



**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**

October 18, 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 October 18, 2023 Board of Variance hearing agenda be approved as circulated.

### **4. Adoption of Minutes**

RECOMMENDATION:

THAT the September 20, 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 23-033 (450 Macbeth Crescent) regarding a power pole (accessory structure) with the following variances:**

- a) 1.48 m to Front Yard Setback
- b) 1.57 m to Minimum Side Yard Setback
- c) 2.39 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 23-033 regarding a power pole (accessory structure) at 450 Macbeth Crescent with variances of:

- 1.48 m to Front Yard Setback
- 1.57 m to Minimum Side Yard Setback
- 2.39 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated August 18, 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 23-033 regarding a power pole (accessory structure) at 450 Macbeth Crescent with variances of:

- 1.48 m to Front Yard Setback
- 1.57 m to Minimum Side Yard Setback
- 2.39 m to Accessory Structure Height

BE NOT ALLOWED pursuant to the plans dated August 18, 2023 submitted with the application.

**OR**

**RECOMMENDATION:**

THAT the Board defers further consideration of Application 23-033 (450 Macbeth Crescent) to the next Board of Variance hearing.

**7. Application 23-034 (3357 Marine Drive) regarding a new site development with the following variances:**

- a) 1 to Parking Space (Single Family Dwelling)
- b) 1 to Vehicle Access to Site.

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 23-034 regarding a new site development at 3357 Marine Drive with variances of:

- 1 to Parking Space (Single Family Dwelling)
- 1 to Vehicle Access to Site

BE ALLOWED pursuant to the plans dated September 26, 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 23-034 regarding a new site development at 3357 Marine Drive with variances of:

- 1 to Parking Space (Single Family Dwelling)
- 1 to Vehicle Access to Site

BE NOT ALLOWED pursuant to the plans dated September 26, 2023 submitted with the application.

**OR**

**RECOMMENDATION:**

THAT the Board defers further consideration of Application 23-034 (3357 Marine Drive) 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 23-033 (450 Macbeth Crescent)
  - Application 23-034 (3357 Marine Drive)
- up to and including October 18, 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 November 15, 2023.

**11. Adjournment**

RECOMMENDATION:

THAT the October 18, 2023 Board of Variance hearing be adjourned.

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
BOARD OF VARIANCE HEARING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
WEDNESDAY, SEPTEMBER 20, 2023**

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**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.

Member Abri joined the hearing at 5:02 p.m. via electronic communication facilities.

**2. Introduction**

Staff introduced the Board Members and described the hearing procedure.

**3. Confirmation of the Agenda**

It was Moved and Seconded:

THAT the September 20, 2023 Board of Variance hearing agenda be approved as circulated.

CARRIED

**4. Adoption of the July 19, 2023 Minutes**

Chair Radage referred to the minutes of the Board of Variance hearing held on July 19, 2023.

It was Moved and Seconded:

THAT the July 19, 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 23-030 (1202 Duchess Avenue)**

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

- a) 6.63 m to Front Yard Setback
- b) 0.51 m to Minimum Side Yard Setback
- c) 3.74 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	#
Redacted	September 20, 2023	1

Staff provided permit history and information regarding the height of the subject property.

H. Sairafi (Tash Engineering Ltd., representing the owner of 1202 Duchess Avenue) described the variance application for a private power pole (accessory structure) and 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 August 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 of H. Sairafi:

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 23-030 regarding a private power pole (accessory structure) at 1202 Duchess Avenue with variances of:

- 6.63 m to Front Yard Setback
- 0.51 m to Minimum Side Yard Setback
- 3.74 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated August 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

**7. Application 23-031 (4702 Caulfeild Drive)**

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

- a) 7.1 m to Front Yard Setback
- b) 0.57 m to Minimum Side Yard Setback
- c) 0.82 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	#
Redacted	September 20, 2023	1

Staff provided permit history of the subject property.

H. Wang (4702 Caulfeild Drive) described the variance application for a power pole (accessory structure). Staff, H. Wang, and W. Yin (4702 Caulfeild Drive) 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 August 21, 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 H. Wang and W. Yin:

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 23-031 regarding a power pole (accessory structure) at 4702 Caulfeild Drive with variances of:

- 7.1 m to Front Yard Setback
- 0.57 m to Minimum Side Yard Setback
- 0.82 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated August 12, 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 23-032 (4332 Erwin Drive)**

Staff confirmed the following requested variances regarding additions and alterations:

- a) 0.30 m to Combined Side Yard Setback
- b) 3.4% (27.85 m<sup>2</sup>) 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. Parvaresh (Architect, Noble Architecture, representing the owner of 4332 Erwin Drive) described the variance application for additions and alterations. Staff and S. Parvaresh 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 August 22, 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 S. Parvaresh:

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 23-032 regarding additions and alterations at 4332 Erwin Drive with variances of:

- 0.30 m to Combined Side Yard Setback
- 3.4% (27.85 m<sup>2</sup>) to Floor Area Ratio

BE ALLOWED pursuant to the plans dated June 14 and August 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.

