

**MINUTES  
BOARD OF VARIANCE  
COMMITTEE ROOM NO. 2, SAANICH MUNICIPAL HALL  
December 13, 2017 at 5:00 P.M.**

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Members: H. Charania (Chair), D. Gunn, R. Riddett  
Absent: R. Gupta, R. Kelley  
Staff: K. Gill, Zoning Officer, T. Douglas, Senior Committee Clerk  
Minutes: Moved by D. Gunn and Seconded by R. Riddett: "That the minutes of the Board of Variance meeting held November 8, 2017 be adopted as amended."

CARRIED

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Spring Bay Road **Applicant: T. Martin OBO M. and C. Stewart**  
Accessory **Property: 2998 Spring Bay Road**  
building **Variance: Relaxation of front lot line from 7.5 m to 1.8 m**  
**Relaxation of maximum lot coverage from 2.5% to 7.38%**

BOV #00670

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

Applicants

T. Martin and A. Spruit, applicants, and M. and C Stewart, owners, were present in support of the application. They responded to questions from the Board and the following comments were noted:

- They did look at options to place the garage elsewhere.
- The present zoning limits the size of permitted accessory buildings.
- The site was not marked because they were away, and did not receive the letter with these instructions in time for the meeting.
- The footprint will stay the same. The roof will be turned to a gable roof to better suit the rest of the home; presently the house and garage look quite squashed.
- The garage is not being moved closer to the home because the owners want to use the space on the southern side. The garage is aligned with the property line.
- They took possession of the house in August this year.
- The hardships are that the property is zoned incorrectly, the cost to connect the garage to the house is prohibitive; there is rock in the area to the right by the hedge so it cannot easily be moved to this area, plus the owners wish to be able to enjoy the southern exposure. The amount of excavation and demolition needed if they have to remove the old carport and build in a new area is also costly.
- The proposed building will not change the neighbour's views very much, and using the existing spot will reduce site preparation costs.
- It feels like the existing zoning is exploitive; they don't have opportunity to do much else with the current zoning.
- This will visually improve the neighbourhood and will allow vehicles to park on the property rather than the road.
- If denied, they will have to look at attaching the garage to the home which will change the whole façade and will be very costly with the redesigning and excavation costs.
- The applicants confirmed that they will not need any additional variances as they design and install a pitched roof on their existing house.

**MOTION:**

**MOVED by D. Gunn and Seconded by R. Riddett: "That the following variances be granted from the requirements of Zoning Bylaw 2003, Sections 290.4(a)(i) and 290.4(c), further to the construction of an accessory building on Lot 8, Section 44, Victoria District, Plan 1544 (2998 Spring Bay Road):**

- a) relaxation of front lot line from 7.5 m to 1.8 m**
- b) relaxation of the maximum lot coverage from 2.5% to 7.38%**

**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.”**

Board comments:

- Sees the hardship with the size of the lot and the zoning anomaly, the present siting of the home, and also perceives that there is obstructing rock.
- This does not affect neighbours, and is of minimal environmental impact.
- The road is narrow and creates a virtual setback.
- Request is reasonable and meets the intent of the bylaw.
- Feels 1.8 metres is too close to the front; if it was moved back more or to the side, would support.

**The Motion was then Put with H. Charania OPPOSED**

As there were only three Board members present and the vote was not unanimous, the application was **TABLED** for future consideration when a full Board is present.

Carman Street Addition

BOV #00671

**Applicant: L. Baker OBO T. and C. Smyth**  
**Property: 3181 Carman Street**  
**Variance: Relaxation of interior side lot line from 1.5 m to 1.39 m**  
**Relaxation of combined side yard setback from 4.5m to 3.69m**  
**Relaxation of allowable floor space in non-basement areas from 80% to 82.71%**

The Notice of Meeting was read and the applicant’s letter received. Signatures of no objection submitted from two residences.

Applicants

L. Baker, Aspire Custom Designs, applicant, and T. and C. Smyth, owners, were present in support of the application. The following was noted:

- They have met with the neighbours about their proposed addition.
- The stairs cause the problem and trigger the need for the combined side yard variance.
- They are adding space for their daughter to stay in the home while she attends university.
- The living room load is an issue; they want to keep things in alignment.

**MOTION:**

**MOVED by R. Riddett and Seconded by D. Gunn: “That the following variances be granted from the requirements of Zoning Bylaw 2003, Sections 210.4(a)(ii) and 210.4(c), further to the construction of an addition to the house on Lot 2, Section 27, Victoria District, Plan 1311 (3181 Carman Street):**

- a) relaxation of interior side lot line from 1.5 m to 1.39 m
- b) relaxation of combined side yard setback from 4.5 m to 3.69 m
- c) relaxation of allowable floor space in non-basement areas from 80% to 82.71%

**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.”**

Board comments:

- This is a minor variance.
- The oversizing of the non-basement area is being done for good engineering reasons.
- There are no objections from neighbours.
- They are renovating an older home for a modern family.

**The Motion was then Put and CARRIED**

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Glasgow Avenue Addition  
BOV #00672

**Applicant:** D. Ko OBO K. Lin  
**Property:** 3218 Glasgow Avenue  
**Variance:** Relaxation of height from 7.5 m to 8.00 m  
Relaxation of single face height from 7.5 m to 8.10 m

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

Applicants

There was no one present in support of the application.

The question was raised as to how the errors in measurement could be made between the time plans were submitted and the survey was done. Board members initially considered tabling the application until the applicant could be present, however it was felt that enough information had been provided in the application package in order to make a decision.

**MOTION:**

**MOVED by D. Gunn and Seconded by R. Riddett: "That the following variances be granted from the requirements of Zoning Bylaw 2003, Sections 210.4(b)(i) and (ii), further to the relocation and construction of an addition to the house on Lot S2, Section 7, Victoria District, Plan 1192 (3218 Glasgow Avenue):**

- a) relaxation of height from 7.5 m to 8.00 m
- b) relaxation of single face height from 7.5 m to 8.10 m

**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."**

Board comments:

- The request seems reasonable.
- The building is not higher than surrounding homes.
- They are renovating an older building.
- There is no impact to the neighbours.
- Sees a hardship in the basement that is presently too low to be of any use.
- The error was likely unintentional.

**The Motion was then Put and CARRIED**

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Adjournment

On a motion from R. Riddett, the meeting was adjourned at 5:55 p.m.

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Haji Charania, Chair

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

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Recording Secretary