

**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE  
OF THE REGIONAL DISTRICT OF NANAIMO  
HELD FEBRUARY 14 AT 4:00 P.M. IN THE COMMITTEE ROOM  
AT 6300 HAMMOND BAY ROAD, NANAIMO, BC**

Those in attendance:

David Wiwchar, Chair  
Doug Holme, BOV Member  
Kristy Marks, Planner  
Karen Hamilton Recording Secretary  
Peter Jorgensen, Agent PL2018-016  
Blake Camp, Agent PL2018-019

Regrets: Leigh Mathews, BOV Member

*Note: This summary of the meeting is not a verbatim recording of the proceedings, but is intended to summarize the comments and questions of those in attendance at the Board of Variance Meeting.*

The meeting was called to order at 4:00 p.m. with D. Wiwchar presiding.

D. Wiwchar detailed the selection and structure for the Board of Variance and introduced the other Board members and staff. Excerpts of the *Local Government Act* were read and the grounds upon which an appeal may be granted were explained.

**PL2018-016 Lot 7, Oak Leaf Drive**

Notification of the appeal was given to the owners and occupiers of all real property located within 50 m of the property about which this appeal was being heard. There was one written response in support of the application.

The agent, Peter Jorgensen was in attendance, D. Wiwchar asked him to speak to the appeal.

Peter stated that the actual over height was .92 of a metre but they were requesting a 1.0 m variance to accommodate roof cap shingles. It was over height based on undue hardship brought about by the lay of the land. This home would be well under height if on a flat lot.

**Consideration of Appeal**

**PL2018-016 Lot 7, Oak Leaf Drive**

**It was moved and seconded that:**

“As the Board of Variance finds undue hardship and is of the opinion that the request does constitute a minor variance:

The appeal to increase the maximum height for a dwelling unit from 9.0 m to 10.0 m as shown on the attached plan, be **GRANTED.**”

**CARRIED UNANIMOUSLY**

**PL2018-019 Lot 15, Bonnington Drive**

Notification of the appeal was given to the owners and occupiers of all real property located within 50 m of the property about which this appeal was being heard. Scott and Sandra Wroe, 2271 Bonnington Drive and Brian and Jacquie Moir, 2279 Bonnington Drive submitted letters strongly opposing the variance and were in attendance.

The Agent, Blake Camp spoke to Board members requesting a height variance from 8.0 metres to 10.5 metres. This request is due to a hardship which is caused by steep topography with a depth of about 34 feet down from the sidewalk to the rear of the lots. Without the variance the garage would be below the sidewalk resulting in drainage issues. The house would be in line with the neighbours on either side which he felt would be in good standing with the neighbourhood. Neighbouring homes across the road are significantly higher. The plans were modified with a low slope roof to minimize the height.

Neighbouring property owners of 2271 Bonnington Drive and 2279 Bonnington Drive stated because of the loss of water views that this would depreciated the value of their properties and create financial hardship. They also felt that this was not a minor variance and this variance would be adding a whole new storey to the house, and objected to this variance.

**Consideration of Appeal**

**PL2018-019 Lot 15, Bonnington Drive**

**It was moved and seconded that:**

“As the Board of Variance does not find undue hardship and is of the opinion that the request does not constitute a minor variance:

The appeal to increase the maximum height for a dwelling unit from 8.0 m to 10.5 m as shown on the attached plan, be **DENIED.**”

**CARRIED UNANIMOUSLY**

**MINUTES**


It was moved and seconded that the minutes of the Board of Variance meeting be presented at the next Board of Variance Meeting due to a missing member.


**CARRIED UNANIMOUSLY**

**ADJOURNMENT**

It was moved and seconded that the meeting be adjourned at 4:38 pm.

**CARRIED UNANIMOUSLY**

  
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Chair

  
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Karen Hamilton, Recording Secretary