



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

April 19, 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 April 19, 2023 Board of Variance hearing agenda be approved as circulated.

4. Adoption of Minutes

RECOMMENDATION:

THAT the March 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 23-018 (5960 Raven Place) regarding a proposed detached carport with the following variances:

- a) 6.3 m to Front Yard Setback
- b) 2.3 m to Combined Side Yard Setback
- c) 0.28 m to Minimum Side Yard Setback
- d) 1 % to Site Coverage Percentage
- e) 0.7 m to Accessory Building Height
- f) 31 % to Impermeable Surface Area
- g) 1.8 m to Overhang in Yards
- h) 1.8 m to Exterior Wall to Overhang
- i) 0.6 m to Distance from Accessory Building to Principal Dwelling.

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 23-018 regarding a proposed detached carport at 5960 Raven Place with variances of:

- 6.3 m to Front Yard Setback
- 2.3 m to Combined Side Yard Setback
- 0.28 m to Minimum Side Yard Setback
- 1 % to Site Coverage Percentage
- 0.7 m to Accessory Building Height
- 31 % to Impermeable Surface Area
- 1.8 m to Overhang in Yards
- 1.8 m to Exterior Wall to Overhang
- 0.6 m to Distance from Accessory Building to Principal Dwelling

BE ALLOWED pursuant to the plans dated February 17, 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 23-018 regarding a proposed detached carport at 5960 Raven Place with variances of:

- 6.3 m to Front Yard Setback
- 2.3 m to Combined Side Yard Setback
- 0.28 m to Minimum Side Yard Setback
- 1 % to Site Coverage Percentage
- 0.7 m to Accessory Building Height
- 31 % to Impermeable Surface Area
- 1.8 m to Overhang in Yards
- 1.8 m to Exterior Wall to Overhang
- 0.6 m to Distance from Accessory Building to Principal Dwelling

BE NOT ALLOWED pursuant to the plans dated February 17, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 23-018 (5960 Raven Place) to the next Board of Variance hearing.

7. Application 23-019 (5405 Greentree Road) regarding an addition with the following variances:

- a) 1.9 m to Front Yard Setback
- b) 0.88 m to Rear 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 23-019 regarding an addition at 5405 Greentree Road with variances of:

- 1.9 m to Front Yard Setback
- 0.88 m to Rear Yard Setback

BE ALLOWED pursuant to the plans dated March 10, 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 23-019 regarding an addition at 5405 Greentree Road with variances of:

- 1.9 m to Front Yard Setback
- 0.88 m to Rear Yard Setback

BE NOT ALLOWED pursuant to the plans dated March 10, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 23-019 (5405 Greentree Road) to the next Board of Variance hearing.

8. Receipt of Oral and Written Submissions

RECOMMENDATION:

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

- Application 23-018 (5960 Raven Place)
- Application 23-019 (5405 Greentree Road)

up to and including April 19, 2023 be received.

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

10. Next Hearing

The next Board of Variance hearing is scheduled for May 17, 2023.

11. Adjournment

RECOMMENDATION:

THAT the April 19, 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, MARCH 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 M. Beattie, 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

Member Abri entered the hearing at 5:01 p.m. via electronic communication facilities.

Staff introduced the Board Members and described the hearing procedure.

3. Confirmation of the Agenda

It was Moved and Seconded:

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

CARRIED

4. Adoption of the February 15, 2023 Minutes

Chair Radage referred to the minutes of the Board of Variance hearing held on February 15, 2023.

It was Moved and Seconded:

THAT the February 15, 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 23-013 (2586 Mathers Avenue)

Staff confirmed the following requested variances regarding a proposed power pole (accessory structure):

- 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.

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

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
A. Farrokhi, Neopacific Development Inc.	March 12, 2023	1

Staff provided permit history of the subject property.

Staff and A. Farrokhi (Neopacific Development Inc., representing the owner of 2586 Mathers Avenue) responded to Board members' questions.

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 February 15, 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 A. Farrokhi:

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 23-013 regarding a proposed power pole (accessory structure) 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.

CARRIED

Member Simmons voted in the negative

7. Application 23-014 (1840 Mathers Avenue)

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

- a) 6.37 m to Front Yard Setback.