CARRIED

**9. 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 23-030 (1202 Duchess Avenue);
- Application 23-031 (4702 Caulfeild Drive);
- Application 23-032 (4332 Erwin Drive);

up to and including September 20, 2023, be received.

CARRIED

**10. Public Question Period**

There were no questions.

**11. Next Hearing**

Staff confirmed that the next hearing of the Board of Variance is scheduled for October 18, 2023 at 5 p.m.

**12. Adjournment**

It was Moved and Seconded:

THAT the September 20, 2023 Board of Variance hearing be adjourned.

CARRIED

The Board of Variance hearing adjourned at 5:32 p.m.

Certified Correct:

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L. Radage, Chair

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P. Cuk, Secretary



## NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **450 Macbeth Crescent**

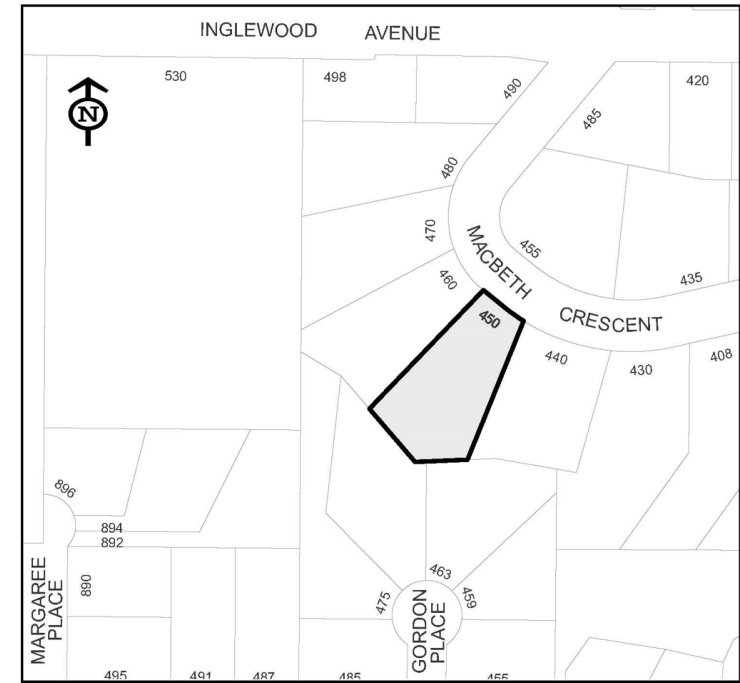
A Board of Variance hearing will be held on:

**Wednesday, October 18, 2023**

**at 5 p.m. via electronic communication facilities**

**The following variances for a power pole (accessory structure)  
 at 450 Macbeth Crescent will be considered:**

Front Yard Setback	Bylaw Requirement	Proposed	Variance
	9.10 m	7.62 m	1.48 m
Minimum Side Yard Setback	Bylaw Requirement	Proposed	Variance
	2.33 m	0.76 m	1.57 m
Accessory Structure Height	Bylaw Requirement	Proposed	Variance
	3.70 m	6.09 m	2.39 m



**To view plans, permit and variance information** contact Permits & Inspections at 604-925-7040.

**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](mailto: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 October 18, 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/government-administration/committees-groups/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: **450 MACBETH CRESCENT WEST VANCOUVER**

### Applicant *(please print clearly)*

Name(s): **Meysam Soltani** Phone #: **s. 22(1)**  
 Mailing Address: **s. 22(1)** Cell #: \_\_\_\_\_  
 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 #: \_\_\_\_\_  
 Email Address: \_\_\_\_\_ 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 **s. 22(1)** in the public agenda binder for the Board of Variance Hearing.

Applicant: \_\_\_\_\_ Date: September 7th 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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s. 22(1)

7th September 2023

**Board Of Variance**

To whom it may concern,

I, s. 22(1) the owner of the property, 450 Macbeth Crescent, would like to request to have a private pole in the property for power connection. BC Hydro has overhead power in this area and we have applied for a 400 amp service for this house.

There is a creek and lots of huge trees around the creek between this property and BC Hydro pole on the west side, which makes it impossible for the Hydro crew to be able to connect their line to the house. And we would cross the neighboring property if we want to use the Hydro pole on the east side of the property. Therefore, and according to BC Hydro representative & my Electrician both requested this private Pole to be removed.

As I have safety concerns as well and would appreciate if we could have a private pole in our property to connect the power for this house without passing the line over the neighbor's land.

We are looking forward from hearing from you.

Sincerely,

s. 22(1)

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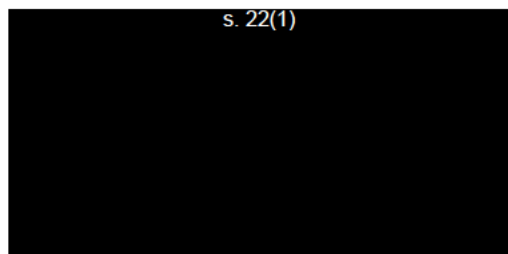
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PERMITS & INSPECTIONS DEPARTMENT  
 750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits  
 t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

August 28, 2023

File: **BP118814**



Dear Sir/Madam

**RE: 450 MACBETH CRESCENT - 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 Power Pole will not comply with the Zoning Bylaw because it does not maintain the required front and side yard setbacks and accessory structure height.

