

**MINUTES OF THE MEETING OF THE BOARD OF VARIANCE
OF THE REGIONAL DISTRICT OF NANAIMO
HELD OCTOBER 11, 2017 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
Leigh Mathews, BOV Member
Jeremy Holm, Manager Current Planning
Bev Farkas, Recording Secretary

PL2017-138 1918 Bonito	- Jack and Shelley Derish, Applicants
PL2017-136 2399 Chain Way	- Peter Jorgensen, Agent
PL2017-144 Lot 8 Bonnington	- Kosta Kostadinov, Applicant - Julie Kostadinov - Maxim Kostadinov - Keith Watson, 2287 Bonnington Drive

The meeting was called to order at 4:05 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.

PL2017-138 1918 Bonito Crescent

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. One reply was received from 3235 Dolphin Drive noting opposition to the request but not offering details for the opposition.

Jack and Shelly Derish, applicants, were in attendance; D. Wiwchar asked them to speak to the appeal.

Mr. Derish commented that the lot is sloped from front to back and side to side and that the setbacks are restrictive. He added that the road is higher than the lot which would create drainage difficulty into the garage. The applicants have lowered the height of the roof but the slope of the lot still creates difficulty in achieving the 8.0 metre restriction.

Consideration of Appeal

PL2017-138 1918 Bonito Crescent

It was moved and seconded:

“That, as the Board of Variance finds undue hardship and is of the opinion that the request constitutes a minor variance:

the appeal submitted by Jack and Shelley Derish requesting the maximum height requirement for a dwelling unit be increased from 8.0 metres to 8.7 metres as shown on the attached plan be **GRANTED.**”

CARRIED UNANIMOUSLY

D. Holme excused himself from participation in hearing the next application citing a potential conflict of interest. (TIME 4:18 p.m.)

PL2017-136 2399 Chain Way

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. The applicants provided two letters in support of their application.

Mr. Peter Jorgensen, agent for the applicants, was in attendance; D. Wiwchar asked him to speak to the appeal.

Mr. Jorgensen read the applicants' letter requesting a reduction in the front lot line setback, adding that the house is not visible from Chain Way.

Consideration of Appeal

PL2017-136 2399 Chain Way

It was moved and seconded:

"That, as the Board of Variance finds undue hardship and is of the opinion that the request constitutes a minor variance:

the appeal submitted by Peter Kohl and Ellen Kreutz, requesting that the minimum setback requirement for the front lot line be reduced from 8.0 metres to 7.7 metres as shown on the attached plan be **GRANTED**

CARRIED UNANIMOUSLY

D. Holme returned to the meeting (TIME 4:29 pm)

PL2017-144 Lot 8 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. There has been one letter of opposition received from Keith Watson of 2287 Bonnington Drive.

Mr. and Mrs. Kostadinov and their son were in attendance. Mr. Watson of 2287 Bonnington Drive was also in attendance. D. Wiwchar asked the applicants to speak to the appeal.

Mr. Kostadinov noted that they purchased the lot approximately ten years ago with the intent to build their home. The house was designed to accommodate the 8.0 m height restriction and to aesthetically fit into the neighbourhood. There is a depression on the building site which is causing concern – they tried to move the house back but could not avoid the depression. The lot was cleared and prepared over a 4 week period and a cost of \$68,000 to break rock. There is however some rock remaining that cannot be broken.

Mr. Kostadinov distributed photographs of the subject property and copies of letters of support from his neighbours.

D. Wiwchar asked Keith Watson if he would like to comment on the application. Mr. Watson spoke in opposition to the variance citing potential view implications.

Consideration of Appeal

PL2017-144 Lot 8 Bonnington Drive

It was moved and seconded:

"That, as the Board of Variance finds undue hardship and is of the opinion that the request constitutes a minor variance:

the appeal submitted by Kosta and Pero Kostadinov requesting the maximum height requirement for the critical ridge of a dwelling unit be increased from 8.0 metres to 8.6 metres as shown on the attached plan be **GRANTED**".

Opposed (1): D. Wiwchar

CARRIED

and

the appeal submitted by Kosta and Pero Kostadinov requesting the maximum height requirement for the highest ridge of a dwelling unit be increased from 8.0 metres to 8.5 metres as shown on the attached plan be **GRANTED**".

Opposed (1): D. Wiwchar

CARRIED

MINUTES

It was moved and seconded that the minutes of the Board of Variance meeting held September 13, 2017 be approved.

CARRIED UNANIMOUSLY

ADJOURNMENT

It was moved and seconded that the meeting be adjourned at 4:50 p.m.

CARRIED UNANIMOUSLY



Chairperson



B. Farkas, Recording Secretary

