



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

May 7, 2026, 4:00 p.m.  
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:**

2 - 4

Minutes of the Board of Variance Meeting held in the Boardroom of the Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2026-APR-02 at 4:02 p.m.

5. **PRESENTATIONS:**

a. **Board of Variance Application No. BOV00795 - 1020 Beaufort Drive**

5 - 13

Section 6.6.5 of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" sets out the maximum allowable height for an accessory building.

The applicant requests a variance to increase the maximum allowable height of an accessory building containing a secondary suite with a roof pitch less than 6:12 from 4.5m to 5.9m. This is a variance request of 1.4m.

6. **REPORTS:**

7. **OTHER BUSINESS:**

8. **ADJOURNMENT:**



## **MINUTES**

### **BOARD OF VARIANCE MEETING**

Thursday, April 02, 2026, 4:02 P.M.  
Boardroom, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

Present: Jaime Dubyna, Chair  
Maciek Dobrowolski, At Large  
Ian McLeod, At Large

Staff: C. Horn, Planner II, Current Planning  
V. Kyada, Planner I, Current Planning  
B. Binnersley, 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 4:02 p.m.

**2. ADOPTION OF ACTING CHAIR:**

It was moved and seconded that Maciek Dobrowolski be appointed as Acting Chair of the Board of Variance. The motion carried unanimously.

**3. ADOPTION OF AGENDA:**

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

**4. 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, 2026-MAR-05 at 4:00 p.m. be adopted. The motion carried unanimously.

**5. PRESENTATION:**

**a. Board of Variance Application No. BOV00794 – 688 Western Acres Road**

Introduced by Jaime Dubyna, Chair.

Richard Finnegan, Applicant, spoke regarding Board of Variance Application No. BOV00794 – 688 Western Acres Road. Highlights included:

- The property backs onto a creek which limits the amount of useable land readily available for the proposed purposes
- A significant number of modifications to the property would be required to meet the minimum setback
- Environmental impacts include the removal of multiple trees
- The property's driveway is located three metres below road level which aids in minimizing the visual present from the street
- The prefabricated recreational vehicle shelter is opened-sided and modest in size
- Unique site constraints, no negative impact to neighbouring properties

Jaime Dubyna, Chair, opened the floor for discussion. Highlights included:

- The proposed location for the workshop shown on the Site Plan. The applicant confirmed that there will be no trees removed at the location of the workshop, and that they've applied for a separate building permit application for this addition. The proposed workshop location is not a possible location for the vehicle parking as a vehicle cannot back into that area due to existing slope
- The risk of neighbourhood properties being in objection to the requested variance. The owner stated that they received no objections from neighbours, including the neighbouring property
- If the area cleared next to the house has been considered for the proposed usage, which would avoid the required 30m set back from the pond. The owner stated that immediately beside the house is a septic field no longer in use, and a line of Douglas fir trees that would need to be removed. Additionally, there is a large sloping area once you move away from the side of the house which would require a large amount of fill to put a suitable space near the bottom of the property
- Discussion regarding the proposed height variance and if hardship exists

- The possibility that a development variance permit may be more appropriate due to lack of hardship
- The limited effect to the visual height due to the road being 3m higher than the landing of the trailer
- Environmental hardship surrounding the removal of multiple existing trees
- The risk to the homeowner in the event that a road is widened in the future causing intrusion into the setback

It was moved and seconded that the Board of Variance finds that hardship exists in the case of application BOV00794 at 688 Western Acres Road due to the physical site characteristics and the characteristics of neighbouring parcels. The motion carried unanimously.

It was moved and seconded that the Board of Variance approve application BOV00794 at 688 Western Acres Road to vary section 6.6.4 and section 6.6.5 of the Zoning Bylaw, to reduce the minimum front yard setback from 4.5m to 1.7m and to increase the maximum height from 4.5m to 4.95m to allow the placement of a prefabricated recreational vehicle shelter with a roof pitch less than 6:12, there being evidence of undue hardship. The motion carried unanimously.

