

BOARD OF VARIANCE

Via MS Teams

March 9, 2022 at 6 p.m.

In light of the COVID-19 pandemic and to ensure social distancing, Saanich Municipal Hall is closed to the public for this meeting.

Enquiries/comments may be submitted by email to BOV@saanich.ca and must be received no later than 12:00 pm noon, Wednesday, March 9, 2022. Alternatively, you may register to speak by telephone or electronically at the Hearing by sending an email (by the above deadline) to BOV@saanich.ca and noting the agenda item you wish to speak to. Instructions on how to join the meeting will be emailed to you.

1	1252 Judge Place Lot 1, Section 32, Victoria District, Plan 51047	To construct stairs and roof overhang Relaxation of the maximum allowable projection into an interior side lot setback from 0.6 m (2.0 ft) to 1.35 ft (4.43 ft)
2	3245 Wicklow Street Lot E, Section 62, Victoria District, Plan 2426	To construct stairs and landing Relaxation of the minimum combined sideyard setback from 4.5 m (14.8 ft) to 3.59 m (11.78 ft)
3	2550 Penrhyn Street Lot 2, Block B, Section 44, Victoria District, Plan 1483	To construct an addition Relaxation of the maximum non-basement floor area from 226 m ² (80%) to 280.41 m ² (99.26%)
4	4899 C Cordova Bay Road Lot 3, Section 28, Lake District, Plan 10472	To construct stairs and landing Relaxation to allow a structure to be constructed or located upon or over the land lying below the natural boundary of the ocean Relaxation of the maximum height for a structure within 7.5 m (24.6 ft) of the natural boundary of the ocean from 0.6 m (1.96 ft) to 2.73 m (8.96 ft) located above the natural boundary of the ocean.
5	860 Royal Oak Avenue Lot 10, Section 8 & 8A, Lake District, Plan 8449	To construct a single family dwelling Relaxation of the maximum height of a sloped roof from 7.5 m (24.6 ft) to 8.0 m (26.25 ft)
6	4767 Timber Place Lot B, Section 121, Lake District, Plan 47147	To construct a new dwelling Relaxation of the maximum overall height for a flat roof from 6.5 m (21.3 ft) to 6.75 m (22.15 ft) Relaxation of the maximum vertical portion of a dwelling within 5.0 m of a vertical plan extending from the outermost wall for a flat roof (single face) from 6.5 m (21.3 ft) to 7.88 m (25.85 ft)

**MINUTES
BOARD OF VARIANCE
HELD ELECTRONICALLY VIA MICROSOFT TEAMS
SAANICH MUNICIPAL HALL
JANUARY 12, 2022 AT 6:01 P.M.**

Members: Melissa Horner, John Uliana, Kevin Zirul, Amandeep Gill

Staff: Kevin Kaiser, Planning Technician; Nancy Chaggar, Senior Committee Clerk; Tara Da Silva, Senior Committee Clerk

Chair's Remarks: M. Horner, 2021 Board of Variance Chair, announced that Kevin Weir has resigned his position.

Election of Chair: The Senior Committee Clerk called the meeting to order and asked for nominations for the Chair. M. Horner was nominated and accepted the nomination. Ms. Horner assumed the Chair.

Minutes: **MOVED by J. Uliana and Seconded by K. Zirul: "That the minutes of the Board of Variance meeting held December 8, 2021 be adopted as circulated."**

CARRIED

Camrose Cres.
Existing deck

BOV #00951

Applicant: Jay Violini
Property: 1299 Camrose Crescent
Variance: Relaxation of the minimum interior side lot line from 1.5 m to 0.15 m
Relaxation of the minimum combined sideyard setback from 4.5 m to 1.35 m

The Notice of Meeting was read and the applicant's letter and two letters from neighbours were received.

Applicants: Jay Violini, applicant and owner, was present in support of the application and stated:

- Approximately 10 neighbours signed a petition in support of the existing deck.

