

**MINUTES
BOARD OF VARIANCE
COMMITTEE ROOM NO. 2, SAANICH MUNICIPAL HALL
FEBRUARY 14, 2018 AT 7:00 P.M.**

Members: H. Charania (Chair), D. Gunn, R. Gupta, M. Horner, R. Riddett

Staff: D. Blewett, Zoning Officer, T. Douglas, Senior Committee Clerk

Newly appointed Board member M. Horner was welcomed and introductions were made.

Minutes: Moved by D. Gunn and Seconded by R. Riddett: "That the minutes of the Board of Variance meeting held January 10, 2018, be adopted as amended.

CARRIED

PREVIOUSLY TABLED	<p>Applicant: New Zealand Builders OBO Glen and Robin Boy Property: 4577 Cordova Bay Road Variance: Relaxation of height from 6.5 m to 7.25 m. Relaxation of single face height from 6.5 m to 7.9 m</p>
Cordova Bay Road New house BOV #00677	<p>Moved by D. Gunn and Seconded by R. Gupta, "That the application for variance at 4577 Cordova Bay Road be lifted from the table."</p> <p>The Notice of Meeting was read and the applicant's letter received. Letters not in support received from two residences.</p>
Applicants:	<p>Andrew Chapman, applicant, and Glen Boy, owner, were present in support of the application and stated:</p> <ul style="list-style-type: none"> ▪ Their challenge is a confined setback area for a single family dwelling, along with the small footprint and slope stability issues. ▪ The zoning allows for an 8,000 square foot structure; their proposed building is a modest 3,000 square feet. They feel it is a reasonable request. ▪ They looked at design options and felt that if they have a peaked roof it will have more negative impact on neighbours. They could legally build up to 7.5 metres high with a peaked roof. ▪ They also narrowed the front of the building, setting it back lower so the street view is smaller, and tucked the site away into a corner to lessen the impact. This leaves 2/3 of the lot open to view.
Public input:	<p>J. Tayour, 4572 Cordova Bay Road:</p> <ul style="list-style-type: none"> ▪ Stated that about four years ago, 40 truck-loads of dirt was brought in to fill the property; feels that the owner should be aware their lot is mostly fill. ▪ Expressed concern that there will be a deck with railings on top of the roof. <p>N. Sabah, 4572 Cordova Bay Road:</p> <ul style="list-style-type: none"> ▪ Expressed concern about the impact on the park and the area eagles. A higher house could have an impact on the birds. <p>R. Bassari, 4576 Cordova Bay Road:</p> <ul style="list-style-type: none"> ▪ Was hoping that the applicant could build within the bylaws, and understands the reasoning behind the proposed location. ▪ Asked if design concessions could be made; they have observed that other houses are built lower in to the ground and they wonder if the applicant could dig down and have a more sloping driveway. <p>Mr. Boy responded that a top-level deck is not planned for the roof of the house, but there will be a deck on the next level down at the back of the house. He noted</p>

that they cleared brush in the summer and did not notice any evidence that the area they were clearing was comprised of fill.

Mr. Chapman advised that the core samples confirm that the lot is mostly fill and not rock, so no blasting is required as far as they know at this point in time.

It was pointed out that the date of the survey showing the contour lines is from March 2014.

A discussion occurred about the slope of driveways. The Zoning Officer advised that driveway slopes are not regulated via the BC Building Code or by the Traffic Bylaw so that is why there are some steep driveways in Saanich. The Chair noted that the engineering standard for driveways is between 6-12%.

In response to a question about considering a 1-storey home, Mr. Boy stated that they have no yard, so the deck will serve as their outdoor space. They cannot create a 1-storey house with enough living space.

MOTION: MOVED by R. Gupta and Seconded by R. Riddett: “That the following variances be granted from the requirements of Zoning Bylaw 2003, Sections 295.3(b)(i) and (ii), further to the construction of a new house on Lot 1, Section 24, Lake District, Plan 1278A (4577 Cordova Bay Road):

- a) relaxation of height from 6.5 m to 7.25 m.
- b) relaxation of single face height from 6.5 m to 7.9 m

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.”

