

**MINUTES  
BOARD OF VARIANCE  
COMMITTEE ROOM NO. 2, SAANICH MUNICIPAL HALL  
AUGUST 8, 2018 AT 6:00 P.M.**

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Members: H. Charania, D. Gunn, M. Horner, R. Riddett  
Regrets: R. Gupta  
Staff: D. Blewett, Zoning Officer, K. Kaiser, Zoning Officer, and I. Hoffmann, Senior Committee Clerk

Minutes: Moved by D. Gunn and Seconded by M. Horner: "That the minutes of the Board of Variance meeting held July 11, 2018 be adopted as amended."  
CARRIED

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Albina Street Addition  
BOV #00729

**Applicant: David Parent**  
**Property: 3010 Albina Street**  
**Variance: Relaxation of rear lot line setback from 7.5 m to 3.42 m**  
**Relaxation of combined front and rear setbacks from 15 m to 11.65 m**  
**Relaxation of the maximum non-basement area from 80% to 95.08%**

The Notice of Meeting was read and the applicant's letter received. One letter in opposition was received. It was noted that the outline of the addition was not marked properly.

Applicants: David Lunt, Designer, and David Parent, owner and applicant, present in support, noted the following:

- The owners of the adjacent home who wrote in opposition to the application live in Saskatchewan and rent the property.
- The intent is to remove the existing carport, cut the deck at the north side and construct an addition comprised of a workshop and garage, with a deck over the top of the structure.

In response to questions from the Board the applicant stated:

- The garage can be a larger structure if it is attached to the house.
- He owns two trucks, two motorcycles and a boat and needs a large garage for covered storage.
- The space allocated for the attached structure would be used for storage anyway and he would rather have inside storage. It would be better aesthetically for the neighbours if his vehicles were out of sight.
- If the variance is not granted, he would likely not be able to stay in the area, or even in Victoria.
- A smaller, free-standing accessory building or garage would not be acceptable.
- He talked to his neighbours and they had no objection to the garage.

Public input: Nil

**MOTION: MOVED by R. Riddett and Seconded by D. Gunn: "That the following variances be granted from the requirements of Zoning Bylaw 2003, Sections 210.4(a)(i) and (c), further to the construction of an addition to the house on Lot 17, Block B, Section 12, Victoria District, Plan 860 (3010 Albina Street):**

**a) relaxation of rear lot line setback from 7.5 m to 3.42 m**

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- b) relaxation of combined front and rear setbacks from 15 m to 11.65m
- c) relaxation of the maximum non-basement area from 80% to 95.08%

**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.”**

Board comments:

- It is a corner lot, with one property line treated as a side lot line and the opposite lot line as the rear.
- Apart from the one neighbour who lives out of province there are no objections from the other neighbours.
- Concern noted about the mass of the structure.
- The garage will cover a good portion of the lot and the deck increases the living space.
- The proposed structure is twice as big as a detached auxiliary building.
- Noted if the structure had a basement there would be no requirement for the non-basement area variance; however, the massing would still an issue.
- Hardship in this case is questionable.

The Zoning Officer confirmed that the proposed structure meets the required lot coverage limitations. 50 m<sup>2</sup> of the garage is exempt from the floor area.

**The Motion was then Put and DEFEATED with M. Horner and D. Gunn against**

The application will be TABLED to the next full Board meeting.

Payton Place  
Secondary Suite  
  
BOV #735

**Applicant: Norman A. Aitken**  
**Property: 1430 Payton Place**  
**Variance: Relaxation of the minimum rear lot line from 10.5 m to 7.5 m**

The Notice of Meeting was read and the applicant’s letter received. Three letters in support were received.

Applicants:

Norman Aitken, owner and application, present in support, stated:

- The building envelope is restricted due to a large covenant on the property to protect the vegetation and trees.
- The front of the house would sit on the edge of a 2m drop on the south side of the lot, which is the only sunny area on the property that can be used for a garden.
- If he moves the house toward the rear of the lot, he not only avoids the steep drop off and is able to have a garden, but also there is more room for parking at the side of the garage rather than having parking in front of the house.

Public input:

A resident of Mt. Douglas X Road stated:

- She understands there were some problems with the developer during the subdivision, and now that all the lots are being developed everyone wants something changed: a higher home, a larger house, etc.
- No-one gives consideration to the long-time residents of the area.