Discussions: In reply to questions from the Board, the applicant stated:

- The building lot location certificate shows that the fence does not encroach on Saanich land.
- There was a previous variance approved from 2018.
- Home inspection in 2015 showed the deck was dilapidated and in need of repairs. Owner started repairs to the deck and replaced the stringers, treads, and railings. This was done in accordance with guidelines of Building Code but a permit was not obtained.
- Storm water right of way is moved and no longer exists in that location.
- Owners would like to sell the house and move to another community.
- Having a building lot location certificate now provides precise numbers.

- Owner will have to reposition the deck support posts to comply with Building Code.

Board discussion:

- Comments from the Parks department were previously provided from the 2018 application and they did not have any objection.
- Deck does not encroach onto Saanich lands.

Public input: Nil

MOTION: **MOVED by K. Zirul and Seconded by J. Uliana:** “That the following request to relax the minimum interior side lot line from 1.5 m to 0.15 m, and to relax the minimum combined sideyard setback from 4.5 m to 1.35 m from the requirements of Zoning Bylaw 2003, Section 210.4 (a) (ii), further to the construction of an existing deck on Lot 14, Block 2, Section 62, Victoria District, Plan 1321 (1299 Camrose Crescent) be APPROVED.

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire.”

CARRIED

Walema Avenue
New construction

BOV #00952

Applicant: Pano Ghinis
Property: 1025 Walema Avenue
Variance: Relaxation of the minimum front lot line setback from 7.5 m to 3.5 m
Relaxation of the minimum rear lot line setback from 12.0 m to 11.93 m
Relaxation of the maximum non-basement floor area from 174 m² (75%) to 181.0 m² (78.08%)

The Notice of Meeting was read and the applicant’s letter and four emails from neighbours were received.

Applicants: Pano Ghinis, builder/applicant, and Linda Woo, owner, were present in support of the application.

Discussions: In reply to questions from the Board, the applicants stated:

- The proposed house is a new dwelling; the existing house will be demolished.
- The existing house is further to the back.
- Current lot zoning is non-conforming RS-18.
- House gross floor area is 1950 ft². Neighbour at 1022 Walema Avenue has the same zoning and had to get same variances to build the home.
- The house footprint will remain but moving closer to Beryl Street and making rear yard slightly larger.
- The front entrance and access to the house will be on Walema Avenue.
- There is no basement in the current plans.
- It’s a small house and it’s hard to have a family sized home in such a small footprint because of the zoning.
- Applicant doesn’t have the inverts required to hook up to sewer and storm to get into basement area. In exploring a basement, applicants could go down about 1.2 m from lowest lot line.

- Applicant would have to excavate quite low to put in an 8 ft basement.
- When exploring rezoning to RS-4, the applicant would still require variances.
- The applicant visited some neighbours and the three that were available were in support of the proposal.
- The house is designed by Ken Mar and fits well with the character of the neighborhood and is more attractive than what currently exists.
- The proposed building doesn't impose on the neighbours.
- The deck is on the side looking onto Beryl Street and doesn't infringe on any neighbours.
- The owner wishes to retire in this home.
- The zoning is a blanket zone and applicants believe it is outdated.
- The variances requested are minor with a floor area increase of 21 ft².

Board Discussion:

- Based on the fact that the blanket zone is restricting the minimum required setbacks and lot size, it makes sense what the applicants are asking for.
- The impact to creating a basement would be much greater than granting 21 ft² on the footprint of the house.
- This lot is out of place in terms of the existing zoning.
- If lot was in the RS-4 zone, applicants would still need a front lot line variance.
- The variance request is minor.
- It is not believed that a hardship of the relaxation of the non-basement floor area exists.

In reply to questions from the Board, the Planning Technician stated:

- Section 205.4 (c) of the Zoning Bylaw outlines floor space ratio numbers for each zone.

The Board can have various decisions on the variances requested if they're not related to each other.

