

MINUTES
BOARD OF VARIANCE

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

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

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

Regrets: K. Zirul

*** Prior to the meeting, A. Gill declared a conflict of interest as he is the applicant for the variance requests for 3906 and 3910 Woodlands Place and did not participate as a Board member. ***

Woodlands Place
Single-family dwelling with a secondary suite

Applicant: Amandeep Gill
Property: 3906 Woodlands Place
Variance: Relaxation of the height from 7.5 m (24.6 ft) to 9.90 m (32.5 ft) for an increase of 2.4 m (7.87 ft)

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

BOV01165

Applicant: A. Gill, applicant was present in support of the application, the following was noted:

- The property was described as significantly sloped from the road to the rear, with an elevation change of approximately 7.7 m.
- The dwelling would sit well below road level if constructed at the lowest point, presenting a topographic hardship.
- The slope was described as exceeding what is typically accommodated under RS zone height limits.
- Additional constraints include shallow municipal services and Engineering stormwater requirements.
- A front-yard stormwater system is required, with adequate ground cover and specific elevations for servicing connections.

Public input: P. Merner, Sheret Place

- Concerns regarding the perceived height and massing of the application and potential privacy and view impacts on neighbouring properties.
- Consideration for design changes to reduce massing and minimize impacts.

S. Henry, Tudor Avenue

- The redevelopment scale in the Ten Mile Point area is increasing and the proposed building is large in size.
- A third storey is unnecessary for a functional home on a comparable lot.

D. Ferguson, Sheret Place

- The proposal could result in view and visual impacts to neighbouring and downhill properties and was not viewed as consistent with neighbourhood character.

L. Li, Sheret Place

- A secondary suite can be accommodated without additional height, and the need for extra height was questioned.

M. Jorgensen, Seaview Road

- The requested height variance was not viewed as minor or supported by hardship under the *Local Government Act* and was considered inconsistent with subdivision intent and neighbourhood character.
- Privacy impacts were raised and requested the application be denied.

E. Davies, Seaview Road

- The building mass would impact outlook and privacy.
- Approving the application could lead to larger homes being built downslope that do not fit the neighbourhood and could affect nearby properties.

J. and J. Maycock, Seaview Road

- The development appears large and close to property lines, with concerns about privacy and visual impact.
- The application is out of character and approval could lead to similar development.
- Requested the variance be denied.

Discussions:

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

- The requested variance is due to the steep site slope rather than the secondary suite; a lower level is required regardless of use.
- Removing the lower level would reduce usable space and still leave exposed foundation at the rear due to the slope.
- The approximately 7.7 m elevation change across the site and the low average grade relative to the street were cited as necessitating the requested height variance.
- Most rear trees are proposed to be retained, with removals limited to the building footprint to reduce impacts on downhill neighbours.
- Reducing the roof pitch would reduce usable upper-floor space and require redesign and re-submission, potentially delaying the project.

The Planning Technician stated the following:

- The proposal could alternatively proceed under Small-Scale Multi-Unit Housing (SSMUH) regulations, which permit building heights up to 11 m, subject to a separate application and applicable zoning and Building Code requirements.

The following was noted during Board discussion:

- Each application is considered individually; past decisions do not set precedent, and the Board's role is limited to the variance request.
- The design already includes substantial usable space, including a secondary suite, without requiring additional height.
- The application stays within permitted floor area and lot coverage and would appear as a two-storey building from the street.
- The site has an approximate 7.7 m elevation change, and the requested variance has been limited to 2.4 m.

MOTION:

MOVED by S. Wang and Seconded by J. Uliana: "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule 250.4 (b)(i) further to the construction of a single-family dwelling with a secondary suite, on Strata

Lot 9, 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 (3906 Woodlands Place) be APPROVED:

- **Relaxation of the height from 7.5 m (24.6 ft) to 9.90 m (32.5 ft) for an increase of 2.4 m (7.87 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 C. Schlenker OPPOSED**

Woodlands
Place
Single-family
dwelling with a
secondary
suite

Applicant: Amandeep Gill
Property: 3910 Woodlands Place
Variance: Relaxation of the maximum height from 7.5 m (24.60 ft) to 9.87 m (32.38 ft).

