**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 19, 2022
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 19, 2022 Board of Variance hearing agenda be approved as circulated.

## 4. Adoption of Minutes

RECOMMENDATION:

THAT the September 14, 2022 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 22-021 (6411 Pitt Street) regarding a proposed addition to dwelling with the following variances:**

a) 0.87 m to Combined Side Yard Setback
b) 0.28 m to Minimum Side Yard Setback
c) 2.98 m to Minimum Front Yard Setback

Written submissions received:

| SUBMISSION AUTHOR | SUBMISSION DATED | # |
|---|---|---|
| None to date. | | |

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

The Chair will call for public input.

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

RECOMMENDATION:

THAT the Board finds that undue hardship would be caused to the applicant by compliance with the Zoning Bylaw and orders that Application 22-021 regarding a proposed addition to dwelling at 6411 Pitt Street with variances of:

- 0.87 m to Combined Side Yard Setback
- 0.28 m to Minimum Side Yard Setback
- 2.98 m to Minimum Front Yard Setback

BE ALLOWED pursuant to the plans dated August 25, 2022 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

**OR**

RECOMMENDATION:

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with the Zoning Bylaw and orders that Application 22-021 regarding a proposed addition to dwelling at 6411 Pitt Street with variances of:

- 0.87 m to Combined Side Yard Setback
- 0.28 m to Minimum Side Yard Setback

- 2.98 m to Minimum Front Yard Setback

BE NOT ALLOWED pursuant to the plans dated August 25, 2022 submitted with the application.

**OR**

RECOMMENDATION:

THAT the Board defers further consideration of Application 22-021 (6411 Pitt Street) to the next Board of Variance hearing.

**7. Application 22-022 (3380 Mathers Avenue) regarding proposed alterations to a single family dwelling with the following variance:**

a) 1.5 m to Front Yard Setback to Roof Overhang

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 the Zoning Bylaw and orders that Application 22-022 regarding proposed alterations to a single family dwelling at 3380 Mathers Avenue with a variance of:

- 1.5 m to Front Yard Setback to Roof Overhang

BE ALLOWED pursuant to the plans dated May 5 and August 29, 2022 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

**OR**

RECOMMENDATION:

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with the Zoning Bylaw and orders that Application 22-022 regarding alterations to a single family dwelling at 3380 Mathers Avenue with a variance of:

- 1.5 m to Front Yard Setback to Roof Overhang

BE NOT ALLOWED pursuant to the plans dated May 5 and August 29, 2022 submitted with the application.

**OR**

RECOMMENDATION:

THAT the Board defers further consideration of Application 22-022 (3380 Mathers Avenue) 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 22-021 (6411 Pitt Street)
- Application 22-022 (3380 Mathers Avenue)

up to and including October 19, 2022 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 16, 2022 in the Municipal Hall Council Chamber.

## 11. Adjournment

RECOMMENDATION:

THAT the October 19, 2022 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 14, 2022

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

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

## 1. Call to Order

The hearing was called to order at 5:04 p.m.

## 2. Introduction

Staff introduced the Board Members and described the hearing procedure.

## 3. Confirmation of the Agenda

It was Moved and Seconded:

THAT the September 14, 2022 Board of Variance hearing agenda be approved as circulated.

CARRIED

## 4. Adoption of the July 20, 2022 Minutes

Chair Radage referred to the minutes of the Board of Variance hearing held on July 20, 2022.

It was Moved and Seconded:

THAT the July 20, 2022 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 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. Orders of this Board of Variance that permit a variance specify that: if construction is not substantially started within 6 months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner."

## 6. Application 22-016 (2382 Palmerston Avenue)

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

a) 7.3 m to Front Yard Setback
b) 1.22 m to Minimum Side Yard Setback
c) 2.4 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 | August 31, 2022 | 1 |
| Redacted | September 6, 2022 | 2 |

Staff provided permit history of the subject property.

D. Holdsworth (VictorEric Premium Homes, representing the owner of 2382 Palmerston Avenue) described the variance application for a proposed power pole (accessory structure). Staff and D. Holdsworth 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 August 9, 2022, 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 D. Holdsworth:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 22-016 regarding a proposed power pole (accessory structure) at 2382 Palmerston Avenue with variances of:

- 7.3 m to Front Yard Setback
- 1.22 m to Minimum Side Yard Setback
- 2.4 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated August 2, 2022 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

## 7. Application 22-017 (2662 Lawson Avenue)

Staff confirmed the following requested variances regarding a proposed addition:

a) 2.94 m to Front Yard Setback (to Haywood Avenue)
b) 3.0 m to Highest Building Face Envelope
c) 0.82 m to Building Height
d) 9% to Highest Building Face Exemption
e) 16.6 m² to Floor Area Ratio.

