, 2019

**FILE:** PL2018-214

**SUBJECT: Board of Variance Appeal No. PL2018-214  
Lot 6 Collingwood Drive – Electoral Area E**

OWNER:	Gionet Construction LTD., INC. NO. BC1025805
LOCATION:	LOT 6, DISTRICT LOT 8, NANOOSE DISTRICT, PLAN 51142
CIVIC:	Lot 6 Collingwood Drive
ELECTORAL AREA	E
PURPOSE	<p>The applicant is requesting the following:</p> <p>That the Board vary “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”</p> <ul style="list-style-type: none"> <li>• That the maximum height requirement for a dwelling unit be increased from 8.0 m to 8.7 m as shown on the attached plan.</li> </ul>

The appeal seeks a variance from the following provisions of the *"Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987"*.

**Section 3.4.61**

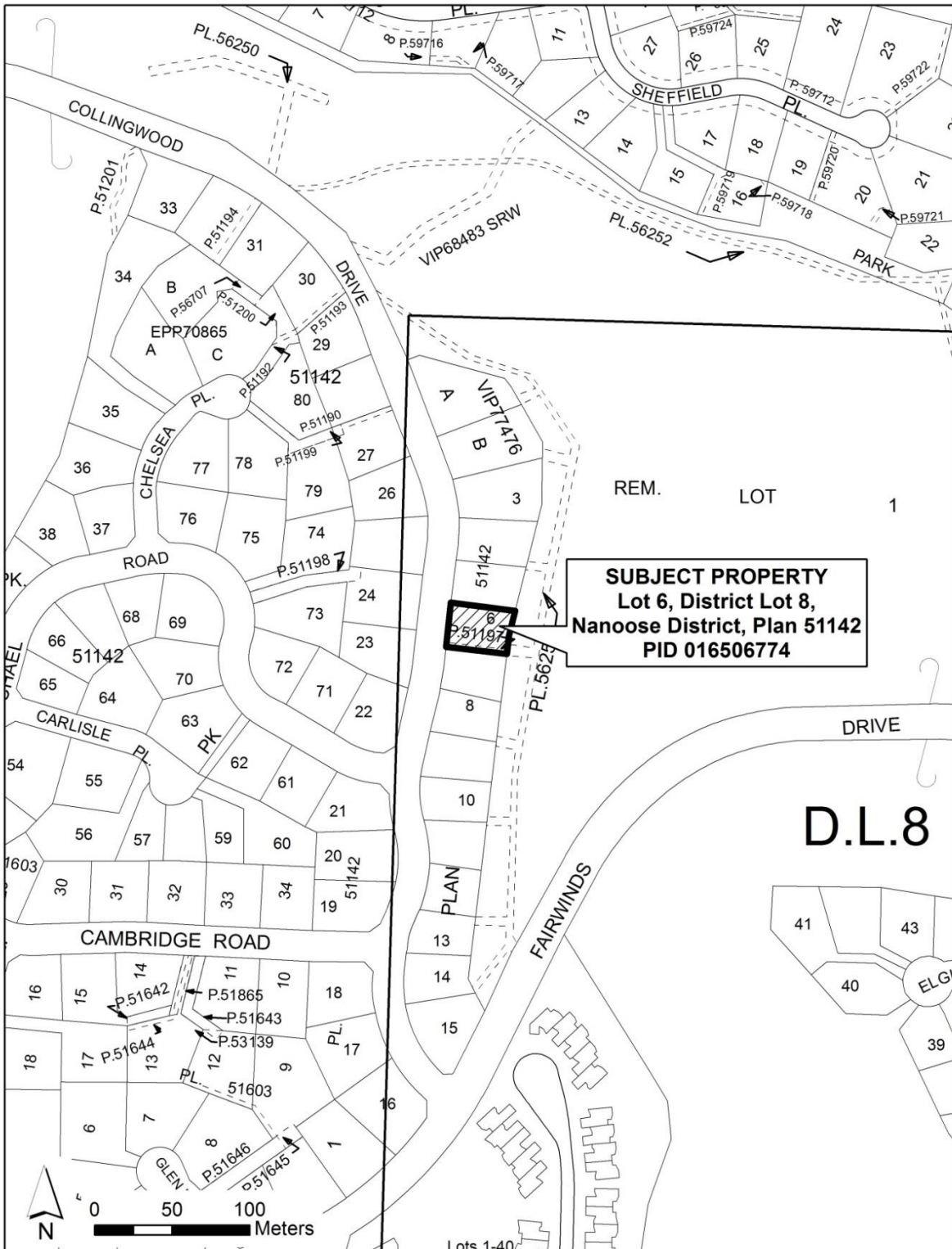
*Maximum Number and Size of Buildings and Structures  
Dwelling Unit Height – 8.0 m*

Attachments to this appeal include:

1. Subject Property Map
2. Application
3. Certificate of Title
4. Site Plan
5. Elevations
6. Notification



**Attachment 1  
Subject Property Map**



**Attachment 2  
Application  
(1 of 6)**



December 6, 2018

Board of Variance  
Strategic & Community Development  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

Re: Lot 6 Collingwood Drive, Nanoose Bay, BC  
Lot 6, D.L. 8, Nanoose District, Plan 51142

Dear Board Members,

As registered owners of lot 6, Collingwood Dr., Nanoose Bay, Calais and I are requesting a height variance of .70 m (2') or 8m to 8.7m to build our proposed residence. The variance request is required due to the hardship presented by the severity of the sloping lot. The building design has been well thought through to lessen the height variance request, however, we are still presented with an extreme driveway slope of 22% and the need to back into or drive into traffic while on the steep grade. The variance will reduce the grade to a 15% slope resulting in a much safer approach to Collingwood Drive.

To summarize, we are requesting a .70 (2') metre height variance to increase the permitted building height from 8 metres to 8.7 metres due to the undo hardship as presented by the severe lot profile.

Thank you for taking our request under consideration.

Sincerely,

Gionet Construction Ltd.

A handwritten signature in blue ink, appearing to read 'A. Gionet'.

Aaron Gionet, President



**Attachment 2  
 Application  
 (2 of 6)**



Strategic & Community Development  
 6300 Hammond Bay Road Nanaimo, BC V9T 6N2  
 (250) 390-6510 (Nanaimo) 1-877-607-4111 (within BC)  
 Fax: (250) 390-7511

**Board of Variance Application Form**

**OFFICE USE ONLY**

Application Fee: 400      Receipt No. \_\_\_\_\_      File No. PL2018-214

**SECTION 1: DESCRIPTION OF PROPERTY**  
(AS INDICATED ON THE STATE OF TITLE CERTIFICATE)

Legal Description lot 6, DL 8, Nanoose District, Plan 51142

Civic Address Lot 6 Collingwood Drive, Nanoose Bay BC

Electoral Area E      Parcel Identifier (P I D) 016-506-774

**SECTION 2: OWNER INFORMATION**  
(ATTACH ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

1) <u>Aaron Gionet</u> Name _____ Mailing Address _____ Town / Province      Postal Code _____ Telephone/ Cell      Fax _____ Email _____	2) _____ Name _____ Mailing Address _____ Town / Province      Postal Code _____ Telephone/ Cell      Fax _____ Email _____
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------

I would prefer all correspondence via:  email    regular mail    fax

**SECTION 3: AGENT INFORMATION**

Peter Jorgensen (Jorgensen Osmond L)      \_\_\_\_\_      Parksville BC  
 Name      Mailing Address      Town/Province

\_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_  
 Postal Code      Telephone/ Cell      Fax      Email

I would prefer all correspondence via:  email    regular mail    fax

**SECTION 4: REASON FOR APPEAL**

I/ We, the registered owner(s) of the above noted property, hereby appeal to the Board of Variance for the following:

To review a decision made by the Regional District of Nanaimo Manager of Building, Bylaw & Emergency Planning Services pursuant to Section 532 of the **Local Government Act**.

Or,

To determine that compliance with the following will cause undue hardship:

Relating to siting, size and dimensions of a building or structure, or the siting of a manufactured home in a manufactured home park. (Note: use and density, including varying maximum building size provisions, will not be considered for variance)

The prohibition of structural alteration and addition pursuant to Section 531 of the **Local Government Act**.

A subdivision servicing requirement pursuant to Section 506 of the **Local Government Act** in an area zoned for agricultural or industrial uses.

**Attachment 2  
Application  
(3 of 6)**

**SECTION 5: APPLICATION COMPLETION CHECKLIST:**  
ALL MEASUREMENTS TO BE IN METRIC

- A copy of Certificate of Infeasible Title (dated within past 30 days) *Corporate Registry*
- A letter of authorization *Search Comming*
- A letter outlining the details of the appeal *Via Email*
- Application fee as required by Bylaw No. 1259, 2002
- Two (2) survey plans certified by a BC Land Surveyor to a maximum scale of 1:500, showing location of existing and proposed buildings and structures and parts thereof
- Electronic copies of all plans *Via Email*
- Property Declaration Form

Additional information may be required, such as:

- Two (2) building elevation plans to a maximum scale of 1:100
- Two (2) survey plans certified by a BC Land Surveyor including topographical information
- Professional Engineer's Report
- RDN Sustainable Development Checklist
- Other \_\_\_\_\_
- \_\_\_\_\_

**SECTION 6: Registered Owner's Authorization**  
(ATTACH ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

I hereby declare that all the above noted statements and information contained in this application and supporting documents are true and correct.

*[Signature]*  
\_\_\_\_\_  
Signature of Registered Owner

*Dec 10/18*  
\_\_\_\_\_  
Date

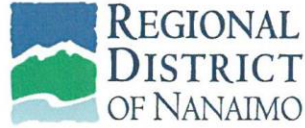
\_\_\_\_\_  
Signature of Registered Owner

\_\_\_\_\_  
Date

In order to process your application, please provide all necessary documentation with your application. Please refer to the Board Of Variance Guide for further information. Contact the Board of Variance Secretary if you require assistance.

Submit the completed application form, required fee, plans, and supporting material to the Regional District of Nanaimo. The fee is payable to the "Regional District of Nanaimo".

**Attachment 2  
Application  
(4 of 6)**



**Authorization Letter for Agent**

I/ We Peter Jorgensen, Jorgensen Osmond Ltd., the owner(s) of property legally described as Lot 6, DL 8, Nanoose District, Plan 51142  
*(Legal Description)*  
at lot6, Collingwood Road Nanoose Bay BC  
*(Civic Address)*  
authorized Peter Jorgensen, Jorgensen Osmond Ltd.  
*(Name of Agent)*

To act as my/our agent for all purposes in relation to the application for permits from the Planning Department of the Regional District of Nanaimo and I/we acknowledge the authority of the agent to bind me/us in all matters relating to the work to be preformed under the permit.

The person signing the permit documents, if not the owner, acknowledges that his or her signature is as agent for the owner and that he or she is authorized to bind the owner who will be deemed to know of and to understand the contents of the documents.

 *Signature of Owner*       Dec 10 /18 *Date*  
 \_\_\_\_\_ *Signature of Owner*       \_\_\_\_\_ *Date*





**Attachment 2  
Application  
(5 of 6)**



**Property Declaration Form**  
for Riparian Areas, Nesting Trees,  
and Site Profiles

Subject Property Legal Description:

Subject Property Civic Address:

Subject Property PID:

**Riparian Areas**

I (we) acknowledge that the province of British Columbia enacted the *Riparian Areas Regulation* to protect the critical features, functions, and conditions required to sustain fish habitat. Furthermore, this legislation prohibits the Regional District of Nanaimo (RDN) from approving or allowing a development to proceed adjacent to a watercourse until it has received notice that a report prepared by a Qualified Environmental Professional has been received by the Ministry of Environment.

I (we) understand that a water feature includes any of the following:

- a) any watercourse, whether it usually contains water or not;
- b) any pond, lake, river, creek or brook; and/or,
- c) any ditch, culvert, spring, or wetland.



