

MINUTES
BOARD OF VARIANCE
Held electronically via MS Teams
March 12, 2025 at 6:01 p.m.

Members: K. Zirul, (Acting Chair), A. Gill, C. Schlenker and S. Wang

Staff: A. Whyte, Senior Planning Technician; D. Arcangel, Planning Technician and
A. Hawkshaw, Committee Clerk

Regrets: J. Uliana

K. Zirul assumed the roll as Acting Chair for the March 12, 2025 meeting.

Minutes: **MOVED by A. Gill and Seconded C. Schlenker: “That the Minutes of the Board of Variance meeting held January 8, 2025, be adopted as circulated.”**

CARRIED

MOVED by A. Gill and Seconded by S. Wang: “That the Minutes of the Board of Variance meeting held February 12, 2025, be adopted as amended.”

Committee discussion ensued with the following comments:

- It was noted that the date at the top of the February 12, 2025, minutes was incorrect, showing 2024 instead of 2025.

CARRIED

Mann Avenue Garden Suite BOV #01117	Applicant: Property: Variance:	STREIGHT, GARY S 768 Mann Avenue Relaxation of the minimum rear lot line setback from 3.0 m (9.84 ft) to 2.30 m (7.54 ft) Relaxation of the minimum separation space between the principal building and a garden suite measured in a horizontal projection between roof overhangs including gutters and other projections from 4.0 m (13.1 ft) to 3.25 m (10.66 ft).
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The Notice of Meeting was read, and the applicant's letter was received.

- Applicants: G. Streight, applicant and D. Grimston owner was present in support of the application, and the following was noted:
- The principal dwelling's setback limits space for a garden suite, requiring relaxations for the rear lot line and separation distance.
 - This application originally was brought to the Board in January 2025 and was denied. In response to the Board's comments, the number of variances requested was reduced, and the footprint of the garden suite was adjusted to comply with the 25% site coverage limit.
 - The building design was modified to increase separation between the garden suite and principal dwelling by relocating the closet in the master bedroom and adjusting the window placement.
 - A minimum building width is required to achieve room dimensions of 10 feet and to allow for a second-floor bathroom with a functional corridor for access.
 - The building was designed with a single-slope roof, with the lowest point at the back, reducing the massing and impact on the rear neighbor.
 - The garden suite's main floor is 0.5 meters below the rear property line's average grade, lowering the building height by 0.9 meters and reducing its impact on the rear neighbors.
 - The required side yard setbacks are being met for neighbors on either side.
 - A metal roof and HardiePlank siding is chosen for improved fire protection.

- Discussions: The applicant stated the following in response to questions from members of the Board:
- Two second-floor windows cause minimal overlooking and privacy concerns. Frosted glass was considered after the application was submitted.
 - Cedar trees currently block the view of the garden suite, minimizing its impact from the rear.
 - Balancing the distances between the house, rear yard, and property line helps achieve appropriate clearances.

The following was noted during Board discussion:

- The impact of the building must be considered independently of the trees, as they are not a permanent fixture.
- The requested variance is minor and reasonable.
- The revised design addresses previous concerns but remains largely unchanged in terms of height.
- The hardship does not justify the variances requested.

MOTION: **MOVED** by A. Gill and **Seconded** C. Schlenker: “That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule H, Section 3 Siting and Height (b) (ii) and (v), further to the construction of a garden suite at Lot 2, Section 97, Lake District, Plan 37991 (768 Mann Avenue) be **APPROVED**:

- Relaxation of the minimum rear lot line setback from 3.0 m (9.84 ft) to 2.30 m (7.54 ft).
- Relaxation of the minimum separation space between the principal building and a garden suite measured in a horizontal projection between roof overhangs including gutters and other projections from 4.0 m (13.1 ft) to 3.25 m (10.66 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
With K. Zirul OPPOSED

Adjournment On a motion, C. Schlenker the meeting was adjourned at 6:26 pm.

Chair

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

Recording Secretary