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

BOV #01157

Applicant:

- A. Gill, applicant was present in support of the application, the following was noted:
- The property slopes significantly from the road to the rear, with an elevation change of approximately 8.0 m.
 - The steep slope was identified as the primary development hardship.
 - Additional constraints include municipal servicing limitations and a required front-yard stormwater system.
 - The stormwater system must meet servicing elevations and ground-cover requirements.
 - A rear tree protection area retains existing trees to help maintain privacy between neighbouring properties.

Public input:

- P. Merner, Sheret Place
- The application was viewed as not fitting the existing community context and potentially impacting downhill residents' privacy and outlook, and expressed opposition to the application.
- S. Henery, Tudor Avenue
- Felt negatively affected and raised concerns about privacy, overlooking from taller multi-unit buildings, and broader neighbourhood change if similar approvals continue.
- D. Ferguson, Sheret Place
- Questions were raised regarding the total floor area of the proposal and whether the building height could be reduced to avoid a variance by lowering the foundation elevation.
 - Concerns for downhill residents and future neighbouring properties.

L. Li, Sheret Place

- Long-term residents built in compliance with height limits, and concern was raised that granting variances now creates an unequal and unfair standard for new development.

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

- The variance is requested due to site hardship, with an approximate 8 m elevation difference across the property.
- The additional height does not increase floor area and avoids lowering the building by approximately 2 m below road level.
- Lowering the building was described as infeasible due to driveway slope and servicing constraints.

The following was noted during Board discussion:

- Without the height increase, the dwelling would be below road level due to the site grade.

MOTION: **MOVED by C. Schlenker and Seconded by S. Wang: "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule 250.4 (b)(i) further to construct a single-family dwelling with a secondary suite on Strata Lot 7, 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 (3910 Woodlands Place) be APPROVED:**

- **Relaxation of the maximum height from 7.5 m (24.60 ft) to 9.87 m (32.38 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

*** A. Gill joined the meeting as a Board member at 7:03 p.m.***

***C. Schlenker missed a significant portion of the presentation for 3911 Woodlands Place and, as a result, did not have sufficient information to comment. The member abstained from the decision. ***

Woodlands Place Single-family dwelling	Applicant: Bronwyn Muir Property: 3911 Woodlands Place Variance: Relaxation of the rear yard setback from 10.5 m (34.45 ft) to 6.09 m (19.98 ft)
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BOV #01170 The Notice of Meeting was read and the applicant's letter received.

Applicants: R. Hoyt, representing the applicant was present in support of the application, the following was noted:

- The application was designed to the building envelope in place at the time of purchase; a later rear lot line interpretation reduced the envelope.
- The change resulted in a minor rear setback encroachment, though the proposal remains within permitted lot coverage and floor area.

- The hardship was described as resulting from the interpretation change rather than the scale of development.

Public input: Nil

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

- All site plans were prepared by the same survey company and were not from different sources.
- The permitted building area may have changed late in the subdivision process, and the documents provided to the owners did not reflect that change.
- The requested variance was described as minor, with the house said to fit with neighbouring homes and not noticeably extend into the yard.

The Planning Technician stated the following:

- The current plans reflect the correct building envelope as established in the final registered subdivision documents.
- Earlier setback information was not final; the registered geodetic survey prepared by a licensed surveyor and submitted with the final subdivision package was confirmed as the definitive document.

The following was noted during Board discussion:

- The lot shape was identified as a development constraint.
- The variance affects only a small portion of the lot.
- The request was considered reasonable given the lot size and configuration.

MOTION: **MOVED by A. Gill and Seconded by S. Wang: "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule 250.4 (a)(i) further to the construction of a new single family dwelling on Strata Lot 2, 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 (3911 Woodlands Place) be APPROVED:**

- **Relaxation of the rear yard setback from 10.5 m (34.45 ft) to 6.09 m (19.98 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

Royal Oak
Avenue
Accessory
Structure

Applicant: Paul Cosgrave
Property: 850 Royal Oak Avenue
Variance: Relaxation of the maximum lot coverage for all accessory buildings from 5% to 7.01%

BOV #01161

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

Applicant:

P. Cosgrave, applicant and P. Shepherd, owner were present in support of the application, the following was noted:

- The dwelling was constructed under previous zoning that permitted greater accessory building lot coverage.