Board comments:

- The applicants have considered a few different designs. The steep slope at the back is a challenge.
- The neighbours would be affected more with a sloped roof. The single face height request does not impact neighbours at all.
- They were considerate about the house placement; they could have expanded sideways across the lot.
- They tried to mitigate the size by minimizing the frontage; an effort was made. This is a difficult lot to build on.

The Motion was then Put and CARRIED

Leyns Road Beach access stairs	Applicant: Shoreline Designs OBO Eric You Property: 4571 Leyns Road Variance: Relaxation of height for a structure within 7.5 m of the natural boundary of the ocean from 0.6 m to 2.44 m
--------------------------------------	--

BOV #00668

The Notice of Meeting was read and the applicant’s letter received. Three letters of support received. One letter not in support received.

Applicants: Peter Christenson of Shoreline Designs, applicant, was present in support of the application and had nothing further to add.

Board members commented that the documentation provided was insufficient. In response to questions from the Board, the applicant stated:

- If not approved, they will remove the existing structure, or try to stay 24” off of grade.

- They need a railing for safety.
- He always builds to code; they would use 3/8th aluminum rounds instead of spindles and these would be placed every 4 inches.
- The post is 8' above the rock and 6' above the landing. A hinged set of stairs with 12 risers would be designed to be pulled up to avoid high tides.
- Materials are to include old growth cedar stairs with stainless steel fasteners and pulley system.
- The railing will bolt onto the existing structure, not into the rock, and will be just on the waterside of the walkway.
- This was not addressed earlier because Saanich had told the owner they could build 24" off grade. There are a couple of places where it is over 24".
- There is only 1 pole that is 2.44 metres; the rest of the project is to Code.
- The hardship is that the owner would like to safely get down to the water for crabbing and recreation. They have an aluminum boat and kayaks.

The Zoning Officer provided an explanation of the Zoning Bylaw for this case, and noted that part of the property is owned by the Federal government, and cannot be built upon.

Public input: Nil

MOTION: **MOVED** by R. Riddett: "That the following variance be granted from the requirements of Zoning Bylaw 2003, Section 5.16(b), further to the construction of a set of beach access stairs on Lot 7, Section 85, Victoria District, Plan 2617 (4571 Leyns Road):

- a) relaxation of height for a structure within 7.5 m of the natural boundary of the ocean from 0.6 m to 2.44 m

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 variance so permitted by this Order will expire."

The Motion DIED due to lack of a Secunder

MOTION: **MOVED** by D. Gunn and **Seconded** by R. Gupta: "That the following variance request from the requirements of Zoning Bylaw 2003, Section 5.16(b), further to the construction of a set of beach access stairs on Lot 7, Section 85, Victoria District, Plan 2617 (4571 Leyns Road) be **DENIED**:

- a) relaxation of height for a structure within 7.5 m of the natural boundary of the ocean from 0.6 m to 2.44 m."

Board comments:

- There is no actual beach below. This is not a minor variance.
- The stairs will be over height when the structure is pulled up.
- The diagrams provided were incomplete.
- There is no hardship. This is a high bank waterfront property on a cliff; access to water is not guaranteed.
- The safety issue is recognized but this particular parcel was not meant to access the water. There is no clear hardship.
- There is a reasonable expectation to access water when you buy waterfront; this is a major variance request, however it is just for a pole and does not affect the neighbours.

**The Motion was then Put and CARRIED
with R. Riddett OPPOSED**

Rainbow Street
New house
BOV #00678

Applicant: Gurvinder Gill
Property: 3951 Rainbow Street
Variance: Relaxation of single face height from 7.5 m to 7.9 m

The Notice of Meeting was read and the applicant’s letter received. Mr. Charania disclosed that he met with the applicant on the site visit.

Applicants: Gurvinder Gill, applicant/owner, was present in support of the application and had nothing to add. In response to a question about how the structure ended up over height, Mr. Gill stated that the designer made a mistake.

Mr. Gunn stated that he was told by the surveyor that the house was built according to the plans, however there was an error made with the existing natural grade.

