

REGIONAL DISTRICT OF NANAIMO  
REGULAR BOARD MEETING  
ADDENDUM

Tuesday, January 23, 2018

7:00 P.M.

RDN Board Chambers

*This meeting will be recorded*

Pages

5. CORRESPONDENCE

- \*5.1 George Wallis and Donna Young re Notice of Development Variance Permit  
Application No. PL2017-180 - 2949 Dolphin Drive, Electoral Area 'E'

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**George Wallis and Donna Young**  
2940 Dolphin Dr.  
Nanoose Bay, British Columbia  
V0R 2R0

January 19<sup>th</sup>, 2018

**BY EMAIL:** [planning@rdn.bc.ca](mailto:planning@rdn.bc.ca)

**Board of the Regional District of Nanaimo (RDN)**

Planning Department  
6300 Hammond Bay Rd.  
Nanaimo, BC V9T 6N2

For the Consideration of the Board:

**Re: Notice of Development Variance, Permit Application No. PL2017-180  
2949 Dolphin Dr., Electoral Area "E"**

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On January 19<sup>th</sup>, 2018, we received correspondence dated January 10<sup>th</sup>, 2018 from the Regional District of Nanaimo ("RDN") with reference to a Notice of Development Variance – Permit Application No. PL2017-180. We are the owners and, commencing within the year, the full-time residents of

2940 Dolphin Dr.  
Nanoose Bay, BC  
V0R 2R0  
Lot 17, District Lot 78, Nanoose District  
Plan 14250  
PID: 004-361-075

We have reviewed the letter from the RDN, and have concerns with respect to the proposal to increase the maximum building height by 2.09 meters.

While we do not generally wish to deprive an individual of their right to do what they will their property, an important consideration in our decision to purchase our home on Dolphin Dr. was the view of the Strait of Georgia and, accordingly, the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987, Section 3.4.61. The bylaw now exists, at least in part, for the purpose of preserving the rights of nearby home-owners and residents to enjoy without obstruction their view of the water. It is a critical protection that ensures the ongoing use and enjoyment of our property.

In this particular instance, we acknowledge that our home is not affected by the proposed amendment. However, we would like to do two things:

- 1) Add our voice to that of any of our neighbours on the south-west side of Dolphin Dr. who may be impacted by the proposed development in any negative fashion, showing our support for their position; and
- 2) To ensure that should there be future applications made by any developer on a property that would impact us, personally, that we have already raised as important to us the need to ensure that home-owners' water views are not impacted by variances of Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987, Section 3.4.61. We would like this record to show that – whenever asked – we have been consistent in stating our dependence upon Section 3.4.61 and that we will vigorously challenge any future attempt at variance of that section to our detriment.

Given the very brief time we had to prepare our comments, we have been unable to personally view the variance application or to visit the site to determine what the potential impact would be. We are happy to conclude with this simple approach, one that we argue should be used by the Board of the Regional District of Nanaimo:

If no home-owner who would be adversely impacted objects to the development, let the variance proceed. If but one home-owner who would be adversely impact objects to the development, and that home-owner has relied in good faith upon the laws of the RDN – the variance should be denied.

We thank you for taking the time to consider our thoughts and submissions on this matter and ask that you please provide us a copy of the decision made by the Board – or with information respecting how we may obtain such a copy.

Yours truly,

**George Wallis**



**Donna Young**