**6. ADJOURNMENT:**

It was moved and seconded at 4:19 p.m. that the meeting adjourn. The motion carried unanimously.

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CHAIR: Jaime Dubyna

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, May 7<sup>th</sup>, 2026, 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:** **BOV00795**

**Applicant:** Jeff Cote and Darcy Watson, Boehm Construction

**Civic Address:** 1020 Beaufort Drive

**Legal Description:** LOT 34, DISTRICT LOT 97-G, SUBURBAN LOT 52, NEWCASTLE RESERVE, SECTION 1, NANAIMO DISTRICT, PLAN 18612

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

**Requested Variance:** Section 6.6.5 of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” sets out the maximum allowable height for an accessory building.

The applicant requests a variance to increase the maximum allowable height of an accessory building containing a secondary suite with a roof pitch less than 6:12 from 4.5m to 5.9m. This is a variance request of 1.4m.

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 Vidhi Kyada, Planner I, by email at [Vidhi.Kyada@nanaimo.ca](mailto:Vidhi.Kyada@nanaimo.ca), or by phone at 250-755-4460 ext. 4509.


**WRITTEN SUBMISSION:** Written comments must be submitted by email to the above address no later than 2:30 p.m. May 7<sup>th</sup>, 2026.

**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, May 7<sup>th</sup>, 2026, at 4:00 p.m.



# AERIAL PHOTO



 1020 BEAUFORT DRIVE





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**RECEIVED**  
**BOV795**  
**2026-APR-08**  
 Current Planning

ISSUED FOR PERMIT

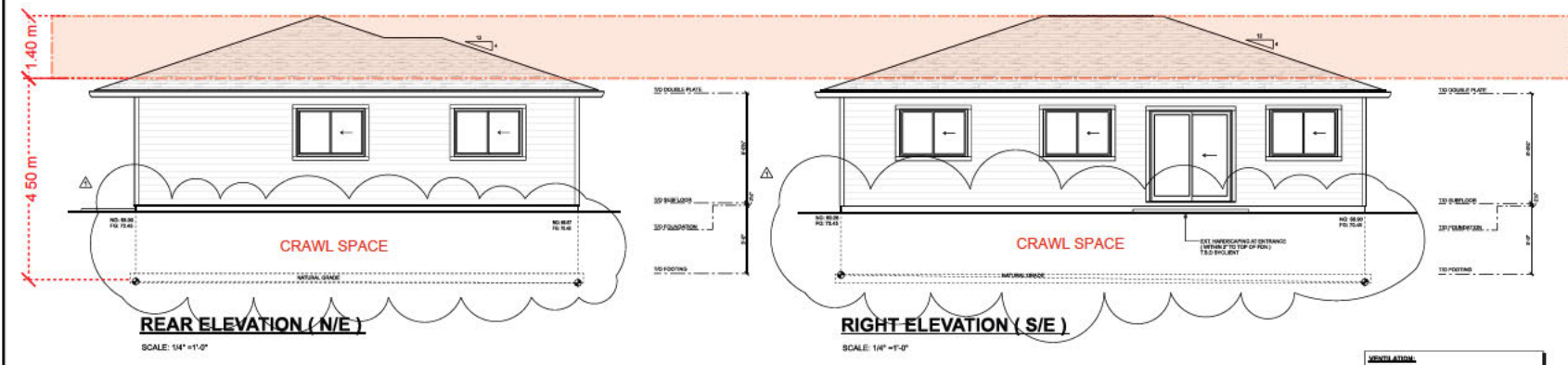
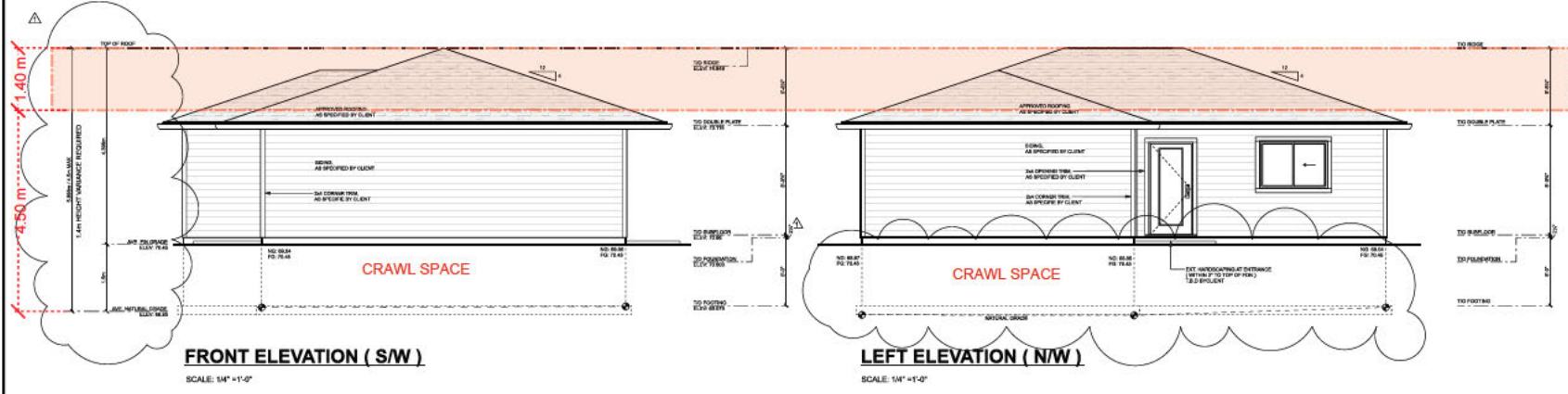
PROJECT NAME:  
 1020 BEAUFORT RD

