



**AGENDA**  
**BOARD OF VARIANCE MEETING**

June 5, 2025, 4:00 PM  
Boardroom, Service and Resource Centre  
411 Dunsmuir Street, Nanaimo, BC

Pages

**1. CALL THE MEETING OF THE BOARD OF VARIANCE TO ORDER:**

**2. INTRODUCTION OF LATE ITEMS:**

**3. ADOPTION OF AGENDA:**

**4. ADOPTION OF MINUTES:**

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Minutes of the Board of Variance Meeting held in the Boardroom of the Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2025-MAY-01 at 4:01 p.m.

**5. PRESENTATIONS:**

**a. Board of Variance Application No. BOV00787 - 520 Vancouver Avenue**

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Section 7.5.1 of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" sets out a minimum 1.5m side yard setback for the Single Dwelling Residential (R1) zone.

[Note: Although the subject property is zoned Three and Four Unit Residential (R5), Section 7.5.7 specifies where the principal use is a single residential dwelling in the R5 zone, the minimum required setback from the property lines shall be as specified within the R1 zone].

The applicant requests to reduce the minimum north side yard setback from 1.5m to 0.43m for a portion of an existing single residential dwelling to raise the building approximately 1.2m in height.

**6. REPORTS:**

**7. OTHER BUSINESS:**

**8. ADJOURNMENT:**



## **MINUTES**

### **BOARD OF VARIANCE MEETING**

Thursday, May 1, 2025, 4:01 P.M.  
Boardroom, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

Present: Nelson Allen, Chair  
Jaime Dubyna, At Large  
Kyle Wickland, At Large

Absent: Brian Anderson, At Large  
Michael Bassili, At Large

Staff: L. Rowett, Manager, Current Planning  
K. Mayes, Planner, Current Planning  
A. Bullen, Recording Secretary

**1. CALL THE MEETING OF THE BOARD OF VARIANCE TO ORDER:**

The Chair called the meeting of the Board of Variance to order at 4:01 p.m.

**2. ADOPTION OF AGENDA:**

It was moved and seconded that the agenda, be adopted. The motion carried unanimously.

**3. ADOPTION OF MINUTES:**

It was moved and seconded that the Minutes of the Board of Variance Meeting held in the Boardroom of the Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2025-APR-03 at 4:04 p.m. be adopted. The motion carried unanimously.

#### 4. PRESENTATION:

##### a. Board of Variance Application No. BOV00786 – 710 Arbutus Avenue

Introduced by Nelson Allen, Chair.

Byron Gallant, B. Gallant Homes, Applicant spoke regarding Board of Variance Application No. BOV00786 – 710 Arbutus Avenue. Highlights included:

- The property backs onto an alley
- The existing deck above the garage is in poor condition and requires replacement
- The existing garage is undersized and unable to accommodate an average-sized vehicle
- The proposed addition would allow for vehicle parking and storage of garden supplies
- Requesting a variance to reduce the minimum required rear yard setback by 1.44m
- The original covenant does not permit garden sheds, which contributes to the hardship

Nelson Allen, Chair, opened the floor for discussion. Highlights included:

- Clarification regarding the existing rock walls on site and the elevation points on the site survey
- Confirmation that the existing garage does not meet the minimum size for a standard vehicle parking space
- Staff provided clarification regarding permitted projections into setbacks
- Concerns regarding whether the application constitutes a hardship

It was moved and seconded that the Board of Variance deny application BOV00786 at 710 Arbutus Avenue because undue hardship has not been demonstrated. The motion was defeated.

Opposed: Nelson Allen and Kyle Wickland

It was moved and seconded that the Board of Variance finds that hardship exists in the case of application BOV786 at 710 Arbutus Avenue, due to safety concerns. The motion carried.