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

Written submissions received:

| SUBMISSION AUTHOR | SUBMISSION DATED | # |
|---|---|---|
| Redacted | September 14, 2022 | 1 |

Staff provided permit history of the subject property and responded to a Board member's questions.

H. Behmanesh (West Home Construction Inc., representing the owner of 2662 Lawson Avenue) described the variance application for a proposed addition 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 August 12, 2022, 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. Behmanesh:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 22-017 regarding a proposed addition at 2662 Lawson Avenue with variances of:

- 2.94 m to Front Yard Setback (to Haywood Avenue)
- 3.0 m to Highest Building Face Envelope
- 0.82 m to Building Height
- 9% to Highest Building Face Exemption
- 16.6 m² to Floor Area Ratio

BE ALLOWED pursuant to the plans dated July 7, 2022 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

## 8. Application 22-018 (2350 Bellevue Avenue)

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

a) 1.5 m to Rear Yard Setback to Upper Deck Guardrail
b) 4.5 m to Distance Between Principal Building and Pool Mechanical Room (Accessory Building).

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 and responded to a Board member's questions.

C. Burgers and R. Brown (Burgers Architecture, representing the owner of 2350 Bellevue Avenue) displayed images, 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 August 17, 2022, 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 C. Burgers and R. Brown:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 22-018 regarding a proposed single family dwelling at 2350 Bellevue Avenue with variances of:

- 1.5 m to Rear Yard Setback to Upper Deck Guardrail
- 4.5 m to Distance Between Principal Building and Pool Mechanical Room (Accessory Building)

BE ALLOWED pursuant to the plans dated August 16, 2022 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

## 9. Application 22-019 (2484 Ottawa Avenue)

Staff confirmed the following requested variances regarding a proposed single family dwelling, above grade pool, and retaining walls:

a) 1.87 m to Building Height (Single Family Dwelling)
b) 0.54 m to Highest Building Face Envelope (Single Family Dwelling)
c) 0.34 m to Accessory Structure Height (Above Grade Pool)
d) 1.44 m @ 36.9° to Grade Line (Retaining Wall).

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

Written submissions received:

| SUBMISSION AUTHOR | SUBMISSION DATED | # |
|---|---|---|
| Redacted | August 31, 2022 | 1 |
| Redacted | September 8, 2022 | 2 |
| Redacted | September 8, 2022 | 3 |
| Redacted | September 13, 2022 | 4 |
| Redacted | September 13, 2022 | 5 |
| Redacted | September 14, 2022 | 6 |
| Redacted | September 14, 2022 | 7 |
| Redacted | September 14, 2022 | 8 |

Staff provided permit history of the subject property.

A. Assadi (Best City Properties Ltd., representing the owner of 2484 Ottawa Avenue) described the variance application for a proposed single family dwelling, above grade pool, and retaining walls. Staff and A. Assadi responded to Board members' questions.

Chair Radage queried whether anyone had signed up to address the Board regarding the subject application.

F. Bango (2495 Nelson Avenue; and on behalf of the residents of 2479 Nelson Avenue and 2469 Nelson Avenue) spoke in opposition to the requested variances and commented regarding: building height; noise; and the height and location of the above grade pool.

Staff informed that no one else had signed up to address the Board regarding the subject application and responded to a Board member's question.

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, 2022, 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. Assadi and F. Bango:

It was Moved and Seconded:

THAT the Board finds that undue hardship would not be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 22-019 regarding a proposed single family dwelling, above grade pool, and retaining walls at 2484 Ottawa Avenue with variances of:

- 1.87 m to Building Height (Single Family Dwelling)
- 0.54 m to Highest Building Face Envelope (Single Family Dwelling)
- 0.34 m to Accessory Structure Height (Above Grade Pool)
- 1.44 m @ 36.9° to Grade Line (Retaining Wall)

BE NOT ALLOWED pursuant to the plans dated August 17, 2022 submitted with the application.