- The neighborhood is still upset about the development of this property and the troubles that occurred with the neighbouring property when it was a cattle farm.
- The dry dust during construction of the new houses is an issue; there has been no neighbourhood consultation.
- She has spoken to the Mayor about the issues.
- Traffic continues to build in the Blenkinsop area causing problems as there is only one way in and one way out.
- What is happening to our area is a nightmare.
- She is not against development but you must look at the big picture – how many vehicles and how many suites will there be?
- There are easements and wildlife corridors in the area and people are abusing them.

A resident of Mt. Douglas X Road stated:

- Is there a reason the house has to face south? Could it not be rotated?
- He asked the applicant to try to keep the dust down when excavating begins.

C. Smith, Braefoot Road, stated:

- He lives directly behind 1430 Payton Place and is opposed to the variance.
- Everyone else has had to follow the rules and the applicant knew what the bylaws were when he purchased the property; he is surprised he didn't carry out due diligence before purchasing such an expensive lot.
- The variance puts the house 3m closer to the rear lot line and in his opinion is not a minor variance.
- He does not understand why this is a hardship on a ½ acre lot.
- He and his family have lived here for 8 years and they use the backyard a lot.
- The proposed new house will affect the sunlight in the backyard, especially in the winter.
- Privacy will also be an issue as the new house has many windows facing the back of the property.
- It would have been courteous of the applicant to discuss his plans with the neighbours.
- It is hard to understand all the changes and variances required since Council approved the subdivision.

The owner of a new lot on Payton Place stated:

- He supports the variance and thinks the design and siting will add to the aesthetics of Payton Place.

The applicant responded to the comments from the neighbours as follows:

- Regarding rotating the house the front of the house has to face Payton Place and that is where the driveway will be located.
- Regarding the setbacks, the covenant area takes up over 125 feet from Braefoot Road and he cannot do anything about this.
- The heavily treed area will provide privacy for his neighbours.
- He is unable to see the neighbours' homes from his property so he doesn't think lack of privacy is a valid argument.

- Regarding sunlight, the covenant area blocks the sun from his property; the only sun he will get is on the front (south) side.
- He took possession of the property on May 1<sup>st</sup> this year and he checked out the covenant before buying the property.

The Zoning Officer confirmed there is a wildlife corridor that runs between Payton Place and Malton Avenue, it is not near this particular property. The Natural Site Covenant protects the trees and vegetation and the owner is not permitted to cut or remove any vegetation from this area.

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

- Blasting will not be required as the new house will essentially be built over the site of the previous house on the property.
- He will be digging down about 6' for part of the house; the garage will be slab on grade.
- With respect to siting, as previously noted the location of the driveway cannot be changed. This was determined by the Planning Department.
- Two Garry Oak trees within the building envelope will be removed.
- With respect to hardship, there is no flat area on the property except at the front to have a garden. There are heavy bushes and trees on the north and west areas of the lot.
- Moving the house will provide parking for the suite on the east side next to the garage.
- If the variance is rejected, it means he doesn't get to build his home where he wants to build it. He thought 3m was a minor request in this case.
- When trees were removed within the subdivision, the replacement trees were put on his property within the covenanted area.

The Zoning Officer confirmed that:

- The driveway is at an acceptable 15% grade; if the house were moved forward it would still be an acceptable grade.
- The house is lower than the permitted height.
- The lot is approximately 19,000 sq.ft. The proposed structure covers 11% of the property and over 60% is covered by the covenant.
- The Planning and Parks Departments are satisfied with the Arborist's report recommending the two Garry Oaks within the building envelope be removed, and the recommendations approved by Council.
- The house proposed meets the design covenant for an arts and crafts style home.

The residents at 1491 Mt. Douglas X Road stated:

- The trees look healthy in their opinion.
- Many trees have been removed to build the new houses.

**MOTION:**            **MOVED by D. Gunn and Seconded by R. Riddett: "That the following variances be granted from the requirements of Zoning Bylaw 2003, Section 250.4(a)(i) further to the construction of a secondary suite on Lot 1, Section 32, Victoria District, Plan EPS 4150 (1430 Payton Place):**

- a) relaxation of the minimum rear lot line from 10.5m to 7.5m**

**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.”**

Board comments:

- The hardship in this case is the covenanted area which results in a restricted building envelope.
- A 3m variance is a minor and reasonable request for this unusual property.
- The covenant area provides natural landscaping for the new subdivision and some privacy for the neighbours.
- Perhaps the applicant could make an attempt to save the Garry Oak trees at the front of the property.