Opposed: *Jaime Dubyna*

It was moved and seconded that the Board of Variance approve application BOV786 at 710 Arbutus Avenue to vary section 7.5.1 of the Zoning Bylaw, to reduce the minimum required rear yard setback for a principal building from 7.5m to 6.06m to allow the construction of a garage addition with a rooftop deck, there being evidence of undue hardship. The motion carried.

Opposed: *Jaime Dubyna*

**5. ADJOURNMENT:**

It was moved and seconded at 4:31 p.m. that the meeting adjourn. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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RECORDING SECRETARY



PLANNING & DEVELOPMENT

## BOARD OF VARIANCE

### NOTICE OF MEETING

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A meeting of the Board of Variance will be held on Thursday, June 5<sup>th</sup>, 2025, at 4:00 p.m. in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC to hear the following appeal:

**APPEAL NO:** **BOV00787**

**Applicant:** Isaac R. Bowden

**Civic Address:** 520 Vancouver Avenue

**Legal Description:** LOT 1, BLOCK 5, DISTRICT LOT 96G, NANAIMO DISTRICT, PLAN 2578

**Zoning:** Three and Four Unit Residential (R5)

**Requested Variance:** Section 7.5.1 of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” sets out a minimum 1.5m side yard setback for the Single Dwelling Residential (R1) zone.

*[Although the subject property is zoned Three and Four Unit Residential (R5), Section 7.5.7 specifies where the principal use is a single residential dwelling in the R5 zone, the minimum required setback from the property lines shall be as specified within the R1 zone].*

The applicant requests to reduce the minimum north side yard setback from 1.5m to 0.43m for a portion of the existing single residential dwelling to raise the building approximately 1.2m in height.

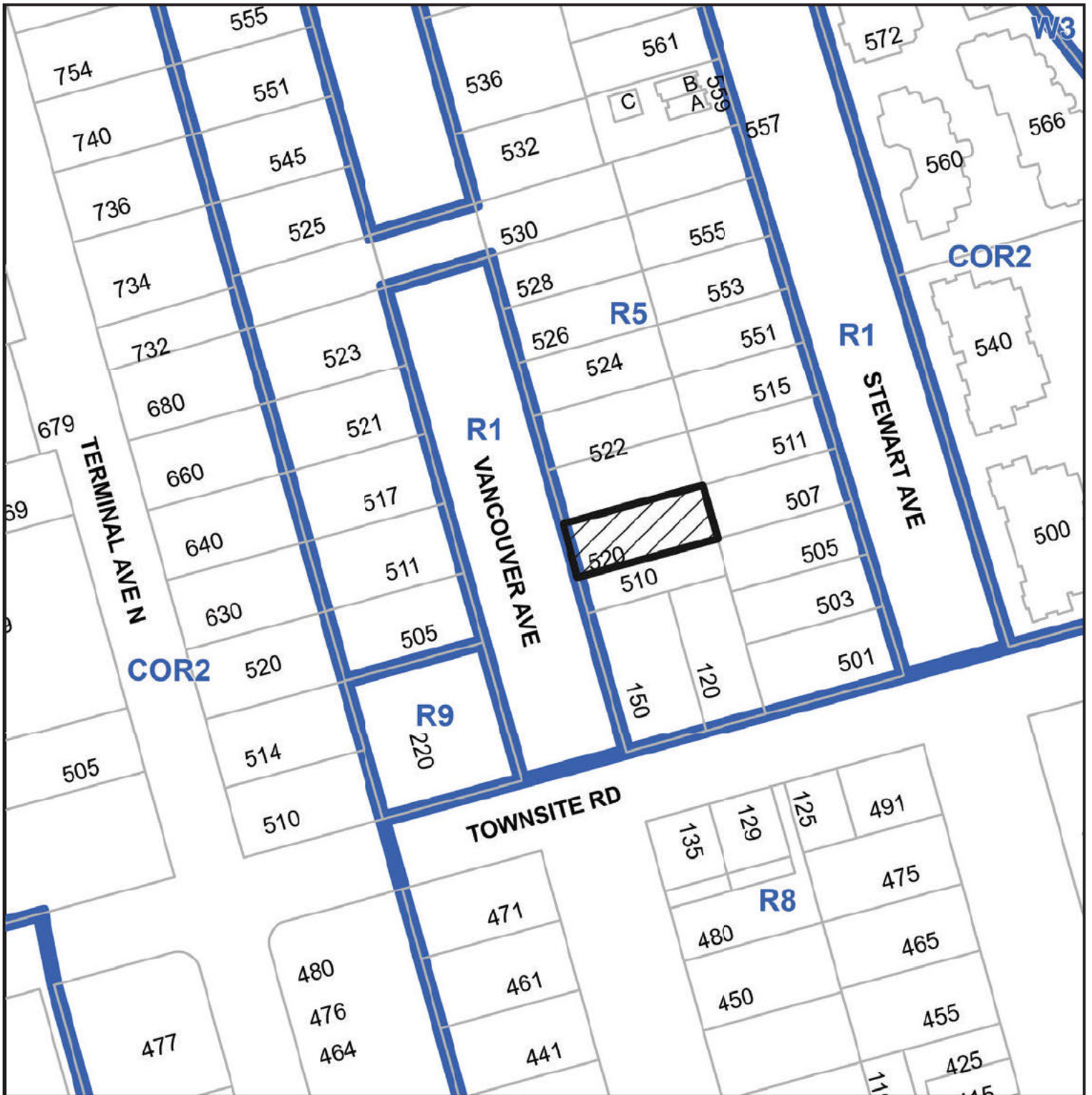
You are being notified as an owner or tenant of land that is adjacent to the property that is the subject of this application. If you deem your property to be affected by the proposed variance, and wish to address this appeal, you will be given the opportunity to be heard at the Board of Variance meeting. Members of the public may submit comments in writing or attend the meeting in-person.