Staff informed that no written submissions were received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None.		

Staff provided permit history of the subject property.

N. Ponce and S. Soong (1840 Mathers Avenue) and F. Yadegari (representing the owner of 1840 Mathers Avenue) described the variance application for a proposed single-family dwelling and responded to a Board member's question.

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 February 7, 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 N. Ponce, S. Soong, and F. Yadegari:

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 23-014 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.

CARRIED

8. Application 23-015 (6438 Marine Drive)

Staff confirmed the following requested variances regarding a proposed private power pole (accessory structure):

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

Staff informed that no written submissions were received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None.		

Staff provided permit history of the subject property.

L. Kwan (representing the owner of 6438 Marine Drive) described the variance application for a proposed private power pole (accessory structure).

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 February 12, 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 L. Kwan:

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 23-015 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.

CARRIED

9. Application 23-016 (2366 Lawson Avenue)

Staff confirmed the following requested variance regarding proposed mechanical equipment:

- a) 0.62 m to Combined Side Yard Setback.

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 16, 2023	1
Redacted	February 16, 2023	2
Redacted	February 19, 2023	3
Redacted	March 1, 2023	4

Staff provided permit history of the subject property.

B. Copeland and C. Clark (2366 Lawson Avenue) described the variance application for proposed mechanical equipment. B. Copeland, D. Pecchia (representing the owner of 2366 Lawson Avenue), and 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 February 13, 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 B. Copeland, C. Clark, and D. Pecchia:

It was Moved and Seconded:

THAT the Board defers further consideration of Application 23-016 (2366 Lawson Avenue) until such time that the applicant can confirm whether or not the operating noise of the subject mechanical equipment will not exceed the levels permitted by the District's bylaws.

CARRIED

10. Application 23-017 (661 Kenwood Road)

Staff confirmed the following requested variance regarding a proposed addition:

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

Staff informed that no written submissions were received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None.		

Staff provided permit history of the subject property.

S. Naddaf (661 Kenwood Road) and A. Atash (representing the owner of 661 Kenwood Road) described the variance application for a proposed addition.

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 February 14, 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 S. Naddaf and A. Atash:

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 23-017 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.

CARRIED

11. 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 23-013 (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.

CARRIED

12. Public Question Period

There were no questions.

13. Next Hearing

Staff confirmed that the next hearing of the Board of Variance is scheduled for April 19, 2023 at 5 p.m.

14. Adjournment

It was Moved and Seconded:

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

CARRIED

The Board of Variance hearing adjourned at 5:49 p.m.

Certified Correct:

L. Radage, Chair

P. Cuk, Secretary

NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **5960 Raven Place**

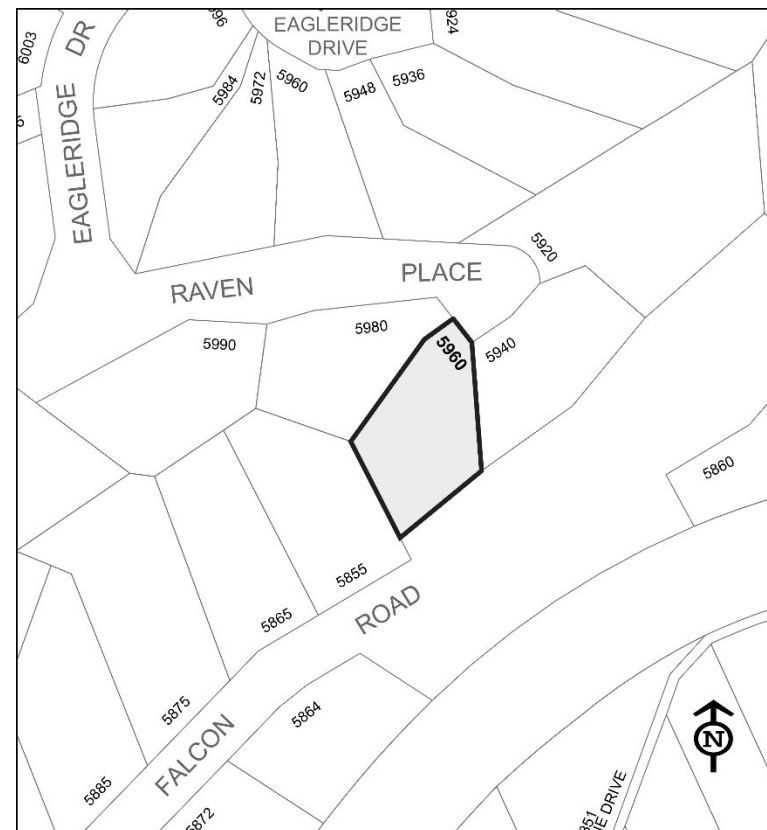
A Board of Variance hearing will be held on:

