

MINUTES
BOARD OF VARIANCE
Held electronically via MS Teams
October 8, 2025 at 6:00 p.m.

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

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

Regrets: C. Schlenker and S. Wang

Minutes: **MOVED by K. Zirul and Seconded by A. Gill: “That the Minutes of the Board of Variance meeting held August 27, 2025, be adopted as circulated.”**

CARRIED

MOVED by A. Gill and Seconded by K. Zirul: “That the Minutes of the Board of Variance meeting held September 10, 2025, be adopted as circulated.”

CARRIED

Glenwood Avenue Time Extension BOV #01016 BOV #01033 BOV #01034 **Applicant: Rachael Sansom and Keith Baker**
Property: 2898 Glenwood Avenue
Variance: Requesting a 12-month extension to three applications that the board approved on October 11, 2023.

The Notice of Meeting was read and the applicant's letter received. There have been no changes to the plans previously approved on October 11, 2023. The applicant is asking for a time extension only.

Applicants: K. Baker, house designer, and R. Sansom, applicant, were present in support of the application, the following was noted:

- Highly complex project, involving crossing a channel and requiring approval from three levels of government.
- The Province took significant time to approve crossing Parsons Inlet, which was required before the project could start.
- Owner relocated for business reasons and could not begin construction within the original two-year window.
- Rising construction costs and COVID-related challenges resulted in further delays.
- Among the firm's most complex projects in 44 years, from both a construction and permitting standpoint.

Public input: Nil

Discussions: Planning Technician stated the following:

- Variance approvals are valid for two years.
- Applicants may apply once for a one-year extension (total of three years).
- If the project still does not proceed, the owner must reapply for new variances.

The following was noted during Board discussion:

- The variances had already been approved, and this request is solely for an extension.
- No changes have been made to the original hardship or the approved proposals.
- Reasonable extension requests due to the project's complexity and the involvement of multiple levels of government, which resulted in unanticipated delays.

MOTION: **MOVED by A. Gill and Seconded by K. Zirul: "That a 12-month time extension be granted to the variances previously approved at the October 11, 2023, Board of Variance meeting at Lot A, Section 21, Victoria District, Plan EPP97252 (2898 Glenwood Avenue) be APPROVED:**

BOV01016

- Relaxation of the maximum height from 3.75 m to 5.65 m
- Relaxation of the maximum lot coverage for an individual accessory building from 70.0 m² to 79.25 m²

BOV01033

- Relaxation of the minimum interior side lot line setback from 1.5 m to 0.0 m on the east natural boundary of the body of water
- Relaxation of the minimum interior side lot line setback from 1.5 m to 0.0 m on the west natural boundary of the body of water
- Relaxation to allow a building or structure to be constructed or located upon or over the land lying below the natural boundary of the ocean

BOV01034

- Relaxation of the minimum interior side lot line setback from 1.5 m to 0.0 m on the east natural boundary of the body of water
- Relaxation of the minimum interior side lot line setback from 1.5 m to 0.0 m on the west natural boundary of the body of water
- Relaxation of the minimum exterior side lot line setback from 3.5 m to 2.51 m
- Relaxation to allow a building or structure to be constructed or located upon or over the land lying below the natural boundary of the ocean

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within one year from the date of this Order, the variances so permitted by this Order will expire."

CARRIED

Shorncliffe Road
South
Addition
BOV #01143

Applicant: David Rainforth
Property: 3901 Shorncliffe Road South
Variance: Relaxation of the front yard setback from 7.5 m (24.6 ft) to 1.27 m (4.17 ft)
Relaxation of the maximum sloped roof height from 7.5 m (24.5 ft) to 9.94 m (32.61 ft)
Relaxation of the maximum flat roof height from 6.5 m (21.3 ft) to 6.85 m (22.47 ft)

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

Applicants: E. Ramsey and D. Rainforth owners, were both present in support of the application, the following was noted:

- The variance relates to the setback requirement and an irregular lot line.
- The existing lot line currently passes through the front steps, creating a pre-existing nonconformity.
- The addition will not expand the house footprint, only add vertical space for one additional bedroom.
- The property has a 9.5-metre elevation drop from one front roadside boundary to the other, which affects the calculation of overall building height.

