

# **BOARD OF VARIANCE**

*Via MS Teams*

*August 10, 2022 at 6 p.m.*

In light of the COVID-19 pandemic and to ensure social distancing, Saanich Municipal Hall is closed to the public for this meeting.

Enquiries/comments may be submitted by email to **BOV@saanich.ca** and must be received no later than 12:00 pm noon, Wednesday, August 10, 2022. Alternatively, you may register to speak by telephone or electronically at the Hearing by sending an email (by the above deadline) to **BOV@saanich.ca** and noting the agenda item you wish to speak to. Instructions on how to join the meeting will be emailed to you.

<b>1</b>	<b>3121 Earl Grey Street Lot 22, Block P, Sections 11 and 12, Victoria District, Plan 860</b>	To construct an addition  Relaxation of the minimum combined side yard setback from 4.5 m (14.8 ft) to 3.35 m (11.0 ft)
<b>2</b>	<b>4661 Ambleswood Drive Lot 7, Section 8, Lake District, Plan 21798</b>	To construct an addition  Relaxation of the of the minimum rear lot line setback from 7.5 m (24.5 ft) to 7.24 m (23.75 ft)
<b>3</b>	<b>4396 Viewmont Avenue Lot 18, Section 9, Lake District, Plan 32213</b>	To construct an addition  Relaxation of the minimum rear lot line setback from 7.5 m (24.6 ft) to 1.55 m (5.09 ft) Relaxation of the minimum combined front and rear setbacks from 15.0 m (49.2 ft) to 9.55 m (31.33 ft)
<b>4</b>	<b>Minutes (attachment)</b>	Approval of Minutes from the July 13, 2022 Board of Variance meeting

**MINUTES**  
**BOARD OF VARIANCE**  
Via Microsoft Teams  
July 13, 2022 at 6:00 p.m.

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Members: M. Horner (Chair), K. Zirul, A. Gill, J. Uliana

Regrets: M. Cole

Staff: K. Kaiser, Planning Technician; J. McLaren, Planning Technician; N. Chaggar, Senior Committee Clerk; M. MacDonald, Senior Committee Clerk

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Royal Wood Court Addition  
BOV00980  
**Applicant: Bruce Mason**  
**Property: 4601 Royal Wood Court**  
**Variance: Relaxation of the minimum rear lot line setback from 7.5 m (24.6 ft) to 6.39 m (20.96 ft)**

The Notice of Meeting was read, and the applicant's letter and seven letters from neighbours received.

Applicants: Bruce Mason, applicant, and Tom and Cindy Pringle, owners, were present in support of the application and noted the following:

- The lot has an odd shape and is restricted by a private easement to the north.
- The applicant is looking for the minimal relaxation.
- There will be no harm to the existing vegetation.
- The footprint of the house is not changing as the proposed addition is an aerial extension.

Public input: Nil

Discussions: In response to questions from the Board, the applicants stated:

- No new foundation is being built.
- The option of adding a suite above the garage would restrict the floor space; however, this option would not require variances.
- There is a difference of approximately 100 ft<sup>2</sup> between the two design options.

Board discussion:

- The applicant has an option to build a suite that complies with the Bylaw.
- There are some valid hardships due to the lot shape and the easement.
- The request is minor and reasonable.

**MOTION: MOVED by A. Gill and Seconded by J. Uliana: "That the following request to relax the minimum rear lot line setback from 7.5m (24.6 ft) to 6.39 m (20.96 ft) from the requirements of Zoning Bylaw 2003, Section 230.4 (a)(i) further to the construction of an addition on Lot 17, Section 109, Lake District, Plan 47855 (4601 Royal Wood Court) be APPROVED.**

**And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire."**

**CARRIED**

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Earl Grey Street Addition  
BOV00982

**Applicant:** Nathan Muller  
**Property:** 3121 Earl Grey Street  
**Variance:** Relaxation of the minimum combined side yard setback from 4.5 m (14.8 ft) to 3.35 m (11.0 ft)

The Notice of Meeting was read, and the applicant's letter received.

Applicants: Nathan Muller, applicant/owner, and David Adams, designer, were present in support of the application and noted the following:

- A smaller size garage would not be able to accommodate a vehicle.

Public input: Nil

Discussions: In response to questions from the Board, the applicant stated:

- The lots in the area are 50 ft wide which is too narrow to put a house and garage side by side.
- It's difficult to accommodate modern vehicles in a garage that was built in the 1930s.
- There is an addition being constructed at the rear of the property; however only the garage would encroach into the setback.

In response to questions from the Board, the Planning Technician stated:

- The intention of setbacks is to contain a structure within an "envelope" and not expand across the whole property.
- The home is existing non-conforming. Any new addition would have to meet the Bylaw requirements.

Board Discussion:

- The application is straight forward.
- The variance is required because of the garage addition.
- The proposed garage is the minimal size in order for it to be functional.
- Due to the age of the home, it was not designed in compliance with the current Bylaw.
- The original garage has been converted into a basement suite; the consequence is that the owners lose a garage.
- The Bylaw is specific about the combined side yard setbacks.
- Not everybody has a garage.
- The hardship is unclear.
- They are asking for the minimal amount to make this addition work.
- This house was built prior to the Zoning Bylaw coming into place.
- Today's needs are different from when this home was built.

**MOTION:** **MOVED by J. Uliana and Seconded by A. Gill: "That the following request to relax the minimum combined side yard setback from 4.5 m (14.8 ft) to 3.35 m (11.0 ft) from the requirements of Zoning Bylaw 2003, Section 210.4 (a)(ii) further to the construction of an addition on Lot 22, Block P, Victoria District, Plan 860, Section 11 & 12 be APPROVED.**

**And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire."**

**TABLED**

*Note: this was a tie vote (2 in support and 2 opposed). By consensus, Board members agreed to table the application until the August 10, 2022 Board of Variance meeting to be reconsidered when all Board members are present.*

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Minutes: **MOVED by K. Zirul and Seconded by A. Gill: "That the minutes of the Board of Variance meeting held June 23, 2022 be adopted."**

**CARRIED**

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Housekeeping Item: 

- Board of Variance meetings will continue virtually for the time being.
- This item will be re-visited at the November 9, 2022 Board of Variance meeting.

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The meeting adjourned at 6:49 p.m. The next meeting is scheduled for August 10, 2022.

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Melissa Horner, Chair

I hereby certify that these Minutes are a true and accurate recording of the proceedings.

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Recording Secretary

DRAFT