The Board questioned whether moving the house further back would save the Garry Oak trees at the front. The Zoning Officer explained if the variance to the rear lot line is approved this expands the building envelope but the front setback remains the same, therefore the trees would still be within the building envelope.

Further discussion noted that the house proposed for this RS-12 zoned lot is only 307 m<sup>2</sup> which is in keeping with the size permitted for an RS-6 zone with a rear setback of 7.5m. RS-12 lots permit a structure of 667m<sup>2</sup>.

**The Motion was then Put and CARRIED**

Claremont Ave  
New House  
  
BOV #737

**Applicant: J. E. Anderson & Assoc. obo Sumanpreet Gill**  
**Property: 985 Claremont Avenue**  
**Variance: Relaxation of the minimum rear setback from 12m to 11.6 m**

The Notice of Meeting was read and the applicant’s letter received. Two members met with the applicant on site.

Applicants:

Peter Wittstock, BCLS for J.E. Anderson & Assoc., applicant, and Mr. and Mrs. Gill, owners, were present in support.

- The application is the result of a technical error for the rear yard setback. The building plans also indicate a 7.5 m setback rather than 12 m.
- The siting of the house does not change the height.

Public input:

Nil

**MOTION:**

**MOVED by D. Gunn and Seconded by M. Horner “That the following variances be granted from the requirements of Zoning Bylaw 2003, Section 295.3(a)(ii) further to the construction of a new house on Lot 10, Section 30, Lake District, Plan 7575 (985 Claremont Avenue):**

- a) relaxation of the minimum rear setback from 12 m to 11.6 m

**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.”**

Board comments:

- This is a minor variance resulting from an unintentional error.

- The variance has no impact on the neighbours.

**The Motion was then Put and CARRIED**

Oldfield Road  
addition

**Applicant: Kaeley E. Wiseman**  
**Property: 5506 Oldfield Road**  
**Variance: Relaxation of the minimum front lot line (southwest) from 7.5 m to nil**

BOV #738

The Notice of Meeting was read and the applicant’s letter received. One letter in opposition was received. One member met with the applicant on site.

Applicants:

Kaeley Wiseman, owner and applicant, was present in support and had nothing to add.

Public input:

Nil

In response to questions from the Board, the Zoning Officer stated:

- After the property was rezoned, a Development Variance Permit was issued to relax the front line setbacks. There are two frontages – one on Old West Saanich and one on Oldfield Road.
- The church formerly on the property has been converted into a single family dwelling.
- It is unknown when the deck which encroaches on the Old West Saanich property line was constructed; Saanich has no records in this regard.

The applicant stated she believes the deck was built about 10 years ago, but the stairs are original and provide the entrance to the cellar.

- The existing fence, which encroaches on municipal property, was there when she bought the property. She understands that permits are not required for a fence but she has applied to the Engineering Department for a boulevard permit to retain the fence for this historic non-compliance.
- She confirmed that the septic tank is partially on municipal property as well.

In response to a question from the Board, the applicant stated:

- If the variance is denied, she would have to remove all non-conforming construction, even the parts that have been in place historically, such as the stairway, which will have to be structurally removed.

The Board noted that there are several legalities with this property, such as the encroachment of the deck, fence and septic tank.

**MOTION:**

**MOVED by R. Riddett and Seconded by M. Horner: “That the following variances be granted from the requirements of Zoning Bylaw 2003, Section 110.5(a)(i) further to the construction of an addition on Lot A, Section 70, Lake District, Plan VIP 71379, (5506 Oldfield Road)**

- a) relaxation of the minimum front lot line (southwest) from 7.5 m to nil

**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.”**

Board comments:

- There is a definite hardship presented by this property, which is a small lot for A-2 zoning.
- The fact that the applicant has tried to improve the property is acknowledged.
- A Board member was of the opinion that the variance is major but it does not impact public safety, the neighbours or the environment.
- Approval would legalize the existing non-conformities.
- The applicant has inherited problems with this site and is doing her best to bring them into conformity with the bylaw.