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

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

	Bylaw	Proposed	Variance
Front Yard Setback for Power Pole	9.10 m	7.62 m	1.48 m

The Zoning Bylaw, Section 203.09(2)(a)(ii) requires a minimum side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for Power Pole	2.33 m	0.76 m	1.57 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	6.09 m	2.39 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 September 20, 2023**. The next Board of Variance Hearing is scheduled for **Wednesday October 18, 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.

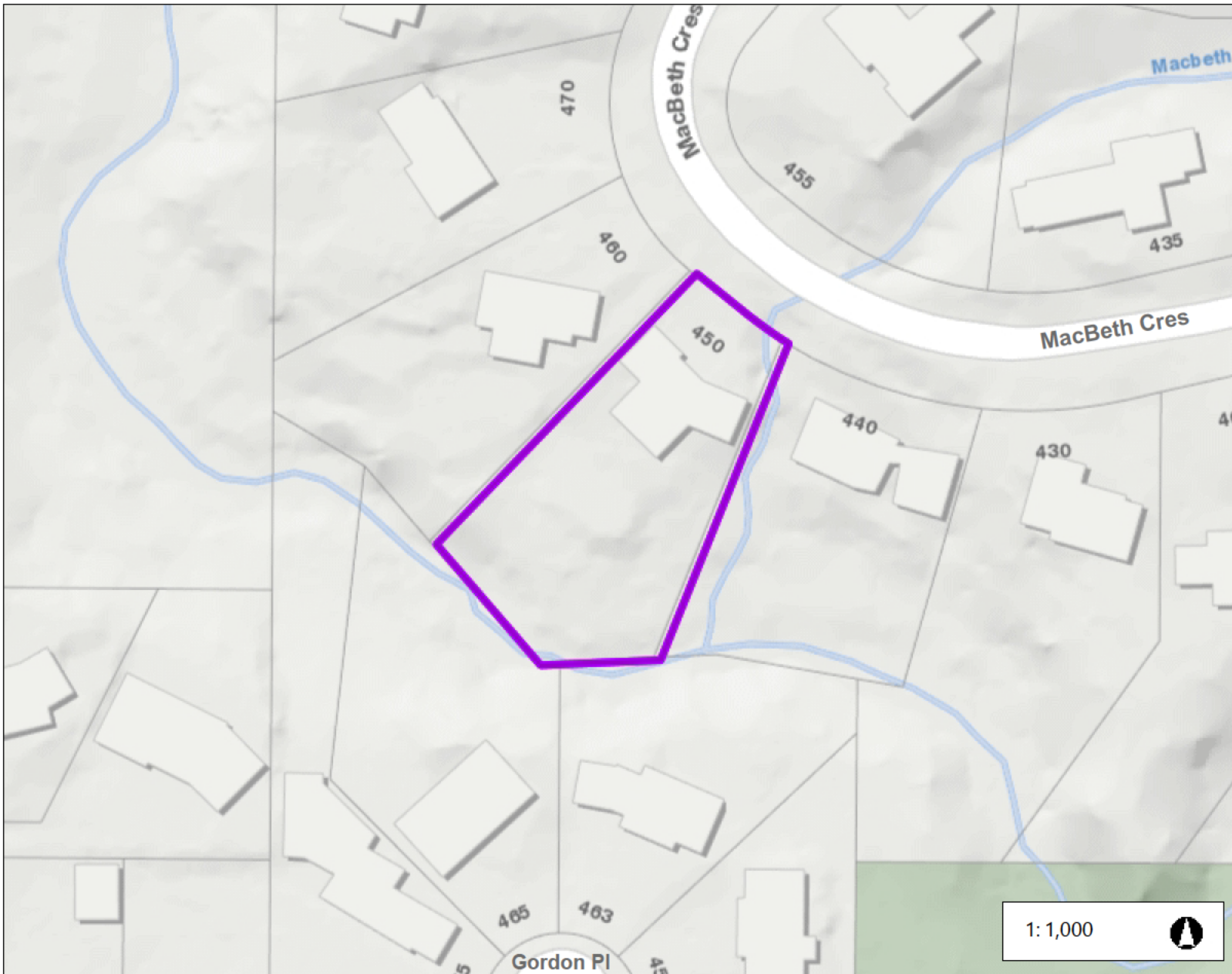
s. 22(1)



Eric Mah  
[enmah@westvancouver.ca](mailto:enmah@westvancouver.ca)

