

**DISTRICT OF NORTH VANCOUVER  
BOARD OF VARIANCE**

Minutes of the Board of Variance of the District of North Vancouver held at 5:01 p.m. on Thursday, July 16, 2020. The meeting was held virtually with participants appearing via video conference.

**Present:** Mr. J. Rommel, Chair  
Mr. G. Akester  
Mr. L. Gavel  
Mr. J. Paul  
Mr. N. York

**Staff:** Mr. J. Gordon, Municipal Clerk  
Ms. J. Jorgenson, Residential Plans Review Supervisor  
Ms. S. Dale, Committee Clerk  
Ms. V. Milburn-Brown, Plans Reviewer  
Ms. C. Archer, Clerk Typist 3

**Also in Attendance:** Mr. Doug Aldrich, Owner  
Mr. Keith Edmonds, Owner  
Ms. Mandeep Edmonds, Owner  
Mr. Carman Kwan, Applicant  
Mr. Matt Monroe, Owner  
Mr. Mark Simone, Applicant

**1. Adoption of Minutes**

**1.1 February 20, 2020, Board of Variance Meeting**

**MOVED by Joe Rommel**

**SECONDED by James Paul**

THAT the minutes of the February 20, 2020 Board of Variance meeting be adopted.

**CARRIED**

**2. Hearing of Appeals**

Mr. Joe Rommel, Chair, welcomed members of the public to the meeting and provided an overview of the procedures for the meeting.

**2.1 3797 Hamber Place**

**Staff Presentation**

Staff reported that the property is located in the RS5 Zone and the lot area is 4,685 square feet. The house was built in 1983 and is not a heritage building. It is located in a Wildfire Development Permit Area but this is not applicable as they are requesting a garage addition.

The variances requested on the property are as follows:

1. Front Setback for Parking Structure of 3.5 ft (1.69 m); and,
2. Roof Projection of 1.5 ft. (0.46 m).

Staff further advised that until 1999, the required front setback for parking structures was 15 ft. (4.6 m), when the Zoning Bylaw was amended to increase the required setback to 20 ft. (6.1 m). Most of the homes in the area were built in the early to mid-1980, and many of these homes have garages that would not comply with current zoning regulations.

### **Applicant Presentation**

The applicant drew attention to the following points and hardships:

- The application is to turn the existing garage into living space and add a new garage in front of the existing garage;
- The existing access is provided from the front yard therefore limiting the practical location of the garage to the front yard;
- The existing siting of the home and its proximity to the property line further limits the location of the garage and is the only suitable location to add the garage;
- All features of the addition will be made to match the existing house;
- An addition would be consistent with the neighbourhood;
- The direct neighbour has done a similar addition prior to the change to the Zoning Bylaw; and,
- There has been overwhelming support from the community.

In response to a question from the Board, the owner advised that a letter of support was not received from the neighbours across the street; however, they did not voice any concerns.

In response to a question from the Board, the owner advised that the purpose of the games room is to accommodate their young family and provide a space where their children can play.

In response to a question from the Board, the owner advised that the variance could be smaller if the games room was not the full length of the garage; however, where the foundation and drainage sit makes it difficult and would increase cost and complications.

### **Representations from the Public**

Nil

### **Discussion**

Mr. Lee Gavel spoke in support of the application.

Mr. Guy Akester spoke in opposition to the application, noting the variance could be reduced further by making the proposed living space smaller.

Mr. Neville York spoke in support of the application, noting that the hardship for these variances is related to the history of changes to the Zoning Bylaw. Mr. York acknowledged the neighbours support.

Mr. James Paul spoke in support of the application, noting that the changes in the Zoning Bylaw causes a hardship. He opined that the setback is reasonable and all the neighbours have spoken in support of the application.

The Chair spoke in support of the application, noting that the Zoning Bylaw changes creates a hardship. He acknowledged the support from the neighbours and the requested variance is conducive to the neighbourhood.

**MOVED by Jim Paul**

**SECONDED by Joe Rommel**

THAT Board of Variance Application BOV2020-00002 3797 Hamber Place presented at the July 16, 2020 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS5	Front Setback for Parking Structure	20 ft. (6.1 m)	N/A	16.5 ft. (5.03 m)	3.5 ft. (1.69 m)
RS5	Roof Projection	16 ft. (4.88 m)	N/A	14.5 ft. (4.42 m)	1.5 ft. (0.46 m)

**CARRIED**

Opposed: Guy Akester

## 2.2 3890 Regent Avenue

### Staff Presentation

Staff reported that the property is located in the RS3 Zone and the lot area is 9,075 square feet. The house was built in 1973 and is not a heritage building. It is located in the Wildfire Development Permit Area but not applicable because the request is for the changing of a carport into living space. No addition is proposed but because of the change of use a variance is required. The building is existing non-conforming for building depth and a variance is not require for building depth as building depth is measured to parking structure or principal building.

The variances requested on the property are as follows:

1. Principal Building Setback variance of 9.92 ft (3.02 m); and,
2. Roof Projection of 6.92 ft. (2.11 m).

Staff further advised that as this is a corner lot the existing location of the house is causing these setback variance issues. The carport is considered side-entry and

met the minimum setback at the time but the use change is what is causing the variances and the existing building is staying the same length.

In response to a question from the Board, staff advised that the parking stalls are within the property line.

In response to a question from the Board, staff advised that the Zoning Bylaw does not require covered parking stalls. As there is not an opportunity to build a carport these will always be surface parking stalls.

In response to a question from the Board, staff advised that the required building setback is 25 ft.

In response to a question from the Board, staff advised that Braemar Road by definition is considered the front yard.

