



Pursuant to the *Freedom of Information and Protection of Privacy Act*, names, addresses, contact information and other personal information of individuals who write to the Board are protected from disclosure and must not be disclosed during the hearing.

The Corporation of the District of West Vancouver

Board of Variance Hearing Agenda

March 15, 2023

5 p.m. via electronic communication facilities

Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber, or via electronic communication facilities through the link provided on the District's Board of Variance webpage.

1. Call to Order

The Board of Variance hearing will be called to order.

2. Introduction

The Board of Variance hearing procedure will be described.

3. Confirmation of Agenda

RECOMMENDATION:

THAT the March 15, 2023 Board of Variance hearing agenda be approved as circulated.

4. Adoption of Minutes

RECOMMENDATION:

THAT the February 15, 2023 Board of Variance hearing minutes be adopted as circulated.

5. Time Limit of Board of Variance Orders

The Chair will describe the time limit of orders approving a variance.

6. Application 23-013 (2586 Mathers Avenue) regarding a proposed power pole (accessory structure) with the following variances:

- a) 8.80 m to Front Yard Setback
- b) 1.80 m to Minimum Side Yard Setback
- c) 3.92 m to Accessory Structure Height.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None to date.		

The Chair will request that the applicant or applicant’s representative describe the application.

The Chair will call for public input.

Following conclusion of public input, and the Board’s debate, the Board will consider the following motions.

RECOMMENDATION:

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-013 regarding a proposed power pole at 2586 Mathers Avenue with variances of:

- 8.80 m to Front Yard Setback
- 1.80 m to Minimum Side Yard Setback
- 3.92 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated December 14, 2022 submitted with the application, AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

OR

RECOMMENDATION:

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-013 regarding a proposed power pole at 2586 Mathers Avenue with variances of:

- 8.80 m to Front Yard Setback
- 1.80 m to Minimum Side Yard Setback
- 3.92 m to Accessory Structure Height

BE NOT ALLOWED pursuant to the plans dated December 14, 2022 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 23-013 (2586 Mathers Avenue) to the next Board of Variance hearing.

7. Application 23-014 (1840 Mathers Avenue) regarding a proposed single-family dwelling with the following variance:

- a) 6.37 m to Front Yard Setback.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None to date.		

The Chair will request that the applicant or applicant’s representative describe the application.

The Chair will call for public input.

Following conclusion of public input, and the Board’s debate, the Board will consider the following motions.

RECOMMENDATION:

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-014 regarding a proposed single-family dwelling at 1840 Mathers Avenue with a variance of:

- 6.37 m to Front Yard Setback

BE ALLOWED pursuant to the plans dated January 11, 2023 submitted with the application, AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

OR

RECOMMENDATION:

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-014 regarding a proposed single-family dwelling at 1840 Mathers Avenue with a variance of:

- 6.37 m to Front Yard Setback

BE NOT ALLOWED pursuant to the plans dated January 11, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 23-014 (1840 Mathers Avenue) to the next Board of Variance hearing.

8. Application 23-015 (6438 Marine Drive) regarding a proposed private power pole (accessory structure) with the following variances:

- a) 8.34 m to Front Yard Setback
- b) 2.1 m to Accessory Structure Height.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None to date.		

The Chair will request that the applicant or applicant’s representative describe the application.

The Chair will call for public input.

Following conclusion of public input, and the Board’s debate, the Board will consider the following motions.

RECOMMENDATION:

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-015 regarding a proposed private power pole (accessory structure) at 6438 Marine Drive with variances of:

- 8.34 m to Front Yard Setback
- 2.1 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated January 31, 2023 submitted with the application, AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

OR

RECOMMENDATION:

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-015 regarding a proposed private power pole (accessory structure) at 6438 Marine Drive with variances of:

- 8.34 m to Front Yard Setback
- 2.1 m to Accessory Structure Height

BE NOT ALLOWED pursuant to the plans dated January 31, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 23-015 (6438 Marine Drive) to the next Board of Variance hearing.

9. **Application 23-016 (2366 Lawson Avenue) regarding proposed mechanical equipment with the following variance:**
 a) 0.62 m to Combined Side Yard Setback.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	February 16, 2023	1
Redacted	February 16, 2023	2
Redacted	February 19, 2023	3

The Chair will request that the applicant or applicant’s representative describe the application.

The Chair will call for public input.

Following conclusion of public input, and the Board’s debate, the Board will consider the following motions.

RECOMMENDATION:

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-016 regarding proposed mechanical equipment at 2366 Lawson Avenue with a variance of:

- 0.62 m to Combined Side Yard Setback
- BE ALLOWED pursuant to the plans dated February 2, 2023 submitted with the application, AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

OR

RECOMMENDATION:

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-016 regarding proposed mechanical equipment at 2366 Lawson Avenue with a variance of:

- 0.62 m to Combined Side Yard Setback
- BE NOT ALLOWED pursuant to the plans dated February 2, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 23-016 (2366 Lawson Avenue) to the next Board of Variance hearing.

10. Application 23-017 (661 Kenwood Road) regarding a proposed addition with the following variance:

- a) 0.04 (41.9 sqm) to Floor Area Ratio.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None to date.		

The Chair will request that the applicant or applicant’s representative describe the application.

The Chair will call for public input.

Following conclusion of public input, and the Board’s debate, the Board will consider the following motions.

RECOMMENDATION:

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-017 regarding a proposed addition at 661 Kenwood Road with a variance of:

- 0.04 (41.9 sqm) to Floor Area Ratio

BE ALLOWED pursuant to the plans dated February 1, 2023 submitted with the application, AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

OR

RECOMMENDATION:

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-017 regarding a proposed addition at 661 Kenwood Road with a variance of:

- 0.04 (41.9 sqm) to Floor Area Ratio

BE NOT ALLOWED pursuant to the plans dated February 1, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 23-017 (661 Kenwood Road) to the next Board of Variance hearing.

11. Receipt of Oral and Written Submissions

RECOMMENDATION:

THAT all oral and written submissions regarding the following Board of Variance Applications:

- Application 23-013 (2586 Mathers Avenue)
- Application 23-014 (1840 Mathers Avenue)
- Application 23-015 (6438 Marine Drive)
- Application 23-016 (2366 Lawson Avenue)
- Application 23-017 (661 Kenwood Road)

up to and including March 15, 2023 be received.

**12. Public Question Period
(Regarding process and/or disposition only)**

13. Next Hearing

The next Board of Variance hearing is scheduled for April 19, 2023.

14. Adjournment

RECOMMENDATION:

THAT the March 15, 2023 Board of Variance hearing be adjourned.

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**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
BOARD OF VARIANCE HEARING MINUTES
VIA ELECTRONIC COMMUNICATION FACILITIES
WEDNESDAY, FEBRUARY 15, 2023**

BOARD MEMBERS: Chair L. Radage and Members S. Abri, J. Elwick, D. Simmons, and R. Yaworsky attended the hearing via electronic communication facilities.

STAFF: P. Cuk, Board Secretary; T. Yee, Building Inspector; and V. Rae, Legislative Services Clerk, attended the hearing via electronic communication facilities.

1. Call to Order

The hearing was called to order at 5 p.m.

2. Introduction

Staff introduced the Board Members and described the hearing procedure.

3. Confirmation of the Agenda

It was Moved and Seconded:

THAT the February 15, 2023 Board of Variance hearing agenda be approved as circulated.

CARRIED

4. Adoption of the January 18, 2023 Minutes

Chair Radage referred to the minutes of the Board of Variance hearing held on January 18, 2023.

It was Moved and Seconded:

THAT the January 18, 2023 Board of Variance hearing minutes be adopted as circulated.

CARRIED

5. Time Limit of Board of Variance Orders

Chair Radage read out the following statement regarding Time Limit of Order Approving a Variance and noted that the time limit applied to each application approved by the Board:

Pursuant to section 542(3) of the *Local Government Act*, if a Board of Variance orders that a minor variance be permitted from the requirements of the bylaw, and the Order sets a time limit within which the construction of the building or structure must be completed, and the construction is not completed within that time, the permission of the Board terminates and the bylaw applies. Further, if

that construction is not substantially started within 2 years after the Order was made, or within a longer or shorter time period established by the Order, the permission of the Board terminates and the bylaw applies.

6. Application 23-009 (1221 Keith Road)

Member Radage recused herself (conflict of interest as she owns the subject property) and left the hearing at 5:04 p.m. Member Yaworsky assumed the Chair.

Staff confirmed the following requested variances regarding a proposed addition:

- a) 0.13 m to Combined Side Yard Setback
- b) 1.83 m to Front Yard Setback
- c) 24.2 m² to Floor Area Ratio.

Staff provided permit history of the subject property.

Member Abri left the hearing at 5:06 p.m. and returned to the hearing at 5:07 p.m. via electronic communication facilities.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
L. Radage	February 14, 2023	1

K. Radage (1221 Keith Road) described the variance application for a proposed addition. Staff and K. Radage responded to Board members' questions.

Acting Chair Yaworsky queried whether anyone else had signed up to address the Board regarding the subject application. Staff informed that no one else had signed up to address the Board regarding the subject application.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated January 16, 2023, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submission of K. Radage:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-009 regarding a proposed addition at 1221 Keith Road with variances of:

- 0.13 m to Combined Side Yard Setback
- 1.83 m to Front Yard Setback
- 24.2 m² to Floor Area Ratio

BE ALLOWED pursuant to the plans dated January 8, 2023 submitted with the application; AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

CARRIED

Member Radage absent at the vote

Member Radage returned to the hearing at 5:17 p.m. via electronic communication facilities and assumed the Chair.

7. **Application 23-010 (1010 Braeside Street)**

Staff confirmed the following requested variances regarding a carport:

- a) 2.2% (19.7 m²) to Site Coverage Percentage
- b) 8.2% (72.7 m²) to Floor Area Ratio.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	February 14, 2023	1

Staff provided permit history of the subject property.

M. Jursevskis (Landscape Designer, Paul Sanga Creative, representing the owner of 1010 Braeside Street), M. Srivastava (Senior Landscape Architect, Paul Sanga Creative, representing the owner of 1010 Braeside Street), and M. Pillon (1010 Braeside Street) described the variance application for a carport. Staff and M. Srivastava responded to Board members' questions.

