The meeting was called to order at 12:30 pm.

1. Minutes

Minutes from the meeting held December 12, 2019

Moved: Trevor Moat          Seconded: Margaret Eckenfelder

That the minutes from December 12, 2019 be adopted as amended.

Carried Unanimously

2. Appeals

12:30 Board of Variance Appeal #00815
Michael Moody, Applicant; John Doughty, Owner
1732 Foul Bay Road

Present Zoning: R1-B - Single Family Dwelling District
Present Use: R1-B - Single Family Dwelling District

The proposal is to legalize the front porch constructed without permits.

Bylaw Requirement Relaxation Requested
Section 1.2.5 a) Increase the maximum projection of the porch into the front yard from 1.60m to 2.10m.

Michael Moody Architect was present.

The correspondence submitted in favor by neighbours was acknowledged.

Applicants
- The applicant hired a contractor last summer and was told no permits were needed.
- The porch is encroaching into the front yard setback.
• The applicant was unaware of any issues until a neighbour brought it to her attention.
• The homeowner has had a survey completed and canvased all neighbours.

Board
• Has all the work been completed?
  ○ Yes. There are some issues with the construction, now updates to the completed work will need to be done to make it up to code.

Public portion of the meeting closed.

Motion:

Moved: Trevor Moat
Seconded: Jaime Hall

That the following variances be approved:

Section 1.2.5 a) Increase the maximum projection of the porch into the front yard from 1.60m to 2.10m.

Carried Unanimously

12:50 Board of Variance Appeal #00818
Allison Bottomley & Bradford Johnson, Owners
3024 Jackson Street

Present Zoning: R1-B – Single Family Dwelling District
Present Use: Single Family Dwelling

The proposal is to construct an addition to the rear and side of the house, which contains a secondary suite and a deck.

Bylaw Requirement

Relaxation Requested

Section 1.2.5 b) Decrease the minimum rear yard setback from 7.65m to 7.45m.

Bradford Johnson, owner and Jean Kuziw, owner's mother was present.

Applicant
• Requesting a relaxation of rear yard setback to build a secondary suite for my mother.
• We have already applied for and were granted a variance for the building height.
• A calculation error was made by the designer which went undetected until a survey was done.

Board
• Were the neighbours notified?
  ○ Yes
• How was the error discovered?
  o When the designer measured the house, he calculated it to be a foot shorter than it actually is. Unfortunately, this error wasn’t caught until the survey was completed.

Public portion of the meeting closed.

Motion:
Moved: Margaret Eckenfelder  Seconded: Trevor Moat

That the following variances be approved:

Section 1.2.5 b) Decrease the minimum rear yard setback from 7.65m to 7.45m.

Carried Unanimously

1:10  Board of Variance Appeal #00804
Richard Iredale, Applicant; Murray Devoss, Owner
902-908 Hillside Avenue

Present Zoning: C1-QV – Mixed use (27 Residential units & commercial ground floor)
Present Use: C1-QV – Mixed use

The proposal is to replace the exterior balconies which include new support post to the existing mixed-use apartment / commercial building.

Bylaw Requirement Relaxation Requested
Section 5. b) Decrease the minimum front yard setback from 6.00m to 3.40m.

Richard Iredale, Architect; Victor Baorkowski, Strata Council member were present.

Applicant
• The balconies were rotten from original build 50 years ago. For this reason, we had to reframe them. In order to fully support the balconies we had to bring posts down onto new foundation.
• The hardship is not having a different location to be able to put the balconies and the footings.
• The existing parking is not impeded.

Public portion of the meeting closed.
Motion:

Moved: Jaime Hall  
Seconded: Margaret Eckenfelder

That the following variances be approved as requested:

Section 5. b) Decrease the minimum front yard setback from 6.00m to 3.40m.

Carried Unanimously

1:30 Board of Variance Appeal #00813
Vernon Andres, Owner
910 Pendergast Street

Present Zoning: R-J – Single Family Dwelling Under Construction
Present Use: Single Family Dwelling Under Construction

The proposal is for the construction of an accessory building (garage) to be located at the east side of the property.

Bylaw Requirement  
Relaxation Requested

Section 1.23.9 To allow for the location of the accessory building in the side yard.