I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of any water features. I (we) declare that (***please check the one that applies***):

- that there are no water features located on the subject property; or
- there are water features located on the subject property.

I (we) declare that all proposed development including land alteration, vegetation removal, alteration or construction of a building or structure (***please check the one that applies***):

- is greater than 30.0 metres from a water feature; or
- is less than 30.0 metres from a water feature.

**Eagle and Heron Nesting Trees**

I (we) acknowledge that the *Wildlife Act* protects Bald Eagles and Great Blue Herons, their eggs and nests. Bald Eagles and Great Blue Herons are sensitive to development near their nesting sites and may return to a nest that has been unused for a number of years.

While the provincial government and the RDN undertake mapping of nesting sites from time to time, not all are mapped. Some on private property may have been undetected, and new nests are continually being built. Typically, a 60 metre radius for an eagle nesting tree and depending on the level of development in an area, a 60 - 300 metre radius for a heron nesting tree (or trees) is considered to be sensitive to disturbance. Electoral Areas A, E, G and H require that a development permit be obtained prior to development near an eagle or heron nest.

Mapped eagle and heron nest trees can be found on the Community Mapping Network at [www.cmnmaps.ca/WITS/](http://www.cmnmaps.ca/WITS/) and [www.cmnmaps.ca/GBHE/](http://www.cmnmaps.ca/GBHE/).

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area

**Attachment 2  
Application  
(6 of 6)**

for the existence of eagle or heron nests prior to completing this form. I (we) declare that (*please check the one that applies*):

- there are no eagle or heron nesting trees on or within 100 metres of the subject property; or
- there is an eagle or heron nesting tree on or within 100 metres of the subject property.

**Site Profile**

I (we) acknowledge that when an application is made to the RDN, Section 40(1) of the *Environmental Management Act* requires that a Site Profile be completed when the applicant knows, or reasonably should know, that the land is being used or has been used for industrial or commercial purposes of the type listed in Schedule 2 of the *Contaminated Sites Regulation* unless otherwise exempt under the Regulation. Please find the Site Profile Form and Schedule 2 on the Government of BC website at [www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-profiles](http://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-profiles) or on the RDN's website. Please contact the RDN Planning Department if any of the activities listed in Schedule 2 apply to the subject property.

I (we) declare that (*please check the one that applies*):

- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document, and determined that the subject property has been used for purposes listed in Schedule 2, and filled out the Site Profile Form; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) not required to submit a Site Profile Form as to my (our) knowledge, the subject property has not been used for any of the activities listed in Schedule 2; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) exempted from being required to submit a Site Profile Form under Section 4 of the *Contaminated Sites Regulation*. I (we) have provided the following information in support of this exemption: (list information below)

**DECLARATION SIGNATURE**

All registered owners shown on the certificate of title must sign the declaration. Please provide an additional page with owners' names and signatures if required.

I (we) declare that I (we) have read and filled out the above form.

Owner/Agent 1	<input type="text" value="Peter Jorgensen"/>	Signature	<input type="text" value="Peter Jorgensen"/>
Owner 2	<input type="text" value="Aaron Gionet"/>	Signature	<input type="text" value="Aaron Gionet"/>
Owner 3	<input type="text" value=""/>	Signature	<input type="text" value=""/>
Applicant Mailing Address: <input type="text" value=""/>			
Email:	<input type="text" value=""/>	Phone:	<input type="text" value=""/>
Date:	<input type="text" value="1 Dec 10/18"/>		
Witnessed By Name:	<input type="text" value=""/>	Witnessed By Name:	<input type="text" value=""/>

**Attachment 3  
Certificate of Title  
(1 of 4)**

**TITLE SEARCH PRINT**

File Reference: Quote  
Declared Value \$221000

2018-12-10, 15:33:57  
Requestor: Guy Fletcher

\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*

<b>Land Title District</b> Land Title Office	VICTORIA VICTORIA
<b>Title Number</b> From Title Number	CA6835962 EF119539
<b>Application Received</b>	2018-05-31
<b>Application Entered</b>	2018-06-06
<b>Registered Owner in Fee Simple</b> Registered Owner/Mailing Address:	GIONET CONSTRUCTION LTD., INC.NO. BC1025805 1698 TIMBERWOLF PLACE NANOOSE BAY, BC V9P 9M6
<b>Taxation Authority</b>	Port Alberni Assessment Area
<b>Description of Land</b> Parcel Identifier: Legal Description:	016-506-774 LOT 6 DISTRICT LOT 8 NANOOSE DISTRICT PLAN 51142



**Legal Notations**

CONDITION, SEE DD 36265N

HERETO INTER ALIA IS ANNEXED RESTRICTIVE COVENANT EB106039 OVER LOTS 1 TO 60, PLAN 47638, AND LOTS 1 TO 22, PLAN 47639. DOMINANT TENEMENT IN RESPECT OF EB106039 CANCELLED AS TO PART IN PLAN 49060 - EC91422 - 08.09.1989 - K JACQUES PER DC DOMINANT TENEMENT IN RESPECT OF EB106039 CANCELLED AS TO PART IN PLAN 48585 - EC91411 - 08.09.1989 - K JACQUES PER DC

HERETO INTER ALIA IS ANNEXED RESTRICTIVE COVENANT EC90316 OVER LOTS 1 TO 58, PLAN 49060



**Attachment 3  
Certificate of Title  
(2 of 4)**

**TITLE SEARCH PRINT**

File Reference: Quote  
Declared Value \$221000

2018-12-10, 15:33:57  
Requestor: Guy Fletcher

**Charges, Liens and Interests**

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	EB33
Registration Date and Time:	1988-01-04 09:14
Registered Owner:	BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
Remarks:	INTER ALIA, WITH PRIORITY OVER K32096 (SEE S132213)

Nature:	COVENANT
Registration Number:	EB38728
Registration Date and Time:	1988-05-12 09:04
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	THE REGIONAL DISTRICT OF NANAIMO INTER ALIA, INCLUDES INDEMNITY UNDER SECTION 215 (2) (A) LTA, WITH PRIORITY OVER K32096 (SEE S132213)

Nature:	STATUTORY BUILDING SCHEME
Registration Number:	ED100368
Registration Date and Time:	1990-09-21 13:59
Remarks:	INTER ALIA, SECTION 216, LTA WITH PRIORITY OVER EB41024 AND K32096 (SEE S132213 AND EC105053) MODIFIED BY ED115330

**Attachment 3  
Certificate of Title  
(3 of 4)**

**TITLE SEARCH PRINT**

File Reference: Quote  
Declared Value \$221000

2018-12-10, 15:33:57  
Requestor: Guy Fletcher

Nature:  
Registration Number:  
Registration Date and Time:  
Remarks:

RESTRICTIVE COVENANT  
ED100369  
1990-09-21 13:59  
INTER ALIA, APPURTENANT TO:  
1) DISTRICT LOT 8, NANOOSE DISTRICT, EXCEPT PARTS  
IN PLANS 15193, 48548, 48585, 49060, 49669,  
50872 AND 51142  
2) DISTRICT LOT 30, NANOOSE DISTRICT, EXCEPT PARTS  
IN PLANS 15193, 26219 AND 48585  
3) LOT A, DISTRICT LOTS 8, 30 AND 78, NANOOSE  
DISTRICT, PLAN 15193, EXCEPT PARTS IN PLANS  
15983, 19688, 20762, 22994, 23477, 23478,  
25828, 28544, 28595, 31959, 47638, 47639,  
48548 AND 48585  
4) DISTRICT LOT 78, NANOOSE DISTRICT, EXCEPT  
PART OUTLINED IN RED ON PLAN DD 19579I,  
EXCEPT PARCELS A AND B (DD 7528N), AND  
EXCEPT PARTS IN PLANS 813R, 1567 OS, 14212,  
14250, 14275, 15075, 15193, 22836, 24012,  
25366, 26219, 27129, 27206, 29869, 34675,  
47638, 48548, 48585, 49669, 50872 AND  
51142  
5) DISTRICT LOT 7, NANOOSE DISTRICT, EXCEPT  
PART OUTLINED IN RED ON PLAN 1567 OS,  
AND EXCEPT PART IN PLAN 48548  
6) DISTRICT LOT 11, NANOOSE DISTRICT, EXCEPT  
PART OUTLINED IN RED ON PLAN 1567 OS,  
AND EXCEPT PART IN PLAN 48548  
7) LOT 1, DISTRICT LOTS 30 AND 78, NANOOSE  
DISTRICT, PLAN 26219, EXCEPT PARTS IN  
PLANS 28246, 29574, 30072, 30262, 34675,  
36514 AND 48548  
8) LOT 2, DISTRICT LOT 78, NANOOSE DISTRICT,  
PLAN 28544  
9) LOT 8, DISTRICT LOT 78, NANOOSE DISTRICT,  
PLAN 30262  
10) LOT 1, DISTRICT LOTS 8, 30 AND 78, NANOOSE  
DISTRICT, PLAN 48585, EXCEPT PART IN PLAN  
51142  
MODIFIED BY ED115329

Nature:  
Registration Number:  
Registration Date and Time:  
Remarks:

EASEMENT  
ED104616  
1990-10-03 09:04  
PART IN PLAN 51197,  
APPURTENANT TO LOT 1, PLAN 48585, EXCEPT PART IN  
PLAN 51142

**Attachment 3  
Certificate of Title  
(4 of 4)**

**TITLE SEARCH PRINT**

2018-12-10, 15:33:57

Requestor: Guy Fletcher

File Reference: Quote

Declared Value \$221000

Nature: RESTRICTIVE COVENANT  
Registration Number: ED115329  
Registration Date and Time: 1990-11-01 14:54  
Remarks: INTER ALIA, MODIFICATION OF ED100369

Nature: STATUTORY BUILDING SCHEME  
Registration Number: ED115330  
Registration Date and Time: 1990-11-01 14:54  
Remarks: INTER ALIA, SECTION 216 LAND TITLE ACT,  
MODIFICATION OF ED100368

Nature: MORTGAGE  
Registration Number: CA6835963  
Registration Date and Time: 2018-05-31 14:50  
Registered Owner: JOHN JOSEPH O'CONNOR  
CAROL ELLEN O'CONNOR  
AS JOINT TENANTS

Nature: ASSIGNMENT OF RENTS  
Registration Number: CA6835964  
Registration Date and Time: 2018-05-31 14:50  
Registered Owner: JOHN JOSEPH O'CONNOR  
CAROL ELLEN O'CONNOR