Chair Radage queried whether anyone else had signed up to address the Board regarding the subject application. Staff informed that no one else had signed up to address the Board regarding the subject application.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated January 17, 2023, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submissions of M. Jursevskis, M. Srivastava, and M. Pillon:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-010 regarding a carport at 1010 Braeside Street with variances of:

- 2.2% (19.7 m²) to Site Coverage Percentage
- 8.2% (72.7 m²) to Floor Area Ratio

BE ALLOWED pursuant to the plans dated December 12, 2022 submitted with the application; AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

CARRIED

8. Application 23-011 (2484 Ottawa Avenue)

Staff confirmed the following requested variance regarding a proposed single-family dwelling:

- a) 0.75 m to Building Height.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	February 2, 2023	1

Redacted	February 5, 2023	2
Arsa Design Inc.	February 13, 2023	3
Redacted	February 14, 2023	4

Staff provided permit history of the subject property.

A. Soodbakhsh, (Intern Architect, Arsa Design Inc., representing the owner of 2484 Ottawa Avenue) described the variance application for a proposed single-family dwelling. Staff responded to Board members' questions.

Chair Radage queried whether anyone else had signed up to address the Board regarding the subject application. Staff informed that no one else had signed up to address the Board regarding the subject application.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated January 17, 2023, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submission A. Soodbakhsh:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-011 regarding a proposed single-family dwelling at 2484 Ottawa Avenue with a variance of:

- 0.75 m to Building Height

BE ALLOWED pursuant to the plans dated January 16, 2023 submitted with the application; AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

CARRIED

9. Application 23-012 (4702 Caulfeild Drive)

Staff informed that Application 23-012 (4702 Caulfeild Drive) was withdrawn on February 1, 2023.

10. Receipt of Written and Oral Submissions

It was Moved and Seconded:

THAT all written and oral submissions regarding the following Board of Variance Applications:

- Application 23-009 (1221 Keith Road)
- Application 23-010 (1010 Braeside Street)
- Application 23-011 (2484 Ottawa Avenue)
- Application 23-012 (4702 Caulfeild Drive)

up to and including February 15, 2023, be received.

CARRIED

11. Public Question Period

There were no questions.

12. Next Hearing

Staff confirmed that the next hearing of the Board of Variance is scheduled for March 15, 2023 at 5 p.m.

13. Adjournment

It was Moved and Seconded:

THAT the February 15, 2023 Board of Variance hearing be adjourned.

CARRIED

The Board of Variance hearing adjourned at 5:37 p.m.

Certified Correct:

L. Radage, Chair

P. Cuk, Secretary

District of West Vancouver
 750 17th Street, West Vancouver, BC V7V 3T3
 t: 604-925-7004 f: 604-925-7006

NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **2586 Mathers Avenue**

A Board of Variance hearing will be held on:

Wednesday, March 15, 2023

at 5 p.m. via electronic communication facilities

The following variances for a proposed power pole (accessory structure) at 2586 Mathers Avenue will be considered:

	Bylaw Requirement	Proposed	Variance
Front Yard Setback	9.10 m	0.30 m	8.80 m
Minimum Side Yard Setback	Bylaw Requirement	Proposed	Variance
	1.95 m	0.15 m	1.80 m
Accessory Structure Height	Bylaw Requirement	Proposed	Variance
	3.70 m	7.62 m	3.92 m



To make an appointment to view plans, permit and variance information contact Terry Yee (Building Inspector) at tyee@westvancouver.ca or 604-925-7248.

To view application documents and written submissions, or to enquire about hearing procedures or results contact Legislative Services at 604-925-7004.

Representations regarding the requested variances may be made, and written submissions read, to the Board of Variance during the hearing on the date, time, and place shown above. **Pursuant to Council Committee Procedure Bylaw No. 5020, 2019, this hearing will be conducted via electronic communication facilities.** Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber or via electronic communication facilities through the link provided on the District's Board of Variance web page. To register to make representations (via WebEx video conferencing software) during the Board of Variance hearing please phone 604-925-7004 between 8 a.m. and 4 p.m. on the scheduled hearing date.

Prior to the hearing, written submissions may be:

- mailed to the Board of Variance, District of West Vancouver, 750 17th Street, West Vancouver, BC V7V 3T3;
- emailed to the Board of Variance at boardofvariance@westvancouver.ca; or
- addressed to the Board of Variance and placed in the drop box located at the main entrance of Municipal Hall.

Please provide written submissions no later than noon on March 15, 2023 to ensure their availability to the Board for the hearing.

Technical issues may affect receipt of electronic submissions; persons relying on this means of transmittal do so at their own risk.

Written submissions received for the hearing will be included in the public information package for the Board's consideration and for the public record.

To view the agenda package for the hearing please visit <https://westvancouver.ca/be-involved/committees-groups/boards/board-variance>

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Board of Variance Application Form

Subject Property *(please print clearly)*

Address: 2586 MATHERS AVE. WEST VANCOUVER BC V7V 2J1

Applicant *(please print clearly)*

Name(s): Aryan Farrokhi - Neopacific Development Inc. Phone #: _____

Mailing Address: _____ s. 22(1) Cell #: (604) 868-9605

Email Address: neopacificdev@gmail.com Fax #: _____

s. 22(1)

(Note: If the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

Registered Owner *(please print clearly)*

Name(s): _____ s. 22(1) Phone #: _____

Mailing Address: _____ s. 22(1) Cell #: _____ s. 22(1)

Email Address: _____ s. 22(1) Fax #: _____

Completed Application Must Include

- A letter (signed original) describing:
 - a) The proposed construction;
 - b) The requested variance(s); and
 - c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)
- Authorization of Registered Owners Form (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).
- \$800 fee

Note: a copy of this application (redacted as necessary) and supporting documents will be available to the public and will be placed in the public agenda binder for the Board of Variance Hearing.

s. 22(1)

Applicant Signature _____ Date Feb. 15, 2023

Completed (signed original) applications must be received no later than the deadline date listed on the Board of Variance Deadline and Hearing Schedule (included in this application package). Incomplete applications will not be accepted.

Freedom of Information and Protection of Privacy Act Notification: The information on this form is collected under the general authority of the *Local Government Act* and Board of Variance Bylaw No. 4487, 2007. It is related directly to, required for and used by the District of West Vancouver to administer the Board of Variance application process. The access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* apply to the information collected on this form. Please contact the Manager, Records and Privacy, at 604-925-3497 if you have any questions.

Application forwarded to Legislative Services by: _____ Date: _____

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The Board of Variance
District of West Vancouver, BC

Dear Variance Committee,

RE: Request for variance consideration for installation of private power pole.

The BC Hydro requirement for 200 amp service requires that the power line runs straight from their pole to private property. The BC Hydro pole is currently located across the street on the northeast corner of Mathers Avenue. According to the bylaw a private power pole is only allowed inside building setback, however, locating the private pole in the setback would not accommodate the height of electrical cable slack specified in electrical code (height of cable cannot be less than 6 meters above street level). Therefore, the only possible location to accommodate electrical code and BC Hydro requirements would be our suggested location at the northeast corner of the property. We have also canvassed surrounding neighbours about the proposed location for private power pole and there is no opposition to proposed location. Further, an adjacent newly built home (2578 Mathers Avenue) has installed their private pole in a similar location to what we are suggesting. We have been West Vancouver residents for decades and hope this variance will be granted.

Sincerely,

s. 22(1)



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PERMITS & INSPECTIONS DEPARTMENT
750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits
t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

January 16, 2023

File: **BP118543**

s. 22(1)

Dear Sir/Madam

**RE: 2586 MATHERS AVENUE - WEST VANCOUVER
BUILDING PERMIT APPLICATION – RS4 ZONE**

The plans submitted with your application for a building permit at the above referenced address show that the proposed Power pole will not comply with the Zoning Bylaw because it does not maintain the required Front and side yard setback and accessory structure height.

The following non-conformities exist and are listed for reference only:

The Zoning Bylaw, Section 204.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Power Pole	9.10 m	0.30 m	8.80 m

The Zoning Bylaw, Section 204.09 requires a minimum side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for Power Pole	1.95 m	0.15 m	1.80 m

The Zoning Bylaw, Section 130.01(7)(b)(i) requires that accessory structures not exceed a height of 3.7 metres measured from the lowest of the average natural or finished grades abutting the building as indicated in the table below:

	Bylaw	Proposed	Variance
Accessory Building Height for Power Pole	3.70 m	7.62 m	3.92 m

The Permits and Inspections Department is unable to issue a Building Permit unless you:

- a) revise your plans to conform to the Zoning Bylaw; **or**
- b) make application to the Planning Department for a Development Variance Permit (DVP) to be considered by Municipal Council, for a relaxation of the Zoning Bylaw requirements. Information regarding the Development Variance Permit Application process may be obtained from the Planning Department at Municipal Hall (604-925-7055).
- c) make application to the Board of Variance for relaxation of the Zoning Bylaw requirements by submitting a Board of Variance Application (application form enclosed) to the Permits & Inspections secretary. Your application, together with the \$800 fee and required attachments, must be received by the Permits & Inspections secretary by 1:00 p.m. on **Wednesday 15th February 2023**. The next Board of Variance Hearing is scheduled for **Wednesday 15th March 2023**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail; **or**

If you choose to make application to the Board of Variance, the Board at its Hearing, may order that a minor variance be permitted if it finds that undue hardship would be caused to the applicant if the Zoning Bylaw is complied with, and that the Board is of the opinion that the variance does not:

- a) result in inappropriate development of the site
- b) adversely affect the natural environment
- c) substantially affect the use and enjoyment of adjacent land
- d) vary permitted uses and densities under the applicable bylaw, or
- e) defeat the intent of the bylaw.

The Board of Variance members may visit the site as part of the variance consideration.

You and/or a representative should attend the Hearing to speak to your application and respond to any questions the Board may have.

Please do not hesitate to contact me at 604-921-2932 should you require any further information regarding this matter.