CARRIED

## 10. Application 22-020 (1965 26th Street)

Staff confirmed the following requested variances regarding a proposed garage addition:

a) 2.4 m to Combined Side Yard Setback
b) 5.8 m to Front Yard Setback
c) 0.32 m to Minimum Side 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 and responded to a Board member's question.

S. Fouks (1965 26th Street) described the variance application for a proposed garage addition 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 August 17, 2022, 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. Fouks:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 22-020 regarding a proposed garage addition at 1965 26th Street with variances of:

- 2.4 m to Combined Side Yard Setback
- 5.8 m to Front Yard Setback
- 0.32 m to Minimum Side Yard Setback

BE ALLOWED pursuant to the plans dated August 8, 2022 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

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 22-016 (2382 Palmerston Avenue);
- Application 22-017 (2662 Lawson Avenue);

- Application 22-018 (2350 Bellevue Avenue);
- Application 22-019 (2484 Ottawa Avenue);
- Application 22-020 (1965 26th Street);

up to and including September 14, 2022, 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 October 19, 2022 at 5 p.m.

## 14. Adjournment

It was Moved and Seconded:

THAT the September 14, 2022 Board of Variance hearing be adjourned.

CARRIED

The Board of Variance hearing adjourned at 6:22 p.m.

Certified Correct:

L. Radage, Chair

P. Cuk, Secretary

6.
22-021

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

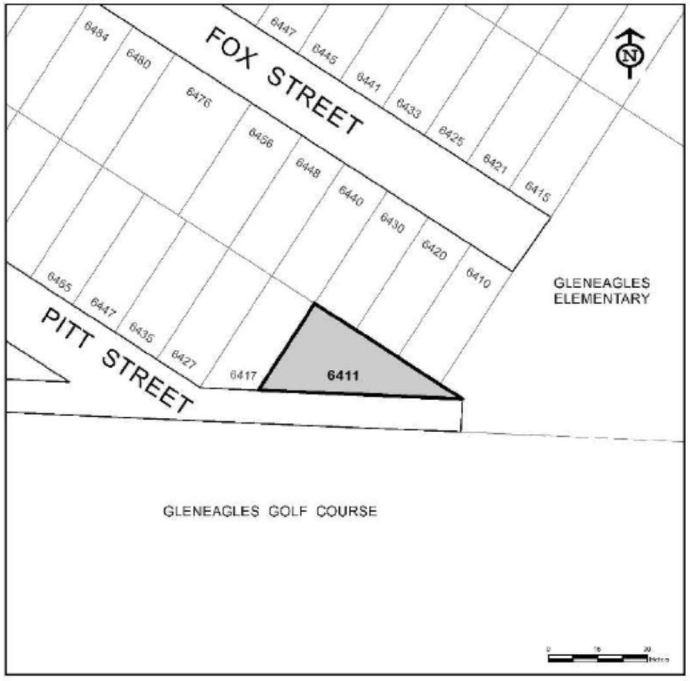
# NOTICE OF BOARD OF VARIANCE HEARING

Subject property: 6411 Pitt Street

A Board of Variance hearing will be held on:

**Wednesday, October 19, 2022**
**at 5 p.m. via electronic communication facilities**

**The following variances for a proposed addition to dwelling at 6411 Pitt Street will be considered:**




| | | | |
|---|---|---|---|
| Combined Side Yard Setback | Bylaw Requirement | Proposed | Variance |
| | 7.69 m | 6.82 m | 0.87 m |
| Minimum Side Yard Setback | Bylaw Requirement | Proposed | Variance |
| | 3.0 m | 2.72 m | 0.28 m |
| Minimum Front Yard Setback | Bylaw Requirement | Proposed | Variance |
| | 9.1 m | 6.12 m | 2.98 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 October 19, 2022 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

October 3, 2022
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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

**22-021**

# Board of Variance Application Form

## Subject Property *(please print clearly)*

**Address:** 6411 Pitt Street, West Vancouver BC

## Applicant *(please print clearly)*

**Name(s):** Alyanna Camaclang ( Kenorah Design Build) **Phone #:**
**Mailing Address:** Unit 203 145 Schoolhouse Street Coquitlam BC **Cell #:** s. 22(1)
**Email Address:** alyanna@kenorah.com **Fax #:**
**Interest of Applicant:** s. 22(1)
(Note: If the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

## Registered Owner *(please print clearly)*

**Name(s):** s. 22(1) **Phone #:** s. 22(1)
**Mailing Address:** s. 22(1) **Cell #:**
**Email Address:** s. 22(1) **Fax #:**

## Completed Application Must Include

☑ **A letter (signed original) describing:**

a) The proposed construction;
b) The requested variance(s); and
c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)

☑ **Authorization of Registered Owners Form** (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).

