

**MINUTES
BOARD OF VARIANCE
HELD ELECTRONICALLY VIA MICROSOFT TEAMS
SAANICH MUNICIPAL HALL
OCTOBER 13, 2021 AT 6:00 P.M.**

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

Staff: S. de Medeiros, Senior Planning Technician, T. Da Silva, Senior Committee Clerk

Minutes: **Moved by J. Uliana and Seconded by K. Weir: “That the minutes of the Board of Variance meeting held September 8, 2021 be adopted as circulated.”**

CARRIED

Oldfield Road Accessory Building BOV00941	Applicant: Alexander Fryer and Julia Stone Property: 5760 Oldfield Road Variance: Relaxation of the maximum height for an accessory building for use other than agriculture from 3.75 m (12.3 ft) to 4.17 m (13.68 ft).
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The Notice of Meeting was read and the applicant’s letter and one email from a resident in support was received.

Applicants: Gary Streight, Applicant, was present in support of the application. The applicant noted that:

- Nothing additional to add; the position is stated clearly in the application letter.

In reply to questions from the Board the applicant stated:

- Before the framing inspection, we learned that the building is about 16-18 inches too high.
- The designer made an error with the elevations.
- The height error was unintentional; we were very cautious with the designer; the builder erred during construction.
- Removing the structure and reconstructing it would provide a significant financial hardship.

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

- If the Board grants the variance, the applicant must submit new plans to reflect the changes.

Board discussion:

- The monetary hardship is because the builder built incorrectly.
- More neighbour input would have been helpful.
- This variance is a minor request.
- The full height of the building is not visible due to the slope of the property.

Public input: Nil

MOTION: **MOVED by J. Uliana and Seconded by K. Weir: “That the following request to relax the maximum height for an accessory building for use other than agriculture from 3.75 m (12.3 ft) to 4.17 m (13.68 ft) from the requirements of Zoning Bylaw 2003, Sections 101.7(b), to further the construction of an accessory building on Lot 4, Section 68, Lake District, Plan 18398 (5760 Oldfield 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.”

The Motion was then Put and CARRIED

Kamloops Addition BOV00942	<p>Applicant: Ryan Wyllie, Latitude 48 Design</p> <p>Property: 211 Kamloops Avenue</p> <p>Variance: Relaxation of the maximum non-basement floor area from 248 m² (80%) to 308.9 m² (99.65%). Relaxation of the minimum combined sideyard setback from 4.5 m (14.8 ft) to 3.12 m (10.23 ft).</p>
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The Notice of Meeting was read and the applicant's letter and eight letters of support from neighbours received.

Applicants: Ryan Wyllie, Prince George, Applicant; C. Barlow, Owner; were present in support of the application and noted:

- This application involves two families coming together with a broad range of ages for kids, 5-17, needing additional space.
- The living space splits over two levels. Height is the challenge for the non-basement area.
- The addition will create a master bedroom, an office, and a room for the eldest child.
- The surrounding neighbours are engaged, and supporting letters are submitted.
- The next-door neighbour is building a new house; the alignment of this construction has ensured privacy is maintained.
- The combined side yard setback was previously established from the existing building. If the addition were moved over, it would impact a tree.

In response to Board questions, the applicant stated:

- The average grade is not relative, but there are areas on the site where it steps up.
- The hardship is the established height that exists.
- Excavating two feet deeper into the ground to create a basement has been explored; underpinning would be needed, which is very costly.

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

- The side yard setback is existing non-conforming. The applicant is not asking for more than the current setback.

Board Discussion:

- The addition will not be imposing on the neighbours and there is neighbourhood support.

- The hardship is the existing basement level slab isn't a basement level slab and the applicant wants to maintain that level with the addition.

Public input: Nil

MOTION: **MOVED by K. Zirul and Seconded by K. Weir: "That the following request, to relax the maximum non-basement floor area from 248 m² (80%) to 308.9 m² (99.65%), and to relax the minimum combined side yard setback from 4.5 m (14.8 ft) to 3.12 m (10.23 ft) from the requirements of Zoning Bylaw 2003, Section 210.4, to further the construction of an addition at Lot 7, Block D, Section 14, Victoria District, Plan 8700 (211 Kamloops 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

<p>Chesterfield Accessory Building BOV #00931</p>	<p>Applicant: Ryan Wyllie, Latitude 48 Design; Spencer Dunstan-Adams, MAC Renovations Property: 1085 Chesterfield Road Variance: Relaxation of the minimum front lot line setback from 7.5 m (24.6 ft) to 1.52 m (5.0 ft). Relaxation of the maximum height for an accessory building from 3.75 m (12.3 ft) to 4.20 m (13.78 ft).</p>
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The Notice of Meeting was read and the applicant's letter received.

Applicants: Ryan Wyllie, Prince George, and Spencer Dunstan-Adams, MAC Renovations, Applicants; were present in support of the application and noted:

- This application is to construct a woodworking shop.
- The lot borders a riparian area and is a double frontage lot, contending with two front yard setbacks but needs to provide enough space between the accessory building and the single-family dwelling.
- The site slopes significantly from the east to the west with an approximate three-foot grade change. Once complete, the accessory building will present as appropriate height and massing.
- An arborist report has been prepared. As per Saanich's guidelines, trees will be replanted at a 2:1 ratio; the Senior Environmental Planner has forwarded species recommendations.

In response to Board questions, the applicant stated:

- A carport will be phased in at a later date.
- The existing shed will be removed.
- The paved surface coming from the road is not intended for vehicular traffic.

Board Discussion:

- The variances are fairly insignificant and do not impact neighbours.
- This lot has a challenging slope.

MOTION: **MOVED** by K. Zirul and **Seconded** by K. Weir: “That the following request, to relax minimum front lot line setback from 7.5 m (24.6 ft) to 1.52 m (5.0 ft), and to relax the maximum height for an accessory building from 3.75 m (12.3 ft) to 4.20 m (13.78 ft) from the requirements of Zoning Bylaw 2003, Section 5.34, to further the construction of an accessory building at Lot B, Block 24, Section 12, Lake District, Plan 1393 (1085 Chesterfield 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.”

The Motion was then Put and CARRIED

Adjournment On a motion from K. Weir, the meeting was adjourned at 7:11 p.m.

Melissa Horner, Chair

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

Recording Secretary