

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
BOARD OF VARIANCE HEARING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
WEDNESDAY, FEBRUARY 15, 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 V. Rae, Legislative Services Clerk, attended the hearing via electronic communication facilities.

**1. Call to Order**

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

**2. Introduction**

Staff introduced the Board Members and described the hearing procedure.

**3. Confirmation of the Agenda**

It was Moved and Seconded:

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

CARRIED

**4. Adoption of the January 18, 2023 Minutes**

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

It was Moved and Seconded:

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

CARRIED

**5. Time Limit of Board of Variance Orders**

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

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

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

## 6. Application 23-009 (1221 Keith Road)

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

Staff confirmed the following requested variances regarding a proposed addition:

- a) 0.13 m to Combined Side Yard Setback
- b) 1.83 m to Front Yard Setback
- c) 24.2 m<sup>2</sup> to Floor Area Ratio.

Staff provided permit history of the subject property.

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

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

Written submissions received:

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

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

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

Members of the Board considered:

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

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

It was Moved and Seconded:

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

- 0.13 m to Combined Side Yard Setback
- 1.83 m to Front Yard Setback
- 24.2 m<sup>2</sup> to Floor Area Ratio

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

CARRIED

Member Radage absent at the vote

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

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

Staff confirmed the following requested variances regarding a carport:

- a) 2.2% (19.7 m<sup>2</sup>) to Site Coverage Percentage
- b) 8.2% (72.7 m<sup>2</sup>) to Floor Area Ratio.

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

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	February 14, 2023	1

Staff provided permit history of the subject property.

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

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

Members of the Board considered:

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

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

It was Moved and Seconded:

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

- 2.2% (19.7 m<sup>2</sup>) to Site Coverage Percentage
- 8.2% (72.7 m<sup>2</sup>) to Floor Area Ratio

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

CARRIED

#### 8. **Application 23-011 (2484 Ottawa Avenue)**

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

- a) 0.75 m to Building Height.

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

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	February 2, 2023	1

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

Staff provided permit history of the subject property.

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

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

Members of the Board considered:

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

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

It was Moved and Seconded:

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

- 0.75 m to Building Height

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

CARRIED

**9. Application 23-012 (4702 Caulfeild Drive)**

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

**10. Receipt of Written and Oral Submissions**

It was Moved and Seconded:

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

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

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

CARRIED

**11. Public Question Period**

There were no questions.

**12. Next Hearing**

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

**13. Adjournment**

It was Moved and Seconded:

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

CARRIED

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

Certified Correct:

[Original signed by Chair]  
CHAIR

[Original signed by Secretary]  
SECRETARY