PROJECT ADDRESS:  
 1020 BEAUFORT RD  
 NANAIMO,  
 B.C.

DRAWING NAME:  
 ELEVATIONS

SCALE:  
 1/4" = 1'-0"  
 DRAWN BY:  
 C.M.  
 PROJECT NUMBER:  
 2026-0009

DATE:  
 APRIL 7, 2026  
 DRAWING NUMBER:  
**A5**



- VENTILATION:**
- ROOF FLASHING INSTALLED AT ALL VENTILATION, INTERSECTIONS AND JUNCTIONS WHERE WATER COULD PENETRATE THE ROOF SHEET.
- FLASHINGS:**
- PROVIDE DWP FLOOR FLASHING ALONG ROOF EDGE
  - PROVIDE DWP FLASHING AT ALL EXTERIOR OPENINGS
  - PROVIDE DWP FLASHING ABOVE ALL EXTERIOR OPENINGS
  - PROVIDE DWP FLASHING OVER WATER TABLE
  - PROVIDE DWP FLOOR FLASHING WHERE GLASSING MEETS FOUNDATION



**Boehm Construction Ltd**  
**777E Poplar Street**  
**Nanaimo, BC V9S 2H7**  
**250-667-7166**

To: City of Nanaimo Board of Variance  
From: Boehm Construction Ltd  
Re: BP131349  
Date: April 1, 2026

I write today on behalf of our clients, [REDACTED]. They have engaged us to build a carriage home on their property. [REDACTED] intend to move into the carriage home, and the in-laws are going to live in the principal dwelling. After obtaining the permit, we began the excavation and immediately, ground water filled the hole and continued to flow in as the digging was happening. We knew this was a low-lying area, but we did not know it had such a high-water table just under the surface! After multiple meetings with our geotechnical engineer, Darron Clark from Lewkowich Geotechnical Engineering, as well as City officials, we have collectively concluded that it is not feasible to construct the carriage home in accordance with the current height restrictions. A supporting letter and technical documentation from our geotechnical engineer will be provided under separate cover as soon as possible to further substantiate this request.