**Duplicate Infeasible Title**

NONE OUTSTANDING

**Transfers**

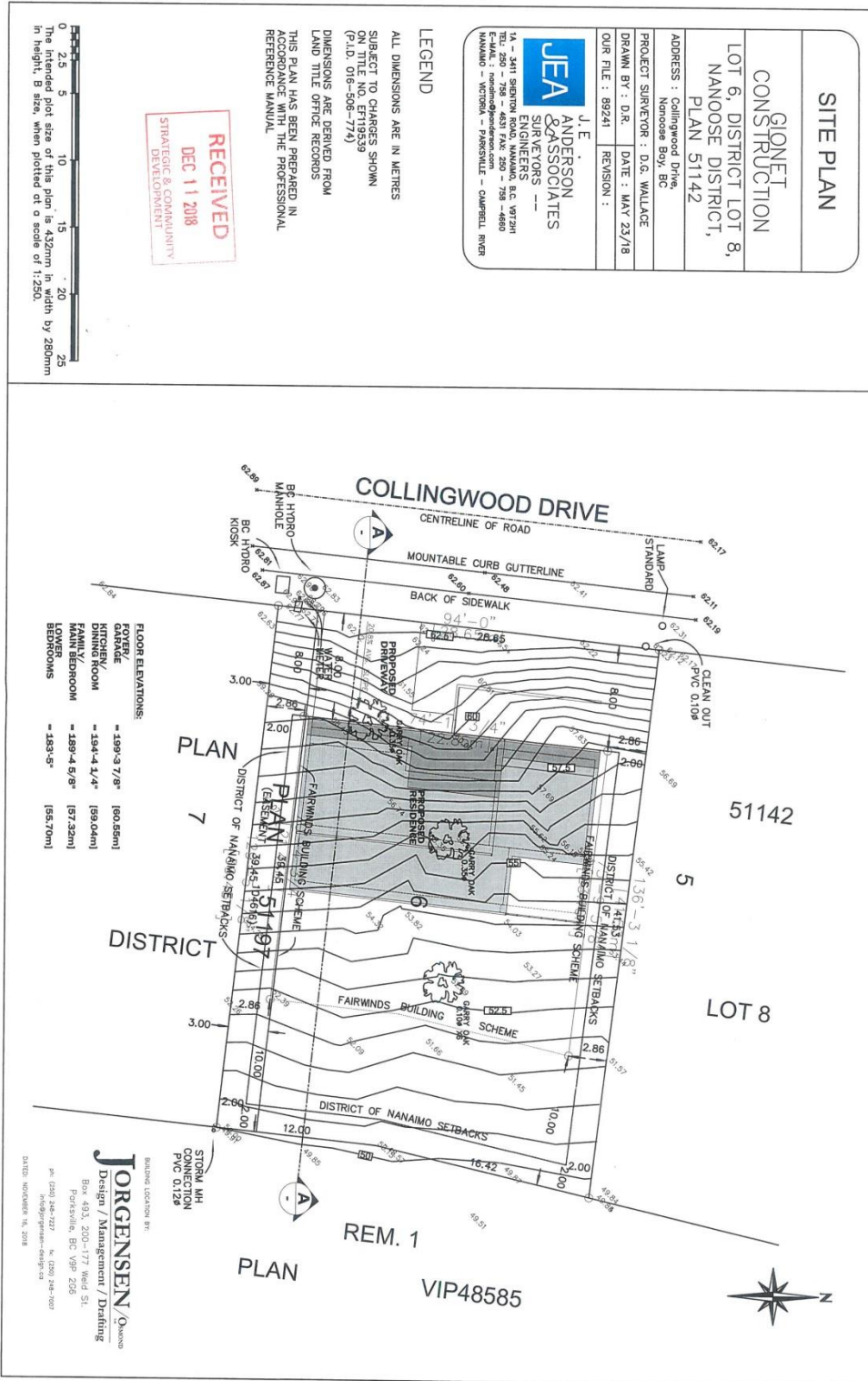
NONE

**Pending Applications**

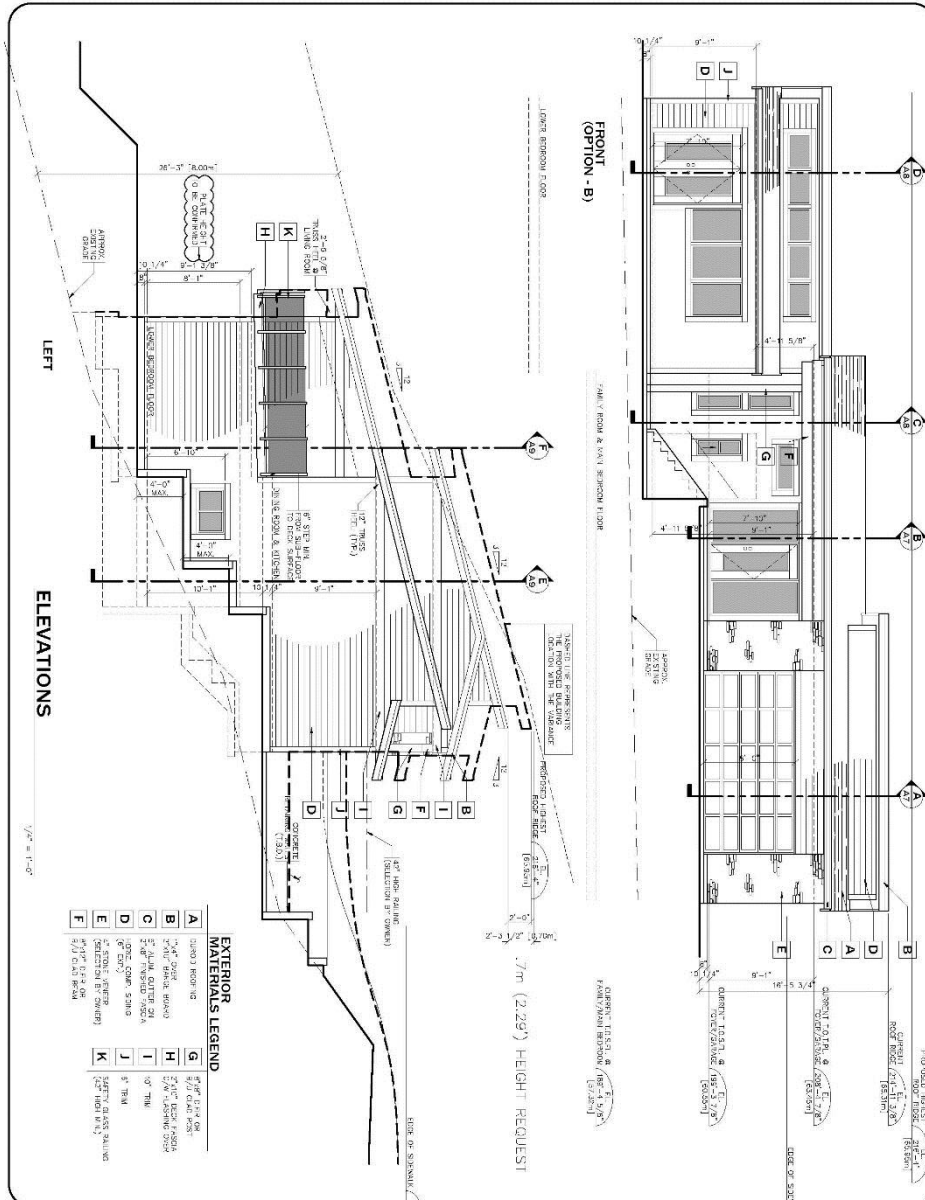
Parcel Identifier: 016-506-774  
Application Number/Type: CA7222921 TO CA7222922 TRANSFER OF CHARGE OWNERSHIP



**Attachment 4  
 Site Plan  
 (2 of 2)**



Attachment 5  
 Elevations  
 (1 of 2)



**EXTERIOR MATERIALS LEGEND**

A	WOOD ROOFING	G	7/8" CLIP ON
B	2"X4" SHANK BRICK	H	2"X4" SHANK BRICK
C	5/8" CLIP ON	I	2"X4" SHANK BRICK
D	2"X4" SHANK BRICK	J	2"X4" SHANK BRICK
E	2"X4" SHANK BRICK	K	2"X4" SHANK BRICK

SCALE SHOWN: 1/2" = 1'-0"

**JORGENSEN Construction**  
 1000 West 10th Street, Suite 100  
 Vancouver, BC V6H 1T1  
 Tel: 604-271-1111  
 Fax: 604-271-1112  
 www.jorgensenconstruction.com

**Proposed Residence**

DATE: 01/18/19  
 DRAWN BY: JG  
 CHECKED BY: JG  
 PROJECT NO: J018832

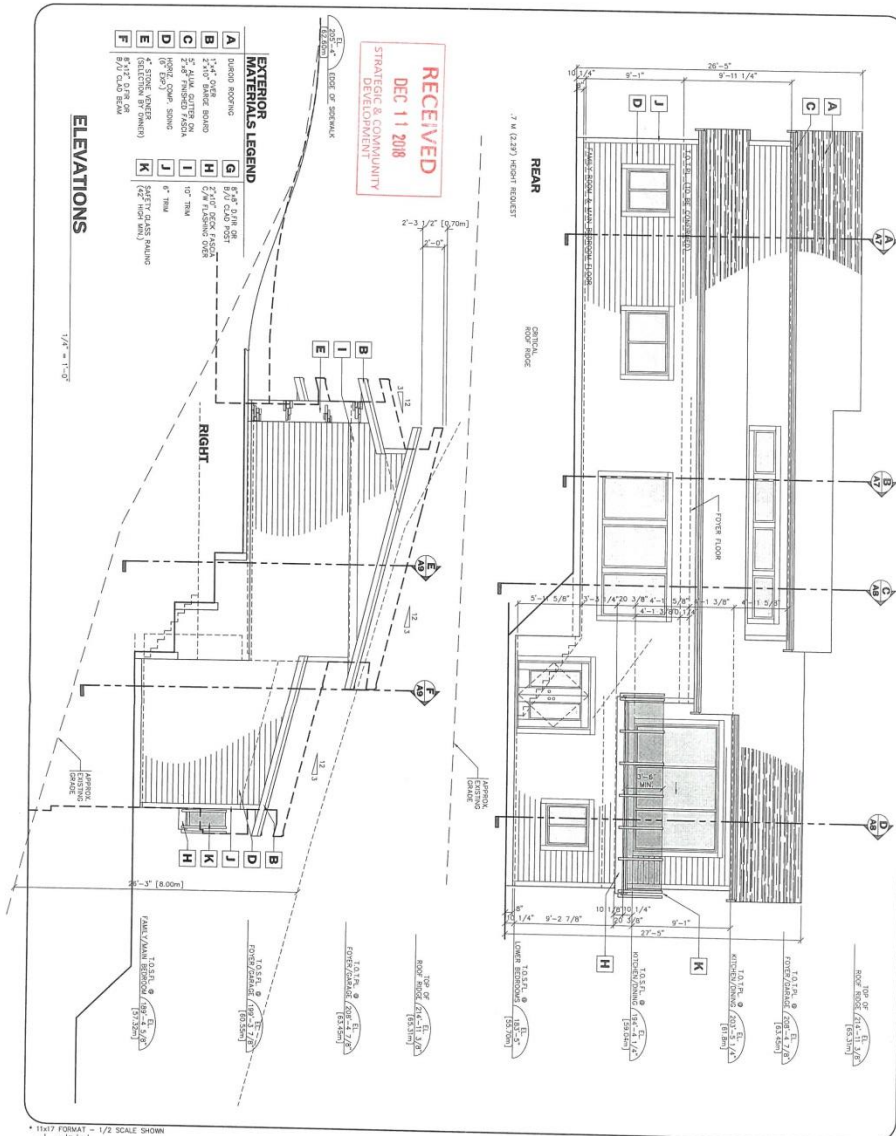
DATE: 01/18/19  
 DRAWN BY: JG  
 CHECKED BY: JG  
 PROJECT NO: J018832

**A5/10**

**Gionet Construction**  
 Collingwood Dr., Nanoose, B.C.



Attachment 5  
 Elevations  
 (2 of 2)



1167 FORM 1 - 1/2 SCALE SHOWN  
 J018832  
**Proposed Residence**  
 A6/10

**Gionet Construction**  
 Collingwood Dr., Nanoose, B.C.

**JORGENSEN/VAN**  
 Architectural Services  
 10151 15th Street, Nanaimo, BC V9T 2S6  
 Tel: 250-754-1111  
 Fax: 250-754-1112  
 www.jorgensenvan.com

NO.	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	
2		
3		
4		

**Attachment 6  
Notifications  
(1 of 6)**

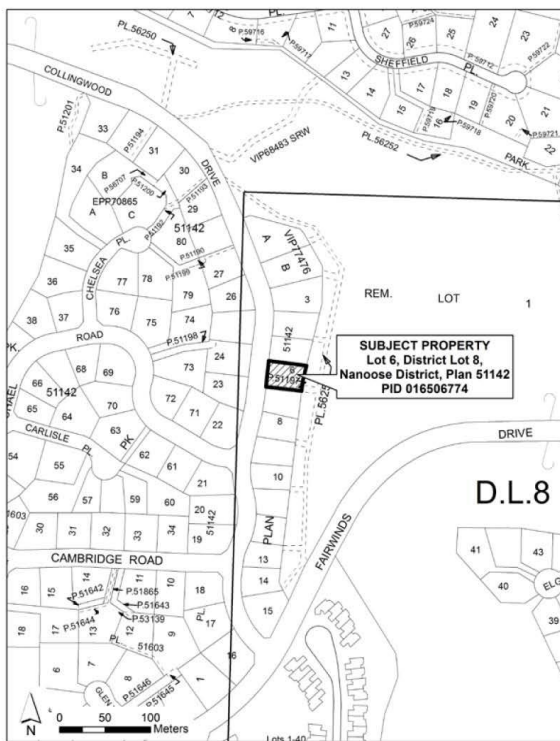


Pursuant to Section 541 of the *Local Government Act*, the Regional District of Nanaimo (RDN) advises of a meeting of the Board of Variance for the subject property shown on the location map below.