Section 1.23.13 (a) Decrease the minimum front yard setback from 18.00m to 3.20m.

Vernon Andres, Applicant: Dan Kell of 412 Vancouver Street and Frances (neighbour) at 909 Pendergast Street was present.

Correspondence submitted in favor by Mark Imoff, of 930 Pendergast Street was read aloud.

Applicant

• When the development started my neighbours to the north asked if the house could be moved to give more space on their property line. Which I accommodated.
• I’m able bring down the height of the garage another 8” from where it currently sits.
• There should be no visual impact to neighbours to the north at 940 Heywood. Their view will not be impeded, and they would still look over top of the garage.

Neighbours

• Dan Kell, neighbour from 412 Vancouver Street, also on behalf of 410 Vancouver Street (duplex) noted his objections for the application. Conversations were not had with any of the neighbours and we do not see an undue hardship.
• Frances, neighbour from 909 Pendergast Street stated her objection for this application for the same reasons as Dan Kell.
  o The process has been very confusing.
  o Neighbours have a lack of trust in the proposal and applicant.
Board

- If there hadn’t been a history to this application, what would be your specific objection?
  - Dan Kell replied that it would be the density of the properties
- How does it adversely effect you?
  - Dan Kell replied that the density on the small lot that would affect the neighbourhood.
- If these plans were presented to you today without the history behind it, would you have issues with it?
  - Frances of 909 Pendergast Street replied part of the problem is that she has never seen the plans since the applicant never spoke to neighbours.

Applicant

- Stated he feels that he is not being intrusive as the property is below what the allowable site coverage is.

Board

- Have you made your house smaller?
  - The house is a different shape, the square footage is the same
- Was there a garage planned when it went to Council?
  - For 910 Pendergast Street no. For 930 Pendergast Street yes there was in the original application, but that was dropped because the house was redesigned
- Why do you need a garage?
  - There is no need, it is a want. I would like the extra space
- Can you address directly what the hardship is?
  - It would be convenient to have one
- Have you always intended to live and occupy 910 Pendergast Street?
  - Yes.

Public portion of the meeting closed.

- This variance is not an extreme ask, but there is no persuasion that there is any hardship.
- There was a DP application that has already gone before Council and approval was given that did not include this garage.

Motion:

Moved: Jaime Hall  
Seconded: Margaret Eckenfelder

That the following variances be declined:

Section 1.23.9  
To allow for the location of the accessory building in the side yard.

Section 1.23.13 (a)  
Decrease the minimum front yard setback from 18.00m to 3.20m.

Carried Unanimously
1:50 Board of Variance Appeal #00814  
David Rannala & Kelsey Davis, Owners  
1340 George Street

Present Zoning: R1-B - Single Family Dwelling  
Present Use: Single Family Dwelling  
The proposal is to for renovations to the existing single-family dwelling which includes a new deck at the rear and rebuilding the steps at the front within the existing footprint.

<table>
<thead>
<tr>
<th>Bylaw Requirement</th>
<th>Relaxation Requested</th>
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| Part 1.2.4 (a)     | Increase the maximum height from 7.60m to 8.24m. (Lot 22 & 23)  
|                    | Note: Existing is 8.19m. |
| Part 1.2.5 (a)     | Decrease the minimum front yard setback (to deck) from 7.50m to 2.75m. (Lot 22)  
|                    | Note: Existing is 0.00m. |
| Part 1.2.5 (a)     | Increase the maximum front yard projection for the steps from 2.50m to 3.68m. (Lot 23)  
|                    | Note: Existing is 3.68m. |
| Part 1.2.5 (c)     | Decrease the minimum the west side yard setback (to deck) from 3.00m to 2.50m. (Lot 22)  
|                    | Note: Existing is 2.50m to the house. |
| Part 1.2.5 (d)     | Decrease the minimum combined side yard setback from 4.50m to 4.00m. (Lot 22)  
|                    | Note: Existing is 4.30m. |

David Rannala owner, was present.

Correspondence submitted by Sadguna Hass, neighbour at 1336 George Street was acknowledged.

Applicant  
- There was an existing variance that was approved for the deck. Financially there was a delay only to find out once we started working again, that the variance had expired.  
- The purpose for the deck is to have more space for the family.