☑ **$800 fee**

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

s. 22(1) September 20, 2022

**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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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 21, 2022 File: **BP118378**

s. 22(1)

Dear Sir/Madam

**RE: (REVISED) 6411 PITT STREET - 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 addition to dwelling will not comply with the Zoning Bylaw because it does not maintain the required 3.0m minimum side yard setback and 7.69 combined yard setback.

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

The Zoning Bylaw, Section 204.09(2)(a)(i), requires a combined side yard setback as indicated in the table below:

| | Bylaw | Proposed | Variance |
|---|---|---|---|
| Combined Side Yard Setback for addition to dwelling | 7.69 m | 6.82 m | 0.87 m |

The Zoning Bylaw, Section 204.09(2)(b)(ii) requires a minimum side yard setback as indicated in the table below:

| | Bylaw | Proposed | Variance |
|---|---|---|---|
| Minimum Side Yard Setback for addition to dwelling | 3.0 m | 2.72 m | 0.28 m |

**Additional Variance:**

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

| | Bylaw | Proposed | Variance |
|---|---|---|---|
| Minimum Front Yard Setback for addition to dwelling | 9.1 m | 6.12 m | 2.98 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 **September 21, 2022**. The next Board of Variance Hearing is scheduled for **October 19, 2022**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail; **or**

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

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

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

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

Please do not hesitate to contact me at 604-925-7212 should you require any further information regarding this matter. Thank you.

s. 22(1)

Nima Karimabadi
Plans Examiner
nkarimabadi@westvancouver.ca

Enclosure

cc: Secretary, Board of Variance

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**22-021**

KENORAH™ CUSTOM DESIGN + CONSTRUCTION

Unit 203 – 145 Schoolhouse Street
Coquitlam, B.C. V3K 4X8
604-371-1455

The Corporation of the District of West Vancouver
750 17th Street
West Vancouver, B.C.
V7B 3T3

September 21, 2022

Dear Board of Variance members,

On behalf of the owners [s. 22(1)] we are proposing to renovate a single-family dwelling on 6411 Pitt Street. The renovation will include a 550 square foot addition along the west side of the house by enclosing the existing carport to convert and provide additional living space [s. 22(1)], and by adding a loft above for guests. We are also proposing to enclose a 315 square foot deck on the main floor along the east side to take advantage of the yard and landscaping by providing a 4-season room. The proposed additions will remain within the existing building footprint.

We would like to request the following variances:

1. Combined side yard setback for addition to dwelling from 7.69 as set out in the zoning bylaw, to **6.82m** as per existing building footprint & stair sitting.
2. Minimum side yard setback for addition to dwelling from 3.0m as set out in the zoning bylaw to **2.72m** as per existing building footprint.
3. Minimum front yard setback for addition to dwelling from 9.1m as set out in the zoning bylaw to **6.12m** as per existing building footprint.

The owners would like to keep and build upon their existing footprint as it would be the most economical route to gain additional living space, and the least amount of impact to their yard and landscaping. As for the existing stairs along the east, the owners would like to keep the landing size, structure, and stair location, however we would just repair/replace the stairs to ensure it complies with current building code for occupant safety.

If you have any questions or concerns, please reach out to me at alyanna@kenorah.com or 604-715-5768.

Sincerely,

[s. 22(1)]