For questions, please contact Kristine Mayes, Planner by email at [Kristine.Mayes@nanaimo.ca](mailto:Kristine.Mayes@nanaimo.ca), or by phone at 250-755-4460 ext. 4355.

**WRITTEN SUBMISSION:** Written comments must be submitted by email to above address no later than 2:30 p.m. June 5<sup>th</sup>, 2025.

**ATTEND IN-PERSON:** To address this appeal in person you must attend this meeting, in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Thursday, June 5<sup>th</sup>, 2025, at 4:00 p.m.

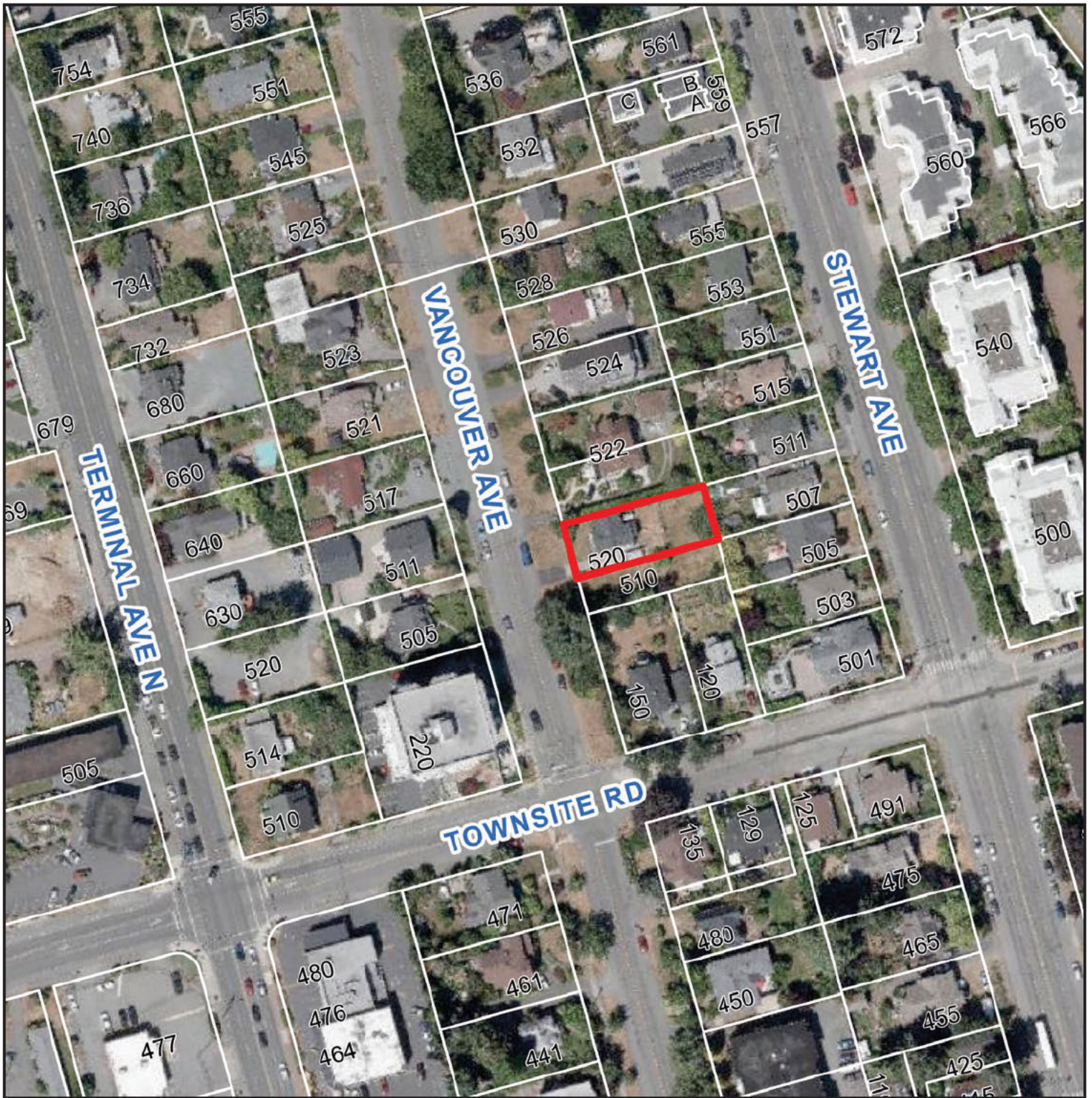