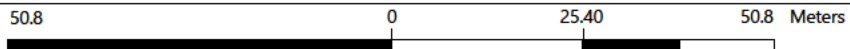
Enclosure

cc: Secretary, Board of Variance




Legend

Notes



WGS\_1984\_UTM\_Zone\_10N  
District of West Vancouver

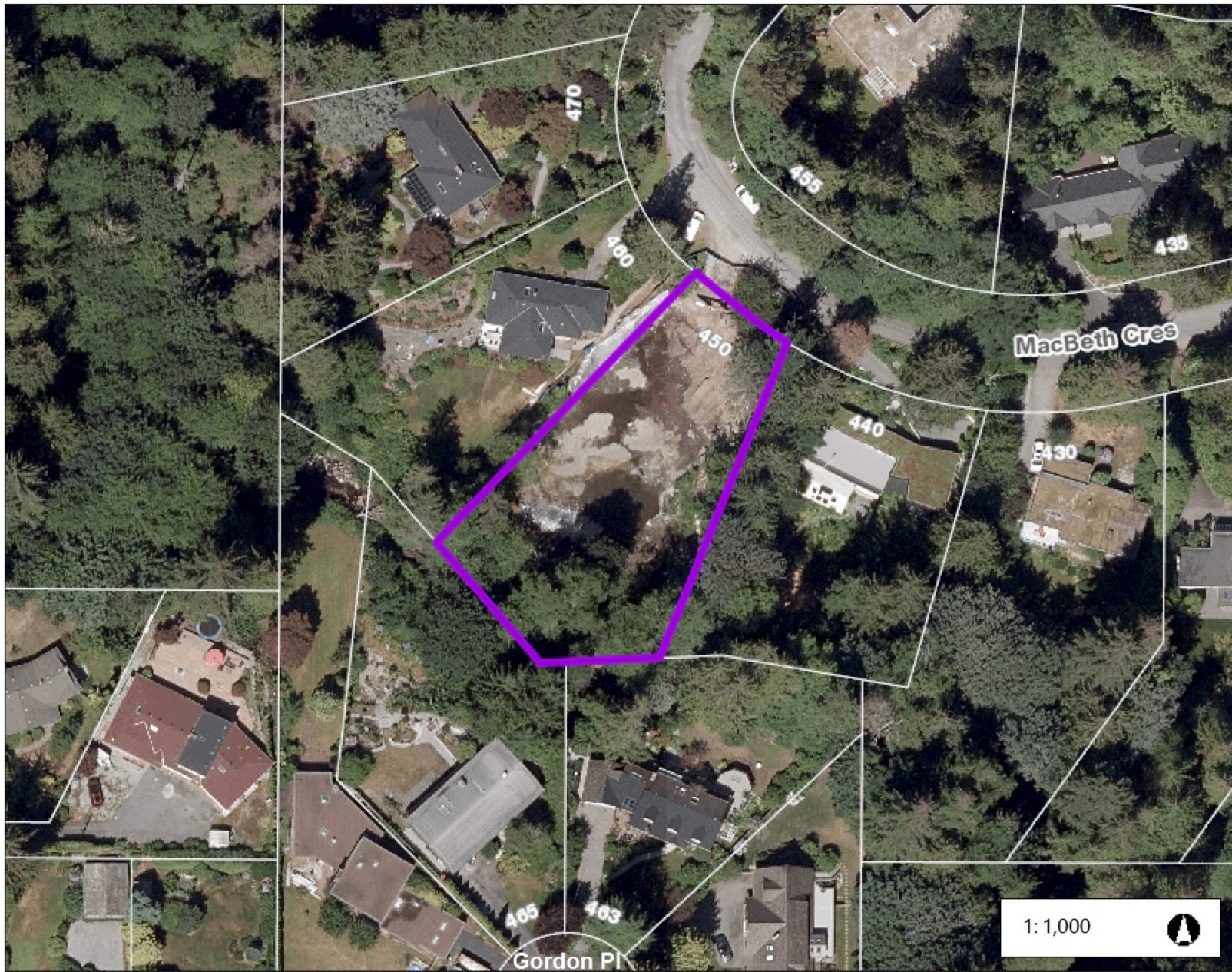
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Legend

Notes

50.8 0 25.40 50.8 Meters

WGS\_1984\_UTM\_Zone\_10N  
District of West Vancouver

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

## Mebr NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **3357 Marine Drive**

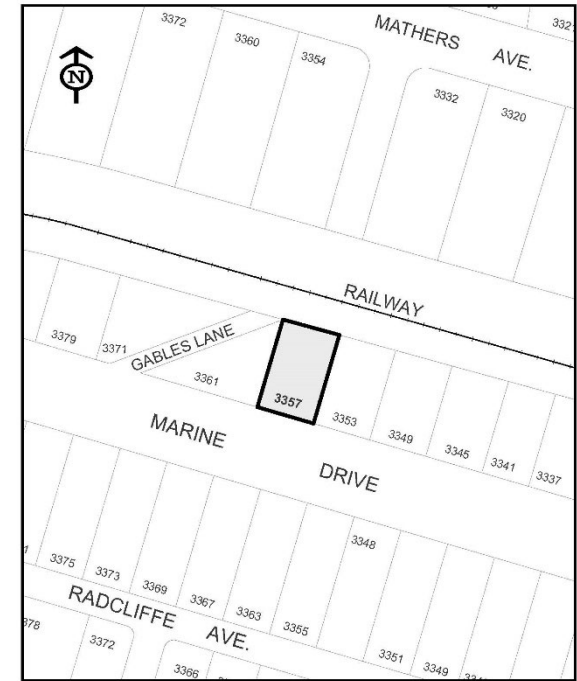
A Board of Variance hearing will be held on:

