



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.

CHAIR

CERTIFIED CORRECT:

RECORDING SECRETARY