

MINUTES
BOARD OF VARIANCE
Held electronically via MS Teams
April 9, 2025 at 6:04 p.m.

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

Staff: Caitlyn Yancoff, Senior Planning Technician; Andrew Sykes, Planning Technician; Preet Chaggar, Committee Clerk Assistant and Angela Hawkshaw, Committee Clerk

Minutes: **MOVED by C. Schlenker and Seconded by A. Gill: “That the Minutes of the Board of Variance meeting held April 9, 2025 be adopted as circulated.”**

CARRIED

Arbutus Road Garden Suite BOV #01119	Applicant: Fayze Contracting (Graeme Connelly) Property: 2362 Arbutus Road Variance: Relaxation of the minimum front lot line setback from 7.5 m (24.62 ft) to 3.0 m (9.84 ft) Relaxation of the minimum interior side lot line from 3.0 m (9.84 ft) to 1.6 m (5.25 ft) Relaxation of the minimum separation space from 4.0 m (13.12 ft) to 2.7 m (8.86 ft)
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The Notice of Meeting was read, and the applicant's letter was received.

Applicants: G. Connelly (Fayze Contracting), applicant, and S. Ashton, owner, were present in support of the application, the following was noted:

- Lot lines and the existing structure limit options for placing a garden suite.
- An attached suite is currently part of the home's layout.
- Adjacent neighbors have expressed their support.
- A protected area with arbutus trees and a storm drain covers the widest part of the lot and acts as green space.

Public input: Nil

Discussions: The Planning Technician stated the following in response to questions:

- The rear yard lot coverage setback is marked on the plans for reference.

The following was noted during Board discussion:

- The lot's triangular shape limits design options.
- The proposed design is considered the most suitable option.
- The adjacent property owner has expressed support.
- The right-hand side of the property has a significant number of trees, which limits placement options.
- Reusing the existing building is a practical solution.

MOTION: **MOVED by A. Gill and Seconded K. Zirul by: “That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule H, 3 Siting and Height (b), (i), (iii) and (v), further to the construction of a garden suite on Lot 6, Section 44, Victoria District, Plan 9503 (2362 Arbutus Road) be APPROVED:**

- Relaxation of the minimum front lot line setback from 7.5 m (24.62 ft) to 3.0 m (9.84 ft)
- Relaxation of the minimum interior side lot line from 3.0 m (9.84 ft) to 1.6 m (5.25 ft)
- Relaxation of the minimum separation space from 4.0 m (13.12 ft) to 2.7 m (8.86 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

Santa Maria Place Addition BOV #01116	Applicant: Knotinabox Design Inc (Todd Martin) Property: 1288 Santa Maria Place Variance: Relaxation of the maximum non-basement floor area from 80% (248 m ²) to 88.14% (273.24 m ²)
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The Notice of Meeting was read, and the applicant's letter were received.

Applicants: T. Martin (Knotinabox Design Inc.), applicant, was present in support of the application, the following was noted:

- The existing RS-6 zoning is for smaller lots than this property.
- The lot is flat, and the home is a two-story slab-on-grade which is unsuitable for a basement.
- The proposed addition is 25.4 m², exceeding non-basement floor area but meeting setback and floor space ratio requirements.
- If the zoning were RS-8, the addition would be 18.2 m² under the non-basement floor area limit.
- The project is for a bedroom and office.
- The addition is designed to be simple, cost-effective, and minimize impact on neighbors.

Public input: Nil

Discussions: The applicant stated the following in response to questions from members of the Board:

- The proposed addition adds 22 m² per floor, resulting in a slight overage due to the two-storey design.
- The total allowable floor area is 310 m², with 80% allocated to non-basement space; the proposal exceeds this non-basement limit due to the slab-on-grade design.
- If the lot were zoned RS-8, the proposed design would conform to the non-basement floor area requirements.

The following was noted during Board discussion:

- The hardships are reasonable given the site conditions.
- The issue relates to the existing building, not the lot itself.
- Replacing existing homes to meet current bylaws is not ideal.