Alyanna Camaclang

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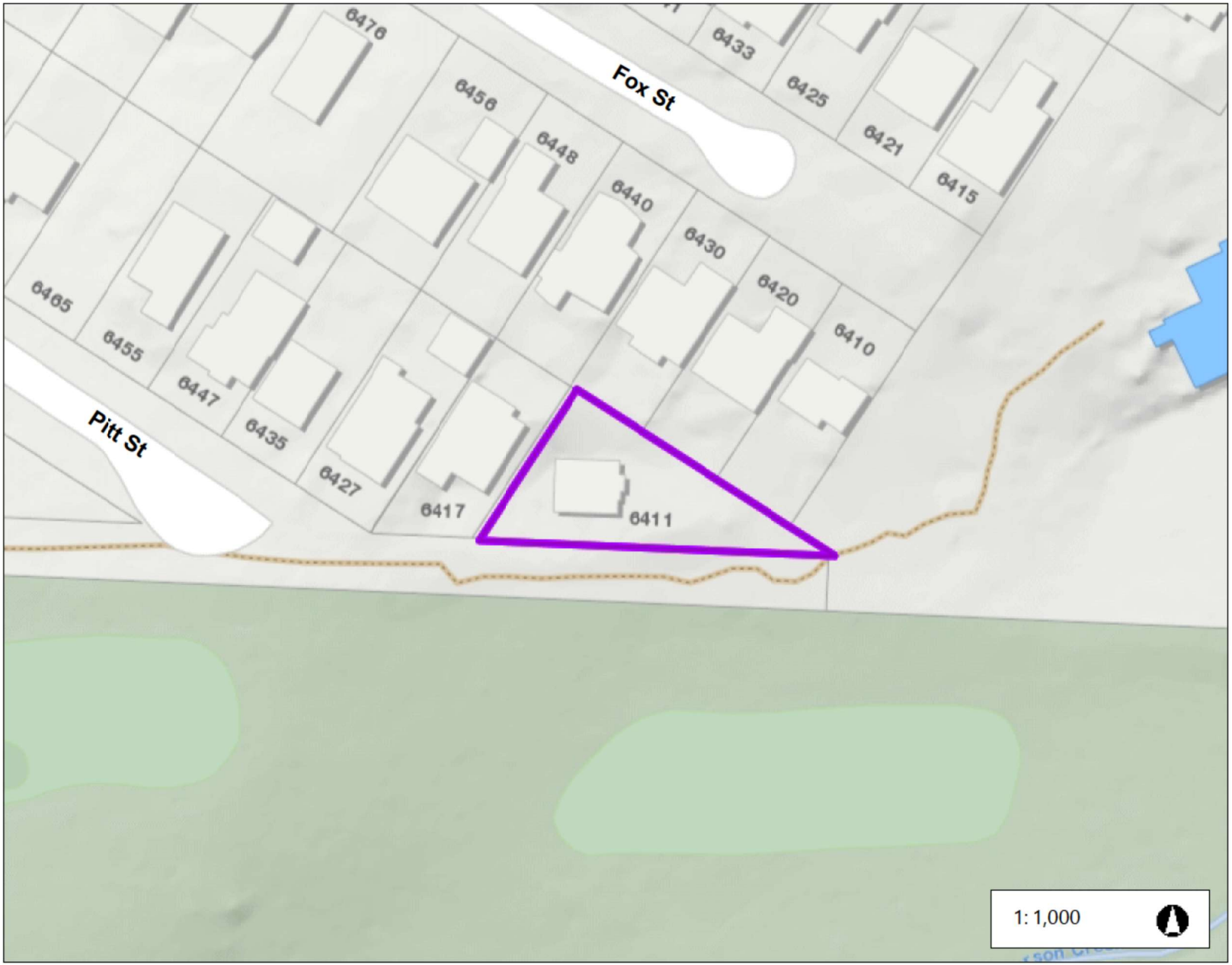
westvancouver

# 22-021

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Notes

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District of West Vancouver

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westvancouver

# 22-021

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7.
22-022

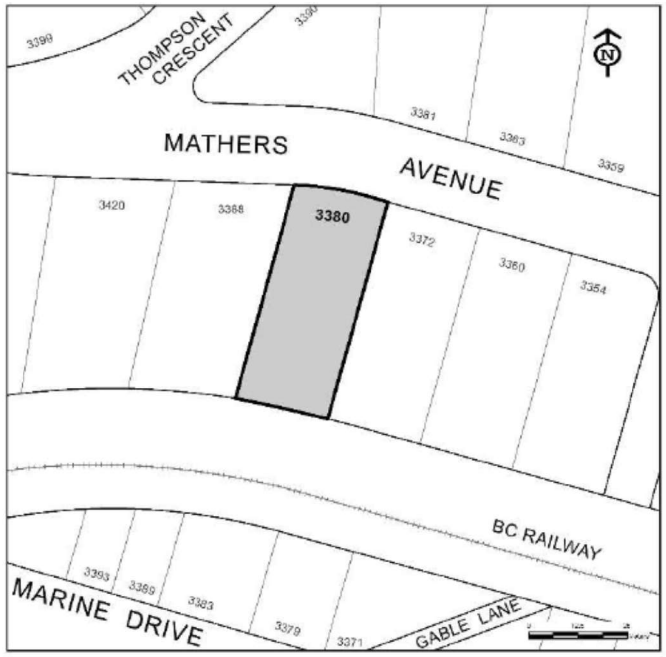
District of West Vancouver
750 17th Street, West Vancouver, BC V7V 3T3
t: 604-925-7004 f: 604-925-7006