Thank you,
s. 22(1)

Eric Mah
enmah@westvancouver.ca

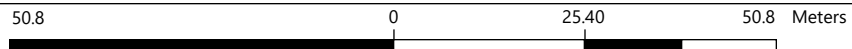
Enclosure

cc: Secretary, Board of Variance



Legend

Notes



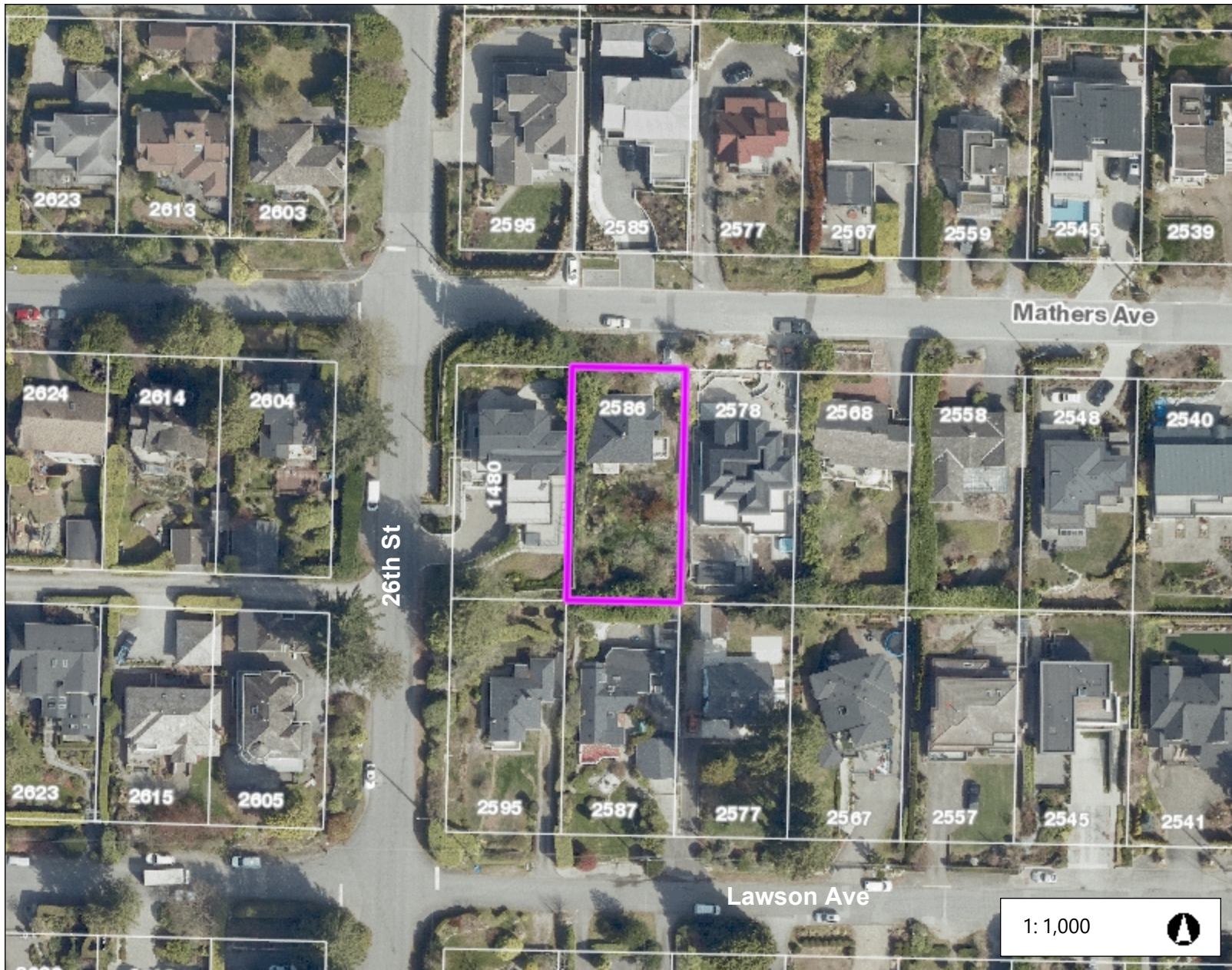
WGS_1984_UTM_Zone_10N
District of West Vancouver

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Legend

Notes

50.8 0 25.40 50.8 Meters

WGS_1984_UTM_Zone_10N
District of West Vancouver

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

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District of West Vancouver
750 17th Street, West Vancouver, BC V7V 3T3
t: 604-925-7004 f: 604-925-7006

NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **1840 Mathers Avenue**

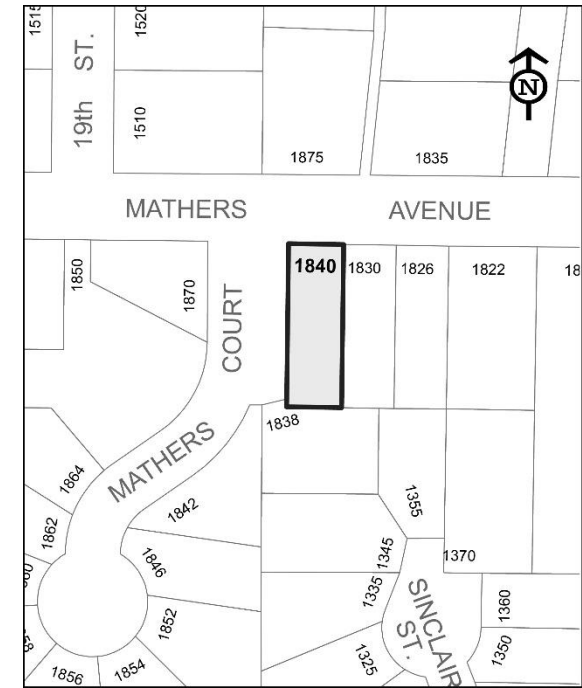
A Board of Variance hearing will be held on:

Wednesday, March 15, 2023

at 5 p.m. via electronic communication facilities

The following variance for a proposed single-family dwelling at 1840 Mathers Avenue will be considered:

	Bylaw Requirement	Proposed	Variance
Front Yard Setback	7.30 m (Step 5)	0.93 m	6.37 m



To make an appointment to view plans, permit and variance information contact Terry Yee (Building Inspector) at tyee@westvancouver.ca or 604-925-7248.

To view application documents and written submissions, or to enquire about hearing procedures or results contact Legislative Services at 604-925-7004.

Representations regarding the requested variances may be made, and written submissions read, to the Board of Variance during the hearing on the date, time, and place shown above. **Pursuant to Council Committee Procedure Bylaw No. 5020, 2019, this hearing will be conducted via electronic communication facilities.** Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber or via electronic communication facilities through the link provided on the District's Board of Variance web page. To register to make representations (via WebEx video conferencing software) during the Board of Variance hearing please phone 604-925-7004 between 8 a.m. and 4 p.m. on the scheduled hearing date.

Prior to the hearing, written submissions may be:

- mailed to the Board of Variance, District of West Vancouver, 750 17th Street, West Vancouver, BC V7V 3T3;
- emailed to the Board of Variance at boardofvariance@westvancouver.ca; or
- addressed to the Board of Variance and placed in the drop box located at the main entrance of Municipal Hall.

Please provide written submissions no later than noon on March 15, 2023 to ensure their availability to the Board for the hearing.

Technical issues may affect receipt of electronic submissions; persons relying on this means of transmittal do so at their own risk.

Written submissions received for the hearing will be included in the public information package for the Board's consideration and for the public record.

To view the agenda package for the hearing please visit <https://westvancouver.ca/be-involved/committees-groups/boards/board-variance>

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Board of Variance Application Form

Subject Property *(please print clearly)*

Address: 1840 Mathers Ave, West Vancouver, BC V7V 2G7

Applicant *(please print clearly)*

Name(s): Farzin Yadegari

Phone #: s. 22(1)

Mailing Address: s. 22(1)

Cell #: s. 22(1)

Email Address: s. 22(1)

Fax #: s. 22(1)

s. 22(1)

(Note: If the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

Registered Owner *(please print clearly)*

Name(s): s. 22(1)

Phone #: s. 22(1)

Mailing Address: s. 22(1)

Cell #: s. 22(1)

Email Address: s. 22(1)

Fax #: s. 22(1)

Completed Application Must Include

- A letter (signed original) describing:
 - a) The proposed construction;
 - b) The requested variance(s); and
 - c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)
- Authorization of Registered Owners Form (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).
- \$800 fee

Note: a copy of this application (redacted as necessary) and supporting documents will be available to the public and will be placed in the public agenda binder for the Board of Variance Hearing.

s. 22(1)

FEB 7 / 2023
Date

Completed (signed original) applications must be received no later than the deadline date listed on the Board of Variance Deadline and Hearing Schedule (included in this application package). Incomplete applications will not be accepted.

Freedom of Information and Protection of Privacy Act Notification: The information on this form is collected under the general authority of the *Local Government Act* and Board of Variance Bylaw No. 4487, 2007. It is related directly to, required for and used by the District of West Vancouver to administer the Board of Variance application process. The access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* apply to the information collected on this form. Please contact the Manager, Records and Privacy, at 604-925-3497 if you have any questions.

Application forwarded to Legislative Services by: _____ Date: _____

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To Members of the Board of Variance,

We'd like to express hardship that in following the existing bylaw, the width of the lot would not allow a proper building to be built. The space would be extremely small so it would not be worth building and would look very strange compared to the neighboring houses. It would not allow for anything livable or meaningful to be built. It would be a very narrow and long structure, similar to that of a train.

Furthermore, there is an existing large boulevard that is not being used, located to the side of the house. With this large boulevard separating the street and the house, there is already a large setback from the street to the house, which can act as a front yard. We would like to request that the west side use the sideyard measurements, and the south side use the backyard measurements.

We would like the Board to grant us more or less the existing building setbacks because we would not be able to build with the new required setbacks.

Sincerely,

s. 22(1)



Owners, 1840 Mathers Ave

February 13, 2023

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PERMITS & INSPECTIONS DEPARTMENT
750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits
t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

January 3, 2022

File: **BP118105**

s. 22(1)

Dear Sir/Madam

**RE: 1840 MATHERS AVENUE - WEST VANCOUVER
BUILDING PERMIT APPLICATION – RS5 ZONE**

The plans submitted with your application for a building permit at the above referenced address show that the proposed Single-Family Dwelling will not comply with the Zoning Bylaw because it does not maintain the required Front yard Setback.