**Wednesday, October 18, 2023**

**at 5 p.m. via electronic communication facilities**

**The following variances for a new site development at 3357 Marine Drive will be considered:**

Parking Space (Single Family Dwelling)	Bylaw Requirement	Proposed	Variance
	1 Parking Space	0 Parking Space	1 Parking Space
Vehicle Access to Site	Bylaw Requirement	Proposed	Variance
	1	0	1



**To view plans, permit and variance information** contact Permits & Inspections at 604-925-7040.

**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](mailto: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 October 18, 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/government-administration/committees-groups/board-variance>

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# Board of Variance Application Form

## Subject Property *(please print clearly)*

Address: 3357 Marine Drive.

## Applicant *(please print clearly)*

Name(s): Mazi Hashemi Phone #: \_\_\_\_\_

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

Email Address: [Redacted] Fax #: \_\_\_\_\_

[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 #: \_\_\_\_\_

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

Email Address: [Redacted] 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.

[Redacted] s. 22(1)

9/19/2023

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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s. 22(1)

**September 20, 2023**

The Corporation of the District of West Vancouver  
750 17<sup>th</sup> Street  
West Vancouver, BC V7V 3T3

Attention: Board of Variance

**Subject: File Number: s. 22(1); 3357 Marine Drive, West Vancouver  
Building Permit Application - RS4 Zone**

Dear Distinguished Members of the Board of Variance:

I hope this letter finds you in excellent health and high spirits. I am writing to request a variance to be granted for our new house plans at 3357 Marine Drive, West Vancouver, specifically pertaining to the requirement of a driveway.

As a longstanding resident of West Vancouver s. 22(1), I have deep roots in this community. Having graduated from s. 22(1) and completed my education s. 22(1), I took great pride in purchasing my first home in West Vancouver at the aforementioned location s. 22(1).

When I acquired this property, it was sold to me with the understanding that it had Right of Way (RoW) access from CN Rail. The previous owner had back lane access and even provided me with a copy of a RoW contract prepared by CN Rail which later they refused to sign. It's worth noting that the house, built in 1925, has always been accessed from the back lane.

Over the years, I have made significant investments in this property, including the complete reconstruction of the retaining wall in 2014 and again in 2021. After years of diligent saving, we are now ready to build our dream house on this land. However, we have recently been informed that CN Rail will not be issuing new RoW contracts. Constructing a brand-new house while maintaining back lane access is crucial for us, not only for the safety of s.22(1) but also to avoid the financial loss of approximately \$80,000 invested in the retaining wall which would be destroyed should the Board not grant us this variance. Such a loss would be detrimental to our financial stability.

After consulting with the City, we have been informed that if we can arrange for a single parking space on Marine Drive, the City will support our application. We kindly request your understanding and consideration of our unique circumstances.

Destroying the permitted retaining Wall to make room for driveway access would create an undue hardship on our family, potentially jeopardizing our ability to provide a safe and comfortable living environment [REDACTED] s.22(1).

Moreover, the safety of [REDACTED] s.22(1) is of utmost importance to us. The presence of back lane access would greatly enhance their safety, considering the documented cases of accidents involving cyclists and children being struck by cars near our house location. By eliminating direct access to the front of our property on busy Marine Drive, we aim to create a protected space that significantly reduces the risk of such unfortunate incidents.

Considering the factors mentioned above, we kindly request that you grant us the variance to omit the driveway for our new house plans. We genuinely believe that this decision is in the best interest of our family's well-being and safety. We will be immensely grateful for your understanding and support in this matter.

Should you require any additional information or wish to discuss any aspects further, please do not hesitate to contact me at [REDACTED] s.22(1) or via email at [REDACTED] s.22(1). Thank you for your time, attention, and consideration.

Sincerely,

[REDACTED] 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

September 18, 2023

File: **BP118822**

s. 22(1)

Dear Sir/Madam

**RE: 3357 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 new site development will not comply with the Zoning Bylaw.

- The Zoning Bylaw, Section 140.01(2)(a) requires that a parking space be provided for the Single Family Dwelling as indicated in the table below:

	Bylaw	Proposed	Variance
Single Family Dwelling Parking Space	1 Parking Space	0 Parking Space	1 Parking Space

- The Zoning Bylaw, Section 120.16 requires vehicle access to site be provided for a Single Family Dwelling as indicated in the table below:

	Bylaw	Proposed	Variance
Vehicle access to site	1	0	1

Comments: Existing access is located on the BC Rail statutory right-of-way and will be removed.

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

- revise your plans to conform to the Zoning Bylaw; or
- 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 September 20, 2023**. The next Board of Variance Hearing is scheduled for **Wednesday October 18, 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.