# SUBJECT PROPERTY MAP



 520 VANCOUVER AVENUE



# AERIAL PHOTO



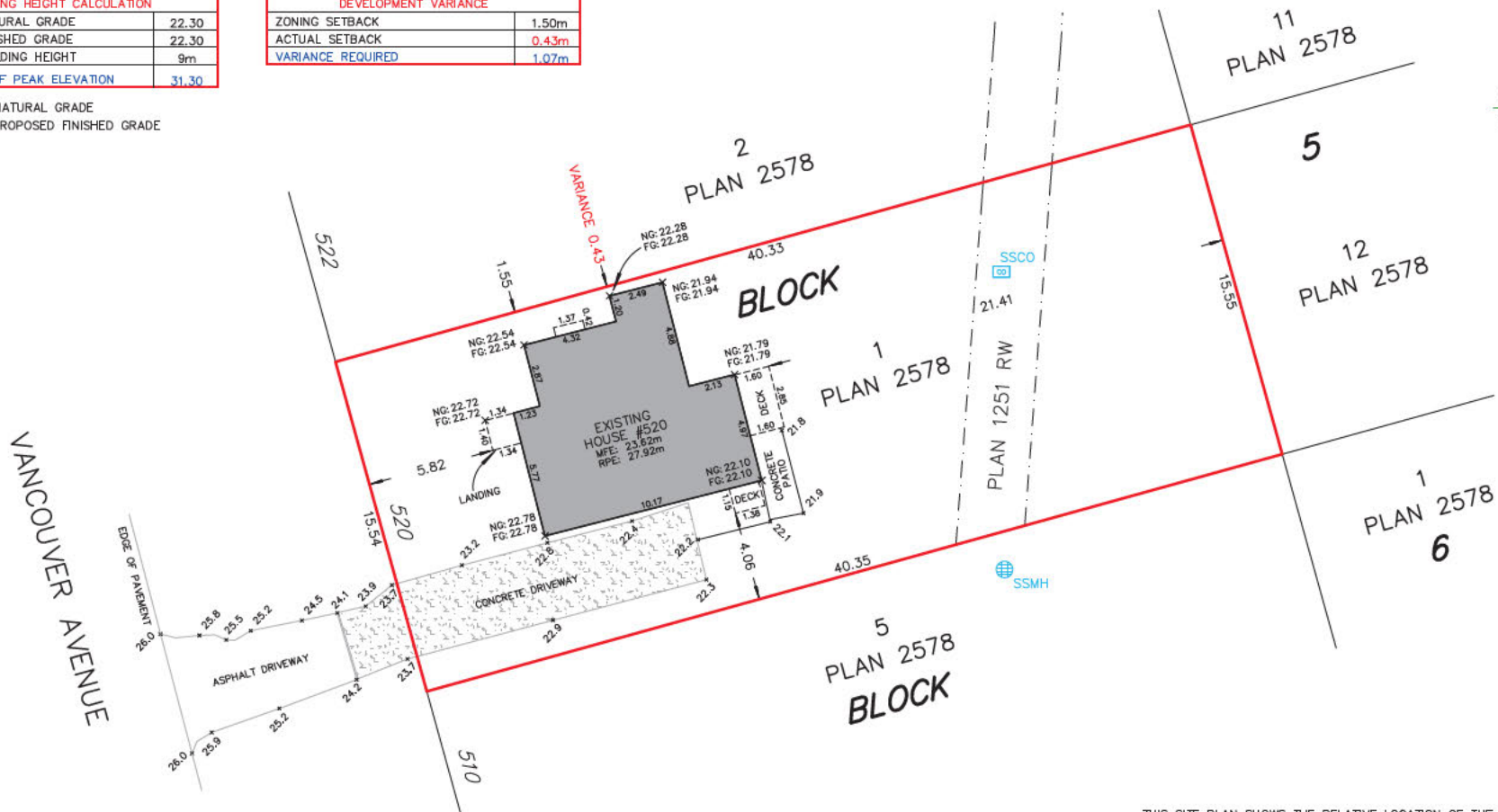
 520 VANCOUVER AVENUE



BUILDING HEIGHT CALCULATION	
AVERAGE NATURAL GRADE	22.30
AVERAGE FINISHED GRADE	22.30
MAXIMUM BUILDING HEIGHT	9m
MAXIMUM ROOF PEAK ELEVATION	31.30

DEVELOPMENT VARIANCE	
ZONING SETBACK	1.50m
ACTUAL SETBACK	0.43m
VARIANCE REQUIRED	1.07m

NG: DENOTES NATURAL GRADE  
FG: DENOTES PROPOSED FINISHED GRADE



THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF NANAIMO

**NOTE:**  
THE REGISTERED TITLE OF THIS PROPERTY IS AFFECTED BY THE FOLLOWING LEGAL NOTATIONS AND REGISTERED CHARGES, LIENS AND INTERESTS:

44905G, 238292G.

THIS SITE PLAN DOES NOT VERIFY COMPLIANCE WITH THE ABOVE NOTED DOCUMENTS.

THIS SITE PLAN SHOWS THE RELATIVE LOCATION OF THE EXISTING AND PROPOSED STRUCTURES/IMPROVEMENTS WITH RESPECT TO THE BOUNDARIES OF THE DESCRIBED PARCEL ONLY.