**MEETING DETAILS**

**Wednesday, February 13, 2019 at 4:00 pm**

Committee Room, 6300 Hammond Bay Road, Nanaimo



**For more information please contact:**

☎ 250-390-6510 or 1-877-604-4111

✉ [planning@rdn.bc.ca](mailto:planning@rdn.bc.ca)

[www.rdn.bc.ca](http://www.rdn.bc.ca)

**NOTICE OF MEETING**

**APPEAL NO. PL2018-214**

**Lot 6, Collingwood Drive**

**Electoral Area E**

**PURPOSE OF THE APPEAL**

The applicant is requesting the following:

That the maximum height requirement for a dwelling unit be increased from 8.0 metres to 8.7 metres as shown on the attached plan.

The appeal seeks a variance from the following provisions of the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987".

- **Section 3.4.61 Maximum Number and Size of Buildings and Structures Dwelling Unit Height – 8.0 m**

**HAVE YOUR SAY**

All persons who consider their property to be affected by the proposed appeal shall be afforded an opportunity to be heard in person or by written submission at the meeting. Written submissions can be provided in advance of the meeting and must be received at the RDN office by 3:30 pm Wednesday, January 9, 2019 to ensure their inclusion in the public record.

**WHERE CAN I INSPECT THE DOCUMENTS?**

A copy of the proposed appeal and relevant documents may be inspected at the hearing or until January 9, 2019 at the RDN Administration office located at 6300 Hammond Bay Road, Nanaimo, BC, Monday to Friday (excluding public holidays) 8:30 am to 4:30 pm, with extended business hours until 5:30 pm on Wednesdays.

**Get Involved RDN!**



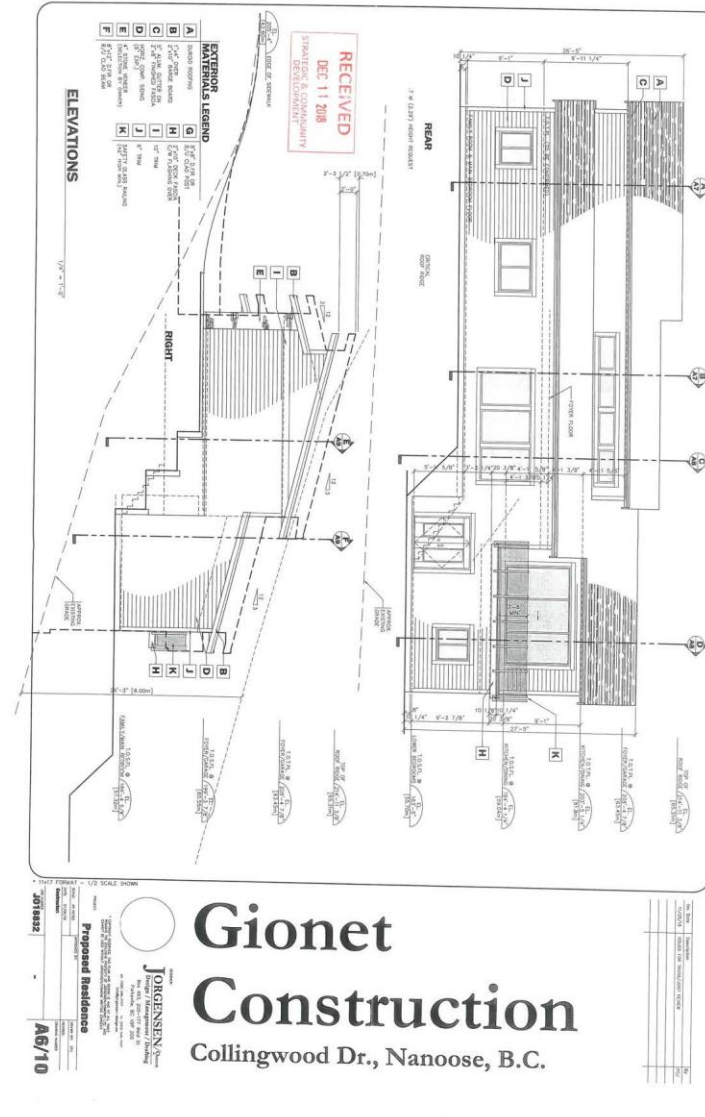






**Attachment 6  
Notifications  
(5 of 6)**

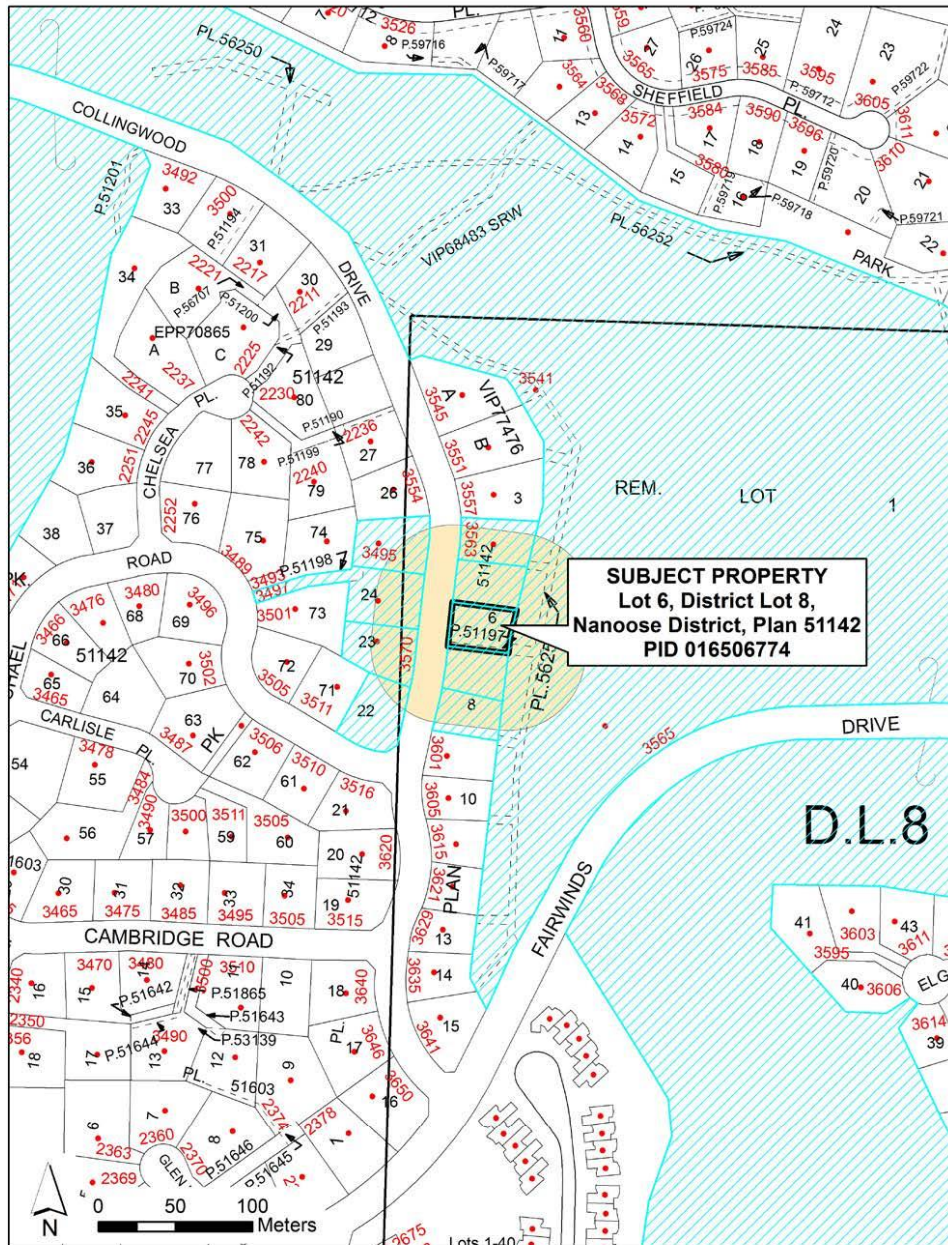
**Attachment 2  
Building Elevations  
(2 of 2)**





**Attachment 6  
Notifications  
(6 of 6)**

**Attachment 3  
50 Metre Notification Map**



**TO:** Board of Variance **DATE:** February 13, 2019

**FILE:** PL2019-027

**SUBJECT: Board of Variance Appeal No. PL2019-027  
1920 Balsam Road – Electoral Area A**

OWNER:	Gregson & Sons Contracting LTD., INC. NO.314269
LOCATION:	Lot 1 Section 13 Range 7 Cranberry District Plan VIP76441
CIVIC:	1920 Balsam Road
ELECTORAL AREA	A
PURPOSE	<p>The applicant is requesting the following:</p> <p>That the Board vary “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500, 1987”</p> <ul style="list-style-type: none"> <li>• That the maximum height requirement for a dwelling unit be increased from 8.0 m to 8.78 m as shown on the attached plan.</li> </ul>

The appeal seeks a variance from the following provisions of the "*Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987*".