Public input: Nil

Discussions: The following was noted during Board discussion:

- The lot's steep slope and front property line create a clear hardship and that the requested variances are reasonable.
- The front setback encroachment is an existing condition.
- The slope and rocky terrain present clear hardships that limit alternative design options.
- The height variance is unlikely to negatively impact neighbouring properties due to site topography and road alignment.

MOTION: **MOVED by A. Gill and Seconded by K. Zirul: "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule 230.4 a(i) and b(i) further to the construction of an addition on Lot 6, Section 41, Victoria District, Plan 10666 (3901 Shorncliffe Road South) be APPROVED:**

- **Relaxation of the front yard setback from 7.5 m (24.6 ft) to 1.27 m (4.17 ft)**
- **Relaxation of the maximum sloped roof height from 7.5 m (24.5 ft) to 9.94 m (32.61 ft)**
- **Relaxation of the maximum flat roof height from 6.5 m (21.3 ft) to 6.85 m (22.47 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

Loenholm Place Addition BOV #01148	Applicant: Rus Collins Property: 4284 Loenholm Place Variance: Relaxation of the minimum rear lot line setback from 7.5 m (24.6 ft) to 3.52 m (11.55 ft) Relaxation of the minimum combined front and rear setbacks from 15.0 m (49.2 ft) to 10.50 m (34.45 ft) Relaxation of the minimum sum of both sideyards from 4.5 m (14.76 ft) to 3.74 m (12.27 ft)
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The Notice of Meeting was read and the applicant's letter received.

Applicants: L. Horvat, representing the applicant and P. Foucher owner, were present in support of the application, the following was noted:

- The lot is irregularly shaped, which limits the usable and buildable area despite its overall size.
- If the lot were more rectangular, the setback issues would likely not exist.
- The variance is requested due to the property's unique shape and topography.

Public input: Nil.

Discussions: The following was noted during Board discussion:

- The application is reasonable as the shape of the lot presents a clear hardship, making standard additions difficult.
- There are no rear neighbors, the variance would not negatively impact adjacent properties.

MOTION: **MOVED by A. Gill and Seconded by K. Zirul: "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule 210.4 (a)(i)(ii) further to the construction of an addition for a secondary suite and deck to a single family dwelling (existing) at Lot 16, Section 98, Lake District, Plan 46429 (4284 Loenholm Place) be APPROVED:**

- Relaxation of the minimum rear lot line setback from 7.5 m (24.6 ft) to 3.52 m (11.55 ft)
- Relaxation of the minimum combined front and rear setbacks from 15.0 m (49.2 ft) to 10.50 m (34.45 ft)
- Relaxation of the minimum sum of both sideyards from 4.5 m (14.76 ft) to 3.74 m (12.27 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

Mamich Circle Addition BOV #01151	Applicant: Luciano Mazzoni Property: 1746 Mamich Circle Variance: Relaxation of the minimum rear lot line setback from 7.5 m (24.61 ft) to 6.91 m (22.67 ft). Relaxation of the minimum interior side lot line setback from 1.5 m (4.92 ft) to 1.34 m (4.40 ft). Relaxation of the minimum sum of both sideyards from 4.5 m (14.76 ft) to 3.59 m (11.78 ft).
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The Notice of Meeting was read and the applicant's letter received.

Applicants: L. Mazzoni, applicant, T. Fur and S. Fur owners, were present in support of the application, the following was noted:

- The existing stairs were constructed without a permit and are located within the side yard and combined yard setbacks.
- A variance is requested due to the lot's constraints, which limit the buildable space on the sides and at the rear.

