

MINUTES
BOARD OF VARIANCE

Held electronically via MS Teams
September 10, 2025 at 6:00 p.m.

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

Staff: P. Eckard, Planning Technician; A. Sykes, Planning Technician; and
P. Chaggar, Senior Committee Clerk

Regrets: S. Wang

Minutes: **MOVED by K. Zirul and Seconded by C. Schlenker: "That the Minutes of the Board of Variance meeting held July 9, 2025, be adopted as circulated."**

CARRIED

MOVED by A. Gill and Seconded by C. Schlenker: "That the Minutes of the Board of Variance meeting held August 13, 2025, be adopted as circulated."

CARRIED

BOV #011052 855 Cowper Street Garden Suite	Applicant: Curtis Menz Property: 855 Cowper Street Variance: Relaxation of the interior side lot line setback from 1.5 m (4.92 ft) to 1.10 m (3.61 ft)
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The Notice of Meeting was read and the applicant's letter received.

Applicants: C. Menz, applicant, was present in support of the application, the following was noted:

- The structure on site was originally built in 1947 as a garage/shed with a permit and the garden suite was later constructed by previous owners without a permit.
- The applicant became the new property owner at the end of January and is now applying to legalize the structure through the proper permitting process.
- The requested variance relates to setbacks. Due to the lot's irregular shape, the building extends slightly closer to the property line than permitted.
- The total variance requested is approximately 16 inches, emphasizing that the request is minimal, would not be noticeable to passersby, and reflects an effort to correct prior unpermitted work.

Public input: Nil

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

- The previous owner did not provide details on how long the garage had been used as a suite; a water heater dated November 2019 suggests the conversion occurred around that time.

The following was noted during Board discussion:

- The hardship is due to the structure being pre-existing building, it has been in place since the 1940s.
- The structure is already in place at its current location. Reusing the building is more environmentally beneficial than demolishing and rebuilding, with no negative impact on the environment or surrounding area.

MOTION: **MOVED by K. Zirul and Seconded by C. Schlenker: “That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule H, 3(a)(iii) to construct a garden suite (existing) on Lot 2, Section 21, Victoria District, Plan 6819 (855 Cowper Street) be APPROVED:**

- **Relaxation of the interior side lot line setback from 1.5 m (4.92 ft) to 1.10 m (3.61 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

BOV #01144
813 Del Monte
Lane
Addition

Applicant: Patrick Devlin
Property: 813 Del Monte Lane
Variance: Relaxation of the minimum front lot line setback from 7.5 m (24.6 ft) to 5.45 m (17.88 ft).

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

Applicants: P. Devlin, applicant, and S. Devlin, owner, were present in support of the application, the following was noted:

- Standard setback requirements do not align with this lot.
- The property’s unusual shape creates a hardship, requiring a U-turn to access the house and complicating the definition of the front lot line.
- The property does not fit the typical panhandle lot definition of “front”; the driveway enters at an unusual angle, and the house faces east rather than the bylaw-defined front.
- The proposed deck extension meets setback policy, maintaining a 3 m side setback for safety, allowing emergency access, and maintaining privacy; front setbacks are not relevant because there are no nearby utilities and the house is not visible from the street.
- The deck extension would not negatively impact zoning considerations.

Public input: Nil

Discussions: The following was noted during Board discussion:

- There were letters of support received from neighbors.
- Given the unusual lot shape, the variance request is reasonable.

- Due to the lot's shape, strictly following the zoning bylaw for the front lot line doesn't make sense for this property.

MOTION: **MOVED by C. Schlenker and Seconded by A. Gill: "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule 101.5 (a)(i) further to the construction of an addition (deck only) on Lot 4, Section 45, Lake District, Plan VIP60515 Except Plan EPP127849 (813 DEL MONTE LANE) be APPROVED:**

- Relaxation of the minimum front lot line setback from 7.5 m (24.6 ft) to 5.45 m (17.88 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 6:32 p.m.

J. Uliana, Chair

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

Recording Secretary