



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.

CHAIR: Jaime Dubyna

CERTIFIED CORRECT:

RECORDING SECRETARY