Public input:

- Nil

MOTION:

MOVED by A. Gill and Seconded by J. Uliana: "That the following request to relax the minimum front lot line setback from 7.5 m to 3.5 m, to relax the minimum rear lot line setback from 12.0 m to 11.93 m, and to relax the maximum non-basement floor area from 174 m² to 181 m² from the requirements of Zoning Bylaw 2003, Sections 295.3 (a) and (c), further to the construction of a single family dwelling on Lot 17, Block 1, Section 32, Lake District, Plan 1196A (1025 Walema Avenue) be APPROVED.

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire."

The Motion was then Put and CARRIED

Braefoot Road
New construction

Applicant: Fang Tao Shen and Yan Wu

Property: 4010 Braefoot Road

Variance: Relaxation of the maximum overall height from 7.5 m to 7.58 m

BOV #00954

The Notice of Meeting was read and the applicant's letter and one email from a neighbour received.

Applicants: Yan Wu & Fang Tao, applicants, were present in support of the application.

Public input: Gary Coad stated:

- He is a neighbour and is in support of the application.
- The applicants are lovely, respectful people.
- It is unfortunate that the height of the structure turned out slightly higher than it should be during the build.

Discussions: In reply to questions from the Board, the applicants stated:

- The building permit was issued last March.
- There were no notes on the plans regarding height.
- Plans were approved as submitted by the designer.
- Once framing was completed, the applicants called a surveyor to perform final measurements and found they were 8 centimetres over the maximum allowable numbers.
- The contractor built according to the plans; the owners did not modify the height.
- The designer made a mistake on how it was calculated and municipal staff did not pick up on that mistake.
- The roof and shingles are already installed.
- The applicants appreciate the Board's understanding and insist this was a mistake.

Board Discussion:

- The Board believes this is a mistake and that this application can be approved because of the hardship.
- The discrepancy is not something that is going to be noticeable.

In reply to questions from the Board, the Planning Technician stated:

- Municipal staff verify numbers that are provided on the plans.
- This is a designer or construction error and didn't provide margins for error.

MOTION: MOVED by J. Uliana and Seconded by K. Zirul: "That the following request to relax the maximum overall height from 7.5 m to 7.58 m from the requirements of Zoning Bylaw 2003, Section 101.5 (b) (i), further to the construction of a single family dwelling on Lot D, Section 32, Victoria District, Plan 5888 (4010 Braefoot Road) be APPROVED.

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire."

CARRIED

Cowper Street
Addition
BOV #00953

Applicant: John Sparks
Property: 880 Cowper Street
Variance: Relaxation of the minimum combined front and rear setbacks from 15 m to 10.01 m

The Notice of Meeting was read and the applicant's letter received.

Applicants: John Sparks, owner/applicant, Norah Holloway, Carma Design Group, and Crystal Leggett, Carma Design Group, were present in support of the application.

Discussions: In reply to questions from the Board, the applicants stated:

- To design the addition for the home in one big square rather than a wing shape would be much more invasive and expensive, and extensive interior re-design would be required. This would involve building walls and possibly de-commissioning the chimney. This is the hardship being faced.
- The purpose of this addition is to add two bedrooms to the house.
- Reducing this addition to only one bedroom doesn't make it a worthwhile investment.
- The house was built in 1948 and is 998 ft².
- Applicants explored how setbacks are to be setup.
- The existing house has an existing non-conforming 1.79 m rear setback.
- There's a large apple tree a few metres outside the front living room window; it is estimated to be 70 years old. The applicants would likely have to lose the tree as well if the addition was to be built in a flat shape as opposed to a wing shape.
- The retaining wall on the site plan is the proposed design. There is an existing retaining wall in a tiered rectangle shape for the purpose of a garden bed.

In reply to questions from the Board, the Planning Technician stated:

- The house is existing non-conforming.
- The applicant would need a variance for any modifications to the house.
- The house was lawfully constructed in 1948; the applicants have the right to maintain the current setbacks.