Wednesday, April 19, 2023

at 5 p.m. via electronic communication facilities

The following variances for a proposed detached carport at 5960 Raven Place will be considered:

	Bylaw Requirement	Proposed	Variance
Front Yard Setback	9.1 m	2.8 m	6.3 m
Combined Side Yard Setback	4.9 m	2.6 m	2.3 m
Minimum Side Yard Setback	1.52 m	1.24 m	0.28 m
Site Coverage Percentage	30 %	31 %	1 %
Accessory Building Height	3.7 m	4.4 m	0.7 m
Impermeable Surface Area	50%	81 %	31 %
Overhang in Yards	2.4 m	0.6 m	1.8 m
Exterior Wall to Overhang	0.6 m	2.4 m	1.8 m
Distance from Accessory Building to Principal Dwelling	4.5 m	3.9 m	0.6 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 April 19, 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: 5960 Raven Place, West Vancouver, B.C., V7W 1X2

Applicant (please print clearly)

Name(s): Diane Kennedy

Phone #: [redacted]

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

Cell #: [redacted] s. 22(1)

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

Fax #: [redacted]

(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]

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

Cell #: [redacted] s. 22(1)

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.

[redacted signature] s. 22(1)

February 27, 2023
Date

Applicant Signature

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 27, 2023

To Whom it May Concern:

We are writing to request variances for our property located at 5960 Raven Place in order to build a carport. We want to build a minimalist structure that offers protection from the elements and from falling debris from trees located beside the driveway. We own two cars... one of which is a soft top. The carport will also provide personal protection from the elements as we enter and exit the cars or bring items to and from the house. We are s. 22(1) and rushing to load and unload the cars in inclement weather is becoming increasingly challenging and unpleasant.

We wish to build a structure that blends with the surrounding environment, complements the beauty of the lot and is architecturally attractive. The proposed carport will be open on all sides and will be supported by a steel column clad in a totem pole designed by a local First Nations artist. The new carport and driveway are smaller than our existing driveway and will be considerably less steep. This is on top of the improvements we made when we rebuilt the house in 2014. In addition, the new carport and driveway will increase the amount of land available for greenery at the front of the house. In the end, with the rebuild of the house and the addition of a new carport, we will have significantly reduced the steepness of the driveway, reduced the amount of square footage covered by concrete and improved the overall safety for anyone parking at the house. As a point of reference, the original driveway was dangerously steep with a slope just below 50 percent.

We are facing hardships in complying with the zoning bylaws set forth by the district due to the irregular shape of our lot, the steepness of our lot and the location of the house. It is impossible to comply with all the bylaws simultaneously.

Our lot is irregularly shaped, and the existing location of the house makes it challenging to comply with setback requirements. Given the unique shape of the lot, we are unable to meet the minimum setback requirements. We believe that granting us a variance will help us improve the safety of the driveway and the overall functionality of our property.

In addition, the topography of our lot makes it difficult to comply with the carport height limit. The height limit is calculated from the average natural grade around the proposed structure, which is particularly problematic given the elevation changes on our property. It is not feasible to locate the new structure without exceeding the height limit, which would require a variance.

Furthermore, the district's minimum driveway grades pose additional hardship when it comes to carport construction. If we were to build a carport under the height limit, it would not be able to accommodate the minimum clearance required for parking cars. As a result, we are unable to meet both the carport height limit and the driveway grade requirements without a variance.