In response to questions, Mr. Gill stated that they are building a 2-storey house with a basement suite and crawlspace. The back building is a studio that is for his own family use.

In response to concerns raised about the use of the back studio which contains a kitchen and two bathrooms, the Zoning Officer stated that this is an ongoing issue in Saanich and is on the radar. A solution may be found when the garden suite issue is resolved.

Public input: Nil

MOTION: MOVED by R. Gupta and Seconded by R. Riddett: “That the following variance be granted from the requirements of Zoning Bylaw 2003, Section 210.4(b)(ii), further to the construction of a new single family dwelling on Lot 1, Section 49, Victoria District, Plan 1178 (3951 Rainbow Street):

a) relaxation of single face height from 7.5 m to 7.9 m

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 variance so permitted by this Order will expire.”

Board comments:

- The variance request is minor and the hardship is obvious.
- This is an unfortunate mistake and correcting it would be a heavy financial burden.
- This house is compatible with other houses in the area, and does not have any negative impact.

The Motion was then Put and CARRIED

Shorncliffe Road
North
Addition
BOV #00679

Applicant: AJ Williamson Design OBO Donna Van Dyke
Property: 3947 Shorncliffe Road North
Variance: Relaxation of rear lot line from 7.5 m to 4.23 m

The Notice of Meeting was read and the applicant’s letter received. Six letters of no objection received.

Applicants: A.J. Williamson, applicant, Donna Van Dyke, owner, and Brian Wilson, were present in support of the application. The following was noted:

- They would like to build an addition to accommodate a family member who will move in.
- They have owned the home for 27 years.
- The house came with the existing deck, which was built about 40 years ago.

- Their family member cannot navigate the steep and narrow stairs, and it is desirable to move them into the upstairs with the rest of the family.
- They are staying within the blueprint of the existing deck and are keeping the design simple.

In response to questions from the Board, the applicant/owner noted:

- Underneath the deck will be used for cold food storage and house items.
- The fence is close to the lot line; it is buried in the hedge. It has not been surveyed and has never been an issue.
- Access was described; the existing stairs on the west side will be removed and a new stairs with landing will be created.
- The existing deck is non-conforming.

Public input: Nil

MOTION: MOVED by D. Gunn and Seconded by R. Riddett: “That the following variance be granted from the requirements of Zoning Bylaw 2003, Section 230.4(a)(i), further to the construction of an addition to the house on Lot 1, Section 57, Victoria District, Plan 16196 (3947 Shorncliffe Road North):

- a) relaxation of rear lot line from 7.5 m to 4.23 m

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 variance so permitted by this Order will expire.”

Board comments:

- The hardship is evident with the lot shape and size, the house siting, and the present non-conforming deck. It seems like a large variance, but given the situation, it is warranted.
- The lot creates a hardship and the hedge hides the area.
- The family needs the space, there is neighbour support and not impact on the street, environment or neighbours.
- The deck is non-conforming and this is made worse by enclosing it. The hedge could be gone in the future, and this is not a minor variance.

**The Motion was then Put and CARRIED
With R. Gupta OPPOSED**

Hollydene Place
New house

Applicant: P. Cosgrave Construction Ltd. OBO Bart Johnson
Property: 4044 Hollydene Place
Variance: Relaxation of rear lot line from 10.5 m to 3.16 m

BOV #00680

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

Applicants:

Paul Cosgrave, applicant, was present in support of the application and stated:

- The previously approved variance required the salvage of some materials. Since that approval, they have deconstructed the house and it was found that some parts of the home are not salvageable.
- The existing floor systems cannot carry the load and the walls are not on the foundation.
- Now that everything has been opened, the applicant is worried for the safety of his crew.
- The issues can be remedied however this would add about four months of time to the project and would be very expensive.
- They have salvaged as much fir and metal as they can with the deconstruction.

In response to questions from the Board, the applicant stated:

- Extra costs, would include an \$11,000 charge from Nickel Brothers to raise the home, the cost to re-engineer walls to replace the damaged walls, tying the existing walls to the foundations and about four months delay of project.
- They are now rebuilding the home instead of renovating the home.
- They are asking for the same house as previously approved (same height, same footprint), however instead of keeping 25% of the old materials, they are using new materials.