Board Discussion:

- This is a unique situation.
- The applicants' proposal would be complying with setbacks that are in place in terms of where the proposed addition is going.
- The applicants' proposal meets parking requirements as well.
- Hardship comes down to affordability and the ability to build something more suited to the applicants' needs.
- The Board is supposed to be approving on hardships of the lot, not cost.
- There are other hardships listed in the documents such as existing non-conforming setback.
- The Board can consider the location of the house on the lot, and that it's an unusual lot.
- The applicant has spoken to some of the hardships.
- Given the impact to the tree, this design is ideal given all factors.

Public input: Nil

MOTION: **MOVED by A. Gill and Seconded by J. Uliana: "That the following request to relax the minimum combined front and rear setbacks from 15.0 m to**

10.01 m from the requirements of Zoning Bylaw 2003, Section 210.4 (a) (i), further to the construction of an addition on Lot 2, Section 21, Victoria District, Plan 5849 (880 Cowper Street) be APPROVED.

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire.”

CARRIED

<p>O’Connell Place Addition BOV #00955</p>	<p>Applicant: Kevin Crover Property: 577 O’Connell Place Variance: Relaxation of the minimum interior side lot line setback from 1.5 m to 1.45 m Relaxation of the maximum vertical portion of a dwelling within 5.0 m of a vertical plane extending from the lowest outermost wall from 7.5 m to 8.05 m for a sloped roof (single face) Relaxation of the maximum non-basement floor area from 80% to 89.55%</p>
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The Notice of Meeting was read and the applicant’s letter and three letters from neighbours in support of the application received.

Applicants: Kevin Crover, applicant/owner, and Robert Jelly, KGino Homes, were present in support of the application.

Discussions: In reply to questions from the Board, the applicants stated:

- Challenges with the grade of the lot are causing issues with height and non-conforming basement area.
- The lot has a significant slope.
- Consultations between the applicant and designer determined that no portion of the basement is technically considered a basement.

In reply to questions from the Board, the Planning Technician stated:

- The drawings do not indicate that anything would qualify as basement under the Bylaw.
- The Bylaw stipulates that, from the floor inside to the grade outside, the grade has to be at least 4.9 ft deep underground to qualify as basement.
- A single faced rule was brought in to discourage large walls on the low side of sloped properties, specifically oceanfront; there are no exemptions for flat lots.

Board Discussion:

- The Board of Variance needs a lesson from staff on basement areas.
- The problem would be the single faced height.
- There were three letters of support from non-affected neighbours.
- The variances requested are not significant.

Public input: Nil

MOTION: **MOVED by K. Zirul and Seconded by A. Gill: “That the following request to relax the minimum interior side lot line setback from 1.5 m to 1.45 m, to relax the maximum vertical portion of a dwelling within 5 m of a vertical plan extending from the lowest outermost wall from 7.5 m to 8.05 m for a**

sloped roof (single face), to relax the maximum non-basement floor area from 80% to 89.55% from the requirements of Zoning Bylaw 2003, Sections 210.4 (a) (ii), (b) (ii), and (c), further to the construction of an addition on Lot 5, Section 50, Victoria District, Plan 12915 (577 O'Connell Place) be APPROVED.

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire.”

CARRIED

Adjournment On a motion from A. Gill, the meeting was adjourned at 8:09 pm.

Melissa Horner, Chair

I hereby certify that these Minutes are a true and accurate recording of the proceedings.

Recording Secretary

DRAFT

MINUTES
Board of Variance
Via Microsoft Teams
February 9, 2022 at 6:01 p.m.

Members: M. Horner (Chair), J. Uliana, K. Zirul, A. Gill

Staff: K. Kaiser, Planning Technician; N. Chaggar, Senior Committee Clerk

Normandy Road Deck Construction
BOV #00950
Applicant: Matthew Lopez
Property: 546 Normandy Road
Variance: Relaxation of the minimum front lot line setback from 7.5 m (24.6 ft) to 4.77 m (15.65 ft).