We understand that complying with regulations is essential to maintain a safe and harmonious community. We respectfully request variances to the setback and height limit requirements to enable us to build a carport structure that meets our needs, adheres to the highest standards of design and construction, and continues to maintain community safety and harmony.

Thank you for your consideration of our request. We look forward to your response.

Sincerely,

s. 22(1)

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

March 21, 2023

File: **BP118624**

s. 22(1)

Dear Sir/Madam

**RE: 5960 RAVEN PLACE - 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 detached carport will not comply with the Zoning Bylaw because it does not maintain the required front yard setback and minimum and combined side yard setbacks, site coverage, impermeable surface, accessory building building height, distance from accessory building to principal dwelling and overhang requirements.

The Zoning Bylaw, Section 203.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for detached carport	9.1 m	2.8 m	6.3 m

The Zoning Bylaw, Section 203.09 (1)(b)(i), requires a combined side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Combined Side Yard Setback for detached carport	4.9 m	2.6 m	2.3 m

The Zoning Bylaw, Section 203.09 (1)(a)(i) requires a minimum side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for detached carport	1.52 m	1.24 m	0.28 m

The Zoning Bylaw, Section 203.05 (1) limits the site coverage to a maximum percentage of a lot as indicated in the table below:

	Bylaw	Proposed	Variance
Site Coverage Percentage for detached carport	30 %	31 %	1 %

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 detached carport	3.7 m	4.4 m	0.7 m

The Zoning Bylaw, Section 130.16 (7)(b) requires an impermeable surface area as indicated in the table below:

	Bylaw	Proposed	Variance
Impermeable Surface Area for detached carport	50 %	81 %	31 %

The Zoning Bylaw, Section 120.27 (9)(a), requires a setback to roof overhang as indicated in the table below:

	Bylaw	Proposed	Variance
Overhang in yards	2.4	0.6 m	1.8 m

The Zoning Bylaw, Section 120.27 (9)(b), requires a setback to roof overhang as indicated in the table below:

	Bylaw	Proposed	Variance
Exterior wall to overhang	0.6 m	2.4 m	1.8 m

The Zoning Bylaw, Section 130.01(5), requires a front yard setback to roof overhang as indicated in the table below:

	Bylaw	Proposed	Variance
Distance from Accessory Building to Principal Dwelling	4.5 m	3.9 m	0.6 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 **March 22, 2023**. The next Board of Variance Hearing is scheduled for **April 19, 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.