- The carport was included in the original site plan but delayed due to bylaw changes and construction timing.
- The accessory structure is intended to provide secure, covered storage for work vehicles and equipment and protect from debris from retained mature trees.
- Alternative locations would require removal of established landscaping; the proposal requires no tree removal and was described as low-profile and unobtrusive.

Public input: Nil

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

- The accessory building/carport is intended to shelter a work vehicle.
- Front-yard parking is used by a suite vehicle, and the area beneath a large larch tree was described as unsuitable for the work vehicle.
- On-street parking and front-yard maneuvering were identified as inadequate for the size and operational needs of the full-size pickup truck.
- The proposed carport location reflects the original site planning and would allow the vehicle to be parked in a protected location without affecting site access.

The following was noted during Board discussion:

- The proposed carport is minor and the lot is large enough to accommodate it.
- The variance only slightly increases the allowed area for accessory buildings.
- No issues were raised about the size of the carport or its impact on the neighbourhood.
- Existing trees will be kept, and the carport would help hide vehicles from view.

MOTION: **MOVED by C. Schlenker and Seconded by S. Wang: "That the following request to vary from the requirements of Zoning Bylaw 2003, Section 5.34 (e) further to the construction of an accessory structure on Lot 8, Section 8A, Lake District, Plan 8449 (850 Royal Oak Avenue) be APPROVED:**

- **Relaxation of the maximum lot coverage for all accessory buildings from 5% to 7.01%**

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

Borden Street
Garden Suite

BOV #01158

Applicant: Nick Kardum

Property: 4171 Borden Street

Variance: Relaxation of the separation space from 4 m (13.1 ft) to 0.63 m (2.07 ft).

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

Applicants:

N. Kardum, applicant was present in support of the application, the following was noted:

- The reduced separation occurs mainly at roof overhangs and the existing carport deck.
- The lot is constrained by sanitary and storm drain rights-of-way, limiting the buildable area.
- Alternative design options were reviewed but would remove required parking or offer limited benefit.
- The hardship was described as resulting from site constraints rather than design preference.

Public input: Nil

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

- Pedestrian clearance is maintained, with the 2-ft dimension limited to a small front-door weather overhang.

The following was noted during Board discussion:

- A rear right-of-way significantly constrains placement of the accessory dwelling.
- The garden suite was designed to fit within the limited buildable area.
- The reduced separation occurs mainly at roof overhangs and the existing deck rather than the main walls.

MOTION: MOVED by C. Schlenker 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 2, Section 66, Victoria District, Plan 31538 (4171 Borden Street) be APPROVED:

- **Relaxation of the separation space from 4 m (13.1 ft) to 0.63 m (2.07 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

Jasmine Avenue Garden Suite (existing accessory building)

Applicant: Wayne Davis
Property: 784 Jasmine Avenue
Variance: 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 2.37 m (7.78 ft)

BOV #01159 The Notice of Meeting was read and the applicant's letter received.

Applicant: W. Davis, applicant was present in support of the application, the following was noted:

- A large neighbouring oak tree and its dripline limit how the rear yard can be used.
- To protect the tree, the garden suite was placed at an angle to the rear property line, which results in a 2.37 m building separation where 4.0 m is normally required.
- The design meets fire safety rules, and the variance was requested to protect the tree rather than for design preference.

Public input: Nil

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

- The building was constructed as an accessory building at a time when zoning allowed a house with a suite but not a garden suite.
- A large Garry oak tree and its dripline significantly limit the rear yard and alternative locations, identified as the primary hardship.
- The building is already constructed, inspected, and occupied, and meets current building standards; approval as a garden suite would require home-warranty coverage and the requested variance.
- The proposal was described as small-scale housing consistent with Schedule G, allowing closer building separation and no increase in building size.