# NOTICE OF BOARD OF VARIANCE HEARING

Subject property: 3380 Mathers Avenue

A Board of Variance hearing will be held on:

**Wednesday, October 19, 2022**
**at 5 p.m. via electronic communication facilities**




**The following variance for proposed alterations to a single family dwelling at 3380 Mathers Avenue will be considered:**

| | Bylaw Requirement | Proposed | Variance |
|---|---|---|---|
| Front Yard Setback to Roof Overhang | 7.9 m | 6.4 m | 1.5 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 October 19, 2022 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

October 3, 2022
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westvancouver

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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:** 3380 MATHERS AVENUE, WEST VANC BC. V7V 2K7

## Applicant *(please print clearly)*

**Name(s):** CHERYL + ENRICO GIUSTRA

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

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

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

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

**Fax #:** _____

**Interest of Applicant:** s. 22(1) [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):** s. 22(1) [redacted]

**Phone #** s. 22(1) [redacted]

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

**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** s. 22(1) [redacted] **enda binder for the Board of Variance Hearing.**

s. 22(1) [redacted]

**Applicant Signature**

SEPT 20, 2022

**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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**22-022**

[redacted]
West Vancouver, BC [redacted]

Sept 20, 2022

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

To whom it may concern,

We are proposing an extension of a flat roof overhang over the garage, in order to create a drier area in front of the garage. This is to help stop the intrusion of the elements into the garage, which has been a problem in the past due to windblown rain.

The extension of the garage into the front yard setback was approved by the board of variance in 2003. The small roof overhang has proven too short to provide wall protection. We are asking for approval for an extended flat roof overhang across the entirety of the garage face to remedy this situation.

This roof overhang extension will have no impact on the neighbouring properties, as it is not visible to them, and does not obstruct any of their views across the property.

The existing garage overhang is 23.5' off the front property line, and we are proposing to extend it further to 21' off the property line. This is a variance of 2.5' which will allow better continuity with the new proposed design. This is a maximum extension of 46" off the face of the approved garage, which is in line with the maximum roof extension off the face of a dwelling into the front yard stated in the West Vancouver bylaws.

Thank you for taking the time to consider this proposal.

[redacted]

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

September 20, 2022 File: **BP118267**

s. 22(1)

Dear Sir/Madam

**RE: 3380 MATHERS AVENUE - 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 Alterations to Single Family Dwelling will not comply with the Zoning Bylaw because it does not maintain the required 7.9m Front Yard Setback to the Roof Overhang.

The Zoning Bylaw, Section 120.27(9)(a) and 203.07, requires a front yard setback to roof overhang as indicated in the table below:

| | Bylaw | Proposed | Variance |
|---|---|---|---|
| Front Yard Setback to Roof Overhang | 7.9 m | 6.4 m | 1.5 m |

Comments: BOV APPLICATION 03-018 APPROVED 21/5/03 FOR ADDITION FOR: 3.35 FT TO COMBINED SIDE YARD 4.75 FT TO FRONT YARD SETBACK 17.5% TO FRONT YARD PAVING

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 21st September 2022.** The next Board of Variance Hearing is scheduled for **Wednesday 19th October 2022**. 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
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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 604-921-3455 should you require any further information regarding this matter. Thank you.