Public input: Nil

MOTION: MOVED by D. Gunn and Seconded by R. Gupta: “That the following variance be granted from the requirements of Zoning Bylaw 2003, Sections 275.3(a)(ii), further to the construction of a new house on Lot 3, Section 44, Victoria District, Plan 35050 (4044 Hollydene Place):

- a) relaxation of rear lot line from 10.5 m to 3.16 m

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 variance so permitted by this Order will expire.”

Board comments:

- The lot shape is irregular and poses a hardship.
- The same relaxation is being approved.
- The applicant is faced with new challenges and is not asking for more.

The Motion was then Put and CARRIED

Raymond Street South Addition	Applicant: Tara Cumming Design OBO Chris & Christina Rempel Address: 3800 Raymond Street South Variance: Relaxation of allowable floor space in non-basement areas from 80% to 99.37%
-------------------------------------	--

BOV #00681

The Notice of Meeting was read and the applicant’s letter received. Signatures of support received from four residences.

Applicants:

Tara Cumming, applicant, and Chris and Christina Rempel, owners were present in support of the application, and stated:

- They love the neighbourhood, have good neighbours and wish to stay in the area
- Their parents and brother live next door and the area is central and convenient to stores.
- They are proposing a 594 square foot addition.
- If denied, they will be stuck with a house that they cannot grow into.
- There is a chimney that goes through the centre of the house that takes a big portion of space. The house has small rooms and they have designed it to be more livable.

A discussion between Board members occurred about citing suite income as a hardship. The applicant stated:

- To make the home work on this lot the entire house would need to be built forward by three metres into the hillside.
- It is not financially feasible for the owners to build a new house or move the house.
- They cannot create basement space out back because of the grade.

Public input: Nil

MOTION: **MOVED** by D. Gunn and **Seconded** by R. Riddett: “That the following variance be granted from the requirements of Zoning Bylaw 2003, Section 210.4(c), further to the construction of an addition to the house on Lot 18, Section 14, Victoria District, Plan 10565 (3800 Raymond Street South):

- a) relaxation of allowable floor space in non-basement areas from 80% to 99.37%

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 variance so permitted by this Order will expire.”

Board comments:

- The hardship is evident with the applicant trying to renovate an old raised bungalow.
- This house is on a large lot and the plans are reasonable.
- Saanich has created a certain expectation by permitting legal suites.
- The purpose of the 80% non-basement area is to restrict monster houses.
- The neighbours are in support and the proposed house suits the neighbourhood.
- The home is likely already suited, and if the front door was flipped this would not be an issue.
- The existing house is a decent size, sees no hardship.
- The hardship for secondary suite income is questionable.

**The Motion was then Put and CARRIED
With H. Charania and R. Gupta OPPOSED**

Beaverdale Road **Applicant:** Phillip and Diane Drouillard
 New house **Property:** 4770 Beaverdale Road
 BOV #00682 **Variance:** Relaxation of single face height from 7.5 m to 9.00 m for a sloped roof

The Notice of Meeting was read and the applicant’s letter received. D. Gunn and H. Charania disclosed that they met the applicant on the site visit.

Applicants: Will Peerboom, Victoria Design Group, and Diane Drouillard, owner, were present in support of the application. Mr. Peerboom explained the topography of the lot and the need for space to manoeuvre a tandem horse trailer on the property. The house has been positioned in a way to accommodate this need. Additionally, a family member with a disability requires a ceiling fan and they need the height.

In response to questions of the board the following was noted:

- If not approved they will enclose the area not needed to meet the single face height requirement.
- The existing home is to be removed.
- This design minimizes tree removal on the property.

Public input: Mr. and Mrs. Copley, 4760 Beaverdale Road stated that they are pleased with the proposed plan and it will not negatively affect them.