The Notice of Meeting was read and the applicant's letter and two letters from residents in support of the application were received.

Applicants: Matthew Lopez, applicant, and Brian and Lily Blair, owners, were present in support of the application.

Discussions: In response to questions from the Board, the applicant stated:

- The revised drawings dated January 24, 2022 are the plans that Board members will review and consider; the drawings dated December 15, 2021 are being disregarded.
- The deck is due for replacement; the width of the deck will increase from 4 ft to 6 ft and the direction of the stairs will change to make for better accessibility.
- The deck is existing non-conforming and it would be impractical to re-build it as it is currently.
- There are letters from neighbours in support of the application.

Board discussion:

- This is a panhandle lot.
- The build would not adversely affect the natural environment and would not affect the use and enjoyment of adjacent land.
- The existing deck was inherited with the house and makes the situation challenging for the home owners.
- Widening the deck by two feet would improve its usability.

Public input: Nil

MOTION: MOVED by J. Uliana and Seconded by A. Gill: "That the following request to relax the minimum front lot line setback from 7.5 m to 4.77 m from the requirements of Zoning Bylaw 2003, Sections 230.4(a)(i), further to the construction of a deck according to plans dated January 24, 2022 on Lot B, Section 108, Lake District, Plan VIP53121 (546 Normandy Road) be APPROVED.

And further that if construction in accordance with the plans dated January 24, 2022 submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire."

CARRIED

Santa Clara Avenue
Fence Height
BOV #00949

Applicant: Anita Rebner
Property: 5095 Santa Clara Avenue
Variance: Relaxation of the maximum height of a fence fronting a street from 1.5 m (4.9 ft) to 2.13 m (7.0 ft).

The Notice of Meeting was read and the applicant's letter and five letters from residents in support of the application received.

Applicants:

Anita Rebner, owner/applicant, and Doug Forsdick, representative, were present in support of the application. The representative noted:

- The fence was constructed by a reputable fencing company and it was not the applicant's intention to violate any bylaws; it was assumed that the fence would be built accordingly.
- Prior to building the fence, the applicant consulted with one of the adjacent neighbours and they had no concerns. The applicant also looked at fences in the neighborhood to get a sense of how they were built.
- After the applicant learned about the bylaw violation, she inquired with the fencing company as to whether the fence could be modified. It was determined that this would be possible.

Discussions:

In response to questions from the Board, the applicant stated:

- One of the photos submitted in the application illustrates a neighbouring fence; the purpose for this submission was to provide a comparison of other fences in the area.
- The 6 ft fence has helped with keeping deer out; however it may not impede trespassers from entering the property.
- The applicant feels that the fence has increased her sense of safety for the property.
- The fence was built in July 2021.
- The key hardship is the financial impact of altering the fence to bring it into compliance.
- The fence doesn't defeat the intent of the bylaw and it blends nicely with the neighborhood.

In response to questions from the Board, the Planning Technician stated:

- The intent of the bylaw being set at 1.5 m for a fence fronting a street is to avoid a "compound look" and to keep fences lower around road frontages.
- If the Board grants the variance requested, it would be for the current state of the fence as it has been built.
- The Board will consider the variance request based on the plans and drawings that have been submitted in the application package.
- This application is the result of a Bylaw complaint regarding the height of the fence.
- Fences do not require a permit from the municipality.

Board discussion:

- This fence is visually unobtrusive and doesn't create road safety concerns. The fence's impact is minimal given its design.
- Deer could still come into the property from the side yard.
- The Board considers each application on its own and doesn't set precedents for future applications.
- The fence adversely affects the environment by impeding deer from entering the property and gathering food.

- Financial hardship should not be considered.
- It is not the Board’s responsibility to approve the height error for the fence; it could have been built in compliance with the bylaw.
- The intent of the bylaw is to bring the community together.
- There are five letters in support of this application, and the fence doesn’t affect the use and enjoyment of the land.
- Approving this variance will not create an adverse impact to the environment, ie. It won’t require any trees to be cut down.