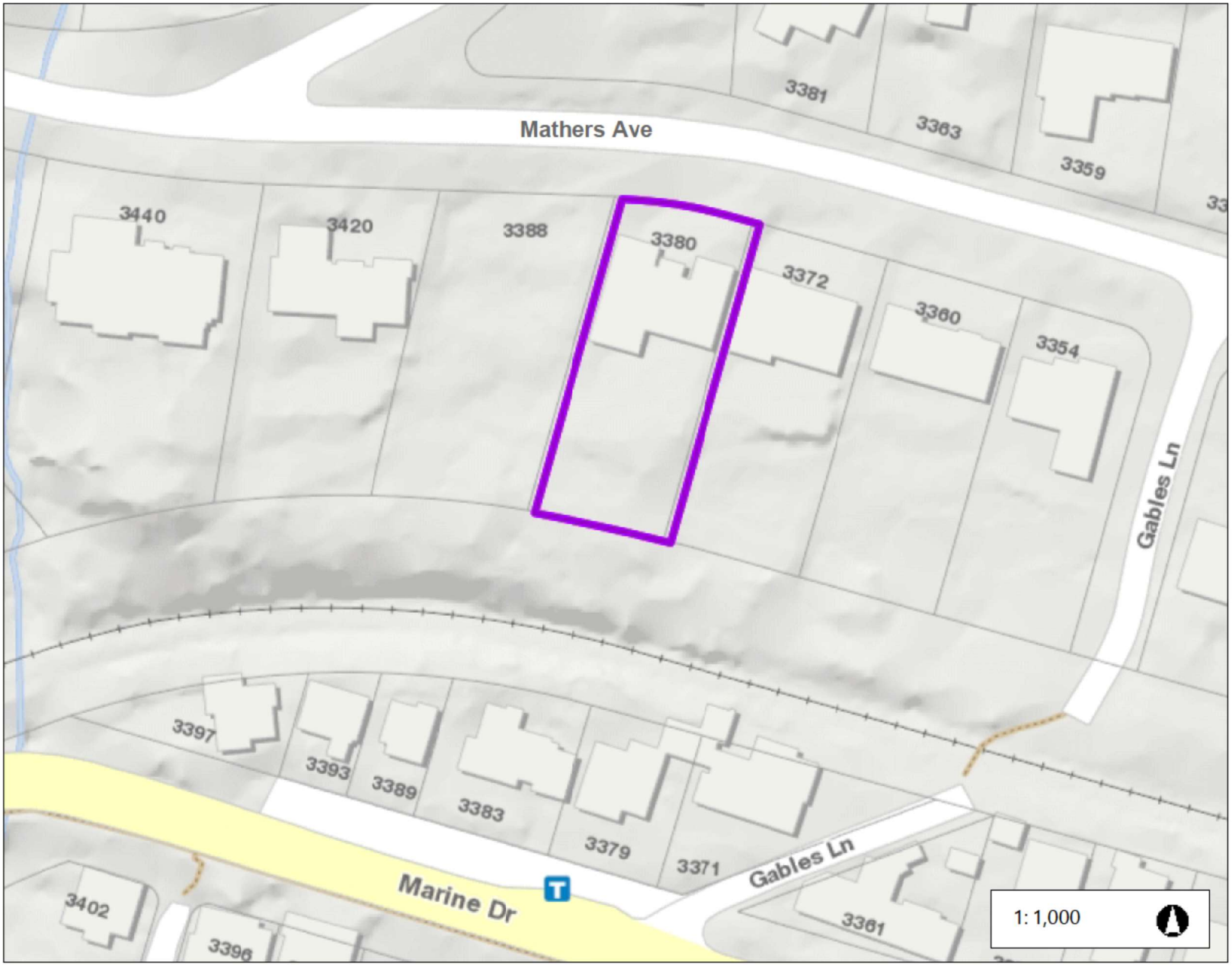
s. 22(1)