MOTION: **MOVED** by R. Gupta and **Seconded** by D. Gunn: “That the following variance be granted from the requirements of Zoning Bylaw 2003, Section 101.5(b)(ii), further to the construction of a new house on Lot G, Section 107, Lake District, Plan 29139 (4770 Beaverdale Road):

- a) relaxation of single face height from 7.5 m to 9.00 m 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 variance so permitted by this Order will expire.”

Board comments:

- The applicant considered different designs; this works best for wheelchair access.
- There is a hardship with the topography of the lot, and a need for higher vehicles.
- There is no impact to the neighbours and the land use is appropriate.

The Motion was then Put and CARRIED

Kellow Place
Accessory
building

Applicant: Banks Design OBO Julia Roemer and Keith Davies
Property: 4705 Kellow Place
Variance: Relaxation of front lot line from 7.5 m to 4.90 m
Relaxation of height from 3.75 m to 4.35 m

BOV#00683

The Notice of Meeting was read and the applicant’s letter received. Letter of no objection received from one residence. R. Gupta disclosed that he met with the applicant on site.

Applicants:

Nigel Banks, applicant, and Keith Davies, owner, were present in support of the application. Mr. Banks noted that:

- They considered different roof pitches and designed the accessory building to match the house.
- The building is positioned in an area where only the owners will see it.
- Drainage is an issue in the area, and this determined placement as well.
- There was always a plan to build an accessory building; storage is needed.

In response to questions from the Board, the applicant noted:

- The loft is 7’ to the ridge and 5’ to the side wall. A description was given on how to access the storage from the garage.
- A workshop will be in the area below.
- There is no alternative plan. The lot is challenging because of the drop-off.
- They could try to expand the single level which would alter the average grade, and lower the roof pitch but it will not match the house. They do not want a bigger footprint.
- There is no staircase to the loft.

Public input:

Nil

MOTION:

MOVED by D. Gunn and Seconded by R. Riddett: “That the following variances be granted from the requirements of Zoning Bylaw 2003, Sections 125.8(a)(i) and 125.8(b), further to the construction of an accessory building on Lot 4, Section 135, Lake District, Plan VIS5832 (4705 Kellow Place):

- a) relaxation of front lot line from 7.5 m to 4.90 m
- b) relaxation of height from 3.75 m to 4.35 m

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.”

Board comments:

- The variance looks larger than it is. The shape of the lot affects the height.

- The lot slope poses a hardship as does the underlying rock.
- This sounds like a big variance but it is not, and is located on the last property on the street.
- There is no neighbour opposition or negative environmental impact.

The Motion was then Put and CARRIED

Blenkinsop Road
Accessory
buildings

BOV#00684

Applicant: Liane Thomas, Hidden Haven Equestrian, 1071330 BC Ltd.

Property: 4236 Blenkinsop Road

Variance: Relaxation of:

- a) the minimum setback from a property line (south) for two structures used for keeping animals from 15 m to 7.01 m
- b) the minimum setback from a property line (south) for five structures used for keeping animals from 15 m to 5.49 m
- c) the minimum setback from a property line (north) for one structure used for keeping animals from 15 m to 4.32 m
- d) the minimum setback from a property line (north) for one structure used for keeping animals from 15 m to 3.10 m
- e) the minimum setback from a property line (north) for one structure used for keeping animals from 15 m to 3.07 m
- f) the minimum setback from a property line (north) for one structure used for keeping animals from 15 m to 3.02 m

The Notice of Meeting was read and the applicant's letter received. H. Charania disclosed that he met with people on site who showed him the already constructed buildings and the proposed areas for the other buildings.

Applicants:

Liane Thomas, owner, and Elise Schopper-Brigel, were present in support of the application. Ms. Thomas stated:

- Her property houses high performance warmblood horses, and is the closest horse farm to the city.
- Her understanding was that if you have a 10' x 10' structure, no permits are required.
- The interiors of the shelters will have a product called 'stable comfort' which protects the walls and floors, and will make the shelters softer and quieter.
- They are challenged in finding suitable areas for the shelters due to the flood plain, the slope of the land, and the rocky lower level.
- They are working with limited space and want to function better. The property is designed so horses will not be near to the roads and they have safe access to the indoor and outdoor arenas. Additionally the machines for haying the fields have the space for manoeuvring.
- The manure piles are approved by a Geotechnical Engineer.
- There were four existing non-conforming shelters on the property that were constructed by the previous owners.
- She was unaware that her contractor built the shelters without a permit. She was told that she would not need a variance.
- She is permitted these buildings if they are used for hay storage, and she feels that the zoning was to keep pigs and birds away from the property line.
- The horses are allowed to walk up to the property line and she can see no difference with having a shelter near the property line. The noise and smells from the animals will be there regardless, but the new shelters would reduce this.
- The property was purchased as a show jumping facility in the summer of 2016 and is an investment for the applicant's daughter.
- She relied on the contractor and has invested considerable amount of money into the property for this project.

The Zoning Officer provided information on the regulations pertaining to farm animals and noted that their housing structures are to be 50' from the property line. Even if the structures are 109 square feet or less, the setback requirements still apply.

Public input:

Sharon Quan, 4228 Blenkinsop Road:

- Own five acres next door and have lived at their property for 37 years.
- Objects to the applicant building seven shelters up to 30' closer to the property line than allowed.
- There are issues with noise, smells and flies from the manure, and they feel if approved it would be noisier and could affect their sleep.

Geraldine Van Gyn, co-owner 4264 Blenkinsop Road:

- Owns nine acres next door and will be building on their lot.
- Their property is higher than the applicants so the variance request is not as big an issue.
- The bank between their properties was compromised by the applicant, who has offered to remediate any damage and plant shrubbery to stabilize the bank.

The applicant responded that there will always be manure and flies, and the shelter locations will not change this.

MOVED by R. Gupta: "That the requests for variance from the requirements of Zoning Bylaw 2003, Sections 5.31(a) Table 5.2(a)(i), and section 5.1 a) of the Animals Bylaw No. 8556, further to the construction of 11 horse shelters on Lot 3, Section 51, Victoria District, Plan 1120 (4236 Blenkinsop Road) be DENIED."

The Motion DIED due to the lack of a Seconder

The discussion continued and the applicant and Zoning Officer responded to questions from the Board. The following Board comments were noted:

- The north side does not affect neighbours, and the south side could be redesigned to move shelter nos. 14, 15, and 18 back, as there is plenty of land to reconsider the design.
- This is beyond the scope of the Board and should be sent to Council as a Development Permit application.

MOTION:

MOVED by D. Gunn and Seconded by R. Gupta: "That the following variance requests from the requirements of Zoning Bylaw 2003, Sections 5.31(a) Table 5.2(a)(i), and section 5.1 a) of the Animals Bylaw No. 8556, further to the construction of 11 horse shelters on Lot 3, Section 51, Victoria District, Plan 1120 (4236 Blenkinsop Road) be DENIED:

- a) relaxation of the minimum setback from a property line (south) for two structures used for keeping animals from 15 m to 7.01 m
- b) relaxation of the minimum setback from a property line (south) for five structures used for keeping animals from 15 m to 5.49 m
- c) relaxation of the minimum setback from a property line (north) for one structure used for keeping animals from 15 m to 4.32 m
- d) relaxation of the minimum setback from a property line (north) for one structure used for keeping animals from 15 m to 3.10 m
- e) relaxation of the minimum setback from a property line (north) for one structure used for keeping animals from 15 m to 3.07 m
- f) relaxation of the minimum setback from a property line (north) for one structure used for keeping animals from 15 m to 3.02 m."

Board comments:

- The request is not minor and is beyond the scope of the Board.
- The request is an inappropriate development of the site and defeats the intent of the Bylaw.
- The overall motivation of the request results in a significant change.
- The request can be amended to be minor on the south side, or to not need a variance at all.

**The Motion was then Put and CARRIED
With R. Riddett OPPOSED**

Garnet Road
Garage
conversion

Applicant: Tyko Design Ltd. OBO Jia Wan, Yue Shen and Liqin Gong
Property: 1691 Garnet Road
Variance: Relaxation of allowable floor space in non-basement areas from 80% to 84.03%

BOV#00685

The Notice of Meeting was read, and the applicant’s letter received. One letter not in support received.