Thank you,

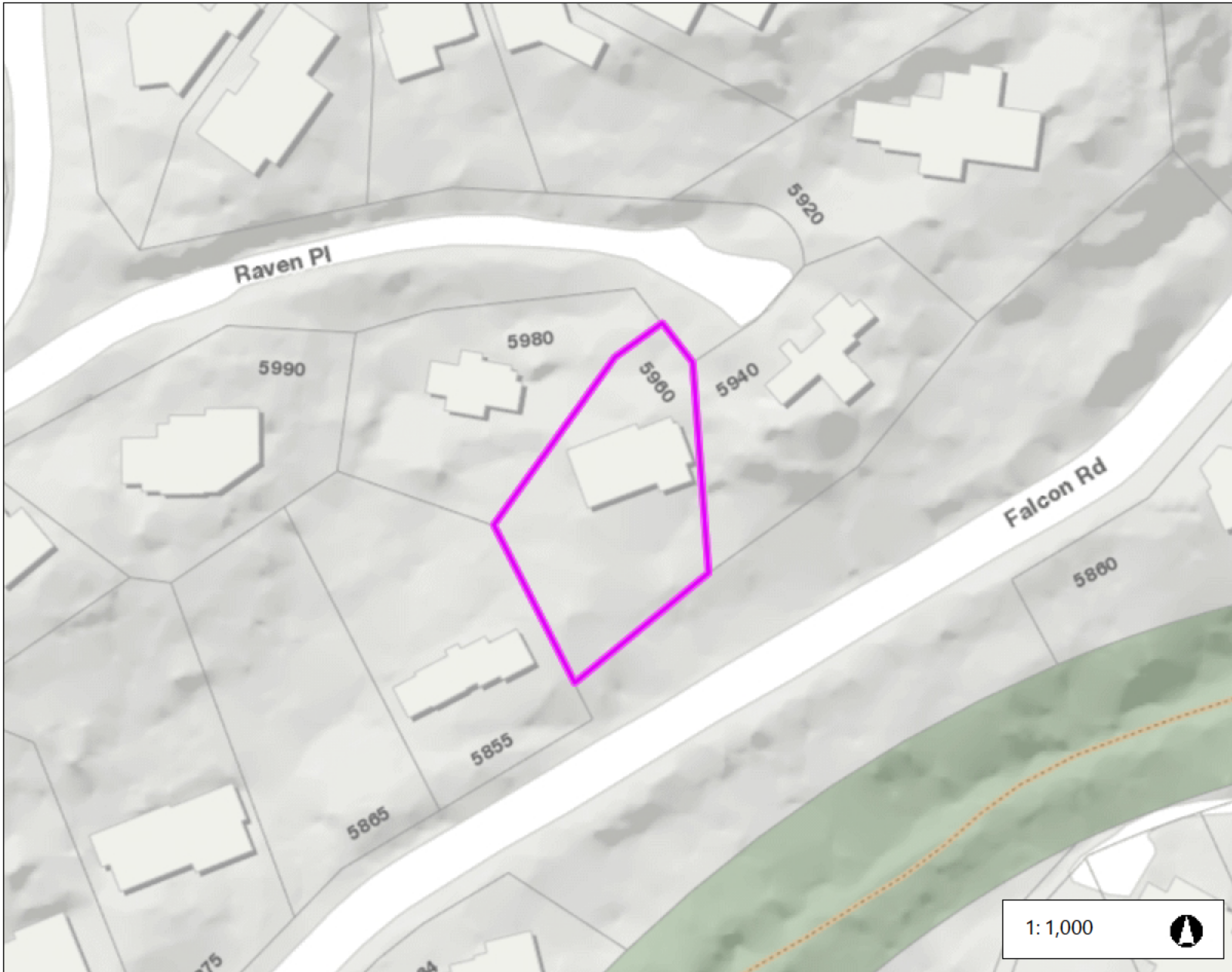
s. 22(1)



Nima Karimabadi
Supervisor Residential Plans Examiners
nkarimabadi@westvancouver.ca