The following was noted during Board discussion:

- A large tree was identified as a genuine site constraint contributing to hardship.
- The building orientation results from this constraint.
- The requested variance was considered reasonable, and no concerns were raised.

MOTION: **MOVED by A. Gill and Seconded by C. Schlenker: "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule H, 3(a)(v) further to the construction of a garden suite (existing accessory building) on Lot 4, Block 8, Section 78, Victoria District, Plan 1171 (784 Jasmine Avenue) be APPROVED:**

- **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 2.37 m (7.78 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

Cordova Bay
Addition
(Sunroom)

Applicant: Troy Nelson
Property: 4806 Cordova Bay Road
Variance: Relaxation of the minimum rear lot line setback from 10.5 m (34.45 ft) to 9.3 m (30.51 ft)

BOV #01164

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

Applicants:

T. Nelson, applicant and J. Mosley, owner were present in support of the application, the following was noted:

- A 1.2 m rear yard setback relaxation (10.5 m to 9.3 m) is requested to accommodate a centered rear projection.
- The hardship was described as arising from the dwelling's existing deep rear-yard placement and the restrictive setback requirement.
- The application does not increase height, massing, floor area, or lot coverage, and has no impacts to neighbouring privacy, sightlines, or trees were identified.

Public input: Nil

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

- An existing deck extends further into the rear setback and has been in place for a long period.
- The proposal would replace the deck with a sunroom that is smaller overall, though slightly wider.
- The proposed sunroom would be set farther back from the rear lot line than the existing deck.

The following was noted during Board discussion:

- The proposed sunroom is smaller and set farther from neighbouring properties than the existing structure.
- The existing deck has been in place for approximately 50 years.
- No issues were identified, and the proposal was considered an improvement over the existing condition.

MOTION: MOVED by C. Schlenker and Seconded by A. Gill: "That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule 250.4 (a)(ii) further to the construction of an addition (sunroom) on Lot 7, Section 121, Lake District, Plan 45510 (4806 Cordova Bay Road) be APPROVED:

- **Relaxation of the minimum rear lot line setback from 10.5 m (34.45 ft) to 9.3 m (30.51 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

Perez Drive
Renovate An
Existing Single-
Family
Dwelling

Applicant: Praxis Architects Inc. - Heather Spinney

Property: 998 Perez Drive

Variance: Relaxation of the maximum flat roof height from 6.5 m (21.3 ft) to 9.3 m (30.51 ft)

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

BOV #01162

Applicants: P. Schionning, representing the applicant was present in support of the application, the following was noted:

- A height variance is requested to align the building height with the existing sloped roof.
- The request supports aging in place, as the existing split-level home is not accessible. An elevator is proposed within the northwest corner of the existing footprint to address current and future mobility needs.
- The roof adjustment enables the accessible connection and is not expected to be noticeable to neighbouring properties.
- The height increase was described as functional and necessary for accessibility.

Public input: Nil

- Discussions: The applicant stated the following in response to questions from members of the Board:
- The raised roof area does not exceed the height of the existing roof.
 - The highest point of the new roof, including skylights, aligns with the peak of the existing sloped roof.
 - The proposal does not increase the overall building height beyond the current height

The following was noted during Board discussion:

- The requested height variance appears large on paper but does not exceed the existing roof height visually.
- The proposal does not extend higher than the existing building and no impacts to neighbouring properties were identified.
- The property size, context, and existing building conditions were considered to support the request, which was viewed as reasonable.

MOTION: MOVED by A. Gill and Seconded by S. Wang: “That the following request to vary from the requirements of Zoning Bylaw 2003, Schedule 245.4 (b)(i) further to the renovations of an existing single family dwelling on Lot 27, Section 8, Lake District, Plan VIP57812 (998 Perez Drive) be APPROVED:

- Relaxation of the maximum flat roof height from 6.5 m (21.3 ft) to 9.3 m (30.51 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 S. Wang, the meeting was adjourned at 8:26 pm.

J. Uliana, Chair

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

Recording Secretary