Applicants:

Doug Ko, applicant, Jia Wan and Yue Shen, owners, were present in support of the application. They stated that they would like to convert the garage to a legal suite and it was felt that using the building envelope would be the best way to design the addition.

Public input:

Wayne Dalby, 1695 Garnet Road:

- Suggested there is already a suite in the house, and there have been tenants moving in/out.
- The yard has been an eyesore, and was finally cleaned up recently.
- Feels work has been done on the house without permits or proper asbestos abatement, and is concerned about future problems.

The Zoning Officer stated that Bylaw Enforcement officers inspected the residence. There was no secondary suite and the applicants are applying for a legal suite through the proper channels. The owner will be required to live in the house if a secondary suite is permitted.

The applicant responded to questions from the Board as follows:

- They have no problem with having to live on site if there is a suite.
- They acknowledged that the past tenants were a problem.
- They apologized for the past renovation mess on the site, and invited the neighbour to contact them with any concerns in the future.
- This house is in a convenient neighbourhood near stores.
- Income is part of the reason for wanting to build a suite, and also they plan to use the space for their parents in the future.
- If denied, they are still permitted to build a suite; it would just be smaller.

Mr. Gupta disclosed that he met with the applicant on site, and noted that the area of variance is a very minor thin strip that is about 130 square feet.

MOTION:

MOVED by R. Gupta and Seconded by R. Riddett: “That the following variance be granted from the requirements of Zoning Bylaw 2003, Section 210.4(c), further to the conversion of a garage to habitable space on Lot 16, Section 41, Victoria District, Plan 10392 (1691 Garnet Road):

- a) relaxation of allowable floor space in non-basement areas from 80% to 84.03%

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 variance so permitted by this Order will expire.”

Board comments:

- This is a very minor 4% variance request.
- This is in line with the policy surrounding legal secondary suites.

In response to a question about parking, the Zoning Officer stated that the applicant will be expected to comply as per the regulations.

The Motion was then Put and CARRIED

Coachwood Place Addition BOV#00686	Applicant: Aitken Design OBO Heidi Kars and Branko Braam Property: 1038 Coachwood Place Variance: Relaxation of rear lot line from 7.5 m to 6.50 m Relaxation of height from 7.5 m to 10.72 m Relaxation of height for a flat roof from 6.5 m to 7.72 m Relaxation of single face height from 6.5 m to 8.57 m for a flat roof
---	---

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

Applicants:	Jonathan Aitken, applicant was present in support of the application. He described the complexity of the three roof planes and the stairs. In response to questions from the Board, he noted: <ul style="list-style-type: none"> ▪ They did know that there would be limitations with the design, however did not know how challenging it would be. ▪ They considered four other options and felt this is the best solution. ▪ The hardship is the shape of the lot and the orientation of the existing house. The rear lot line is at an angle to the back wall of the house. The house is existing non-conforming. ▪ The existing house is 1,400 square feet and the lot supports a 3,000 square foot home. ▪ The height of the existing structure is already 6.77 metres.
-------------	---

Public input:	Nil
---------------	-----

MOTION:	MOVED by D. Gunn and Seconded by R. Gupta: “That the following variances be granted from the requirements of Zoning Bylaw 2003, Section 230.4(a)(i), 230.4(b)(i) and (ii), further to the an addition to the house on Lot 35, Section 8, Lake District, Plan 34815 (1038 Coachwood Place): <ol style="list-style-type: none"> a) relaxation of rear lot line from 7.5 m to 6.50 m b) relaxation of height from 7.5 m to 10.72 m c) relaxation of height for a flat roof from 6.5 m to 7.72 m d) relaxation of single face height from 6.5 m to 8.57 m for a flat 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.”

Board comments:

- The shape of the lot and the present siting of the house are a hardship.
- The variance looks major but is 27cm larger than what is existing.
- This does not directly affect the neighbours.

The Motion was then Put and CARRIED

Adjournment On a motion from R. Gupta, the meeting was adjourned at 10:55 pm.

Haji Charania, Chair

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

Recording Secretary