The following non-conformities exist and are listed for reference only:

- The Zoning Bylaw, Section 205.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Principal Dwelling	7.3m (Step 5)	0.93m	6.37m

Comments:

- The variance listed above requires that the proposed house is built to Step 5 to allow the bonuses in bylaw 120.29.
- Old bylaw in effect.

The Permits and Inspections Department is unable to issue a Building Permit unless you:

- a) revise your plans to conform to the Zoning Bylaw; **or**
- b) make application to the Planning Department for a Development Variance Permit (DVP) to be considered by Municipal Council, for a relaxation of the Zoning Bylaw requirements. Information regarding the Development Variance Permit Application process may be obtained from the Planning Department at Municipal Hall (604-925-7055).
- c) make application to the Board of Variance for relaxation of the Zoning Bylaw requirements by submitting a Board of Variance Application (application form enclosed) to the Permits & Inspections secretary. Your application, together with the \$800 fee and required attachments, must be received by the Permits & Inspections secretary by 1:00 p.m. on **Wednesday January 18th 2023**. The next Board of Variance Hearing is scheduled for **Wednesday February 15th 2023**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail; **or**

If you choose to make application to the Board of Variance, the Board at its Hearing, may order that a minor variance be permitted if it finds that undue hardship would be caused to the applicant if the Zoning Bylaw is complied with, and that the Board is of the opinion that the variance does not:

- a) result in inappropriate development of the site
- b) adversely affect the natural environment
- c) substantially affect the use and enjoyment of adjacent land
- d) vary permitted uses and densities under the applicable bylaw, or
- e) defeat the intent of the bylaw.

The Board of Variance members may visit the site as part of the variance consideration.

You and/or a representative should attend the Hearing to speak to your application and respond to any questions the Board may have.

Please do not hesitate to contact me at 604-921-3429 should you require any further information regarding this matter.

Thank you.

Konstantin Vashev  Digitally signed by Konstantin Vashev
DN: CN=Konstantin Vashev
Date: 2023.01.09 21:34:24-08'00'

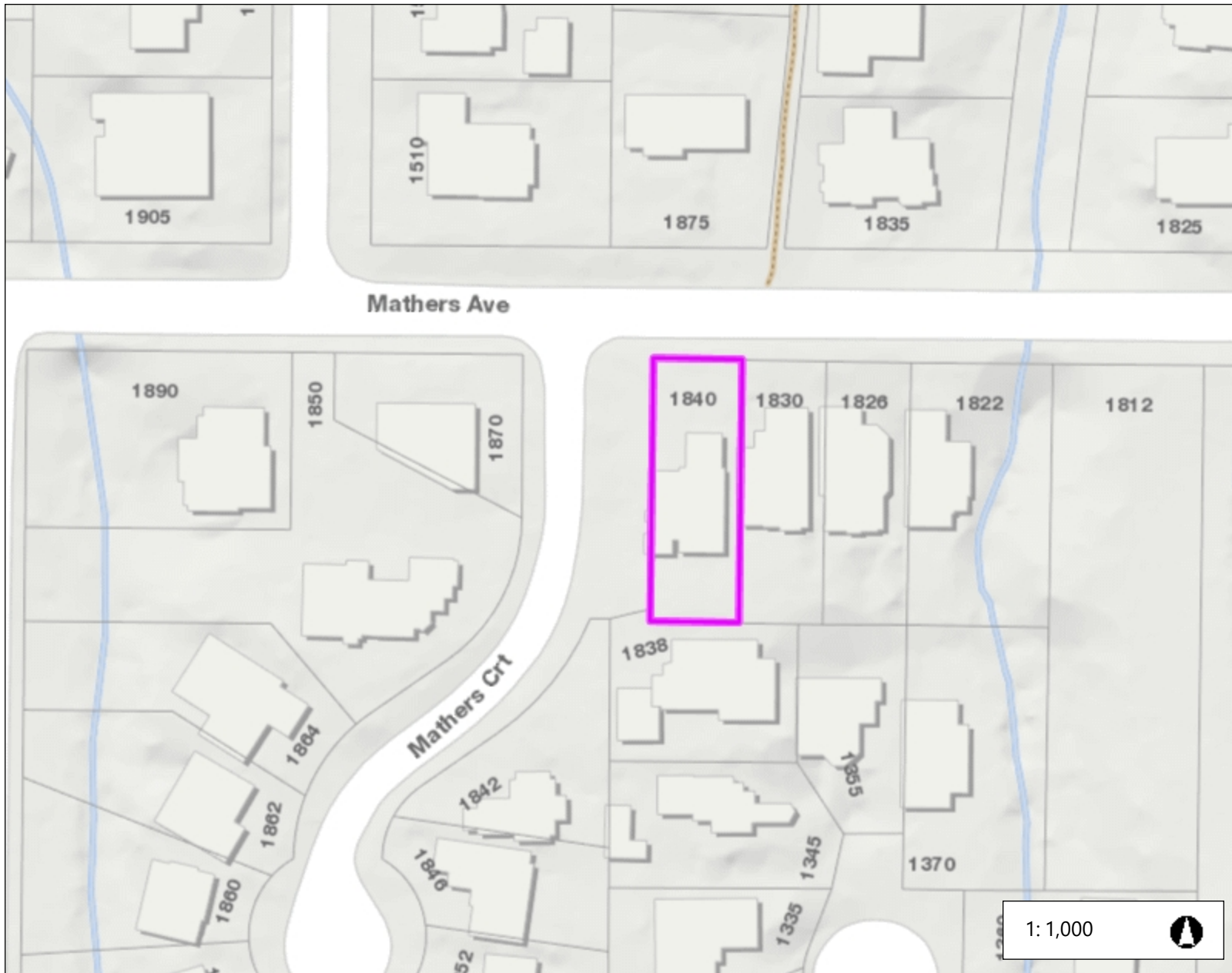
Konstantin Vashev
kvashev@westvancouver.ca

Enclosure
cc: Secretary, Board of Variance

PERMITS & INSPECTIONS DEPARTMENT
750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits
t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

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Legend

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50.8 0 25.40 50.8 Meters

WGS_1984_UTM_Zone_10N
District of West Vancouver

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION


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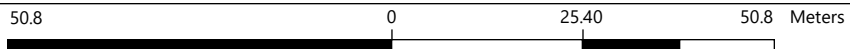
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WGS_1984_UTM_Zone_10N
District of West Vancouver

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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District of West Vancouver
 750 17th Street, West Vancouver, BC V7V 3T3
 t: 604-925-7004 f: 604-925-7006

NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **6438 Marine Drive**

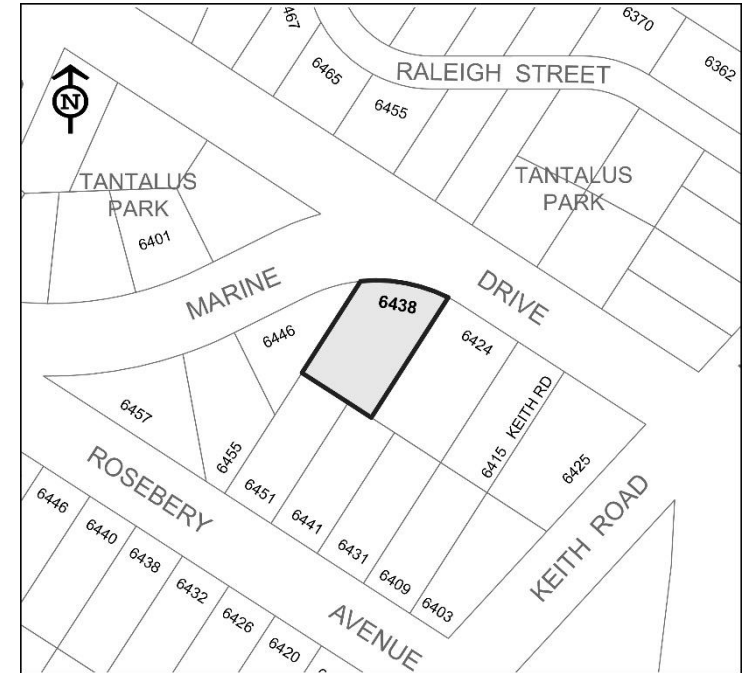
A Board of Variance hearing will be held on:

Wednesday, March 15, 2023

at 5 p.m. via electronic communication facilities

The following variances for a proposed private power pole (accessory structure) at 6438 Marine Drive will be considered:

Front Yard Setback	Bylaw Requirement	Proposed	Variance
	9.10 m	0.76 m	8.34 m
Accessory Structure Height	Bylaw Requirement	Proposed	Variance
	3.7 m	5.8 m	2.1 m



To make an appointment to view plans, permit and variance information contact Terry Yee (Building Inspector) at tyee@westvancouver.ca or 604-925-7248.

To view application documents and written submissions, or to enquire about hearing procedures or results contact Legislative Services at 604-925-7004.

Representations regarding the requested variances may be made, and written submissions read, to the Board of Variance during the hearing on the date, time, and place shown above. **Pursuant to Council Committee Procedure Bylaw No. 5020, 2019, this hearing will be conducted via electronic communication facilities.** Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber or via electronic communication facilities through the link provided on the District's Board of Variance web page. **To register to make representations (via WebEx video conferencing software) during the Board of Variance hearing please phone 604-925-7004 between 8 a.m. and 4 p.m. on the scheduled hearing date.**

Prior to the hearing, written submissions may be:

- mailed to the Board of Variance, District of West Vancouver, 750 17th Street, West Vancouver, BC V7V 3T3;
- emailed to the Board of Variance at boardofvariance@westvancouver.ca; or
- addressed to the Board of Variance and placed in the drop box located at the main entrance of Municipal Hall.

Please provide written submissions no later than noon on March 15, 2023 to ensure their availability to the Board for the hearing.

Technical issues may affect receipt of electronic submissions; persons relying on this means of transmittal do so at their own risk.

Written submissions received for the hearing will be included in the public information package for the Board's consideration and for the public record.