Nicole Colby
Plans Examiner II
ncolby@westvancouver.ca

Enclosure
cc: Secretary, Board of Variance

westvancouver

# 22-022

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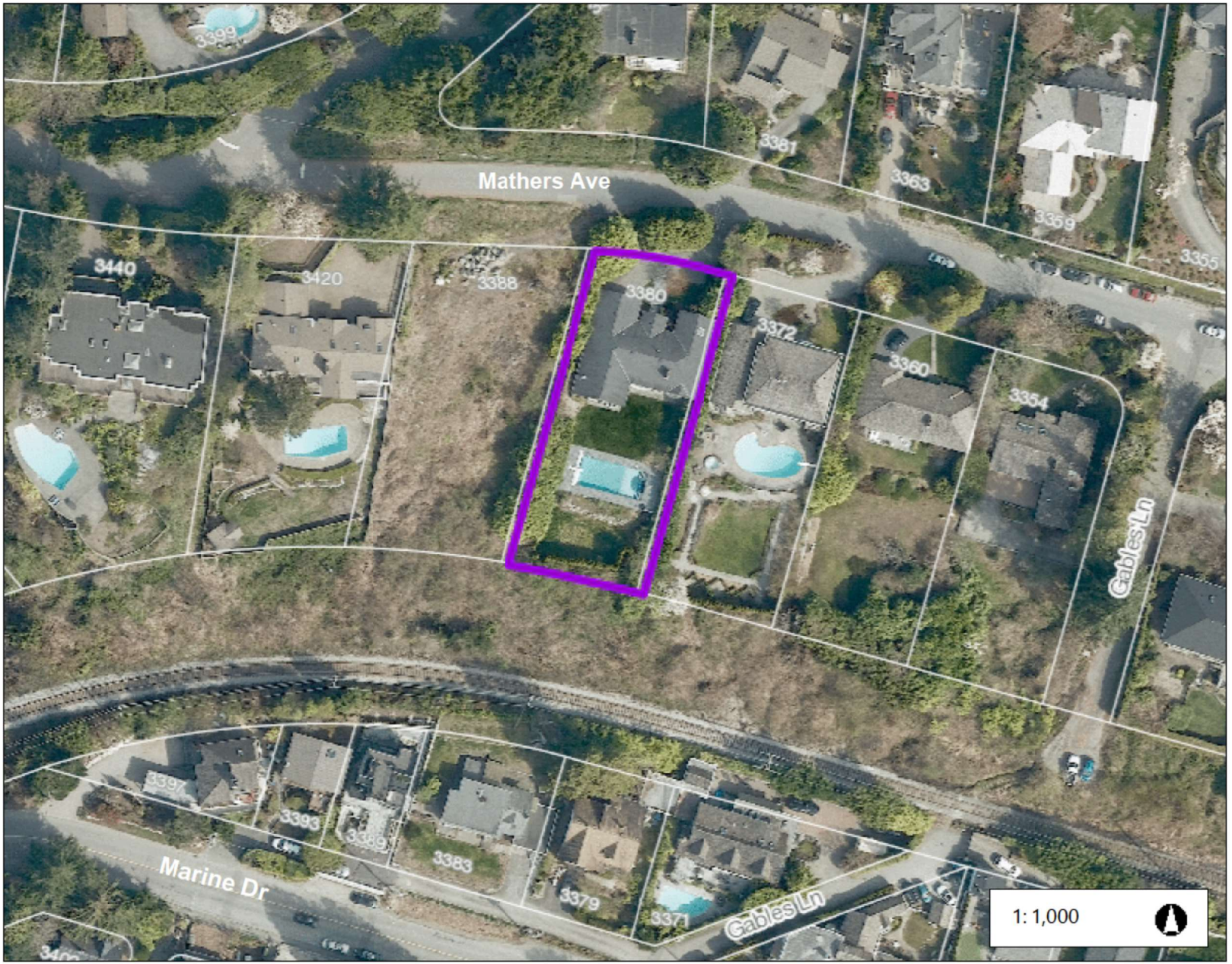
westvancouver

# 22-022

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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 19, 2022

# On-Table Agenda Information Package

| For Application 22-022 (3380 Mathers Avenue) | | |
|---|---|---|
| SUBMISSION AUTHOR | SUBMISSION DATED | # |
| Redacted | October 19, 2022 | 1 |

Please add these on-table items to the October 19, 2022 Board of Variance Agenda Package as indicated.

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# Application 22-022
# (3380 Mathers Avenue)

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**From:** Pascal Cuk
**Sent:** October 19, 2022 3:07 PM
**To:** BoardOfVariance
**Subject:** FW: Board of Variance Hearing October 19, 2022

**From:** Terry Yee <tyee@westvancouver.ca>
**Sent:** October 19, 2022 2:55 PM
**To:** Mark Panneton <mpanneton@westvancouver.ca>; Pascal Cuk <pdcuk@westvancouver.ca>
**Subject:** FW: Board of Variance Hearing October 19, 2022

**From:** s.22(1)
**Sent:** Wednesday, October 19, 2022 1:59 PM
**To:** Terry Yee <tyee@westvancouver.ca>
**Cc:** s.22(1)
**Subject:** Board of Variance Hearing October 19, 2022

**CAUTION:** This email originated from outside the organization from email address 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.

Hi Terry;
I am the owner of s.22(1), West Vancouver.
I received a notice by mail yesterday that a Board Hearing will be held today in regards to s.22(1) 3380 Mathers Avenue front yard setback. No further detail of the application was provided.
The applicant has also not approached us to provide details.

This notice does not give us enough time to review the matter and express an opinion.
I ask that the matter be put back for a couple of weeks to allow us to assess this application and provide an appropriate opinion.
Best Regards
s.22(1)

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