MOTION: **MOVED by C. Schlenker and Seconded by A. Gill: “That the following request to vary from the requirements of Zoning Bylaw 2003, Section 210.4, Building and Structures for Single Family Dwelling (c), further to the construction of an addition at Lot 18, Section 5, Lake District, Plan 35513 (1288 Santa Maria Place), be APPROVED.”**

- **Relaxation of the maximum non-basement floor area from 80% (248 m²) to 88.14% (273.24 m²)**

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

Crease Avenue Garden Suite BOV #01109	Applicant: Purewal, Gurmeet S Property: 79 Crease Avenue Variance: Relaxation of maximum rear yard lot coverage from 25% to 26.37% Relaxation of minimum open site space requirement from 45% to 15.65% Relaxation of the minimum separation between the principal dwelling and the garden suite from 4.0 m (13.12 ft) to 2.54 m (8.33 ft)
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The Notice of Meeting was read, and two letters of support, one letter of concern, and the applicant's letter were received.

Applicants: G. Purewal, applicant, and R. Purewal, owner, were present in support of the application, the following was noted:

- The house was constructed in 2017 and does not comply with current bylaws.
- The proposal is to convert an existing accessory building into a garden suite.
- Three variances are requested to align with the Garden Suite Design Guidelines.
- Excavating and removing existing concrete to meet the 45% Open Site Space Requirement for the garden suite is costly and could be avoided if the request is granted.

Public input: Nil

Discussions: The applicant stated the following in response to questions from members of the Board:

- Adjacent neighbors have signed in support.

- Both buildings and concrete surfaces have been long-standing on the lot.
- The existing structure does not comply with current bylaws.
- If denied, the structure could remain an accessory building or shed, however the stove is required to be removed to comply with regulations.

The Senior Planning Technician stated the following:

- This lot is in a Transit Oriented Area (TOA), which excludes it from qualifying for Small-Scale Multi-Unit Housing (SSMUH).

The following was noted during Board discussion:

- Prior construction does not constitute a hardship.
- The open site space requirement is significant, and the lot size is not large.
- Approval is required to ensure the building is safe and suitable for use.
- Balancing increased neighborhood density with the protection of open spaces is a key consideration.

MOTION: **MOVED by K. Zirul and Seconded by C. Schlenker: "That the following requests to vary from the requirements of Zoning Bylaw 2003, Schedule H, 2 Lot Coverage (a) and (b) and Section H, 3 Siting and Height (a) (v), further to the construction of a garden suite on Lot 18, Block 10, Section 24, Victoria District, Plan 877 (79 Crease Avenue), be DENIED:**

- Relaxation of maximum Rear Yard Lot Coverage from 25% to 26.37%
- Relaxation of minimum Open Site Space Requirement from 45% to 15.65%
- Relaxation of the minimum separation between the principal dwelling and the garden suite from 4.0 m (13.12 ft) to 2.54 m (8.33 ft)

CARRIED

At 7:14 p.m., Amandeep Gill declared a conflict of interest as he is the applicant for the next item on the agenda – 3915 Woodlands Place. He presented his application but did not participate in Board discussions with respect to the application. Consideration of the item concluded at 7:24 p.m. and Amandeep Gill re-joined the meeting as a Board member.

Woodlands
Place
Single-Family
Dwelling with a
Secondary Suite

Applicant: Patriot Homes (Amandeep Gill)
Property: 3915 Woodlands Place
Variance: Relaxation of the maximum vertical portion of a dwelling within 5.0 m of a vertical plane extending from the lowest outermost wall from 7.5m (24.6 ft) to 9.07 m (29.76 ft) for a sloped roof

BOV #01123

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

- Applicants: A. Gill (Patriot Homes), applicant, was present in support of the application, the following was noted:
- The site has a cross-slope impacting single face height at the garage.
 - A variance is required for single face height due to grade, though overall building height complies.
 - Finished grade measurements will reflect the lower existing grade.
 - Trees were kept and blasting was avoided by using careful rock removal measures.
 - Site grading supports gravity-fed rainwater drainage.
 - Support has been received from adjacent and rear neighbors.

Public input: Nil

- Discussions: The applicant stated the following in response to questions from members of the Board:
- A third story was required on the adjacent lots under SSMUH to accommodate significant grade changes, particularly on the left side of the area.
 - The building meets height limits, and the variance won't be noticeable after the grading and retaining wall are complete.
 - Gravity-fed rainwater drainage was used to avoid mechanical pumping and reduce system size.
 - Due to soft soil conditions, the original slab-on-grade plan was revised, requiring deeper excavation for bearing and the addition of a crawl space.
 - Grade was raised to support tree preservation and avoid blasting.

