



MINUTES

BOARD OF VARIANCE MEETING

Thursday, September 04, 2025, 4:00 P.M.
Boardroom, Service and Resource Centre,
411 Dunsmuir Street, Nanaimo, BC

Present: Michael Bassili, Chair
Brian Anderson, At Large
Maciek Dobrowolski, At Large

Absent: Jaime Dubyna, At Large

Staff: L. Rowett, Manager, Current Planning
V. Kyada, Planning Assistant, 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 4:00 p.m.

2. APPOINTMENT OF CHAIR:

It was moved and seconded that Michael Bassili be appointed as Chair of the Board of Variance. The motion carried unanimously.

Michael Bassili appointed Brian Anderson as Acting Chair to preside in his absence.

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, 2025-JUN-05 at 4:04 p.m. be adopted. The motion carried unanimously.

5. PRESENTATIONS:

a. Board of Variance Application No. BOV00789 – 349 Nottingham Drive

Introduced by Michael Bassili, Chair.

Keene Anderson, Green Plan, Applicant, spoke regarding Board of Variance Application No. BOV00789 – 349 Nottingham Drive. Highlights included:

- Requesting a front yard setback variance of 2.01m
- Requesting a building height variance of 1.57m
- The steep site topography and rock structure limits development options and creates hardship

Michael Bassili, Chair, opened the floor for discussion. Highlights included:

- Comment regarding the steepness and physical constraints of the site
- Clarification that the height variance is necessary to accommodate the installation of an elevator

It was moved and seconded that the Board of Variance finds that hardship exists in the case of application BOV00789 at 349 Nottingham Drive, due to the physical characteristics of the site. The motion carried unanimously.

It was moved and seconded that the Board of Variance approve application BOV00789 at 349 Nottingham Drive to vary section 7.5.1 of the Zoning Bylaw, to reduce the minimum required front yard setback for a proposed dwelling from 4.5m to 2.49m, and to increase the maximum allowable height of a dwelling from 7.0m to 8.57m, there being evidence of undue hardship. The motion carried unanimously.

b. Board of Variance Application No. BOV00790 – 532 Selby Street

Introduced by Michael Bassili, Chair.

BJ Estes, GEM Real Estate Group, Applicant, spoke regarding Board of Variance Application No. BOV00790 – 532 Selby Street. Highlights included:

- The property has been listed for sale since 2024
- The lot is undersized relative to the DT8 zoning, making it difficult to construct a residence that aligns with the character of the neighbourhood
- A variance was approved in 2016, but has since expired

Michael Bassili, Chair, opened the floor for discussion. Highlights included:

- Confirmation that the current variance request is the same as the one approved in 2016
- Clarification that DT8 zoning permits mixed commercial and residential buildings

Staff provided clarification regarding the two-year expiration of the variance and that the variance is specific to this proposal for a single residential development.

Michael Bassili, Chair, opened the floor to the public.

Kenan Habibovic, neighbour, spoke in favour of the application but expressed concerns regarding wildlife, drainage, and construction noise.

It was moved and seconded that the Board of Variance finds that hardship exists in the case of application BOV00790 at 532 Selby Street, due to the constraints of the lot dimensions under the current bylaw. The motion carried unanimously.

It was moved and seconded that the Board of Variance approve application BOV00790 at 532 Selby Street to vary section 11.5.1 of the Zoning Bylaw, to reduce the minimum required (west) side yard setback from 3.0m to 1.52m and (east) side yard setback from 4.5m to 1.52m to allow the construction of a single residential dwelling, there being evidence of undue hardship. The motion carried unanimously.

6. ADJOURNMENT:

It was moved and seconded at 4:26 p.m. that the meeting adjourn. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

RECORDING SECRETARY