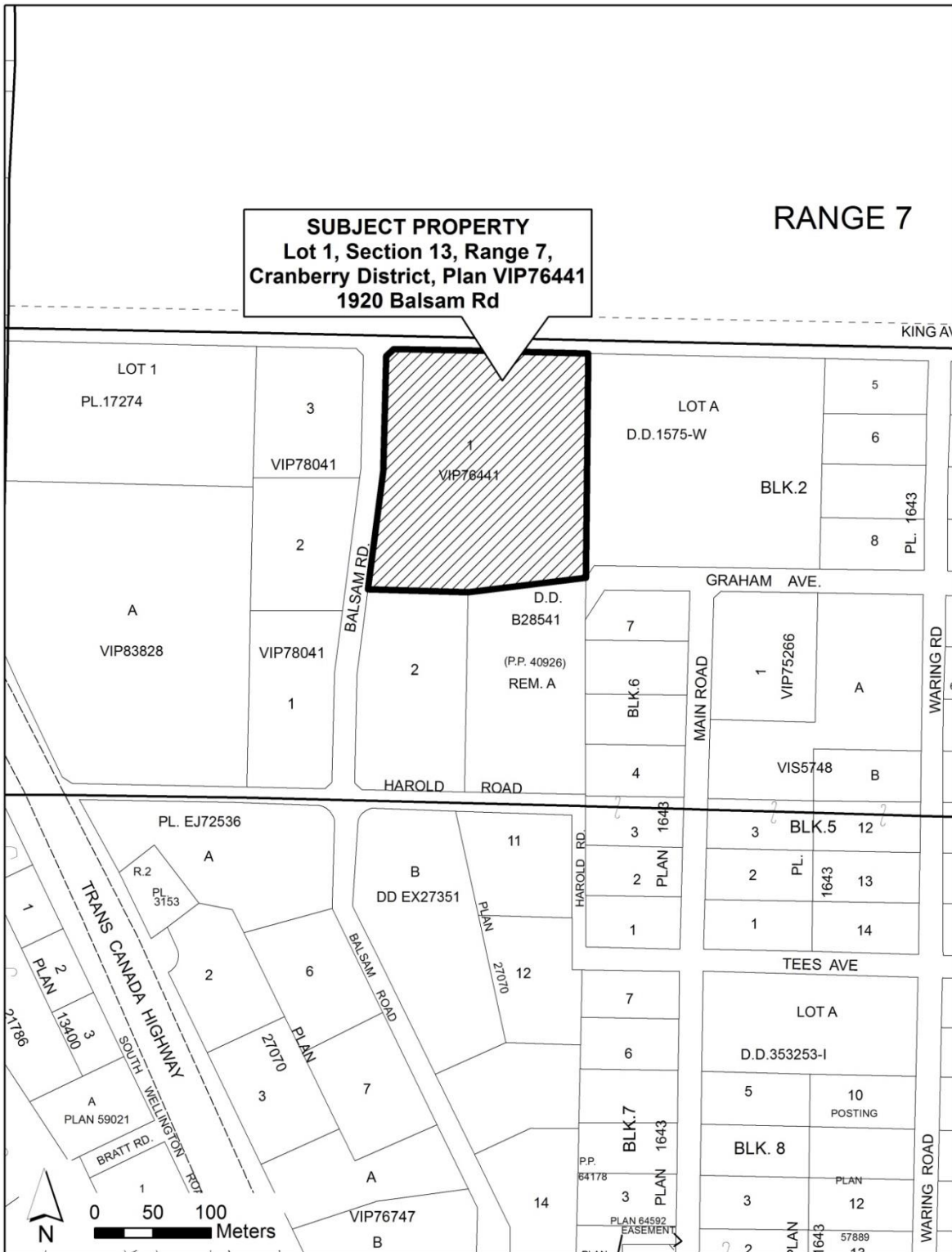
**Section 3.4.31**

*Maximum Number and Size of Buildings and Structures  
Dwelling Unit Height – 8.0 m*

Attachments to this appeal include:

1. Subject Property Map
2. Application
3. Certificate of Title
4. Site Plan
5. Elevations
6. Notification

**Attachment 1  
Subject Property Map**



**Attachment 2  
Application  
(1 of 15)**

2019-January-28

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

Dear Members of the Board of Variance

Re: Application for a Height Variance at 1920 Balsam Road, Nanaimo

I am writing on behalf of Copcan Civil Ltd., to request a height variance for the building under construction at the above noted address. A variance of 0.78 metres (2.56') is requested, as detailed later in this letter.

Further to my discussions with RDN staff and a review the BOV application checklist, we have prepared the application package, which includes the following:

- Summary Letter, including the details of the variance request
- Application form, property declaration form, checklist and fees
- Survey plans provided by JE Anderson and Associates
- Building site plan, elevations and cross sections provided by Herold Engineering
- Title Search
- Appointment of Agent letter

**Site Description**

The property is 8.8 acres, zoned IN1 (Industrial 1), located in Electoral Area A and is located east of Schoolhouse Road and north of Harold Road in South Wellington. The property is owned by Gregson and Sons Contracting Ltd. and is the location of Copcan Civil's office building. In 2018, Copcan Civil took out a permit to construct a 696 sq. metre (7,500 sq. ft.) warehouse building, north of their existing office building. The warehouse building is nearing completion, with only minor work left to complete. To the south, east and west of the property are industrial zoned properties, while to the north is a 130 acre property that is zoned residential, is heavily treed next to the subject property and contains a farm and residence approximately 700 metres from the subject property and is accessed off Aikenhead Road.

**Variance Requested**

A request for a height variance of 0.78 metres (2.56 ft.) is being sought. The zoning bylaw maximum height for IN1 zone is 8.0 metres (26.24 ft.). The building was designed to be 8.0 metres in height and the finished height of the building is 8.0 metres from the concrete slab to the ridge. However the concrete slab was installed higher than designed, in relation to the natural grade. The reason the slab was built at a higher elevation than planned, was to accommodate drainage of the oil water separator in the

**Seward  
Developments  
Inc.**






**Attachment 2**  
**Application**  
**(2 of 15)**

building. The elevation of the oil water separator was established to allow gravity drainage for storm water disposal, however the elevation of the oil water separator was not cross referenced with the building height calculation, resulting in the building being over height. Subsequently the building foundations and concrete slab were being laid out and built, using the oil water separator elevation as a starting point.

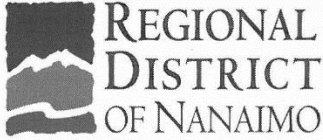
Thank you for considering our request for a variance. Please contact me if you require additional information.

Yours truly

  
Toby Seward  
Seward Developments Inc.

cc Dave Gregson, John Gregson, Copcan Civil

**Attachment 2  
 Application  
 (3 of 15)**



**Strategic & Community Development**  
 6300 Hammond Bay Road Nanaimo, BC V9T 6N2  
 (250) 390-6510 (Nanaimo) 1-877-607-4111 (within BC)  
 Fax: (250) 390-7511

**Board of Variance Application Form**

**OFFICE USE ONLY**

Application Fee: \_\_\_\_\_ Receipt No. \_\_\_\_\_ File No. \_\_\_\_\_

**SECTION 1: DESCRIPTION OF PROPERTY**  
 (AS INDICATED ON THE STATE OF TITLE CERTIFICATE)

Legal Description lot 1, Section 13, Range 7, Cranberry District, Plan VIP 76441-  
 Civic Address 1920 Balsam Rd., Nanaimo, BC, V9X 1T2  
 Electoral Area A Parcel Identifier (PID) 025-848-682-

**SECTION 2: OWNER INFORMATION**

(ATTACH ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

1) Copcan Civil Ltd. 2) \_\_\_\_\_  
 Name \_\_\_\_\_ Name \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Mailing Address \_\_\_\_\_  
Nanaimo BC \_\_\_\_\_  
 Town / Province \_\_\_\_\_ Postal Code \_\_\_\_\_  
 Telephone/ Cell \_\_\_\_\_ Fax \_\_\_\_\_  
 Email \_\_\_\_\_ Email \_\_\_\_\_

I would prefer all correspondence via:  email  regular mail  fax

**SECTION 3: AGENT INFORMATION**

Seward Developments Inc. \_\_\_\_\_ Nanaimo, BC  
 Name \_\_\_\_\_ Mailing Address \_\_\_\_\_  
 Postal Code \_\_\_\_\_ Telephone/ Cell \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

I would prefer all correspondence via:  email  regular mail  fax

**SECTION 4: REASON FOR APPEAL**

I/ We, the registered owner(s) of the above noted property, hereby appeal to the Board of Variance for the following:  
 To review a decision made by the Regional District of Nanaimo Manager of Building, Bylaw & Emergency Planning Services pursuant to Section 532 of the *Local Government Act*.  
 Or,  
 To determine that compliance with the following will cause undue hardship:  
 Relating to siting, size and dimensions of a building or structure, or the siting of a manufactured home in a manufactured home park. (Note: use and density, including varying maximum building size provisions, will not be considered for variance)  
 The prohibition of structural alteration and addition pursuant to Section 531 of the *Local Government Act*.  
 A subdivision servicing requirement pursuant to Section 506 of the *Local Government Act* in an area zoned for agricultural or industrial uses.

**Attachment 2  
Application  
(4 of 15)**

**SECTION 5: APPLICATION COMPLETION CHECKLIST:**  
ALL MEASUREMENTS TO BE IN METRIC

- A copy of Certificate of Indefeasible Title (dated within past 30 days)
- A letter of authorization
- A letter outlining the details of the appeal
- Application fee as required by Bylaw No. 1259, 2002
- Two (2) survey plans certified by a BC Land Surveyor to a maximum scale of 1:500, showing location of existing and proposed buildings and structures and parts thereof
- Electronic copies of all plans
- Property Declaration Form

Additional information may be required, such as:

- Two (2) building elevation plans to a maximum scale of 1:100
- Two (2) survey plans certified by a BC Land Surveyor including topographical information
- Professional Engineer's Report
- RDN Sustainable Development Checklist
- Other \_\_\_\_\_
- \_\_\_\_\_

**SECTION 6: Registered Owner's Authorization**  
(ATTACH ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

I hereby declare that all the above noted statements and information contained in this application and supporting documents are true and correct.

  
\_\_\_\_\_  
Signature of Registered Owner

2019-January-29-  
\_\_\_\_\_  
Date

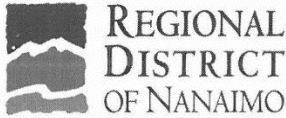
\_\_\_\_\_  
Signature of Registered Owner

\_\_\_\_\_  
Date

In order to process your application, please provide all necessary documentation with your application. Please refer to the Board Of Variance Guide for further information. Contact the Board of Variance Secretary if you require assistance.

Submit the completed application form, required fee, plans, and supporting material to the Regional District of Nanaimo. The fee is payable to the "Regional District of Nanaimo".

**Attachment 2  
Application  
(5 of 15)**



**Property Declaration Form**  
for Riparian Areas, Nesting Trees,  
and Site Profiles

Subject Property Legal Description: Lot 1, Section 13, Range 7, Cranberry District, Plan VIP 76441  
Subject Property Civic Address: 1920 Balsam Rd., Nanaimo, B.C.  
Subject Property PID: 025-848-682

**Riparian Areas**

I (we) acknowledge that the province of British Columbia enacted the *Riparian Areas Regulation* to protect the critical features, functions, and conditions required to sustain fish habitat. Furthermore, this legislation prohibits the Regional District of Nanaimo (RDN) from approving or allowing a development to proceed adjacent to a watercourse until it has received notice that a report prepared by a Qualified Environmental Professional has been received by the Ministry of Environment.

I (we) understand that a water feature includes any of the following:

- a) any watercourse, whether it usually contains water or not;
- b) any pond, lake, river, creek or brook; and/or,
- c) any ditch, culvert, spring, or wetland.

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of any water features. I (we) declare that (***please check the one that applies***):

- that there are no water features located on the subject property; or
- there are water features located on the subject property.

I (we) declare that all proposed development including land alteration, vegetation removal, alteration or construction of a building or structure (***please check the one that applies***):

- is greater than 30.0 metres from a water feature; or
- is less than 30.0 metres from a water feature.

**Eagle and Heron Nesting Trees**

I (we) acknowledge that the *Wildlife Act* protects Bald Eagles and Great Blue Herons, their eggs and nests. Bald Eagles and Great Blue Herons are sensitive to development near their nesting sites and may return to a nest that has been unused for a number of years.

While the provincial government and the RDN undertake mapping of nesting sites from time to time, not all are mapped. Some on private property may have been undetected, and new nests are continually being built. Typically, a 60 metre radius for an eagle nesting tree and depending on the level of development in an area, a 60 - 300 metre radius for a heron nesting tree (or trees) is considered to be sensitive to disturbance. Electoral Areas A, E, G and H require that a development permit be obtained prior to development near an eagle or heron nest.

Mapped eagle and heron nest trees can be found on the Community Mapping Network at [www.cmnmaps.ca/WITS/](http://www.cmnmaps.ca/WITS/) and [www.cmnmaps.ca/GBHE/](http://www.cmnmaps.ca/GBHE/).

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area



**Attachment 2  
Application  
(6 of 15)**

for the existence of eagle or heron nests prior to completing this form. I (we) declare that (***please check the one that applies***):

- there are no eagle or heron nesting trees on or within 100 metres of the subject property; or
- there is an eagle or heron nesting tree on or within 100 metres of the subject property.