The natural grade of the client's backyard is significantly lower than both the natural grade of the adjacent "food forest" to the northeast and the construction site to the north (36 Lorne place BP127761). Both the neighbouring construction site and the food forest are sloping toward [REDACTED] backyard, resulting in substantial volumes of water collecting nearby and underground. The perimeter drainage solution proposed by City staff would not be sufficient to address these conditions due to the volume of water, the height of this water table, and the existing grades. The hardship our clients are experiencing can only be properly mitigated by allowing an increase to the maximum roof peak elevation. This adjustment is necessary to accommodate a properly functioning drainage system and to ensure a minimum 2% slope into the city storm connection.

To be blunt, the risk of sighting the building at the current proposed height is that it could literally lift and float. We respectfully request that this hardship be considered as we are asking for a 1.6 m height variance, which would allow the project to proceed in a manner that is safe, compliant, and functionally viable. Obtaining this height variance would allow us to bring the proposed carriage home up and out of danger from the underground water table. There are no mountain or ocean views in this neighborhood. Thank you for your time and consideration.

Jeff Cote

Boehm Construction Ltd  
777e Poplar Street  
Nanaimo, BC  
260-667-7166  
[jeffc@boehmconstruction.ca](mailto:jeffc@boehmconstruction.ca)



## GEOTECHNICAL FIELD REVIEW

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Boëhm Construction Ltd.  
Unit E, Poplar Street,  
Nanaimo, BC  
V9S 2H7

File: E5079.01  
Date: April 14, 2026

ATTENTION: Mr. Jeff Cote

PROJECT: CARRIAGE HOUSE RESIDENCE  
1020 BEAUFORT DRIVE, NANAIMO, BC  
SUBJECT: GEOTECHNICAL SITE OBSERVATIONS  
PRELIMINARY SITE CONDITION

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1. As requested, Lewkowich Engineering Associates Ltd. (LEA) has carried out a limited preliminary geotechnical assessment of the above-mentioned property. The purposes of the assessment were to investigate and comment on the soils conditions at the above noted property, with respect to geotechnical concerns, and to provide recommendations pertaining to the bearing support of the new carriage house residence. The method of assessment utilized direct observations of the site conditions and the area of the excavation.
2. Mr. Darron Clark, P.Eng. of LEA visited the site, on March 30, 2026, during the start of excavation process. The following is a brief summary of the observations made during the site visit.
3. The property is located east of Beaufort Drive at civic address 1020. Other surrounding properties are also residential. The site possesses a slight slope to the northeast and is mostly flat in the area of the proposed residence.
4. The footing excavation was not complete at the time of the visit and was approximately 6m wide by 8m long and up to 0.6 m deep. The visit revealed dark, wet organic peat over firm-soft, silty sand, wet, undisturbed bearing soil at 0.5m depth. Ingressing water was noted to a final level approximately 0.3 to 0.4m below existing surface grade.
5. The presence of high ground water and soft surface soils precludes the use of a normal foundation without special recommendations. Further geotechnical testing is warranted, and alternative foundation solutions may be proposed. A higher final surface grade will be required to provide at least 0.8m of free board above the observed ground water table. In addition, it is understood that the local water table is influenced by the nearby stormwater system and collection point. The current surface water and ground water regime is beyond the scope of this letter, but it is noted ground water levels are exacerbated by the deposition of fill soils in nearby historical drainage courses that are located in the adjacent city park.



**Photo 1; illustrating site conditions 2026-03-30, Looking south.**

6. Lewkowich Engineering Associates Ltd. appreciates the opportunity to be of service on this project. If you have any comments, or if we can be of further assistance, please contact us at your convenience.

Respectfully Submitted,  
Lewkowich Engineering Associates Ltd.

Darron G. Clark, P. Eng.  
Senior Geotechnical Engineer