Public input: Nil

MOTION: **MOVED by A. Gill and Seconded by J. Uliana: “That the following request to relax the maximum height of a fence fronting a street from 1.5 m to 2.13 m from the requirements of Zoning Bylaw 2003, Sections 6.2(f)(i), further to the construction of a fence on Lot 1, Section 45 & 46, Lake District, Plan 24024 (5095 Santa Clara Avenue) be APPROVED.**

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire.”

**CARRIED
With K. Zirul OPPOSED**

Hollis Road **Applicant: Samuel Hartford**
 Fence Height **Property: 1180 Hollis Road**
Variance: Relaxation of the maximum height of a fence in a side yard
 BOV #00956 **from 1.9 m (6.2 ft) to 3.0 m (9.84 ft).**

The Notice of Meeting was read and the applicant's letter, four letters in support, and one letter in opposition of the application were received.

Applicants: Samuel Hartford, applicant/owner, is present in support of the application. The applicant stated:

- The fence was built to keep deer out and the applicant discussed it with the owners of adjacent properties at the time.
- The applicant is favourable of his neighbours, Mr. Jensen and Ms. Shaver, having a fence of any height between their properties.
- The applicant was unaware of the fence height requirements when the fence was built. The topography of the land is the main reason why the fence was built as it is.
- The highest post of the structure is 9.84 ft above the grade of the land.

Public input: Chris Jensen and Julie Shaver, Hollis Road, stated:

- This application is a result of a complaint of previous owners of their property. They hope to resolve the issue and help their neighbour come to compliance with the bylaw.
- Mr. Jensen and Ms. Shaver provide support for this application on the condition that they receive reciprocal support from Mr. Hartford should they build a fence in similar height on their property.

Discussions: In response to questions from the Board, the applicant stated:

- The fence was built in 2014 or 2015.
- The sections along the east and north sides of the property are non-compliant.
- The fence is effective in keeping deer out.

In response to questions from the Board, the Planning Technician stated:

- Measurements should be calculated from grade to the highest point of the structure.
- If any other portion of the fence is higher than 9.84 ft, the applicant would require a variance for that as well.
- The land's contour from the front to the back of the property is a difference of approximately 23 ft.

Board Discussion:

- The fence is adversely affecting the environment of the deer.
- This lot's topography is challenging.
- The Board makes their decision on the merits of each application and doesn't set precedents.
- The fence doesn't create visibility concerns.

MOTION:

MOVED by J. Uliana and Seconded by A. Gill: "That the following request to relax the maximum height of a fence in a side yard from 1.9 m to 3.0 m from the requirements of Zoning Bylaw 2003, Sections 6.2(f)(ii), further to the construction of a fence on Lot 10, Section 62, Victoria District, Plan 1194 (1180 Hollis Road) be APPROVED.

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire."

**CARRIED
With K. Zirul OPPOSED**

Treetop Heights
New
Construction

Applicant: Robert and Roshni Grant

Property: 4732 Treetop Heights

Variance: Relaxation of the maximum overall height for a sloped roof from 7.5 m (24.6 ft) to 8.33 m (27.33 ft).

BOV #00957

Relaxation of the maximum vertical portion of a dwelling within 5.0 m of a vertical plane extending from the outermost wall for a sloped roof (single face) from 7.5 m (24.6 ft) to 8.28 m (27.17 ft).

The Notice of Meeting was read and the applicant's letter and ten letters from neighbours received.

Applicants:

Robert Grant, applicant/owner, was present by telephone in support of the application. The applicant stated:

- The floor elevation of the house was set at 57 m.