Enclosure: NK

cc: Secretary, Board of Variance



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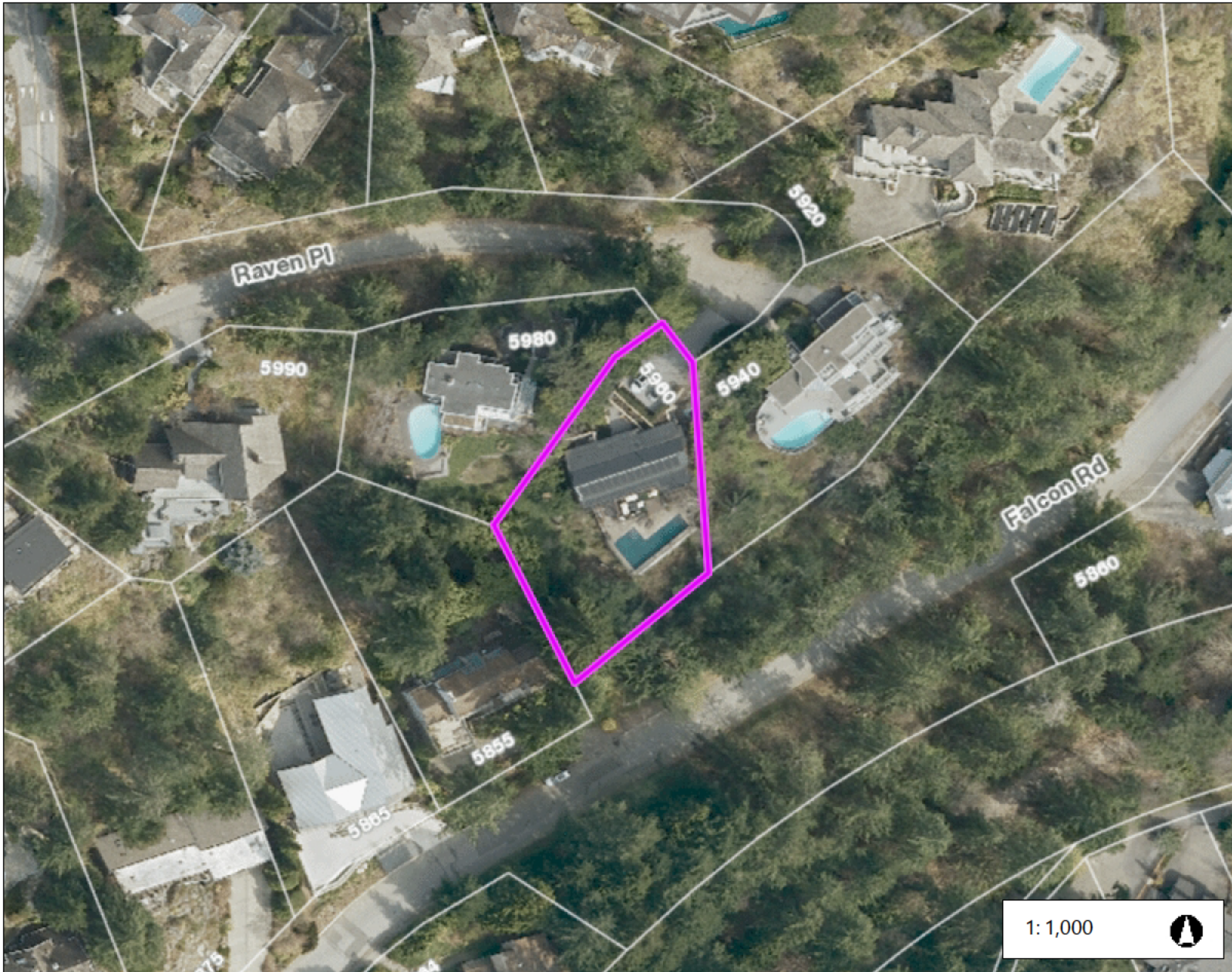
WGS_1984_UTM_Zone_10N
District of West Vancouver

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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: **5405 Greentree Road**

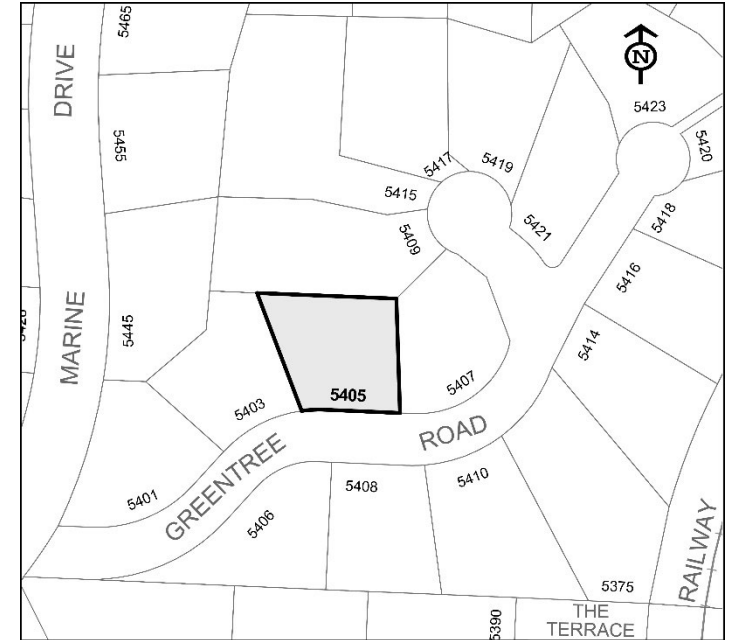
A Board of Variance hearing will be held on:

Wednesday, April 19, 2023

at 5 p.m. via electronic communication facilities

The following variances for an addition at 5405 Greentree Road will be considered:

Front Yard Setback	Bylaw Requirement	Proposed	Variance
	9.1 m	7.2 m	1.9 m
Rear Yard Setback	Bylaw Requirement	Proposed	Variance
	9.10 m	8.22 m	0.88 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 April 19, 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: 5405 Greentree Rd, West Vancouver, BC V7W 1N3

Applicant (please print clearly)

Name(s): D'Arcy Jones Phone #: _____
Mailing Address: 309 - 175 Broadway East, Vancouver Cell #: 604 669 2235
Email Address: darcy@darcyjones.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.