To view the agenda package for the hearing please visit <https://westvancouver.ca/be-involved/committees-groups/boards/board-variance>

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Board of Variance Application Form

Subject Property *(please print clearly)*

Address: 6438 Marine Drive, West Vancouver

Applicant *(please print clearly)*

Name(s): Leo Kwan Phone #: [Redacted] s. 22(1)
 Mailing Address: [Redacted] s. 22(1) Cell #: [Redacted]
 Email Address: [Redacted] Fax #: [Redacted]

[Redacted] s. 22(1)
 (Note: If the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

Registered Owner *(please print clearly)*

Name(s): [Redacted] s. 22(1) Phone #: [Redacted] s. 22(1)
 Mailing Address: [Redacted] s. 22(1) Cell #: [Redacted]
 Email Address: [Redacted] Fax #: [Redacted]

Completed Application Must Include

- A letter (signed original) describing:
 - a) The proposed construction;
 - b) The requested variance(s); and
 - c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)
- Authorization of Registered Owners Form (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).
- \$800 fee

Note: a copy of this application (redacted as necessary) and supporting documents will be available to the public and will be placed in the public agenda binder for the Board of Variance Hearing.

Leo Kwan, PEng [Redacted] s. 22(1) Feb 12th, 2023
 Applicant Signature Date

Completed (signed original) applications must be received no later than the deadline date listed on the Board of Variance Deadline and Hearing Schedule (included in this application package). Incomplete applications will not be accepted.

Freedom of Information and Protection of Privacy Act Notification: The information on this form is collected under the general authority of the *Local Government Act* and Board of Variance Bylaw No. 4487, 2007. It is related directly to, required for and used by the District of West Vancouver to administer the Board of Variance application process. The access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* apply to the information collected on this form. Please contact the Manager, Records and Privacy, at 604-925-3497 if you have any questions.

Application forwarded to Legislative Services by: _____ Date: _____

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Feb 12th, 2023

Board of Variance

The Corporation of the District of West Vancouver

Re: 6438 Marine Drive – Private Power Pole

Dear Board of Variance Members,

We are writing to request your consideration for a variance in order to build a private power pole on our property. We understand that this proposed construction does not comply with the Zoning Bylaw. The Front Yard Setback variance is 8.34m and Accessory Building Height variance is 2.1m.

The reason for this request is to meet the requirement set forth by BC Hydro, which states that the service wire must not be longer than 100 ft. from the point of connection. Our main BC Hydro power line is located more than 100 ft. away from our house, which necessitates the installation of a private power pole. In order to fulfill this requirement, we have carefully selected a location that not only meets the technical criteria, but also aims to preserve the visual appeal of our neighborhood.

We have taken into consideration the natural environment surrounding the proposed location and have made efforts to ensure that the power pole will be surrounded by boulevard trees, visually blending in with its surroundings. Furthermore, the pole's location is accessible by BC Hydro bucket trucks and is close to the lane or roadway, making it an ideal location for the required power connection.

The main BC Hydro power line is located on the other side of Marine Drive, we note that several of our neighbors have had private power poles installed for the connection of power supply, and this has not had any negative impact on the surrounding properties or environment.

We appreciate the time and effort that the Board of Variance puts into each case, and we look forward to a positive resolution to our request. Thank you for taking the time to review our request and for considering our circumstances.

Sincerely,

s.22(1)

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PERMITS & INSPECTIONS DEPARTMENT
 750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits
 t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

February 8, 2023

File: **BP118594**

s. 22(1)

Dear Sir/Madam

**RE: 6438 MARINE DRIVE - WEST VANCOUVER
 BUILDING PERMIT APPLICATION – RS4 ZONE**

The plans submitted with your application for a building permit at the above referenced address show that the proposed Private Power Pole will not comply with the Zoning Bylaw because it does not maintain the required 9.1m Front Yard Setback and 3.7m Accessory Structure Height.

The Zoning Bylaw, Section 204.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Power Pole	9.1 m	0.76 m	8.34 m

The Zoning Bylaw, Section 130.01(7)(b) requires that accessory structures not exceed a height of 3.7 metres measured from the lowest of the average natural or finished grades abutting the building as indicated in the table below:

	Bylaw	Proposed	Variance
Accessory Building Height for Power Pole	3.7 m	5.8 m	2.1 m

The Permits and Inspections Department is unable to issue a Building Permit unless you:

- a) revise your plans to conform to the Zoning Bylaw; **or**
- b) make application to the Planning Department for a Development Variance Permit (DVP) to be considered by Municipal Council, for a relaxation of the Zoning Bylaw requirements. Information regarding the Development Variance Permit Application process may be obtained from the Planning Department at Municipal Hall (604-925-7055).

-
- c) make application to the Board of Variance for relaxation of the Zoning Bylaw requirements by submitting a Board of Variance Application (application form enclosed) to the Permits & Inspections secretary. Your application, together with the \$800 fee and required attachments, must be received by the Permits & Inspections secretary by 1:00 p.m. on **Wednesday February 15, 2023**. The next Board of Variance Hearing is scheduled for **Wednesday March 15, 2023**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail; **or**

If you choose to make application to the Board of Variance, the Board at its Hearing, may order that a minor variance be permitted if it finds that undue hardship would be caused to the applicant if the Zoning Bylaw is complied with, and that the Board is of the opinion that the variance does not:

- a) result in inappropriate development of the site
- b) adversely affect the natural environment
- c) substantially affect the use and enjoyment of adjacent land
- d) vary permitted uses and densities under the applicable bylaw, or
- e) defeat the intent of the bylaw.

The Board of Variance members may visit the site as part of the variance consideration.

You and/or a representative should attend the Hearing to speak to your application and respond to any questions the Board may have.

Please do not hesitate to contact me at 604-921-3450 should you require any further information regarding this matter.

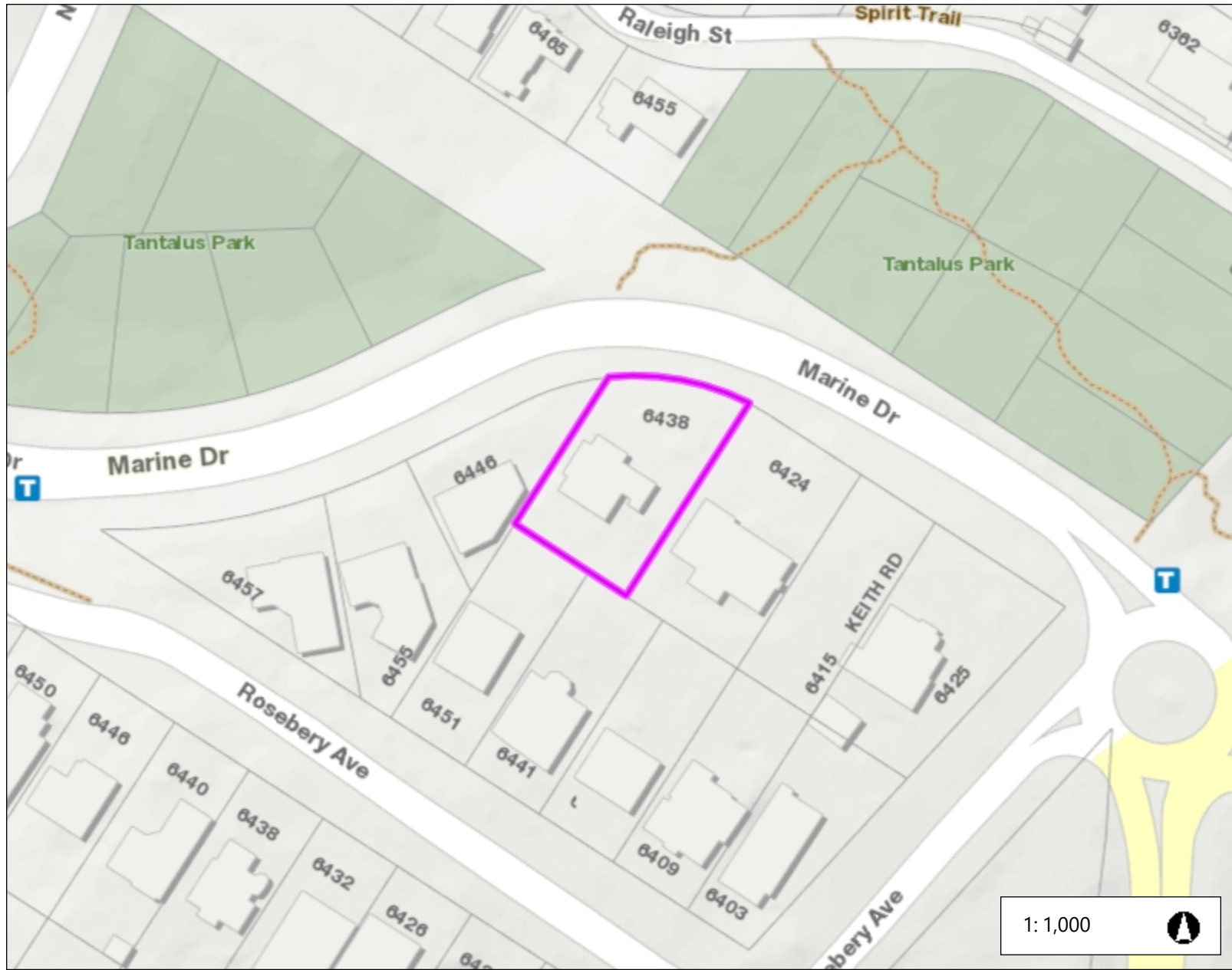
Thank you.

s. 22(1)

Colin Coulter
Plans Examiner
ccoulter@westvancouver.ca

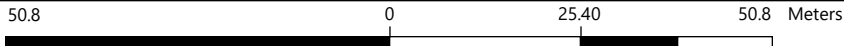
Enclosure

cc: Secretary, Board of Variance



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Notes



WGS_1984_UTM_Zone_10N
District of West Vancouver

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District of West Vancouver

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District of West Vancouver
 750 17th Street, West Vancouver, BC V7V 3T3
 t: 604-925-7004 f: 604-925-7006

NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **2366 Lawson Avenue**

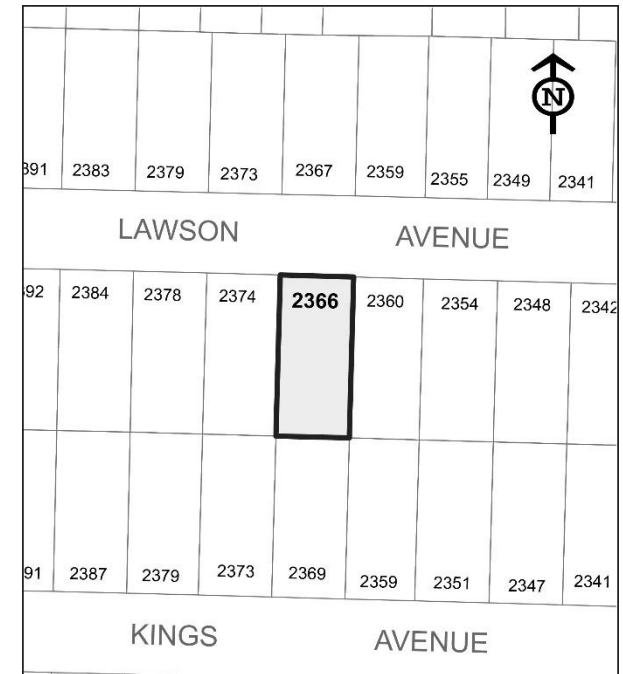
A Board of Variance hearing will be held on:

Wednesday, March 15, 2023

at 5 p.m. via electronic communication facilities

The following variance for proposed mechanical equipment at 2366 Lawson Avenue will be considered:

Combined Side Yard Setback	Bylaw Requirement	Proposed	Variance
	4.57 m	3.95 m	0.62 m



To make an appointment to view plans, permit and variance information contact Terry Yee (Building Inspector) at tyee@westvancouver.ca or 604-925-7248.

To view application documents and written submissions, or to enquire about hearing procedures or results contact Legislative Services at 604-925-7004.

Representations regarding the requested variances may be made, and written submissions read, to the Board of Variance during the hearing on the date, time, and place shown above. **Pursuant to Council Committee Procedure Bylaw No. 5020, 2019, this hearing will be conducted via electronic communication facilities.** Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber or via electronic communication facilities through the link provided on the District's Board of Variance web page. To register to make representations (via WebEx video conferencing software) during the Board of Variance hearing please phone 604-925-7004 between 8 a.m. and 4 p.m. on the scheduled hearing date.

Prior to the hearing, written submissions may be:

- mailed to the Board of Variance, District of West Vancouver, 750 17th Street, West Vancouver, BC V7V 3T3;
- emailed to the Board of Variance at boardofvariance@westvancouver.ca; or
- addressed to the Board of Variance and placed in the drop box located at the main entrance of Municipal Hall.

Please provide written submissions no later than noon on March 15, 2023 to ensure their availability to the Board for the hearing.

Technical issues may affect receipt of electronic submissions; persons relying on this means of transmittal do so at their own risk.

Written submissions received for the hearing will be included in the public information package for the Board's consideration and for the public record.

To view the agenda package for the hearing please visit <https://westvancouver.ca/be-involved/committees-groups/boards/board-variance>

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The Corporation of the District of West Vancouver
750 17th Street, West Vancouver, BC V7V 3T3
Permits and Inspections Department: 604-925-7242 || Fax: 604-925-7234 || westvancouver.ca

Board of Variance Application Form

Subject Property (please print clearly)

Address: 2366 Lawson Avenue

Applicant (please print clearly)

Name(s): Dino Pecchia s. 22(1)

Phone #: [Redacted] s. 22(1)

Mailing Address: [Redacted] s. 22(1)

Cell #: [Redacted]

Email Address: [Redacted] s. 22(1)

Fax #: n/a

(Note: if the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

Registered Owner (please print clearly)

Name(s): [Redacted] s. 22(1)

Phone #: [Redacted] s. 22(1)

Mailing Address: [Redacted] s. 22(1)

Cell #: [Redacted]

Email Address: [Redacted] Fax #: n/a

Completed Application Must Include

- A letter (signed original) describing:
 - a) The proposed construction;
 - b) The requested variance(s); and
 - c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)
- Authorization of Registered Owners Form (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).
- \$800 fee

Note: a copy of this application (redacted as necessary) and supporting documents will be available to the public and will be placed in the public agenda binder for the Board of Variance Hearing.

[Redacted Signature] s. 22(1)
Applicant Signature

Feb. 13/23
Date

Completed (signed original) applications must be received no later than the deadline date listed on the Board of Variance Deadline and Hearing Schedule (included in this application package). Incomplete applications will not be accepted.

Freedom of Information and Protection of Privacy Act Notification: The information on this form is collected under the general authority of the *Local Government Act* and Board of Variance Bylaw No. 4487, 2007. It is related directly to, required for and used by the District of West Vancouver to administer the Board of Variance application process. The access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* apply to the information collected on this form. Please contact the Manager, Records and Privacy, at 604-925-3497 if you have any questions.

Application forwarded to Legislative Services by: _____ Date: _____

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February 13, 2023

To the Members of the Board of Variance of West Vancouver - Sama Abri, John Elwick, Lesel Radage (Chair), Dave Simmons, and Ronald Yaworsky (Acting Chair):

Thank you for considering our BOV application from [REDACTED] s. 22(1) (the owners of 2366 Lawson Avenue, West Vancouver) – the Registered Owners.

Undue Hardship would be caused for the Registered Owners by complying with the Zoning Bylaw Section 205.09(2)(b)(i) because:

- The Registered Owners live on a property that collects and pools significant ground water from under their property and neighboring properties. This collection of water was highly visible during construction of the home, see pictures in Exhibit A below.
- The Registered Owners use a dual sump pump system that runs 7x24 to ensure continuous extraction of water from around and under the building premise.
- The Registered Owners require a backup generator in the event of a power outage to ensure the sump pumps continuous operation otherwise the Registered Owners would experience significant building flooding within the building premise if the sump pumps are not operational and thus suffer undue hardship in terms of significant property damage.
- If Registered Owners are not able to provide a backup generator at this location on the property (thus not having a backup generator) the Registered Owners would suffer undue hardship in the event of a power outage and are not able to operate the sump pumps.
- The Registered Owners would also suffer undue hardship if the backup generator was moved within the allowable building envelope (just east of the current location) for exhaust from the generator while operational could enter the building and cause harm to anyone inside and the generator location would not comply with health and safety requirements.
- The Registered Owners neighbors to the west and east would suffer undue hardship if the backup generator was moved to either the front or rear of the property within the building envelope because the neighbors would experience more acute noise intrusion, unsightly views of the backup generator, and / or exhaust from the backup generator.

The Registered Owners are requesting the BOV approve the positioning of the backup generator in the current location given the undue hardship mentioned above, and given the operation of the backup generator will be infrequent due the limited occurrences of power outages that will occur in any typical year. Nonetheless the Registered Owners do need a solution when a power outage occurs.

Thank you for considering our application.

[REDACTED] s. 22(1)

[REDACTED] s. 22(1)

[REDACTED]

23-016

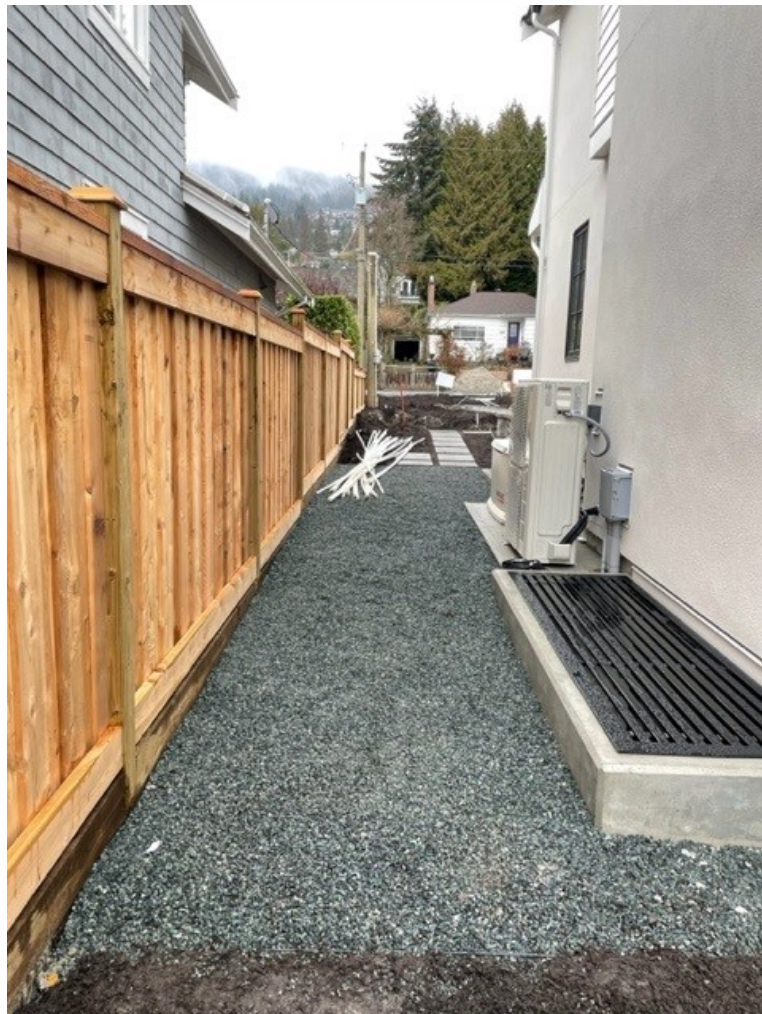


Exhibit A







s. 22(1)



PERMITS & INSPECTIONS DEPARTMENT
750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits
t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

February 13, 2023

File: **BP118596**

s. 22(1)

Dear Sir/Madam

**RE: 2366 LAWSON AVENUE - WEST VANCOUVER
BUILDING PERMIT APPLICATION – RS5 ZONE**

The plans submitted with your application for a building permit at the above referenced address show that the proposed Mechanical equipment will not comply with the Zoning Bylaw because it does not maintain the required 4.57m combined side yard setback.