**Site Profile**

I (we) acknowledge that when an application is made to the RDN, Section 40(1) of the *Environmental Management Act* requires that a Site Profile be completed when the applicant knows, or reasonably should know, that the land is being used or has been used for industrial or commercial purposes of the type listed in Schedule 2 of the *Contaminated Sites Regulation* unless otherwise exempt under the Regulation. Please find the Site Profile Form and Schedule 2 on the Government of BC website at [www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-profiles](http://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-profiles). Please contact the RDN Planning Department if any of the activities listed in Schedule 2 apply to the subject property.

I (we) declare that (***please check the one that applies***):

- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document, and determined that the subject property has been used for purposes listed in Schedule 2, and filled out the Site Profile Form; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) not required to submit a Site Profile Form as to my (our) knowledge, the subject property has not been used for any of the activities listed in Schedule 2; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) exempted from being required to submit a Site Profile Form under Section 4 of the *Contaminated Sites Regulation*. I (we) have provided the following information in support of this exemption: (list information below)

**DECLARATION SIGNATURE**

All registered owners shown on the certificate of title must sign the declaration. Please provide an additional page with owners' names and signatures if required.

I (we) declare that I (we) have read and filled out the above form.

Owner/Agent 1	<input type="text" value="Dave Gregson"/>	Signature	<input type="text" value="[Signature]"/>
Owner 2	<input type="text"/>	Signature	<input type="text"/>
Owner 3	<input type="text"/>	Signature	<input type="text"/>
Applicant Mailing Address: <input type="text"/>			
Email:	<input type="text"/>	Phone:	<input type="text"/>
Date:	<input type="text" value="2019-January-29"/>		
Witnessed By Name:	<input type="text"/>	Witnessed By Name:	<input type="text" value="Toby Seward"/>

**Attachment 2  
Application  
(7 of 15)**

**SCHEDULE 1  
Site Profile**

Version 4.0

**Introduction**

Under section 40 of the *Environmental Management Act*, a person who knows or reasonably should know that a site has been used or is used for industrial or commercial purposes or activities must in certain circumstances provide a site profile.

Schedule 2 of the Contaminated Sites Regulation sets out the types of industrial or commercial purposes or activities to which site profile requirements apply.

*If section 40 of the Environmental Management Act applies to you and you know or reasonably should know that the site has been used or is used for one of the purposes or activities found in Schedule 2 of the Contaminated Sites Regulation, you may be required to complete the attached site profile.*

**Notes/Instructions:**

Persons preparing a site profile *must* complete Section I, II and III, answer all questions in sections IV through IX, and sign section XI. If the site profile is not satisfactorily completed, it will not be processed under the *Environmental Management Act* and the Contaminated Sites Regulation. Failure to complete the site profile satisfactorily may result in delays in approval of relevant applications and in the postponement of decisions respecting the property.

The person completing this site profile is responsible for the accuracy of the answers. Questions must be answered *to the best of your knowledge*.

Section 27 (1) of the *Freedom of Information and Protection of Privacy Act* requires that provision of personal information concerning an individual must be authorized by that individual. Persons completing the site profile on behalf of the site owner must be authorized by the site owner.

One (1) site profile may be completed for a site comprised of more than one titled or untitled parcel, but individual parcels must be identified.

The latitude and longitude (accurate to 0.5 of a second using North American Datum established in 1983) of the centre of the site must be provided. Also, please attach an accurate map, containing latitude, longitude and datum references, which shows the boundaries of the site in question. Please use the largest scale map available.

If the property is legally surveyed, titled and registered, then all PID numbers (**P**arcel **I**dentifiers – Land Title Registry system) must be provided for *each* parcel as well as the appropriate legal description.

If the property is untitled Crown land (no PID number), then the appropriate PIN numbers (**P**arcel **I**dentification **N**umbers – Crown Land registry system) for each parcel with the appropriate land description should be supplied.

If available, the Crown Land File Number for the site should also be supplied.

Anything submitted in relation to this site profile will become part of the public record and may be made available to the public through the Site Registry as established under the *Environmental Management Act*.

Under section 43 of the *Environmental Management Act*, corporate and personal information contained in the site profile may be made available to the public through the Site Registry. If you have questions concerning the collection of this information, contact the Site Registrar, at [site@gov.bc.ca](mailto:site@gov.bc.ca). For questions on site profiles, please send a message to [siteprofiles@gov.bc.ca](mailto:siteprofiles@gov.bc.ca).

**Attachment 2  
Application  
(8 of 15)**

I CONTACT IDENTIFICATION	
<b>A. Name of Site Owner:</b>	
Last _____	First _____ Middle Initial(s) _____ (and/or, if applicable)
Company <u>Gregson &amp; Sons Contracting Ltd</u>	
Owner's Civic Address _____	
City <u>Nanaimo</u>	Province/State <u>B.C</u>
Country <u>Canada</u>	Postal Code/ZIP _____
<b>B. Person Completing Site Profile (Leave blank if same as above):</b>	
Last <u>Gregson</u>	First <u>Dave</u> Middle Initial(s) _____ (and/or, if applicable)
Company <u>Copcon Civil Ltd.</u>	
<b>C. Person to Contact Regarding the Site Profile:</b>	
Last <u>Seward</u>	First <u>Toby</u> Middle Initial(s) _____ (and/or, if applicable)
Company <u>Seward Development's Inc.</u>	
Mailing Address _____	
City <u>Nanaimo</u>	Province/State <u>B.C.</u>
Country <u>Canada</u>	Postal Code/ZIP _____
Telephone _____	Fax ( ) _____
II SITE IDENTIFICATION	
Please attach a site location map	
<b>All Property</b>	
Coordinates (using the North American Datum 1983 convention) for the centre of the site:	
Latitude: Degrees <u>49</u> Minutes <u>16</u> Seconds <u>59</u>	
Longitude: Degrees <u>123</u> Minutes <u>44</u> Seconds <u>01</u>	
Please attach a map of appropriate scale showing the boundaries of the site.	
<b>For Legally Titled, Registered Property</b>	
Site Street Address (if applicable) <u>1920 Balsam Rd.</u>	
City <u>Nanaimo, B.C.</u>	Postal Code <u>V9X 1T2.</u>

**Attachment 2  
 Application  
 (9 of 15)**

PID numbers and associated legal descriptions. *Attach an additional sheet if necessary.*

<u>PID</u>	<u>Legal Description</u>
025-848-682	lot 1, Section 13, Range 7, Cranberry District, Plan VIP 76447
_____	_____
_____	_____
_____	_____

Total number of titled parcels represented by this site profile is: 1

**For Untitled Crown Land**

PIN numbers and associated Land Description. *Attach an additional sheet if necessary.*

<u>PIN</u>	<u>Land Description</u>
_____	_____
_____	_____
_____	_____
_____	_____

Total number of untitled crown land parcels represented by this site profile is: \_\_\_\_\_

(and, if available)

Crown land file numbers. *Attach an additional sheet if necessary.*

\_\_\_\_\_

**III COMMERCIAL AND INDUSTRIAL PURPOSES OR ACTIVITIES**

Please indicate below, in the format of the example provided, which of the industrial and commercial purposes and activities from Schedule 2 have occurred or are occurring on this site.

**EXAMPLE**

<u>Schedule 2 Reference</u>	<u>Description</u>
E1	appliance, equipment or engine repair, reconditioning, cleaning or salvage
F10	solvent manufacturing or wholesale bulk storage

*Please print legibly. Attach an additional sheet if necessary*

<u>Schedule 2 Reference</u>	<u>Description</u>
_____	_____
_____	_____
_____	_____




**Attachment 2  
 Application  
 (10 of 15)**

<b>IV AREAS OF POTENTIAL CONCERN</b>			
	<b>Is there currently or to the best of your knowledge has there previously been on the site any (please mark the appropriate column opposite the question):</b>	<b>YES</b>	<b>NO</b>
<b>A.</b>	Petroleum, solvent or other polluting substance spills to the environment greater than 100 litres?		✓
<b>B.</b>	Residue left after removal of piled materials such as chemicals, coal, ore, smelter slag, air quality control system baghouse dust?		✓
<b>C.</b>	Discarded barrels, drums or tanks?		✓
<b>D.</b>	Contamination resulting from migration of substances from other properties?		✓
<b>V FILL MATERIALS</b>			
	<b>Is there currently or to the best of your knowledge has there previously been on the site any deposit of (please mark the appropriate column opposite the question):</b>	<b>YES</b>	<b>NO</b>
<b>A.</b>	Fill dirt, soil, gravel, sand or like materials from a contaminated site or from a source used for any of the activities listed under Schedule 2?		✓
<b>B.</b>	Discarded or waste granular materials such as sand blasting grit, asphalt paving or roofing material, spent foundry casting sands, mine ore, waste rock or float?		✓
<b>C.</b>	Dredged sediments, or sediments and debris materials originating from locations adjacent to foreshore industrial activities, or municipal sanitary or stormwater discharges?		✓
<b>VI WASTE DISPOSAL</b>			
	<b>Is there currently or to the best of your knowledge has there previously been on the site any landfilling, deposit, spillage or dumping of the following materials (please mark the appropriate column opposite the question):</b>	<b>YES</b>	<b>NO</b>
<b>A.</b>	Materials such as household garbage, mixed municipal refuse, or demolition debris?		✓
<b>B.</b>	Waste or byproducts such as tank bottoms, residues, sludge, or flocculation precipitates from industrial processes or wastewater treatment?		✓
<b>C.</b>	Waste products from smelting or mining activities, such as smelter slag, mine tailings, or cull materials from coal processing?		✓
<b>D.</b>	Waste products from natural gas and oil well drilling activities, such as drilling fluids and muds?		✓
<b>E.</b>	Waste products from photographic developing or finishing laboratories; asphalt tar manufacturing; boilers, incinerators or other thermal facilities (e.g. ash); appliance, small equipment or engine repair or salvage; dry cleaning operations (e.g. solvents); or from the cleaning or repair of parts of boats, ships, barges, automobiles or trucks, including sandblasting grit or paint scrapings?		✓

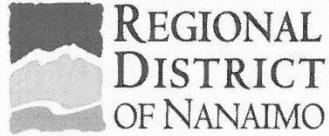
**Attachment 2  
Application  
(11 of 15)**

<b>VII TANKS OR CONTAINERS USED OR STORED, OTHER THAN TANKS USED FOR RESIDENTIAL HEATING FUEL</b>			
	<b>Are there currently or to the best of your knowledge have there been previously on the site any</b> (please mark the appropriate column opposite the question):	<b>YES</b>	<b>NO</b>
<b>A.</b>	Underground fuel or chemical storage tanks other than storage tanks for compressed gases?		✓
<b>B.</b>	Above ground fuel or chemical storage tanks other than storage tanks for compressed gases?		✓
<b>VIII HAZARDOUS WASTES OR HAZARDOUS SUBSTANCES</b>			
	<b>Are there currently or to the best of your knowledge have there been previously on the site any</b> (please mark the appropriate column opposite the question):	<b>YES</b>	<b>NO</b>
<b>A.</b>	PCB-containing electrical transformers or capacitors either at grade, attached above ground to poles, located within buildings, or stored?		✓
<b>B.</b>	Waste asbestos or asbestos containing materials such as pipe wrapping, blown-in insulation or panelling buried?		✓
<b>C.</b>	Paints, solvents, mineral spirits or waste pest control products or pest control product containers stored in volumes greater than 205 litres?		✓
<b>IX LEGAL OR REGULATORY ACTIONS OR CONSTRAINTS</b>			
	<b>To the best of your knowledge are there currently any of the following pertaining to the site</b> (please mark the appropriate column opposite the question):	<b>YES</b>	<b>NO</b>
<b>A.</b>	Government orders or other notifications pertaining to environmental conditions or quality of soil, water, groundwater or other environmental media?		✓
<b>B.</b>	Liens to recover costs, restrictive covenants on land use, or other charges or encumbrances, stemming from contaminants or wastes remaining onsite or from other environmental conditions?		✓
<b>C.</b>	Government notifications relating to past or recurring environmental violations at the site or any facility located on the site?		✓
<b>X ADDITIONAL COMMENTS AND EXPLANATIONS</b>			
<p>(Note 1: Please list any past or present government orders, permits, approvals, certificates and notifications pertaining to the environmental condition, use or quality of soil, surface water, groundwater or biota at the site.</p> <p>Note 2: If completed by a consultant, receiver or trustee, please indicate the type and degree of access to information used to complete this site profile. Attach extra pages, if necessary):</p> <hr/> <hr/> <hr/> <hr/>			