MARCH 22/2023
Date

(Final) applications must be received no later than the deadline date listed on the Board of Variance Schedule (Included in this application package). Incomplete applications will not be accepted.

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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District of West Vancouver
Board of Variance
March 22, 2023

RE: 5405 Greentree Road – Board of Variance BP118504

SUMMARY

The subject property is zoned as RS-3 with an existing house originally designed by local Architect Ron Thom and built between 1958 – 1959. The modest home was renovated in 1966 and included an addition and variance for the current deck at the front yard setback.

Our proposed modifications include minor alterations to the existing house, an addition at the south end of the site, and much needed repairs to both the structure and cladding to maintain the original character of the house, that has fallen into disrepair. The intent of the proposed work is to restore and improve the original home with an overarching sensitivity to the original character, detailing and historical significance of the existing building, while creating a more functional layout for our client.

FRONT YARD SETBACK SHED / VARIANCE 1

On the current survey (dated May 4, 2022) it became clear that the original masonry shed that was both permitted and built between 1958 – 1959 never met the required front yard setback (9.1 m). Because this shed was built from the house's original masonry, integral to the structure of the existing deck and house, the work needed to accommodate the required setback would be difficult and technically complicated. We are seeking a minor variance of 1.9 m and 0.8 m to leave the existing shed as-is, since the entire masonry shed structure, carport roof framing, and deck above would be demolished and rebuilt at a high cost to make a small amount of the current shed to be located inside the required front yard setback.

FRONT YARD / REAR YARD SETBACK ADDITION / VARIANCES 2+3

The new addition is oriented longitudinally to avoid a steep drop off at the site's south side, which created the other two minor variance items. If the new addition was located anywhere else –beside or on top of the existing house–, the form and character of the house's original Ron Thom design would be compromised and altered beyond recognition.

The proposed addition incorporates the same materials and proportions as the original house, to create a seamless transition between the existing house and a small amount of new work. A new masonry wall matching the house's existing masonry "fin" walls is proposed to encroach into the rear yard setback by 0.88 m, to mirror the existing house's design detailing at the new addition. This masonry "privacy screen" will not be visible to any neighbours. Similarly, low concrete foundation wall is proposed to extend into the required front yard setback by 0.6 m, less than the variance requested for the existing shed. This low wall will appear to be a landscape retaining wall, completely hidden by plantings.

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

March 22, 2023

File: **BP118504**

s. 22(1)

Dear Sir/Madam

**RE: 5405 GREENTREE 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 addition will not comply with the Zoning Bylaw because it does not maintain the required 9.1 m front yard setback and rear yard setback.

The Zoning Bylaw, Section 203.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for proposed addition	9.1 m	7.2 m	1.9 m

The Zoning Bylaw, Section 203.08 requires a rear yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Rear Yard Setback for proposed addition	9.1 m	8.22 m	0.88 m

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

- structures (part of principle dwelling) built without permits

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).
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- a) result in inappropriate development of the site
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- d) vary permitted uses and densities under the applicable bylaw, or
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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.