- The Zoning Bylaw Section 205.09(2)(b)(i), requires a combined side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Combined Side Yard Setback for mechanical equipment	4.57 m	3.95 m	0.62 m

The Permits and Inspections Department is unable to issue a Building Permit unless you:

- a) revise your plans to conform to the Zoning Bylaw; **or**
- b) make application to the Planning Department for a Development Variance Permit (DVP) to be considered by Municipal Council, for a relaxation of the Zoning Bylaw requirements. Information regarding the Development Variance Permit Application process may be obtained from the Planning Department at Municipal Hall (604-925-7055).

-
- c) make application to the Board of Variance for relaxation of the Zoning Bylaw requirements by submitting a Board of Variance Application (application form enclosed) to the Permits & Inspections secretary. Your application, together with the \$800 fee and required attachments, must be received by the Permits & Inspections secretary by 4:00 p.m. on **Wednesday, February 15th 2023**. The next Board of Variance Hearing is scheduled for **Wednesday, March 15th 2023**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail.

If you choose to make application to the Board of Variance, the Board at its Hearing, may order that a minor variance be permitted if it finds that undue hardship would be caused to the applicant if the Zoning Bylaw is complied with, and that the Board is of the opinion that the variance does not:

- a) result in inappropriate development of the site
- b) adversely affect the natural environment
- c) substantially affect the use and enjoyment of adjacent land
- d) vary permitted uses and densities under the applicable bylaw, or
- e) defeat the intent of the bylaw.

The Board of Variance members may visit the site as part of the variance consideration.

You and/or a representative should attend the Hearing to speak to your application and respond to any questions the Board may have.

Please do not hesitate to contact me at 604-925-7040 should you require any further information regarding the zoning matter.

Please contact Legislative Services if you have any questions regarding the hearing policy and procedure: 604-925-7049

Thank you,

s. 22(1)

Nima Karimabadi
nkarimabadi@westvancouver.ca

Enclosure

cc: Secretary, Board of Variance



Legend

Notes

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50.8 0 25.40 50.8 Meters

WGS_1984_UTM_Zone_10N
District of West Vancouver

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February 16, 2023

To the Board of Variance of West Vancouver:

I, [redacted] s. 22(1) living at [redacted] s. 22(1) West Vancouver with [redacted] s. 22(1) [redacted] s. 22(1) have lived in West Vancouver [redacted] s. 22(1) and we have been living at [redacted] s. 22(1) [redacted] s. 22(1) for [redacted] s.22(1) years and [redacted] s. 22(1) [redacted] s. 22(1) We are highly supportive of [redacted] s. 22(1)

- having a backup generator that is essential to protect their property from flooding in the event of a power outage,
- placing the backup generator in the current location of their property even though such placement is not within the allowable side yard setback, and
- application request to the BOV of a variance of 0.62 meters for a combined side yard setback for mechanical equipment.

Sincerely,

[redacted] s. 22(1)
[redacted] s. 22(1) West Vancouver

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February 16, 2023

To the Board of Variance of West Vancouver:

We are, [redacted] s. 22(1) longtime residents of West Vancouver and registered owners of [redacted] s. 22(1) West Vancouver – where we have lived [redacted] s. 22(1) [redacted] s. 22(1) [redacted] s. 22(1) We are highly supportive of [redacted] s. 22(1)

- having a backup generator that is essential to protect their property from flooding in the event of a power outage,
- placing the backup generator in the current location of their property even though such placement is not within the allowable side yard setback, and
- application request to the BOV of a variance of 0.62 meters for a combined side yard setback for mechanical equipment.

Sincerely,

[redacted] s. 22(1)
[redacted] s. 22(1)

West Vancouver

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February 19, 2023

To the Board of Variance of West Vancouver:

I, s. 22(1), living at s. 22(1) West Vancouver with s. 22(1) s. 22(1) are longtime residents of West Vancouver. s. 22(1)

s. 22(1). We are highly supportive of s. 22(1):

- having a backup generator that is essential to protect their property from flooding in the event of a power outage,
- placing the backup generator in the current location of their property even though such placement is not within the allowable side yard setback, and
- application request to the BOV of a variance of 0.62 meters for a combined side yard setback for mechanical equipment.

Sincerely,

s. 22(1)
West Vancouver
s. 22(1)

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District of West Vancouver
750 17th Street, West Vancouver, BC V7V 3T3
t: 604-925-7004 f: 604-925-7006

10.
23-017 

NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **661 Kenwood Road**

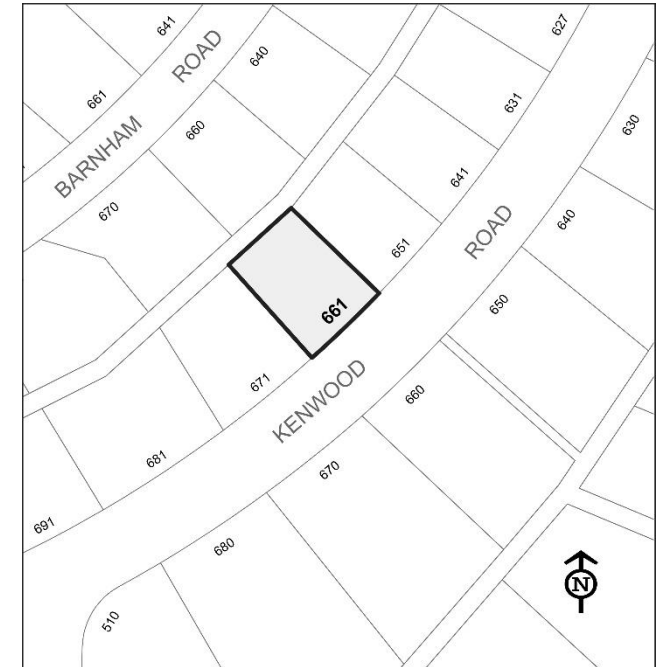
A Board of Variance hearing will be held on:

Wednesday, March 15, 2023

at 5 p.m. via electronic communication facilities

The following variance for a proposed addition at 661 Kenwood Road will be considered:

Floor Area Ratio	Bylaw Requirement	Proposed	Variance
	0.3 (346.2 sqm)	0.34 (388.1 sqm)	0.04 (41.9 sqm)



To make an appointment to view plans, permit and variance information contact Terry Yee (Building Inspector) at tyee@westvancouver.ca or 604-925-7248.

To view application documents and written submissions, or to enquire about hearing procedures or results contact Legislative Services at 604-925-7004.

Representations regarding the requested variances may be made, and written submissions read, to the Board of Variance during the hearing on the date, time, and place shown above. **Pursuant to Council Committee Procedure Bylaw No. 5020, 2019, this hearing will be conducted via electronic communication facilities.** Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber or via electronic communication facilities through the link provided on the District's Board of Variance web page. To register to make representations (via WebEx video conferencing software) during the Board of Variance hearing please phone 604-925-7004 between 8 a.m. and 4 p.m. on the scheduled hearing date.

Prior to the hearing, written submissions may be:

- mailed to the Board of Variance, District of West Vancouver, 750 17th Street, West Vancouver, BC V7V 3T3;
- emailed to the Board of Variance at boardofvariance@westvancouver.ca; or
- addressed to the Board of Variance and placed in the drop box located at the main entrance of Municipal Hall.

Please provide written submissions no later than noon on March 15, 2023 to ensure their availability to the Board for the hearing.

Technical issues may affect receipt of electronic submissions; persons relying on this means of transmittal do so at their own risk.

Written submissions received for the hearing will be included in the public information package for the Board's consideration and for the public record.

To view the agenda package for the hearing please visit <https://westvancouver.ca/be-involved/committees-groups/boards/board-variance>

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Board of Variance Application Form

Subject Property (please print clearly)

Address: 661 Kerwood Rd, West Vancouver BC, V7S 1S7

Applicant (please print clearly)

Name(s): Saman Naddaf Phone #: _____

Mailing Address: _____ s. 22(1) Cell #: _____ s. 22(1)

Email Address: _____ Fax #: _____
_____ s. 22(1)

(Note: If the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

Registered Owner (please print clearly)

Name(s): _____ s. 22(1) Phone #: _____

Mailing Address: _____ s. 22(1) Cell #: _____ s. 22(1)

Email Address: _____ s. 22(1) Fax #: _____

Completed Application Must Include

- A letter (signed original) describing:
 - a) The proposed construction;
 - b) The requested variance(s); and
 - c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)
- Authorization of Registered Owners Form (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).
- \$800 fee

Note: a copy of this application (redacted as necessary) and supporting documents will be available to the public and will be placed in the public agenda binder for the Board of Variance Hearing.

s. 22(1)
Applicant Signature

Feb 14th, 2023
Date

Completed (signed original) applications must be received no later than the deadline date listed on the Board of Variance Deadline and Hearing Schedule (included in this application package). Incomplete applications will not be accepted.

Freedom of Information and Protection of Privacy Act Notification: The information on this form is collected under the general authority of the *Local Government Act* and Board of Variance Bylaw No. 4487, 2007. It is related directly to, required for and used by the District of West Vancouver to administer the Board of Variance application process. The access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* apply to the information collected on this form. Please contact the Manager, Records and Privacy, at 604-925-3497 if you have any questions.

Application forwarded to Legislative Services by: _____ Date: _____

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**RE: 661 KENWOOD ROAD - WEST VANCOUVER
BUILDING PERMIT APPLICATION – RS3 ZON**

We are writing regarding the building permit application for the above-referenced (Subject Property), with a request for consideration for a relaxation of the Zoning Bylaw requirements.

In terms of background, we purchased the Subject Property in [redacted] for our family [redacted]. [redacted] Master bedroom [redacted] was occupied [redacted] and [redacted] the two bedrooms on [redacted]. Two years ago, due to my [redacted] serious threat of the COVID-19 pandemic, we had to [redacted] so we could better protect and support her well-being. Due to her [redacted] we have had to give one of the [redacted] bedrooms [redacted]. [redacted]

Previously we applied in Dec 2022 with that plan but it was declined by BOV . We followed The BOV recommendation to try to change the floor plan to make the floor area ratio for addition less significant and we propose to make only on bedroom [redacted]. The various levels of government have been collaborating to help communities particularly senior citizens during these difficult times and it is in this light that we request your consideration of assistance to help our family needs so we can continue to look after our elderly.