**Attachment 2  
 Application  
 (12 of 15)**

XI SIGNATURES			
The person completing the site profile states that the above information is true based on the person's current knowledge as of the date completed.			
		2019 Jan -29-	
Signature of person completing site profile		Date completed: (YY-MM-DD)	
XII OFFICIAL USE			
Local Government Authority			
Reason for submission <i>(Please check one or more of the following)</i>			Soil removal <input type="checkbox"/>
Subdivision application <input type="checkbox"/> Zoning application <input type="checkbox"/> Development permit <input type="checkbox"/> Variance permit <input type="checkbox"/> Demolition permit <input type="checkbox"/>			
Date received:	Local Government contact:	Date submitted to Site Registrar:	Date forwarded to Director of Waste Management:
	Name _____ Agency _____ Address _____ _____ Telephone _____ Fax _____		
Director of Waste Management			
Reason for submission <i>(Please check one or more of the following)</i>			
Under Order <input type="checkbox"/> Site decommissioning <input type="checkbox"/> Foreclosure <input type="checkbox"/>			
Date received:	Assessed by:	Investigation Required?	Decision date:
	Name _____ Region _____ Telephone _____ Fax _____ If site profile entered, SITE ID # _____	YES NO	
Site Registrar			
Date received:	Entered onto Site Registry by:	SITE ID #:	Entry date:

**Attachment 2  
Application  
(13 of 15)**




**Authorization Letter for Agent**

I/ We Dave Gregson, the owner(s) of property legally  
described as Lot 1, Section 13, Range 7, Cranberry District, Plan V1P 76441  
*(Legal Description)*  
at 1920 Balsam Rd., Nanaimo  
*(Civic Address)*  
authorized Toby Seward, Seward Developments Inc.  
*(Name of Agent)*

To act as my/our agent for all purposes in relation to the application for permits from the Planning Department of the Regional District of Nanaimo and I/we acknowledge the authority of the agent to bind me/us in all matters relating to the work to be performed under the permit.

The person signing the permit documents, if not the owner, acknowledges that his or her signature is as agent for the owner and that he or she is authorized to bind the owner who will be deemed to know of and to understand the contents of the documents.

  
*Signature of Owner*

2019-Jan-29  
*Date*

\_\_\_\_\_  
*Signature of Owner*

\_\_\_\_\_  
*Date*



**Attachment 2  
Application  
(14 of 15)**



**BC Registry  
Services**

Mailing Address:  
PO Box 9431 Stn Prov Govt  
Victoria BC V8W 9V3  
www.corporateonline.gov.bc.ca

Location:  
2nd Floor - 940 Blanshard Street  
Victoria BC  
1 877 526-1526

---

**BC Company Summary**  
For  
**GREGSON & SONS CONTRACTING LTD.**

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Date and Time of Search: January 31, 2019 03:35 PM Pacific Time  
Currency Date: November 23, 2018

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**ACTIVE**

Incorporation Number: BC0314269  
Name of Company: GREGSON & SONS CONTRACTING LTD.  
Recognition Date: Incorporated on September 05, 1986  
Last Annual Report Filed: September 05, 2018  
In Liquidation: No  
Receiver: No

---

**REGISTERED OFFICE INFORMATION**

**Mailing Address:**  
5800 LINLEY VALLEY DRIVE  
NANAIMO BC V9T 0G6  
CANADA  
**Delivery Address:**  
5800 LINLEY VALLEY DRIVE  
NANAIMO BC V9T 0G6  
CANADA

---

**RECORDS OFFICE INFORMATION**

**Mailing Address:**  
5800 LINLEY VALLEY DRIVE  
NANAIMO BC V9T 0G6  
CANADA  
**Delivery Address:**  
5800 LINLEY VALLEY DRIVE  
NANAIMO BC V9T 0G6  
CANADA

---

**DIRECTOR INFORMATION**

Last Name, First Name, Middle Name:  
GREGSON, DAVID

**Mailing Address:**  
[Redacted]

**Delivery Address:**  
[Redacted]

Last Name, First Name, Middle Name:  
GREGSON, JOHN

**Mailing Address:**  
[Redacted]

**Delivery Address:**  
[Redacted]



**Attachment 2  
Application  
(15 of 15)**

**OFFICER INFORMATION AS AT September 05, 2018**

**Last Name, First Name, Middle Name:**

GREGSON, DAVID

**Office(s) Held:** (President)

**Mailing Address:**

[REDACTED]

**Delivery Address:**

[REDACTED]

**Last Name, First Name, Middle Name:**

GREGSON, JOHN

**Office(s) Held:** (Secretary)

**Mailing Address:**

[REDACTED]

**Delivery Address:**

[REDACTED]

**Attachment 3  
Certificate of Title  
(1 of 3)**

<b>TITLE SEARCH PRINT</b>		2019-01-28, 15:50:25
File Reference:		Requestor: Toby Seward
**CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN**		
<b>Title Issued Under</b>	SECTION 98 LAND TITLE ACT	
<b>Land Title District</b>	VICTORIA	
Land Title Office	VICTORIA	
<b>Title Number</b>	EW12496	
From Title Number	EM101637	
	EW12491	
<b>Application Received</b>	2004-02-02	
<b>Application Entered</b>	2004-02-05	
<b>Registered Owner in Fee Simple</b>		
Registered Owner/Mailing Address:	GREGSON & SONS CONTRACTING LTD., INC.NO. 314269 1920 BALSAM ROAD NANAIMO, BC V9X 1T2	
<b>Taxation Authority</b>	Nanaimo/Cowichan Assessment Area	
<b>Description of Land</b>		
Parcel Identifier:	025-848-682	
Legal Description:	LOT 1 SECTION 13 RANGE 7 CRANBERRY DISTRICT PLAN VIP76441	
<b>Legal Notations</b>		
	THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 14 OF THE LOCAL GOVERNMENT ACT, SEE CA6540574	
	THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE EP76346	
<b>Charges, Liens and Interests</b>		
Nature:	UNDERSURFACE RIGHTS	
Registration Number:	M76301	
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA	
Remarks:	INTER ALIA A.F.B. 38.78.D32004; SECTION 172(3)	
Title Number: EW12496	TITLE SEARCH PRINT	Page 1 of 3

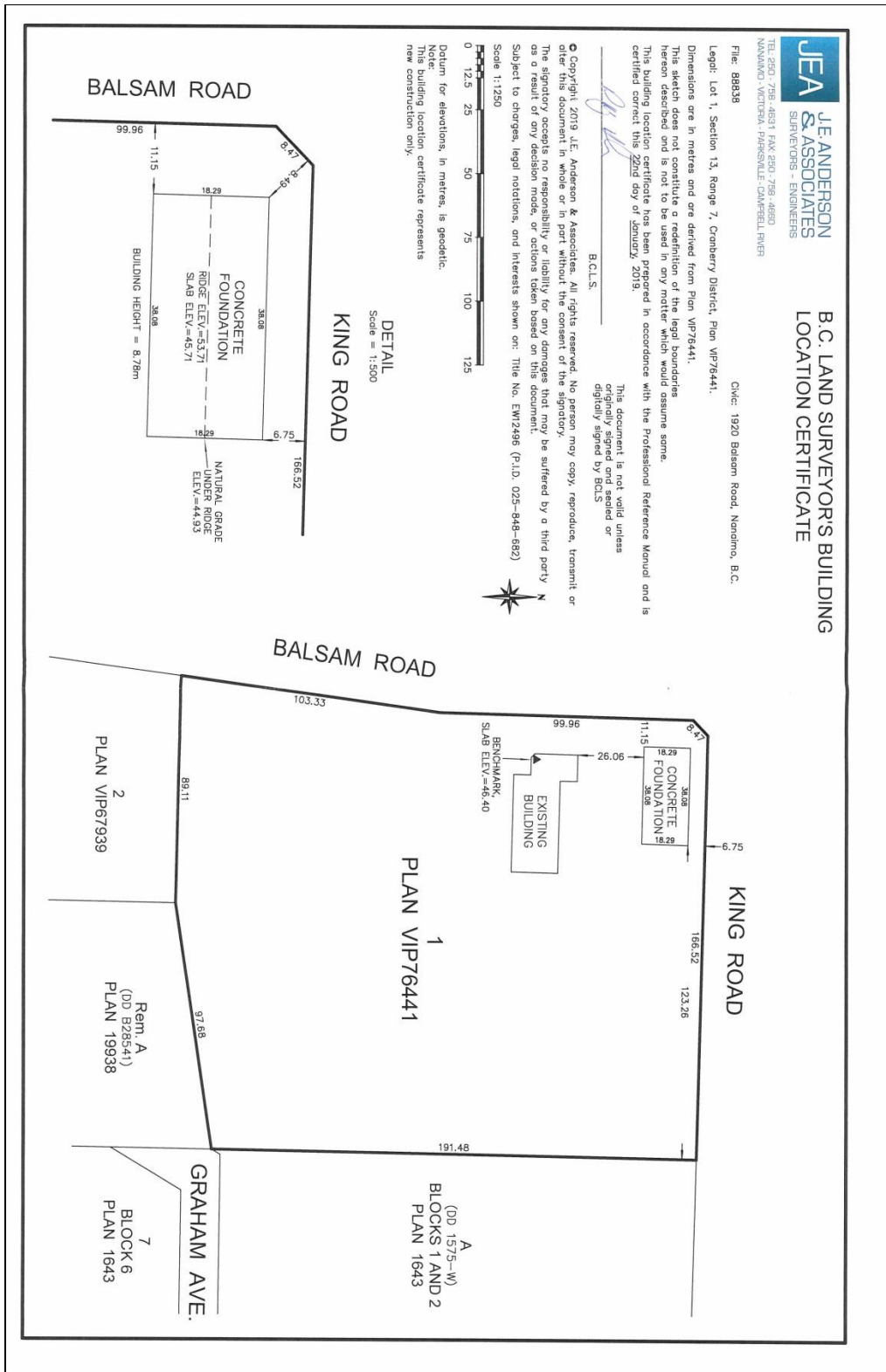
**Attachment 3  
Certificate of Title  
(2 of 3)**

<b>TITLE SEARCH PRINT</b>		2019-01-28, 15:50:25
File Reference:		Requestor: Toby Seward
Nature:	RIGHT OF WAY	
Registration Number:	49181G	
Registration Date and Time:	1923-02-23 11:15	
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA	
Remarks:	INTER ALIA AFB 38.78.D32004; DD 49126G AS TO PART FORMERLY PCL A (DD B28541) OF LOT 2, PLAN 19938	
Nature:	COVENANT	
Registration Number:	EM76478	
Registration Date and Time:	1998-08-11 14:46	
Registered Owner:	REGIONAL DISTRICT OF NANAIMO	
Remarks:	INTER ALIA SECTION 219	
Nature:	COVENANT	
Registration Number:	EM101635	
Registration Date and Time:	1998-10-23 11:50	
Registered Owner:	THE CROWN IN RIGHT OF BRITISH COLUMBIA	
Remarks:	INTER ALIA	
Nature:	RESTRICTIVE COVENANT	
Registration Number:	EN5502	
Registration Date and Time:	1999-01-21 09:32	
Registered Owner:	REGIONAL DISTRICT OF NANAIMO	
Remarks:	INTER ALIA AS TO PART FORMERLY PCL A (DD B28541) OF LOT 2, PLAN 19938	
Nature:	COVENANT	
Registration Number:	ES2828	
Registration Date and Time:	2001-01-12 11:25	
Registered Owner:	REGIONAL DISTRICT OF NANAIMO	
Nature:	MORTGAGE	
Registration Number:	CA1571368	
Registration Date and Time:	2010-05-21 08:48	
Registered Owner:	COASTAL COMMUNITY CREDIT UNION (REG NO. FI 114)	
Nature:	ASSIGNMENT OF RENTS	
Registration Number:	CA1571369	
Registration Date and Time:	2010-05-21 08:48	
Registered Owner:	COASTAL COMMUNITY CREDIT UNION (REG NO. FI 114)	
<b>Duplicate Indefeasible Title</b>	NONE OUTSTANDING	
Title Number: EW12496	TITLE SEARCH PRINT	Page 2 of 3