The following was noted during Board discussion:

- When measured against the revised grades, the height variance is minimal.

MOTION: MOVED by C. Schlenker and Seconded by S. Wang: "That the following request to vary from the requirements of Zoning Bylaw 2003, Section 250.4, Buildings and Structures for Single Family Dwelling (b) (ii) further to the construction of a Single-Family Dwelling with a Secondary Suite on Strata Lot 4, Section 44, Victoria District, Strata Plan EPS10585, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V (3915 Woodlands Place) be APPROVED:

- **Relaxation of the maximum vertical portion of a dwelling within 5.0 m of a vertical plane extending from the lowest outermost wall from 7.5m (24.6 ft) to 9.07 m (29.76 ft) for a sloped roof**

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

Oakview Place	Applicant:	Fong, Daniel H
Secondary Suite	Property:	4221 Oakview Place
BOV #01125	Variance:	Relaxation of the maximum non-basement area from 80% (223.93 m²) to 95.2% (266.48 m²)

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

Applicants: D. Fong and C. Dalip, applicants and owners, were present in support of the application, the following was noted:

- The request is to convert an existing garage into a secondary suite.
- The suite is intended to be at ground level to support accessibility.
- Due to a servicing easement and an existing berm in the rear yard, reusing the existing structure is the most practical option.

The Senior Planning Technician stated the following:

- This regulation was originally intended to reduce building mass by encouraging below-grade construction; an amendment to remove this requirement is currently awaiting final Council adoption.
- Above-grade living spaces for improved light and livability is ideal.
- The rear-yard easement is designated for storm and sanitary sewer infrastructure.

Public input: Nil

Discussions: The following was noted during Board discussion:

- This request does not alter the overall size of the house and remains within the total allowable area.
- Consideration could be given to sink the new structure for additional space.
- Converting the garage into a suite may reduce storage space for the home and could lead to increased street parking demand for future owners however current parking requirements have been met.

MOTION: MOVED by C. Schlenker and Seconded A. Gill: "That the following request to vary from the requirements of Zoning Bylaw 2003, 210.4, Buildings and Structures for Single Family Dwelling (c), further to convert an existing attached garage to a secondary suite on Lot 10, Section 53, Victoria District, Plan VIP72096 (4221 Oakview Place) be APPROVED:

- Relaxation of the maximum non-basement area from 80% (223.93m²) to 95.2% (266.48m²)
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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

Locarno Lane
Addition
BOV #01127

Applicant: McNeil Buildings Design Ltd. (Ron McNeil)
Property: 4012 Locarno Lane
Variance: Relaxation of the minimum rear lot line setback from 10.5 m (34.5 ft) to 1.76 m (5.77 ft). variance of 8.74 m (28.67 ft)

Applicants: R. McNeil (McNeil Buildings Design Ltd., applicant and B. Schultze and M. Bartold, owners, were present in support of the application, the following was noted:

- The panhandle lot is oriented sideways, but zoning treats the long sides as the front and rear.
- A rear statutory-right of way (SRW) limits buildable space and parking access.
- The addition and garage conversion are compact, placed between the driveway and SRW.
- A split-level design was used to fit the sloped grade and avoid burying living space.

Public input: Nil

Discussions The following was noted during Board discussion:

- The lot shape presents a hardship.
- Zoning interpretation of front and rear lot lines adds to the constraint.
- A right-of-way through the property limits design options.
- Alternative design choices may have reduced impacts.
- Overall impact is considered minimal given the site limitations.

Motion: **MOVED by K. Zirul and Seconded by S. Wang: "That the following request to vary from the requirements of Zoning Bylaw 2003, 250.4, Buildings and Structures for Single Family Dwelling (a) and (i), further to the construction of an addition to a single-family dwelling on Lot C Section 44 Victoria District Plan 9570 (4012 Locarno Lane) be APPROVED:**

- Relaxation of the minimum rear lot line setback from 10.5 m (34.5 ft) to 1.76 m (5.77 ft). Variance of 8.74 m (28.67 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

Adjournment: On a motion from C. Schlenker, the meeting was adjourned at 8:04 p.m.

J. Uliana, Chair

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

Recording Secretary