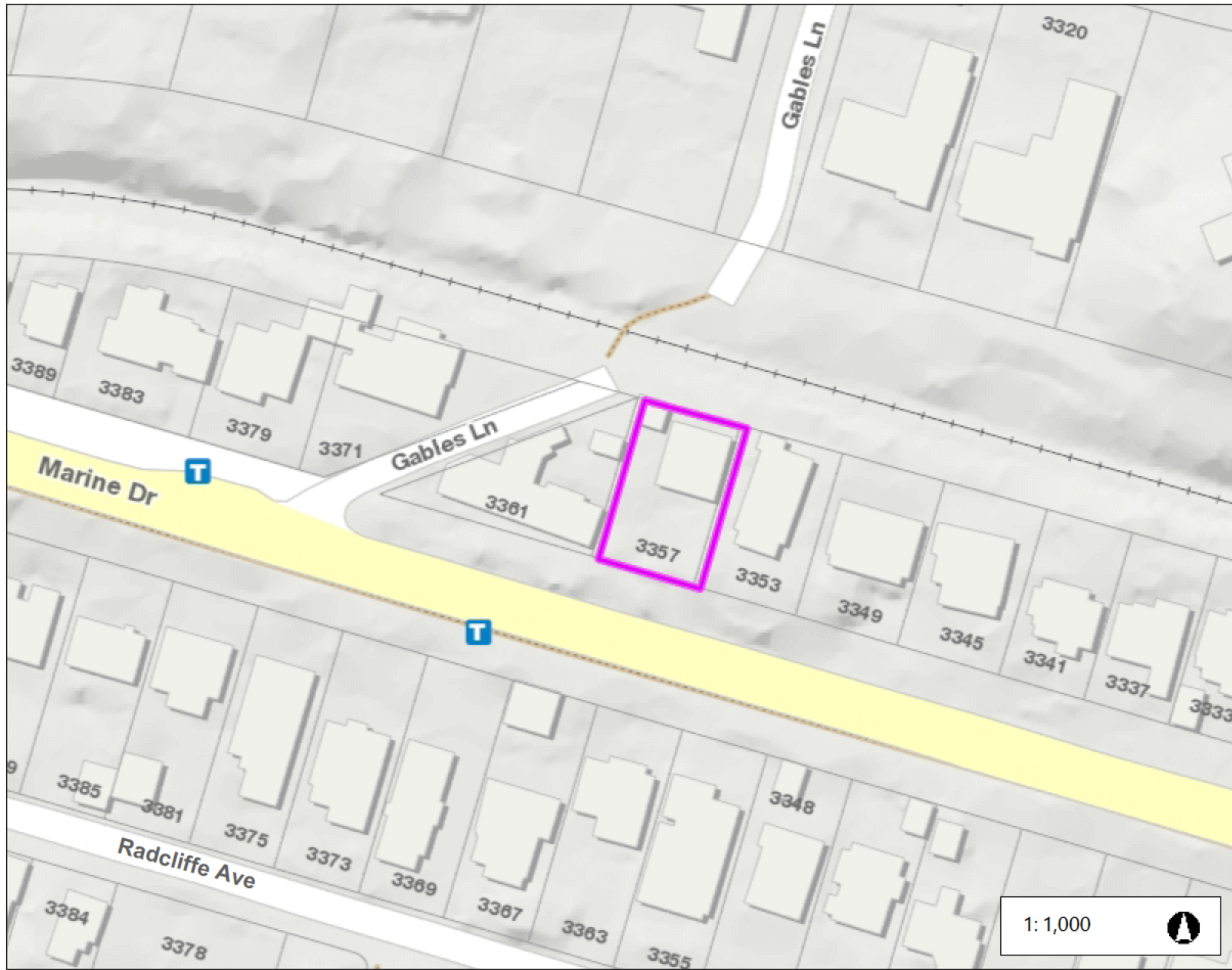
Thank you.

s. 22(1)

Colin Coulter  
[ccoulter@westvancouver.ca](mailto:ccoulter@westvancouver.ca)

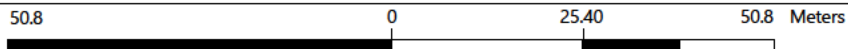
Enclosure

cc: Secretary, Board of Variance




Legend

Notes



WGS\_1984\_UTM\_Zone\_10N  
District of West Vancouver

1:1,000 

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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Legend

Notes

1:1,000 

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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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**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**

October 18, 2023

### **On-Table Agenda Information Package**

<b>For Application 23-034 (3357 Marine Drive)</b>		
<b>SUBMISSION AUTHOR</b>	<b>SUBMISSION DATED</b>	<b>#</b>
Redacted	October 17, 2023	1
Redacted	October 17, 2023	2

Please add these on-table items to the October 18, 2023 Board of Variance Agenda Package as indicated.

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Application 23-034  
(3357 Marine Drive)

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**From:** [REDACTED] s. 22(1)  
**Sent:** Tuesday, October 17, 2023 4:43 PM  
**To:** BoardOfVariance  
**Subject:** Attention Board of Variance-Oct. 18th Meeting RE: 3357 Marine Dr. West Vancouver  
**Attachments:** Board of Variance Letter-[REDACTED] s. 22(1)\_10-17-2023.pdf

**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.

Dear Board of Variance Members,

Attached please find my letter for your consideration, in advance of the upcoming board of variance meeting on Oct. 18th, re: 3357 Marine Dr.