- Relocating the stairs would result in a narrower and potentially unsafe structure.
- Moving the footing would interfere with the drain tile system and create excavation risks.
- The proposed stairs support aging in place and multi-generational use of the home and provide a secondary exit in case of emergencies.

Public input:

H. Lee, Mamich Circle

- Clarified that the house had been vacant for 18 months, not 18 years.
- Confirmed that the current stairs were installed by the present owners and that the previous stairs were smaller.
- Reiterated that the Strata Council opposes the variance and submitted a letter outlining their concerns.

Discussions:

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

- The current stairs were built approximately one year ago by the applicants.
- The design accommodates elderly family members requiring safe access. The landing provides space for rest or mobility aids, improving accessibility.

The Planning Technician stated the following:

- Existing stairs are attached to a deck, not the main building face, and therefore do not qualify as an allowable projection.
- To meet setback requirements, stairs must be directly attached to the building's exterior wall.
- Relocating stairs to the rear would not resolve the issue.

The following was noted during Board discussion:

- The house maximizes lot coverage, leaving little room for additions without setback conflicts.
- No clear undue hardship specific to the lot was identified.
- The safety rationale was considered perceived rather than a code requirement.
- Multiple letters of opposition were received from neighbors.

MOTION:

MOVED by A. Gill and Seconded by K. Zirul : "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule 210.4 (a)(i) and (ii) further to the construction of an addition (deck extension and stairs) on Strata Lot 24, Section 84, Victoria District, Strata Plan VIS5225, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V (1746 Mamich Circle) be DENIED:

- **Relaxation of the minimum rear lot line setback from 7.5 m (24.61 ft) to 6.91 m (22.67 ft).**
- **Relaxation of the minimum interior side lot line setback from 1.5 m (4.92 ft) to 1.34 m (4.40 ft).**
- **Relaxation of the minimum sum of both sideyards from 4.5 m (14.76 ft) to 3.59 m (11.78 ft)**

CARRIED

San Capri
Terrace
Garden Suite
BOV #01156

Applicant: Nick Kardum
Property: 4093 San Capri Terrace
Variance: Relaxation of the required separation space (GS) from 4.0 m (13.1 ft) to 1.74 m (5.71 ft)

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

Applicants:	N. Kardum, applicant, and M. Decker owner, were present in support of the application, the following was noted: <ul style="list-style-type: none">- The property is constrained by a registered Saanich right-of-way, limiting buildable area and creating a hardship.- The existing basement is unsuitable for wheelchair access. The garden suite is needed for a person who uses a wheelchair.- Adjustments to the existing deck and roof design were proposed to maximize separation distance while addressing accessibility needs.- The potential need to accommodate aging family members reinforces the importance of accessible family living arrangements
Public input:	Nil
Discussions:	<p>The applicant stated the following in response to questions from members of the Board:</p> <ul style="list-style-type: none">- The suite will include a chairlift to provide accessible mobility between floors. <p>The following was noted during Board discussion:</p> <ul style="list-style-type: none">- Multiple letters of support from neighbours were acknowledged.- Hardship of the lot was discussed: the right-of-way at the rear prevents the home from being moved further back, limiting achievable separation.- The deck size has been reduced to maximize separation within these constraints.- The applicant is taking appropriate steps to achieve the greatest possible separation given the lot constraints.
MOTION:	<p>MOVED by K. Zirul and Seconded by A. Gill: "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule H 3(b)(v) further to the construction of a garden suite on Lot 7, Section 53, Victoria District, Plan 37375 (4093 San Capri Terrace) be APPROVED:</p> <ul style="list-style-type: none">• Relaxation of the required separation space (GS) from 4.0 m (13.1 ft) to 1.74 m (5.71 ft) <p>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."</p>

CARRIED

Adjournment On a motion A. Gill, the meeting was adjourned at 7:16 p.m.

J. Uliana, Chair

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

Recording Secretary