**The Motion was then Put and CARRIED**

Camrose Cres  
deck

**Applicant: Jay C Violini**  
**Property: 1299 Camrose Crescent**  
**Variance: Relaxation of the interior side lot line from 1.5m to 0.10m;  
and the combined side yards from 4.5m to 1.62 m**

BOV #740

The Notice of Meeting was read and the applicant's letter received. One letter in opposition was received. Two of the Board members spoke with the applicant on site.

Applicants:

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

- He understands that regardless of the decision this evening, he will have to remove a portion of the deck.

The Board noted that an original application to the Board of Appeal in 1961 granted permission for the stairs, with a small landing, to come down the side of the house. At some point, a deck was constructed at the rear of the house.

The applicant stated:

- He took possession of the house in March, 2015 and is the second owner.
- This is the first comment anyone has made to him about the deck at the back of the house. He has no idea when it was built.
- Photos from 1977 show a side deck, but no rear deck.
- Through a Freedom of Information request, he was able to retrieve documents from 2015. It appears there were verbal discussions with the previous owner and Saanich staff after complaints about the deck were received. The Parks Manager at that time would not provide a written "letter of comfort" but the complaints were withdrawn and no further action was taken.
- When he made repairs recently, he ensured there was no further encroachment.
- He has cleared some invasive vegetation between the properties, including some dying trees that Saanich planted but did not maintain.
- There is no clear distinction between his property and the park area and there never has been.

In response to a question from the Board, the Zoning Officer stated:

- He has spoken to the application regarding a survey. There is a significant cost involved and the applicant understands that if the

variance is approved the next step is to apply for a building permit, and a survey will be required.

Public input: Nil

**MOTION:** **MOVED by R. Riddett and Seconded by D. Gunn: “That the following variances be granted from the requirements of Zoning Bylaw 2003, Section 210.4(a)(ii) further to the retention of an existing deck on Lot 14, Section 62, Victoria District, Plan 1321 (1299 Camrose Crescent):**

- a) relaxation of the interior side lot line from 1.5 m to 0.10 m
- b) relaxation of the minimum sum of both side yards from 4.5 m to 1.62 m

**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.”**

Board comments:

- This is a long-standing encroachment.
- It would be a hardship on the applicant to remove the entire structure, although he understands that a portion of the deck may have to be removed.
- All the neighbours apart from one are in support.

**The Motion was then Put and CARRIED**

Salsbury Way  
Deck addition  
  
BOV #744

**Applicant:** Create Design & Construction obo Helen Herring  
**Property:** 3396 Salsbury Way  
**Variance:** Relaxation of rear lot line from 10.5 m to 2.26 m and the interior lot line from 3.0 m to 1.71 m

The Notice of Meeting was read and the applicant’s letter received. Two members met on site with the applicant.

Applicants: Noel Burbidge of Create Design & Construction, together with the owner, Helen Herring, were present in support of the application.

Ms. Herring stated:

- She has talked to her neighbours and some of them came to the site. They were all supportive.
- The house was built in 1938 and there was a previous variance granted in 1995 for an addition to the house.

The Zoning Officer confirmed that construction less than 1’ in height is considered landscaping and no permits are required. In this case a portion of the deck area is a concrete patio and is considered landscaping but a variance is needed for the remainder of the deck.

Public input: Nil

**MOTION:** **MOVED by D. Gunn and Seconded by M. Horner: “That the following variances be granted from the requirements of Zoning Bylaw 2003, Sections 301.4(a)(ii) and (iii) further to the construction of a deck addition to the house on Lot A, Section 62, Victoria District, Plan 7617 (3396 Salsbury Way):**

- a) relaxation of the rear lot line from 10.5 m to 2.26 m
- b) relaxation of the interior side lot line from 3.0 m to 1.71 m

**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.”**

Board comments:

- The variance is minor and does not affect any neighbours.
- The topography is challenging on this side of the house.

**The Motion was then Put and CARRIED**

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Rowan Street New House with Secondary Suite  BOV #746	<b>Applicant: Cumming Design obo Rob and Marlene Laird</b> <b>Property: 1530 Rowan Street</b> <b>Variance: Relaxation of the maximum non-basement floor area from 80% to 99.39%</b>
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The Notice of Meeting was read and the applicant's letter received. A Board member stated that the site was not marked as required. A brief discussion ensued about tabling the application, but it was agreed to proceed.

Applicants: Robert and Marlene Laird, owners and applicants, together with their son, Philip Laird, were present in support of the application.