Respectfully,

[REDACTED] s. 22(1)

West Vancouver, BC

[REDACTED] s. 22(1)

s. 22(1)

West Vancouver, BC s. 22(1)  
October 17, 2023

RE: Board of Variance Hearing at 5pm on October 18, 2023  
Subject Property: 3357 Marine Drive, West Vancouver, BC.

Dear Board of Variance Members,

My name is s. 22(1), and I have lived at s. 22(1) my current address, for the last s. 22(1). Besides being s. 22(1) I am also a s. 22(1), and have made s. 22(1) my life's work. Community care is very important to me, and I am very proud of the incredibly unique community that we have all collectively built over the years s. 22(1).

As you may be already be aware, the kind of community that exists s.22(1) who cares deeply for the community of West Vancouver, the community that has been her home for all of her life. s.22(1) driven by community values and interdependence, and quietly makes the world a better place every single day by helping and supporting others in all kinds of ways. s.22(1) that reflects these foundational values.

As a result of her leadership, she has taught all of us how to contribute to our community, and we have all learned that the value and richness that comes with looking out for each other, and participating in the well-being of our neighbours. Strong, diverse communities like ours make West Vancouver more interesting, safer for everyone, and ultimately more beautiful and enjoyable.

I am deeply concerned for the proposal to create a parking space at 3357 Marine Drive, and the owner's plans to potentially demolish the current property at 3357 to rebuild. If the parking space is approved, I am concerned that a building permit will follow, s. 22(1) construction zone for the next two to three years as a larger home is built in the shadow of the current property.

The blasting and construction noises are not simply disruptive, but also have impacts on the mental, physical and spiritual health of the people who live nearby. s. 22(1). I am not only concerned for the noise disruption of the blasting, but also for the non-stop construction sounds, the over-use of s. 22(1), and the overall disruption s. 22(1).

With this in mind, I hope you will understand the impact this decision will have on our community, and I am asking you to please deny this variance application, and consider the impact this decision will have on the health and well-being of our community. Additionally, I am concerned about the long-term



impacts of this huge blasting project on the local environment, animal populations, and the integrity of the land itself.

Sincerely,

s. 22(1)

A large black rectangular redaction box covers the signature area, obscuring the name and any handwritten notes.

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**From:** [REDACTED] s. 22(1)  
**Sent:** Tuesday, October 17, 2023 9:01 PM  
**To:** BoardOfVariance  
**Subject:** [Board of Variance Hearing] October 18 | Subject Property: 3357 Marine Drive  
**Attachments:** Board of Variance Letter-3357 Marine Dr- [REDACTED] s. 22(1) .pdf; Board of Variance Letter-3357 Marine Dr- [REDACTED] s. 22(1) .pdf; Board of Variance Signed Letters - [REDACTED] s. 22(1) .pdf

**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.

Dear Board of Variance,

Please see the attached letters for your consideration in advance of the hearing tomorrow, October 18<sup>th</sup>, regarding Subject Property 3357 Marine Dr.

I have also today submitted to Municipal Hall hard copies of these letters addressed to the Board of Variance.

Thank you,

[REDACTED] s. 22(1)

s. 22(1)

West Vancouver, BC

s. 22(1)

October 12, 2023

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
**Subject Property: 3357 Marine Drive**

Dear Board of Variance,

My name is s. 22(1) and I have lived s. 22(1) for the past s. 22(1). s. 22(1) also moved into our home a few years ago. Some of our neighbours—s. 22(1), s. 22(1), this place is my home and I deeply value the shared sense of community and peaceful environment that living here affords—it enables me not only to live here, but also s. 22(1).

I understand that s. 22(1) 3357 Marine Drive is requesting a variance to create a parking space in front of his property on Marine Drive, so that ultimately he may tear down the existing house and outbuilding on the lot and build another larger house and outbuilding.

s. 22(1) I have been to District Hall to review the development plans and I have spoken with the Building Inspector, Supervisor of Inspections, and Senior Land Development Technician to ensure I have a full understanding of the impact this variance will have s. 22(1) and to be able to effectively communicate this s. 22(1).

s. 22(1)  
If this variance is approved, it will cause significant undue hardship s. 22(1). The impact of this development will mean s. 22(1) construction noise, which will likely include rock blasting, deeply adversely affecting those s. 22(1) s. 22(1), as well as the s. 22(1).

s. 22(1)

I am not able to

s. 22(1)

Having construction noise

s. 22(1)

will make it impossible

s. 22(1)

s. 22(1)

There is no shortage of larger homes which have already been built and are for sale on the North Shore. If <sup>s.22(1)</sup> deems the house on his current property too small to accommodate his family, he may choose to continue to rent out the house at 3357 Marine Drive while renting a larger house for himself, or he may sell his property and move to a larger house.