Discussions:

In response to questions from the Board, the applicant stated:

- There was an error in the original topographic plan. Nobody identified the error until the framing was built. A surveyor noted the error in December 2021.
- The topographic plans were produced by surveys conducted in 2003 and 2018 for the previous property owners.
- To meet the requirements of the bylaw, the applicant would have to take down the entire house and foundation, and start from scratch.
- The applicant purchased the land and drawings from Citizen Design Build as a package.

- The site plans include mislabelled contours with a discrepancy of one metre. There is a small notation on the drawings that illustrates the nature of the problem.
- The applicant tried to avoid this problem and built a 4-6 inch cushion in the height design based on the contour elevations.
- There were nine letters in support of the application and one letter expressing opposition.

In response to questions from the Board, the Planning Technician stated:

- The intent of the single face bylaw is to manage the height of walls on the low side of sloping lots.

Board Discussion:

- This is an unfortunate situation; the applicant inherited the human error which resulted for the need of this application.
- The applicant tried to avoid this issue by building in a cushion but couldn't make up the difference of one metre.
- The topography of the land makes the build challenging.
- Lowering the roof by one metre would not be perceived as much of a difference.
- This application doesn't seem to impact the use of adjacent land.

Public input: Nil

MOTION: **MOVED by K. Zirul and Seconded by A. Gill: "That the following request to relax the maximum overall height for a sloped roof from 7.5 m to 8.33 m, and to relax the maximum vertical portion of a dwelling within 5.0 m of a vertical plane extending from the outermost wall for a sloped roof (single face) from 7.5 m to 8.28 m from the requirements of Zoning Bylaw 2003, Sections 295.3(b)(i) and (ii), further to the construction of a new dwelling on Lot 1, Section 25, Lake District, Plan 22467 (4732 Treetop Heights) be APPROVED.**

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire."

The Motion was then Put and CARRIED

<p>Hollyridge Place Addition BOV #00959</p>	<p>Applicant: Nuala O'Donnell Property: 4015 Hollyridge Place Variance: Relaxation of the minimum front lot line setback from 6.0 m (19.7 ft) to 4.45 m (14.6 ft).</p>
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The Notice of Meeting was read and the applicant's letter and one letter from a neighbour received.

Applicants: D'Arcy Jones, applicant/architect, and Rajeev and Jaya Pai, owners, were present in support of the application. The applicant stated:

- This is an old variance that was previously approved in 2011 for relaxation of a setback.
- The applicant is taking two posts away to allow for outdoor living. The new design will reduce the impacts of the original variance.

- Discussions: In response to questions from the Board, the applicant stated:
- More relaxation was asked for than needed.
 - The fireplace location and design is within the setback requested.
 - If this variance isn't approved, the applicants would not be able to have a covered outdoor area with a fireplace.
 - This is the applicants' forever home.

- In response to questions from the Board, the Planning Technician stated:
- The variance being requested is tied directly to the 2011 application and the Director of Planning felt the change was not minor and required a new application to the Board of Variance.

Board Discussion:

- This variance doesn't extend farther out from what was previously approved in 2011.
- The site is well screened and well shielded from the road.
- This is a minor request.
- This is a unique situation because the application is to request a decrease in a previously granted relaxation.
- Neighbours are in support of the application.
- This request doesn't adversely affect the natural environment.
- The Board may write to the Director of Planning to inquire about why this design required another variance.
- The change in the look of the roof may be considered major but it's a reduction and therefore not requiring further relaxation of the bylaw.

Public input: Nil

MOTION: **MOVED by A. Gill and Seconded by K. Zirul: "That the following request to relax the minimum front lot line setback from 6.0 m to 4.45 m from the requirements of Zoning Bylaw 2003, Sections 220.4(a)(i), further to the construction of an addition on Lot 6, Section 55, Victoria District, Plan 40400 (4015 Hollyridge Place) be APPROVED.**

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire."

CARRIED

Adjournment On a motion from J. Uliana, the meeting was adjourned at 8:03 pm.

Melissa Horner, Chair

I hereby certify that these Minutes are a true and accurate recording of the proceedings.

Recording Secretary