

**DISTRICT OF NORTH VANCOUVER
BOARD OF VARIANCE**

Minutes of the Board of Variance of the District of North Vancouver held at 5:02 p.m. on Thursday, June 16, 2022. The meeting was held virtually with participants appearing via video conference.

Present: Mr. J. Paul, Chair
Mr. G. Akester, Vice-Chair
Ms. L. Richard
Mr. N. York

Absent: Mr. L. Gavel

Staff: Ms. G. Lanz, Deputy Municipal Clerk
Ms. J. Jorgenson, Residential Plans Review Supervisor
Ms. V. Milburn-Brown, Plans Reviewer
Ms. C. Archer, Confidential Council Clerk
Ms. S. Clarke, Committee Clerk
Ms. K. Hebron, Committee Clerk

Also in

Attendance: Ms. Pam Chilton, Applicant
Ms. Julie Galati, Owner
Mr. Marcus Braun, Notified Person

1. Adoption of Minutes

1.1 April 21, 2022, Board of Variance Meeting

MOVED by James Paul

SECONDED by Laura Lee Richard

THAT the minutes of the April 21, 2022 Board of Variance meeting are adopted.

CARRIED

2. Hearing of Applications

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

2.1 408 Felton Road

Staff Presentation

Staff reported that the property is located in the RS3 Zone and that the lot area is 8,006 square feet. Staff advised that the house was built in 1974 and is not on the Heritage Registry and it is not located in a Development Permit Area.

Staff advised that there is an existing accessory building in the proposed location for the new accessory building, which was used as a pool shed. This structure is existing non-conforming with a 2.1 foot setback. The new proposed pool shed will reduce the existing non-conformity of the structure and is located to use the existing connections.

The variances requested on the property are as follows:

1. Setback from a Lot Line Facing a Street variance of 6 ft (1.83 m).
2. Roof Overhang variance of 4 ft (1.22 m).

In response to a question from the Board, staff advised that the pool shed could not be moved out of the setback area without interfering with access to the pool or being within the required setback to another side of the property.

Applicant Presentation of Hardship

The applicant drew attention to the following points and hardships:

- The original pool shed was 52 square feet in area and was non-conforming to the lot line;
- The proposed pool shed is 108 square feet, overlapping a portion of the original pool shed;
- The proposed accessory building is less non-conforming than the original building;
- The required setback is ten feet for the accessory building to the flanking street and 9.8 feet for the house to the flanking street;
- There is no other suitable location in the rear yard for the accessory building without interfering with circulation around the pool;
- The proposed accessory building is located to use the existing services;
- The previous proposal was for an accessory building twice the size, which was reduced to the proposed size when they were made aware they would require a variance to proceed; and,
- The proposed accessory building adds a change room and washroom to eliminate the need for wet pool users to enter the main house.

In response to a question from the Board, the applicant advised that there is hardship related to the additional services and the location of existing services. The applicant noted that the property was overgrown, the pool out of service, and the shed dilapidated and unsightly at the time it was purchased. The owners are now cleaning up the yard and the pool, landscaping the property and rebuilding the pool shed. The additional features in the proposed pool shed will make the yard and the pool more useable.

In response to a question from the Board, the applicant advised that the roof height of the proposed accessory building does not interfere with sightlines at the fence line and there are two well-established trees at that site.

Representations from the Public

Mr. Marcus Braun, 400 Block Felton Road:

- Spoke in support of the application;
- Noted that the original building was non-conforming and that the existing services are proposed to be used; and,
- Commended the owners for their efforts to make the building as close to conforming to the Zoning Bylaw as possible.

Discussion

Ms. Laura Lee Richard spoke in support of the application, noting that the proposal uses existing services rather than relocating them. Ms. Richard expressed appreciation for the reduced size of the building in order to reduce the variance requested. She noted that the neighbours are in support and that the location of the existing services creates a hardship.

Mr. Neville York spoke in support of the application, noting that the applicant has demonstrated hardship, the requested variance is minor, there is support from neighbours and that the proposed accessory building is less non-conforming than the existing structure.

Mr. Guy Akester spoke in support of the application, noting that the location of the existing services is a hardship. Mr. Akester noted that, while the proposal adds to the existing pool shed, the portion of the structure that is non-conforming is restricted by the location of the existing services and the portion containing the additional features is within the Zoning Bylaw setback requirements.

The Chair spoke in support of the application, noting the existing non-conforming structure and that the proposal does not increase the non-conformity. Mr. Paul noted that the location of existing services creates a hardship and that finding a design solution within the Zoning Bylaw is difficult. He further noted there is neighbour support for the application and that the requested variances are minor.

MOVED by Laura Lee Richard

SECONDED by Neville York

THAT Board of Variance Application BOV2022-00005 408 Felton Road presented at the June 16, 2022 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS3	Setback from a Lot Line Facing a Street	10 ft (3.05 m)	2.18 ft (0.66 m)	4 ft (1.22 m)	6 ft (1.83 m)
	Roof Overhang	6 ft (1.83 m)	N/A	2 ft (0.61 m)	4 ft (1.22 m)

CARRIED

3. CORRESPONDENCE

Nil

4. NEXT MEETING

The next regular meeting of the Board of Variance is scheduled for Thursday, July 21, 2022.

5. ANY OTHER BUSINESS

Nil

6. ADJOURNMENT

MOVED by James Paul

SECONDED by Guy Akester

THAT the June 16, 2022 Board of Variance Meeting is adjourned at 5:21 p.m.

CARRIED

Chair James R Paul

Guy Akester
Committee Clerk