Tara Cumming, the designer, stated:

- The main issue that causes hardship is the services to the street are higher than usual, making it impossible to build a basement and get gravity feed.
- The neighbours' properties have had water problems in the past.
- The applicants don't want to have to pump waste and it is a major risk to build a basement.
- Mr. Laird's health is not 100% and he and his wife are trying to create a home in the lower half of the house with their son and his family living upstairs. This way the parents can age in place.
- The applicants wish to have the entire home above grade due to the service issues.

Tim Rabey, speaking in support of the application, stated he has tested the site for rock content as well as doing a comparative survey on the services.

- The site has a large amount of bedrock and anything built below grade, the services - even with a pump - would be prone to fail.
- On the realistic side, he has 2' of grade to work with for a gravity-feed system, which is a tight margin.

The Board commented on the size of the proposed house, noting that most RS-6 zoned structures are around 1,200 sq.ft. on each floor, whereas this home is approximately 1,600 sq.ft on each floor.

The applicants explained that they wanted to have enough room in the new house for the grandchildren to grow and for family gatherings, and also so they could have a two-bedroom suite in the lower floor, allowing them to live

independently. The upper floor of the new house will have 4 bedrooms. Another son and his family will move into their existing house next door.

With respect to the size of the home, the designer stated:

- She considered the zoning requirements and her clients’ wish list when designing the home, and tried to design it within the 80% required.
- No matter how she worked it, it was always over the allowable amount and her clients understood they would need to apply for a variance.
- The proposed layout will serve her clients well for the long-term.
- She recognizes it is a fine line between the bylaw and a homeowner’s wishes.
- The existing house, adjacent to the subject property, has a basement 5’ below grade and there have been water problems. They do not use the area for anything but storage because of this.

Public input: Nil

**MOTION: MOVED by D. Gunn and Seconded by M. Homer: “That the following variances be granted from the requirements of Zoning Bylaw 2003, Section 210(c) further to the construction of a new house with a secondary suite on Lot 32, Section 38, Victoria District, Plan 1376 (1530 Rowan Street):**

- a) **relaxation of the maximum non-basement floor area from 80% to 99.39%**

**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.”**

Board comments:

- There is a definite hardship in this case and the relaxation is justified.
- If they are forced to build an in-ground basement there will be problems with waste water due to the height of the existing services.
- The proposed house will not be higher than adjacent homes and no other variances are requested.

**The Motion was then Put and CARRIED**

Seaton Street addition  
BOV #741

**Applicant: Latitude 48 Design Ltd, obo Brian Money and Nancy Dyer**  
**Property: 3766 Seaton Street**  
**Variance: Relaxation of the roof height from 6.5 m to 7.55 m; the single face height from 6.5 m to 8.16 m for a flat roof; and the maximum non-basement area from 80% to 85.9%**

The Notice of Meeting was read and the applicant’s letter received. One member noted that he did not visit the property on this occasion as he felt he was familiar with it from the first visit in March, 2018.

Applicants: Ryan Wiley of Latitude 48 Design Ltd., together with Brian Money, owner, were present in support.

Mr. Wiley stated:

- During the demolition the owner suggested that finding a space to store his kayaks and other sports equipment would be beneficial.
- They considered a separate accessory building, but there was no suitable space and the topography was not conducive.
- As the construction was evolving, it was decided to extend the deck area and have storage underneath for the sports equipment.
- The neighbours were consulted about the consolidated structure rather than a separate accessory building.
- The height changes slightly because of the change to the footprint and the slope of the land.

Public input: Nil

**MOTION:** **MOVED by D. Gunn and Seconded by R. Riddett: “That the following variances be granted from the requirements of Zoning Bylaw 2003, Sections 210.4(b)(i) and (ii) and 210.4(c) further to the construction of an addition to the house on Lot 9, Section 14, Victoria District, Plan 8700 (3766 Seaton Street):**

- a) relaxation of the roof height from 6.5 m to 7.55 m
- b) relaxation of the single face height from 6.5 m to 8.16 m for a flat roof
- c) relaxation of the maximum non-basement area from 80% to 85.9%

**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.”**

Board comments:

- The applicant has tried to make an older house more useable.
- Some attempt has been made to mitigate the increase in non-basement area.
- The minor variance does not affect the neighbours.