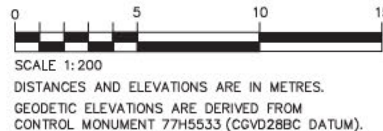
THIS SITE PLAN SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE SITE PLAN BEYOND ITS INTENDED USE.

**RECEIVED**  
**BOV787**  
**2025-MAY-09**  
Current Planning

**SITE PLAN SHOWING:**  
LOT 1, BLOCK 5, DISTRICT LOT 96G,  
NANAIMO DISTRICT, PLAN 2578

CLIENT: ISAAC BOWDEN  
CIVIC ADDRESS: 520 VANCOUVER AVENUE  
FILE: 16-106-1 SCALE: 1:200 DRAWN BY: BEP ZONING: R1 PID: 003-390-055



THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED  
ON THE 7th DAY OF MAY, 2025

\_\_\_\_\_. B.C.L.S. #994  
(THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.)

**Turner & Associates**  
land surveying™  
250.753.9778  
435 TERMINAL AVENUE NORTH  
NANAIMO, BC V9S 4J8  
www.turnersurveys.ca





View from Vancouver Avenue (red outside the variance request, green lines subject to the request)







**BOV787**







Dear Members of the Board,

We are the homeowners of 520 Vancouver Ave, a historic house built in 1932. We are seeking permission from the council to lift our house in place and install a foundation beneath it. Our historic home sits very close to the property line of our direct neighbors, [REDACTED]

[REDACTED] We have discussed our plans with them and they have given their full support for lifting the house in place. We have included their written approval as part of our application.

At present, one-third of our house is situated on a foundation, while the remaining two-thirds are supported by posts resting on cinder blocks. In order to meet current safety and code standards, we must lift the house and install a full foundation.

For both preservation and practical reasons, we believe it is most beneficial for the layout of our property to keep our house in its current location. Our neighborhood community, including ourselves, is deeply committed to restoring and maintaining the historic character of the area. Improving the house where it stands will allow us to contribute to this vision, bringing up to code a home which adds to the neighborhood's charm and heritage. Moving the house would not only significantly disrupt the established layout but would also eliminate our driveway, forcing us to park on the street and complicating the repositioning of our vital services, such as plumbing and electrical.

This project will allow us to bring a piece of local history back to life while ensuring the property is safe and livable for future generations. We believe this modest change, with minimal disruption to the surrounding properties, will only enhance the area and contribute positively to the ongoing restoration efforts in the neighborhood.

We ask for your thoughtful consideration and approval of our application, as we are excited to restore and preserve this historic home for our family and for the community.

Thank you for your time and consideration.

Sincerely,

Isaac Bowden [REDACTED]  
[REDACTED]

520 Vancouver Ave

[REDACTED]

RECEIVED  
BOV787  
2025-MAY-09  
Current Planning



[REDACTED]

Emails:

[REDACTED]

Phone Numbers:

[REDACTED]

May 9th 2025

Board of Variance

**Re: Support for Variance Application – 520 Vancouver Ave**

Dear Members of the Board,

We are writing as the immediate neighbors of Isaac Bowden [REDACTED] the owners of the property located at 520 Vancouver Ave, to express our support for their application to the Board of Variance.

We understand that Isaac [REDACTED] are seeking permission to lift their home within the setback area that borders our property, and we are fully aware of the scope and nature of their proposed work. After reviewing their plans and discussing their intentions directly, we are confident that the proposed changes will be both respectful of the neighborhood's character and beneficial to the overall integrity of their home.

As longtime residents of the Newcastle neighborhood, we value thoughtful improvements that enhance our community and uphold the spirit of cooperation among neighbors. We give our full approval for the requested variance and hope the Board will look favorably on their application.

Should you require any further clarification regarding our support, we would be happy to provide additional details.

Sincerely,

[REDACTED]