**Attachment 3  
Certificate of Title  
(3 of 3)**

<b>TITLE SEARCH PRINT</b>		2019-01-28, 15:50:25
File Reference:		Requestor: Toby Seward
<b>Transfers</b>	NONE	
<b>Pending Applications</b>	NONE	
Title Number: EW12496	TITLE SEARCH PRINT	Page 3 of 3

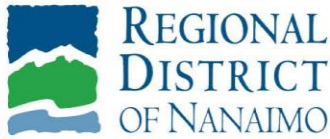
**Attachment 4  
 Site Plan**







**Attachment 6  
Notifications  
(1 of 4)**

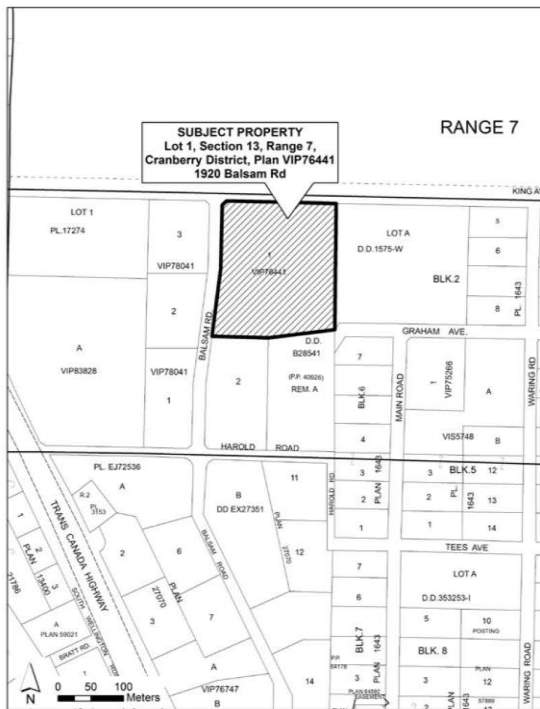


Pursuant to Section 541 of the *Local Government Act*, the Regional District of Nanaimo (RDN) advises of a meeting of the Board of Variance for the subject property shown on the location map below.

**MEETING DETAILS**

**Wednesday, February 13, 2019 at 4:00 pm**

Committee Room, 6300 Hammond Bay Road, Nanaimo



**For more information please contact:**

☎ 250-390-6510 or 1-877-604-4111

✉ [planning@rdn.bc.ca](mailto:planning@rdn.bc.ca)

[www.rdn.bc.ca](http://www.rdn.bc.ca)

**NOTICE OF MEETING**

APPEAL NO. PL2019-027

1920 Balsam Road

Electoral Area A

**PURPOSE OF THE APPEAL**

The applicant is requesting the following:

That the maximum height requirement for a Building be increased from 8.0 m to 8.78 m as shown on the attached plan.

The appeal seeks a variance from the following provisions of the *Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987*.

- **Section 3.4.31 Maximum Number and Size of Buildings and Structures Dwelling Unit Height – 8.0 m**

**HAVE YOUR SAY**

All persons who consider their interest in their property to be affected by the proposed appeal shall be afforded an opportunity to be heard in person or by written submission at the meeting. Written submissions can also be provided in advance of the meeting and must be received at the RDN office by 3:30 pm February 13, 2019 to ensure their inclusion in the public record.

**WHERE CAN I INSPECT THE DOCUMENTS?**

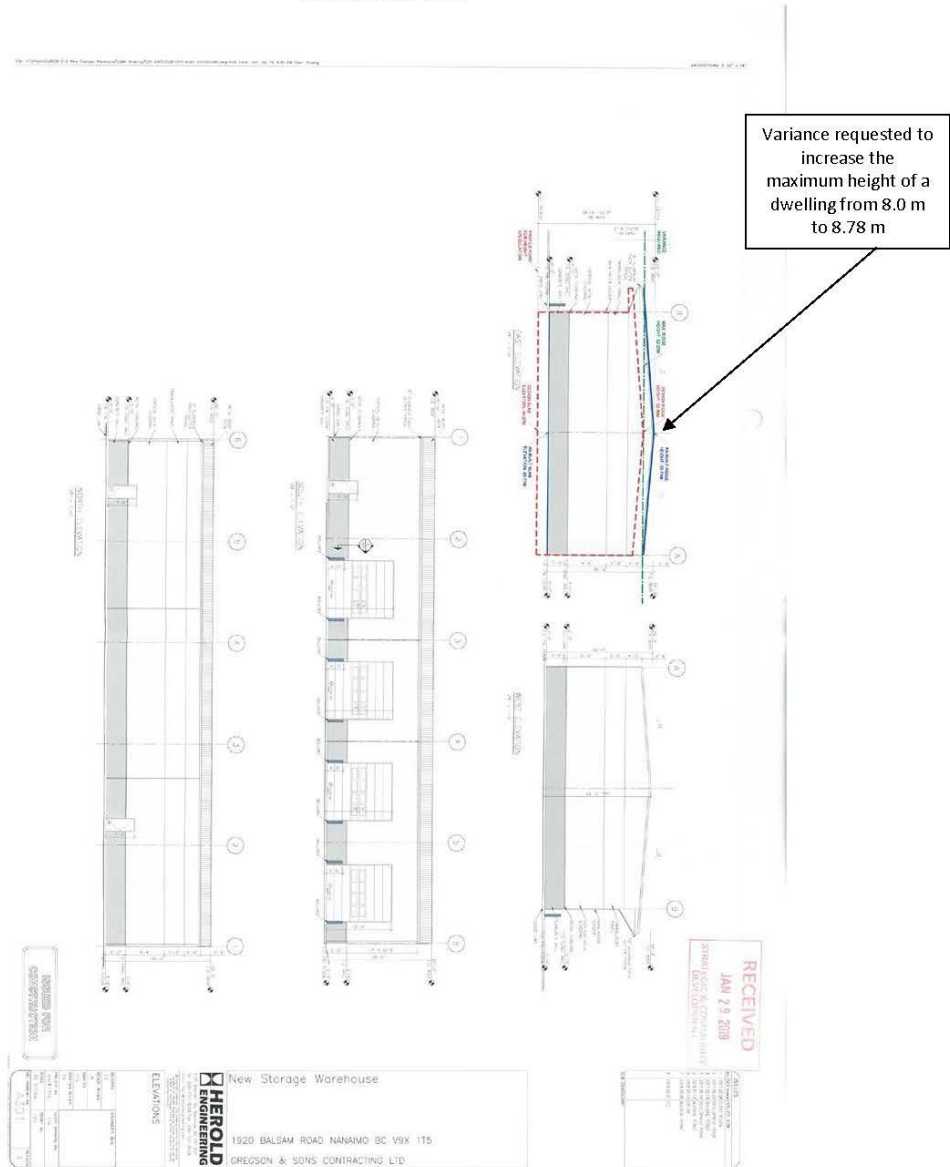
A copy of the proposed appeal and relevant documents may be inspected at the hearing or until February 13, 2019 at the RDN Administration office located at 6300 Hammond Bay Road, Nanaimo, BC, Monday to Friday (excluding public holidays) 8:30 am to 4:30 pm, with extended business hours until 5:30 pm on Wednesdays.

**Get Involved RDN!**



**Attachment 6  
Notifications  
(3 of 4)**

**Attachment 2  
Building Elevations**

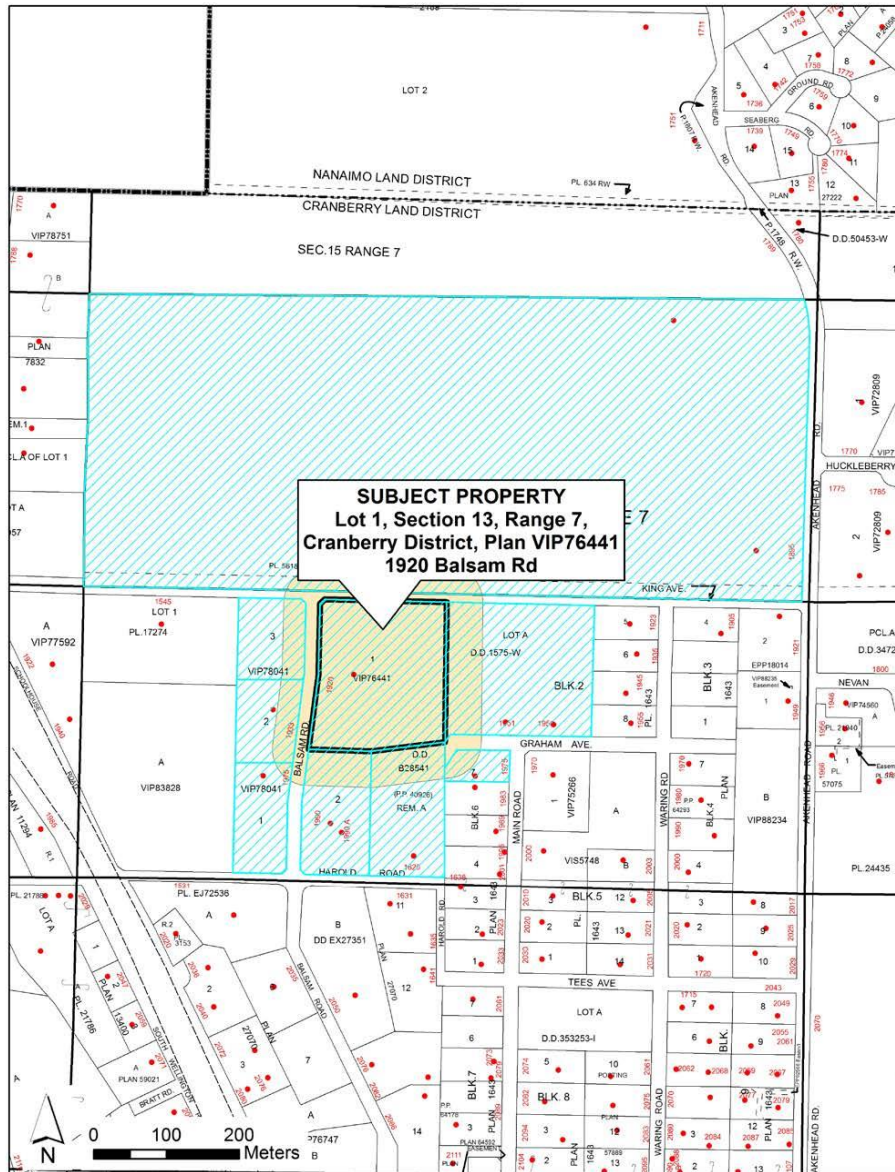


January 30, 2019

Board of Variance Application No. PL2019-027

**Attachment 6  
Notifications  
(4 of 4)**

**Attachment 3  
50 Metre Notification Map**



January 30, 2019

Board of Variance Application No. PL2019-027