**The Motion was then Put and CARRIED**

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Ker Avenue Addition  BOV #743	<b>Applicant:</b> Randall Recinos obo Allison Alden <b>Property:</b> 359 Ker Avenue <b>Variance:</b> Relaxation of the height from 7.5 m to 8.08 m and the allowable floor space in non-basement areas from 80% to 97.41%
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The Notice of Meeting was read and the applicant’s letter received.

Applicants: Randall Recinos, designer, and Allison and Warren Alden owners, were present in support.

Ms. Alden stated:

- The trailer at the side of the house was removed this morning.
- She has never been able to use the garage for a vehicle as it has always been used for storage and a small workshop.

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

- Regarding an attempt to mitigate the variance requested, the existing basement height is low at just under 6', increasing to 8' in some areas; this design was the most efficient way of getting more space that his clients requested.

Ms. Alden stated:

- There have been drainage problems in the area and she has been flooded twice and repaired the drains twice. She doesn't want to go through that again.
- The neighbours opposite her home do not have drains so all the water comes into her yard.
- She confirmed the existing basement bathroom will be replaced.
- There is one bedroom and a bathroom on the main floor for her use as she cannot physically manage the stairs any more.
- The kitchen and dining room on the main floor will be a shared space with her son and his family, who will also have living space on the upper and lower floors of the house.
- She has talked to her neighbours, including the neighbour directly behind her who will see the addition.

Public input: Nil

**MOTION: MOVED by M. Horner and Seconded by D. Gunn: "That the following variances be granted from the requirements of Zoning Bylaw 2003, Sections 210.4(b)(i) and 210.4(c) further to the construction of an addition to the house on Lot 4, Section 13, Victoria District, Plan 1070 (359 Ker Avenue):**

- a) relaxation of the height from 7.5 m to 8.08 m
- b) relaxation of the allowable floor space in non-basement areas from 80% to 97.41%

**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."**

Board comments:

- The hardship is the topography of the site.
- The applicant is trying to legalize a house over 100 years old.
- The neighbours have no objections and there is no impact on the environment.

**The Motion was then Put and CARRIED**

Old W.Saanich  
New House  
  
BOV #745

**Applicant: Teresa and Peter McGuire**  
**Property: 5088 Old West Saanich Road**  
**Variance: Relaxation of the single face roof height from 6.5 m to 7.83 m for a flat roof**

The Notice of Meeting was read and the applicant's letter received. The Board pointed out that the site was not marked as per the Board's requirements.

Applicants:

John Gower, designer, was present in support of the application. He apologized for the oversight with the marking. He had asked the building to mark the roof height on the existing home.

In response to questions from the Board, he stated:

- In terms of trying to mitigate the need for a variance, they looked at various roof profiles.
- They owners wanted to build on the same site as the existing house to reduce the impact on the trees and avoid having to remove any.
- Working with the falling topography, it was decided to have a butterfly style flat roof.
- The owners had also requested 9' ceilings, and an energy-efficient, passive house, with a compact building envelope, additional insulation and quality windows to reduce the energy consumption and the energy bills.
- The roof pitch as proposed is 1:12.
- He agreed with a comment from the Board that there is no hardship, it is an aesthetic choice.
- Regarding a Plan B if the variance is rejected, he acknowledged he would have to redesign. If the roof were entirely flat the height would be reduced by about 3', which would be close to the current request.
- The proposed design does not impact any neighbours and the height is lower than the existing house.
- It is a 5-acre property with no neighbours nearby.

In response to a comment from the Board, the Zoning Officer confirmed that if this were a flat lot, a variance would not be required. It was noted that the home will be built on the flatter portion of the lot, so therefore cannot be considered a hardship.

Public input: Nil

**MOTION: MOVED by D. Gunn and Seconded by M. Horner: “That the request for a variance to relax the single face height from 6.5 m to 7.83 m for a flat roof, further to the construction of a new single family house on Lot 3, Section 64, Lake District, Plan 3496 (5088 Old West Saanich Road) be DENIED.**

Board comments:

- The Board’s mandate states there must be undue hardship and the variance must be minor.
- The designer has stated that there is no hardship and that the variance is due to an aesthetic choice.

**The Motion was then Put and CARRIED**

Adjournment On a motion from R. Riddett, the meeting was adjourned at 9:25 pm.

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Haji Charania, Chair

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

\_\_\_\_\_  
Recording Secretary