We urge you to reconsider the current bylaws such that we are able to meet the needs of our immediate family.

We would be pleased to receive any guidance or advice you might be able to provide with respect to a request to the municipal Council or the Board of Variance, due to the hardship caused by the referenced bylaw(s).

We look forward to hearing from you at your earliest convenience.

[redacted signature]

Sincerely,
[redacted]

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PERMITS & INSPECTIONS DEPARTMENT
750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits
t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

February 13, 2023

File: **BP118498**

s. 22(1)

Dear Sir/Madam

**RE: 661 KENWOOD ROAD - WEST VANCOUVER
BUILDING PERMIT APPLICATION – RS3 ZONE**

The plans submitted with your application for a building permit at the above referenced address show that the proposed Addition will not comply with the Zoning Bylaw because it does not maintain the 0.3 floor area ratio.

- The Zoning Bylaw, Section 203.06(1) limits the site coverage to a maximum floor area ratio of a lot as indicated in the table below:

	Bylaw	Proposed	Variance
Floor Area Ratio for addition	0.3(346.2sqm)	0.34 (388.1sqm)	0.04 (41.9sqm)

Existing floor area ratio prior to bylaw change was 0.35 and existing dwelling ratio was 0.33

The Permits and Inspections Department is unable to issue a Building Permit unless you:

- a) revise your plans to conform to the Zoning Bylaw; **or**
- b) make application to the Planning Department for a Development Variance Permit (DVP) to be considered by Municipal Council, for a relaxation of the Zoning Bylaw requirements. Information regarding the Development Variance Permit Application process may be obtained from the Planning Department at Municipal Hall (604-925-7055).

-
- c) make application to the Board of Variance for relaxation of the Zoning Bylaw requirements by submitting a Board of Variance Application (application form enclosed) to the Permits & Inspections secretary. Your application, together with the \$800 fee and required attachments, must be received by the Permits & Inspections secretary by 4:00 p.m. on **Wednesday 15th February 2023**. The next Board of Variance Hearing is scheduled for **Wednesday 15th March 2023**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail; **or**

If you choose to make application to the Board of Variance, the Board at its Hearing, may order that a minor variance be permitted if it finds that undue hardship would be caused to the applicant if the Zoning Bylaw is complied with, and that the Board is of the opinion that the variance does not:

- a) result in inappropriate development of the site
- b) adversely affect the natural environment
- c) substantially affect the use and enjoyment of adjacent land
- d) vary permitted uses and densities under the applicable bylaw, or
- e) defeat the intent of the bylaw.

The Board of Variance members may visit the site as part of the variance consideration.

You and/or a representative should attend the Hearing to speak to your application and respond to any questions the Board may have.

Please do not hesitate to contact me at 604-925-7040 should you require any further information regarding this matter.

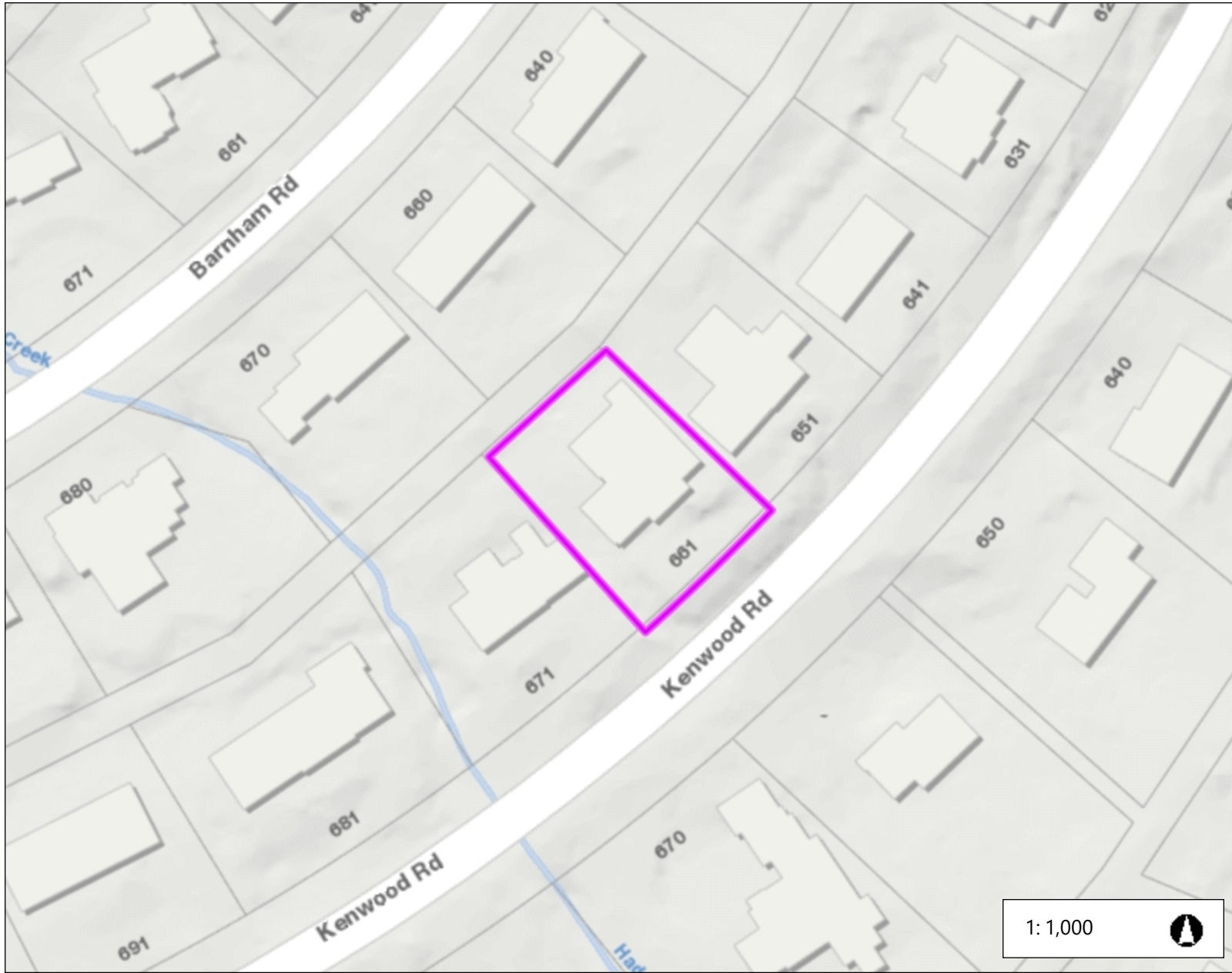
Thank you,

s. 22(1)

Nima Karimabadi
nkarimabadi@westvancouver.ca

Enclosure

cc: Secretary, Board of Variance



Legend

Notes

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WGS_1984_UTM_Zone_10N
District of West Vancouver

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Pursuant to the *Freedom of Information and Protection of Privacy Act*, names, addresses, contact information and other personal information of individuals who write to the Board are protected from disclosure and must not be disclosed during the hearing.

The Corporation of the District of West Vancouver

Board of Variance

March 15, 2023

Supplemental Agenda Information Package

For Application 23-013 (2586 Mathers Avenue)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
A. Farrokhi, Neopacific Development Inc.	March 12, 2023	1

For Application 23-016 (2366 Lawson Avenue)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	March 1, 2023	4

Please add these supplemental items to the March 15, 2023 Board of Variance Agenda Package as indicated.

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Application 23-013
(2586 Mathers Avenue)

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From: Neopacific Development Inc. <info@neopacific.ca>
Sent: Sunday, March 12, 2023 4:03 PM
To: BoardOfVariance
Cc: [REDACTED] s. 22(1)
Subject: 2586 MATHERS AVENUE - supplemental information for Board of Variance Hearing
Attachments: 2585 Mathers - Informing of neighbours.pdf

CAUTION: This email originated from outside the organization from email address neopacificdev@gmail.com. Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

RE: Board of Variance hearing March 15, 2023

Good day,

I have spoken with surrounding neighbours to inform them of the proposed location for the power pole at 2586 Mathers Ave. and neighbours do not have any concerns. I have attached a signed document reflecting acceptance by surrounding neighbours that I would like to have forwarded to the Board of Variance members.

Kind regards,
Aryan Farrokhi
(Authorized Applicant)

Hello,

This is s. 22(1) and we are the owners of the new home at 2586 Mathers Avenue. We are very much looking forward to moving into our new neighbourhood once our home is complete and as such have made every effort to be a good neighbour from the onset of construction. We wanted to let you know that we will be putting in a new power pole at the corner of our property, similar to the pole location of the house next door (2578 Mathers). This location was chosen because it conforms best to requirements from BC Hydro. The District of West Vancouver has asked that we inform neighbours so we are asking that you sign below to signify that you have been informed.

u

Thanks so much

s. 22(1)



Application 23-016
(2366 Lawson Avenue)

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From: [Redacted] s.22(1)
Sent: Wednesday, March 1, 2023 2:38 PM
To: BoardOfVariance
Subject: 2366 Lawson Avenue - placement of mechanical equipment

CAUTION: This email originated from outside the organization from email address [Redacted] s.22(1). Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

[Redacted] s.22(1)

Attention: Board of Variance

Subject Property: 2366 Lawson Avenue, West Vancouver

A Board of Variance hearing set for Wednesday, March 15, 2023

The variance hearing for proposed mechanical equipment placement at 2366 Lawson Avenue, West Vancouver.

Hello,

[Redacted] s.22(1)

This is the written submission for [Redacted] s.22(1) West Vancouver, B.C.

I am the resident and owner [Redacted] s.22(1)

[Redacted] s.22(1). I am a [Redacted] s.22(1) speak up about my concerns with [Redacted] s.22(1) the mechanical equipment (generator and heat pump) in the side yard [Redacted] s.22(1)

The generator is extremely loud [Redacted] s.22(1) the sound of the generator and equipment is extremely loud/disturbing [Redacted] s.22(1) make me go outside and have a look at where the noise was coming from - too loud.

I am surrounded by new homes and they have generators but I do not hear them while I am inside my home [Redacted] s.22(1)

s.22(1)

the Notice from the District of West Vancouver and have now sent my written submission in this email.

Thanks very much.

Sincerely,

s.22(1)