### **Applicant Presentation**

The applicant drew attention to the following points and hardships:

- The Zoning Bylaw does not take into consideration all specific cases where orientation of existing buildings and technical terms of flanking streets versus front yard setbacks may not reflect the established building setback patterns such as this site;
- The development proposal is for a modest infill of an existing carport;
- There is no addition being proposed and the floor area of the carport was already included in the previous permitting records;
- There is no floor area being added;
- All existing floor area including the carport is compliant to the Zoning Bylaw;
- Affordability is an important focus for the Lower Mainland and providing affordable housing choices with a secondary suite will help provide a mortgage helper for the home owners; and,
- Three letters of support were provided by the neighbours.

In response to a question from the Board, the staff advised that if the carport was a side-yard setback a variance would not be required.

In response to a question from the Board, the applicant advised that letters of support were received. Further there is only one single-family neighbour to the east (609 East Braemar Road) who has provided a letter of support for this proposed infilling of the existing carport for a secondary suite.

### **Representations from the Public**

Nil

### **Discussion**

Mr. Guy Akester spoke in support of the application. He commented that the size of the variance is large but noted that there is some evidence of hardship due to the siting of the existing structure.

Mr. Neville York spoke in support of the application, noting that the corner lot creates a hardship. He noted that the footprint will remain the same and the neighbours are in support of the proposed variance.

Mr. Lee Gavel spoke in support of the application, noting that this is an existing structure and the building mass will be the same after it is renovated. He encouraged the Board to judge each application separately.

Mr. James Paul spoke in support of the application, noting that the existing siting of the house on a corner lot created difficulties. He acknowledged neighbourhood support.

The Chair spoke in support of the application, noting that the flanking of the lot creates a hardship.

**MOVED by Neville York**

**SECONDED by Lee Gavel**

THAT Board of Variance Application BOV2020-00005 3890 Regent Avenue presented at the July 16, 2020 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS3	Principal Building Setback	25 ft. (7.62 m)	30 ft (9.14 m)	15.1 ft (4.6 m)	9.9 ft (3.02 m)
RS3	Roof Projection	21 ft. (6.4 m)	27.5 ft (8.84 m)	14.1 ft. (4.29 m)	6.9 ft. (2.11 m)

**CARRIED**

## 2.3 1864 Cardinal Crescent

### Staff Presentation

Staff reported that the property is located in the RS3 Zone and the lot area is 15,753 square feet. The house was built in 1973 and is not a heritage building. It is located in a Wildfire Development Permit area and is not applicable because of the request for an addition. The lot is fairly sloped where the house is located; however, it is not located in a Slope Hazard Development Permit Area. The existing building is currently existing non-conforming for height and eave height. The current roof is sloped and the proposal is to change it to a flat roof.

The variances requested on the property are as follows:

1. Maximum Building Height - Flat Roof variance of 8.14 ft (2.48 m); and,
2. Maximum Eave Height variance of 8.43 ft (2.57 m).

In response to a question from the Board, staff advised that if the house was pushed back to the access road a variance would still be required.

## **Applicant Presentation**

The applicant drew attention to the following points and hardships:

- Spoke to the steep slope noting that the topography creates a hardship;
- Advised that the proposed variance would not affect any of the neighbours;
- Noted that support letters were received from the majority of neighbours;
- Commented that a renovation saves energy and resources as a new build would require extensive blasting; and,
- Advised that the proposed variance would not affect any of the neighbours.

In response to a question from the Board, the applicant advised that they wanted to respect the neighbours to the north and not create an extension to the house effecting the shadow lines to their house. He opined that the mid-century modern low slope roof fits into the character of the neighbourhood.

In response to a question from the Board, the applicant advised that the purpose of the roof over the deck is for protected outdoor coverage.

In response to a question from the Board, the applicant advised that the north-east corner of the deck is where the majority of the variances are requested.

In response to a question from the Board, the applicant advised that immediate neighbours have provided letters of support.

In response to a question from the Board, staff advised that the proposed application is not considered new construction.

## **Representations from the Public**

Nil

## **Discussion**

Mr. Guy Akester spoke in support of the application, noting that the topography creates a hardship and that there is neighbourhood support.

Mr. Lee Gavel spoke in support of the application noting that the topography on the site is exceptional. He opined that neighbours would not be impacted by the variance.

Mr. Neville York spoke in support of the application, noting that it is not a minor variance; however, the slope creates a hardship.

Mr. James Paul spoke in support of the application, noting that the topography is a significant hardship and acknowledged the neighbours support. He commented that the proposed variance to the roof projection is not minor.

The Chair spoke in support of the application, noting that the steepness of the slope creates a hardship. He commented that if the District had similar zoning to other municipalities this would not require a Board of Variance application. Mr. Rommel

commented that the building mass is reduced and it fits with the character of the neighbourhood.

**MOVED by Joe Rommel**

**SECONDED by Guy Akester**

THAT Board of Variance Application BOV2020-00003 1864 Cardinal Crescent presented at the July 16, 2020 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS3	Maximum Building Height – Flat Roof	22 ft. (6.71 m)	N/A	30.14 ft. (9.19 m)	8.14 ft. (2.48 m)
RS3	Maximum Eave Height	22 ft. (6.71 m)	N/A	30.43 ft. (9.28 m)	8.43 ft. (2.57 m)

**CARRIED**

**3. CORRESPONDENCE**

Nil

**4. NEXT MEETING**

The next regular meeting of the Board of Variance is scheduled for Thursday, September 17, 2020.

**5. ANY OTHER BUSINESS**

Nil

**6. ADJOURNMENT**

**MOVED by Joe Rommel**

**SECONDED by Lee Gavel**

THAT the July 16, 2020 Board of Variance Meeting be adjourned at 6:23 p.m.

**CARRIED**

  
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Chair

  
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Committee Clerk