Neighbour  
- Stated she is not in favour of two of the five variances. Part 1.2.5 (c) & Part 1.2.5 (d).  
- Neighbour is worried about noise and lack of privacy.

Applicant  
- I don’t think that noise or privacy will be an issue. We have talked about and offered to put up a more substantial fence
Board

- What is the hardship you are facing?
  - There isn’t one. It’s aesthetics.
- A small height variance was missed, can you speak to that?
  - It was a technical calculation that caused the issue and was missed in the first review.
- Was there a side yard setback from the first application that was approved?
  - Yes.
- Was the neighbour here today the owner of that property when the first application variance was approved?
  - Yes, there have been three previous owners as well.

Public portion of the meeting closed.

- There is a large number of variances. The neighbour has objected to two of them.
- The board should ask the applicant to consider what the neighbour has said.
- Applicant may withdraw variances Part 1.2.5 (c) and Part 1.2.5 (d).

Applicant retracted his request for the following two variances:

- **Part 1.2.5 (c)**
  - Decrease the minimum the west side yard setback (to deck) from 3.00m to 2.50m. (Lot 22)
  - Note: Existing is 2.50m to the house.

- **Part 1.2.5 (d)**
  - Decrease the minimum combined side yard setback from 4.50m to 4.00m. (Lot 22)
  - Note: Existing is 4.30m.

**Motion:**

- To accept the variance request as amended, specifically removing requirements for Part 1.2.5 (c) and Part 1.2.5 (d).

**Moved:** Trevor Moat  
**Seconded:** Margaret Eckenfelder

That the following variances be approved:

- **Part 1.2.4 (a)**
  - Increase the maximum height from 7.60m to 8.24m. (Lot 22 & 23)
  - Note: Existing is 8.19m.

- **Part 1.2.5 (a)**
  - Decrease the minimum front yard setback (to deck) from 7.50m to 2.75m. (Lot 22)
  - Note: Existing is 0.00m.

- **Part 1.2.5 (a)**
  - Increase the maximum front yard projection for the steps from 2.50m to 3.68m. (Lot 23)
  - Note: Existing is 3.68m.

**Carried Unanimously**
2:10  Board of Variance Appeal #00816
Sharyn Romaine & Michael Romaine, Owners
2624 Fernwood Road

Present Zoning:         R-2 – Converted Duplex
Present Use:            R-2 – Converted Duplex

The proposal is to convert the existing duplex to a triplex and to legalize an existing deck located at the rear of the building that was constructed without permits.

**Bylaw Requirements**       **Relaxations Requested**

Section 1.2.4 a)          Increase the maximum height from 7.60m to 8.89m.
                          *Note: existing is 8.89m.*

Section 1.2.5 c)          Decrease the minimum north side yard setback from 1.52m to 1.10m.
                          *Note: existing is 1.10m.*

Sharyn Romaine and Michael Romaine owners were present.

Correspondence submitted in favor by Shannon Bjamason of 2631 Fernwood Road, Julian Hanrahan of 2629 Fernwood Road, Mike Rosso of 2620 Fernwood Road, Jennifer Carr of 2628 Fernwood Road, Drew Zeske of 2625 Fernwood, Jennifer Carr of 2633 Cedar Hill Road and Ken Thiffeault 2643 Cedar Hill Road was acknowledged.

**Applicant**

- The applicants bought the property and asked about any issues or complications that might arise. We were told there were no underlying issues.
- Upgraded was done to the house to put in a legal suite. At that point we found out the deck was built without a permit.
- This does not have any impact on the suite but we would like to abide by all the requirements.

**Board**

- Did the neighbours have any objections?
  - No.
- Are the structure and stairway remaining, with the work being conducted underneath?
  - Yes.

*Public portion of the meeting closed.*

**Motion:**

**Moved:** Trevor moat  
**Seconded:** Margaret Eckenfelder

That the following variances be approved as requested:

Section 1.2.4 a)          Increase the maximum height from 7.60m to 8.89m.
                          *Note: existing is 8.89m.*
Section 1.2.5 c) Decrease the minimum north side yard setback from 1.52m to 1.10m.

Note: existing is 1.10m.

Carried Unanimously

Meeting adjourned at 3:10 pm.