Thank you,

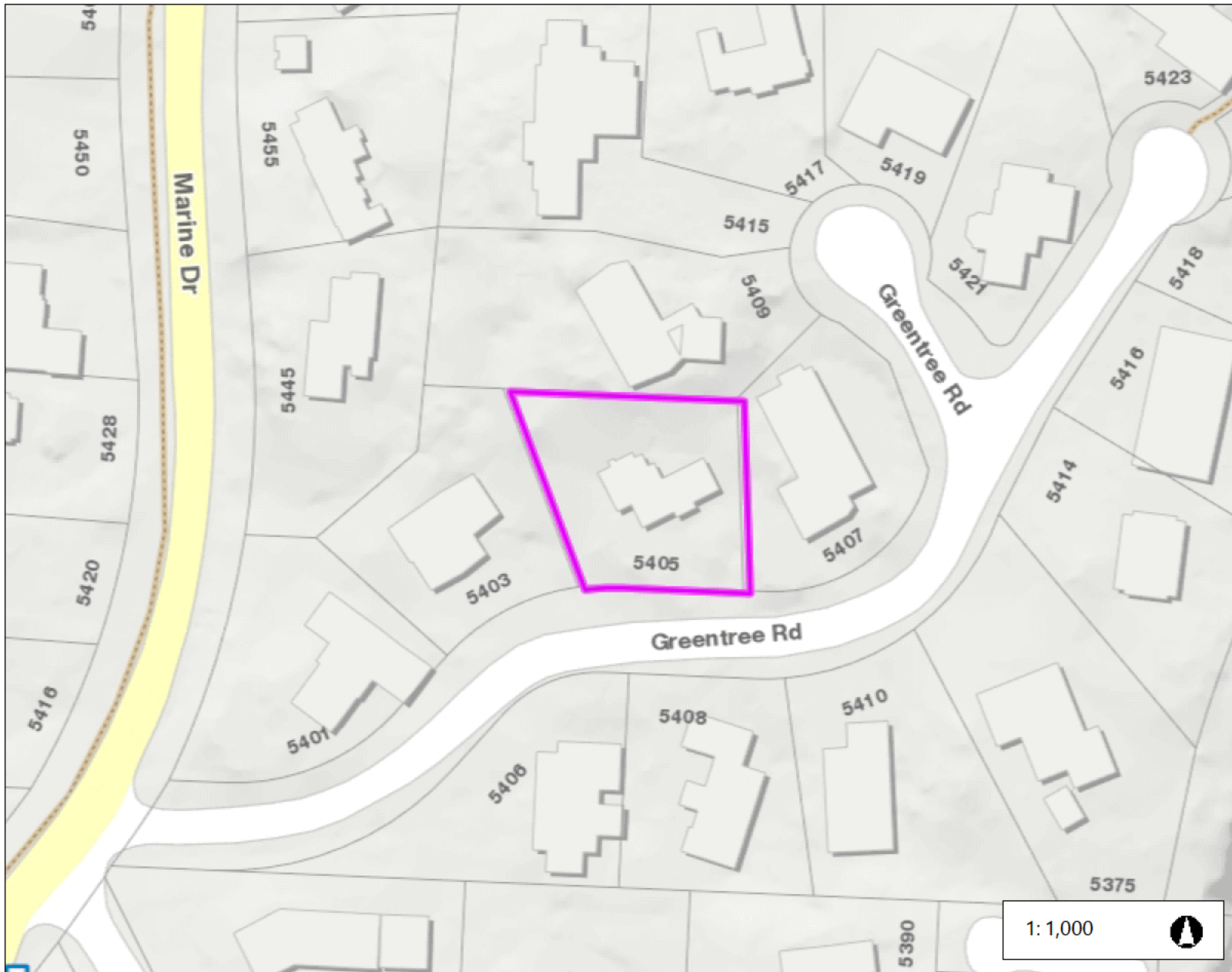
s. 22(1)



Nima Karimabadi
Supervisor Residential Plans Examiners
nkarimabadi@westvancouver.ca

Enclosure: NK

cc: Secretary, Board of Variance



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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

April 19, 2023

Supplemental Agenda Information Package

For Application 23-018 (5960 Raven Place)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	April 8, 2023	1

Please add these supplemental items to the April 19, 2023 Board of Variance Agenda Package as indicated.

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Application 23-018
(5960 Raven Place)

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From: [REDACTED] s. 22(1)
Sent: Saturday, April 8, 2023 7:12 PM
To: BoardOfVariance
Subject: 5960 Raven Place - Carport BoV

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.

Hello,

I am writing in regards to the Board of Variance notification for 5960 Raven Place.

As a resident of the neighborhood I am writing to express my disapproval to the application. It would be best if the applicant adheres to the zoning bylaw requirements. The proposed variances to the side yard setbacks and overhangs are much too high.

Sincerely,

[REDACTED] s. 22(1)

Sent from my iPhone

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