

**MINUTES  
BOARD OF VARIANCE  
HELD ELECTRONICALLY VIA MICROSOFT TEAMS  
SAANICH MUNICIPAL HALL  
OCTOBER 12, 2022 AT 6:00 P.M.**

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Members: K. Zirul (Acting Chair), J. Uliana, A. Gill and M. Cole

Regrets: M. Horner

Staff: J. McLaren, Planning Technician; M. MacDonald, Senior Committee Clerk

Minutes: **Moved by J. Uliana and Seconded by A. Gill: "That the minutes of the Board of Variance meeting held September 12, 2022 be adopted as amended."**

**CARRIED**

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Ambassador Avenue Setbacks	<b>Applicant: West Coast Custom Homes and Renovations Inc.</b>
	<b>Property: 997 Ambassador Avenue</b>
	<b>Variance: Relaxation of the minimum rear lot line setback from 7.5 m (24.6 ft) to 7.13 m (23.4 ft)</b>
BOV #00987	<b>Relaxation of the minimum combined front and rear setback from 15.0 m (49.2 ft) to 14.83 m (48.65 ft).</b>

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

Applicants: J. Grant (West Coast Custom Homes and Renovations Inc.) applicant, was present virtually in support of the application. The following was noted:

- The variance for setbacks on an existing deck and set of stairs. The variance request is due a calculation error based on the fence, which was incorrectly assumed to be the lot line.
- The fence is on the neighboring property, leading to the deck being built 4" within the setback area.
- The hardship is due to difficulty adjusting the existing deck. Matching the aged composite materials would be difficult, adjusting current placement would be expensive.

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

- The existing deck is currently 4" within the combined front/rear yard setback. The bottom step on the stairs that lead to the lower yard area is 10" in the rear yard setback.
- The deck was likely built 8-10 years ago, the lower landing and steps are all same composite material. It would be hard to trim the deck back as this older composite material is no longer available. The possibility of custom aluminum railing modifications are expensive.

Board discussion:

- Board members confirmed that the fence line could easily be mistaken for the property line. It was likely an honest mistake.
- A 4" variance for the deck is minor. The additional 10" is only for the lowest step, which is also quite minor.
- There have been no complaints from neighbours.

Public input: Nil

**MOTION:** **MOVED by A. Gill and Seconded by J. Uliana: “That the following requests to relax the requirements of Zoning Bylaw 2003, Section 210.4 (a), for the an addition to the house on Lot A, Section 65, Victoria District, Plan 50900 (997 Ambassador Avenue) be APPROVED:**

- Relaxation of the minimum rear lot line setback from 7.5 m (24.6 ft) to 7.13 m (23.4 ft).
- Relaxation of the minimum combined front and rear setback from 15.0 m (49.2 ft) to 14.83 m (48.65 ft).

Board discussion:

- The minor variances are acceptable given the hardship that correcting them would create.

**The Motion was then Put and CARRIED**

Casa Linda Drive Addition

**Applicant:** Gavin & Janet Bowers  
**Property:** 4449 Casa Linda Drive  
**Variance:** Relaxation of the maximum overall height for a sloped roof from 7.5 m (24.6 ft) to 7.76 m (25.46 ft).

BOV #00988

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

Applicants: The applicants Gavin & Janet Bowers were present, all spoke in favor of the relaxation of the request as it will allow for efficient solar panel installation.

Public input: Nil

Discussions:

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

- The slope of the roof is the ideal angle for solar panels.
- Alternative options were explored for placement of the panels, however they were deemed to be unfit for this installation.
- The grading of the surrounding house limited other options, the panels are being installed above the garage. The homeowners would have had to dig the garage down below grade to have the panels within the height requirements. This could potentially lead to the garage flooding.
- The lot slopes from right to left by approximately half a meter. If the site was level the panels would not need a variance.
- There is hardship in trying to modernize the home and accommodate a rental suite with as few renovations as possible. This application will help reduce the carbon footprint and rental crisis.
- The slope of the lot is the issue that means a variance is necessary.

Board discussion:

- A variance of 10” on a sloped roof is not really noticeable, especially with the house beside it.
- The elevation difference is a hardship given a flat lot would not need this variance.
- Going green and reducing carbon use is supportable.

- There are often complications in solar panel installation, the applicant has done their best to explore alternatives and minimize impacts.

**MOTION:**

**MOVED by A. Gill and Seconded by J. Uliana: “That the following variance be granted from the requirements of Zoning Bylaw 2003, Section 210.4 (b) (i), further to the construction of an addition to the house on Lot 1, Section 97, Lake District, Plan VIP61436 (4449 Casa Linda Drive):**

- a) Relaxation of the maximum overall height for a sloped roof from 7.5 m (24.6 ft) to 7.76 m (25.46 ft).

**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**

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Adjournment

On a motion from M. Cole, the meeting adjourned at 6:37 pm.

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Kevin Zirul, Acting Chair

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

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Recording Secretary