It is not feasible for the

s. 22(1)

, particularly given the lack of

s.22(1)

housing in not only West Vancouver, but all of Metro Vancouver;

s. 22(1)

The development of this parking space, which may require rock blasting, and any further development to the site, including any blasting required to build a basement

s. 22(1)

Any heavy construction work

s. 22(1)

I would strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Thank you for your consideration.

Sincerely,

s. 22(1)

s. 22(1)

West Vancouver, BC

s. 22(1)

October 16, 2023

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
**Subject Property: 3357 Marine Drive**

Dear Board of Variance,

I am writing this letter on behalf of [redacted] s. 22(1) [redacted] s. 22(1) has asked me to assist her with this letter [redacted] s. 22(1) [redacted].

[redacted] s. 22(1) wishes to express her deep concern [redacted] s. 22(1) [redacted] s. 22(1) [redacted].

It is imperative that [redacted] s. 22(1) [redacted]. The development of this parking space, which may require rock removal, and any further development to the site, including any blasting required to build a basement [redacted] s. 22(1) [redacted], will cause [redacted] s. 22(1) [redacted] undue harm and deeply adversely impact [redacted] s. 22(1) [redacted].

[redacted] s. 22(1) strongly urges the Board of Variance to reject this request for a variance due to the profoundly detrimental impact it would have [redacted] s. 22(1) [redacted].

Sincerely,

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

[redacted] s. 22(1) on behalf of [redacted] s. 22(1) [redacted]

s. 22(1)

West Vancouver, BC

s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
**Subject Property: 3357 Marine Drive**

Dear Board of Variance,

The development of a parking space at 3357 Marine Drive, which may require rock removal and any further development to the site will cause significant undue harm to

s. 22(1)

Any heavy construction work

s. 22(1)

s. 22(1) will deeply adversely impact

s. 22(1)

s. 22(1)

It additionally poses the risk of causing

s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Sincerely,

Name:

s. 22(1)

Signature:

Date:

Oct. 15/23

s. 22(1)

West Vancouver, BC

s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing  
Subject Property: 3357 Marine Drive**

Dear Board of Variance,

The development of a parking space at 3357 Marine Drive, which may require rock removal, and any further development to the site will cause significant undue harm to

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s. 22(1)

s. 22(1)

It additionally poses the risk of causing

s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Sincerely,

Name:

s. 22(1)

Signature:

s. 22(1)

Date: Sunday, Oct. 15<sup>th</sup>, 2023



s. 22(1)

West Vancouver, BC

s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
**Subject Property: 3357 Marine Drive**

Dear Board of Variance,

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It additionally poses the risk of causing

s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Sincerely,

Name:

s. 22(1)

Signature

s. 22(1)

Date: *October 15, 2023*

s. 22(1)

West Vancouver, BC

s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
**Subject Property: 3357 Marine Drive**

Dear Board of Variance,

The development of a parking space at 3357 Marine Drive, which may require rock removal, and any further development to the site will cause significant undue harm to

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It additionally poses the risk of causing

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s. 22(1)

s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Sincerely,

Name:

s. 22(1)

Signature:

Date: Oct. 15, 2023

s. 22(1)

West Vancouver, s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
**Subject Property: 3357 Marine Drive**

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s. 22(1)

s. 22(1)

It additionally poses the risk of causing

s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Sincerely,

s. 22(1)

Name:

Signature:

Date: *October 16, 2023*

s. 22(1)

West Vancouver, BC

s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
**Subject Property: 3357 Marine Drive**

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It additionally poses the risk of causing

s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Sincerely,

Name:

s. 22(1)

Signature

Date:

October 16, 2023.

s. 22(1)

West Vancouver, BC

s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
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s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Sincerely,

Name:

s. 22(1)

Signature:

s. 22(1)

Date:

10.16.2023

s. 22(1)

West Vancouver, BC s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
**Subject Property: 3357 Marine Drive**

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The development of a parking space at 3357 Marine Drive, which may require rock removal, and any further development to the site will cause significant undue harm to

s. 22(1) Any heavy construction work s. 22(1)  
s. 22(1) will deeply adversely impact s. 22(1)  
s. 22(1) It additionally poses the risk of causing  
s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have s. 22(1)

Sincerely,

Name: s. 22(1)

Signature: s. 22(1)

Date: Mon, Oct 16th / 23

s. 22(1)

West Vancouver, BC

s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

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Subject Property: 3357 Marine Drive**

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s. 22(1)

s. 22(1)

It additionally poses the risk of causing

s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Sincerely,

Name:

s. 22(1)

Signature:

s. 22(1)

Date:

*Oct 16 2023*

s. 22(1)

West Vancouver, BC

s. 22(1)

Board of Variance  
District of West Vancouver  
750 17th Street  
West Vancouver, BC V7V 3T3

**Re Board of Variance Hearing**  
**Subject Property: 3357 Marine Drive**

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It additionally poses the risk of causing

s. 22(1)

We strongly urge you to reject this request for a variance due to the profoundly detrimental impact it would have

s. 22(1)

Sincerely,

Name:

s. 22(1)

Signature:

s. 22(1)

Date:

05. 17, 2023