

**MINUTES
BOARD OF VARIANCE
HELD ELECTRONICALLY VIA MICROSOFT TEAMS
WEDNESDAY JANUARY 11 AT 6:00 P.M.**

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

Regrets: M. Cole

Staff: J. McLaren, Senior Planning Technician; A. Whyte, Senior Planning Technician; and M. MacDonald Senior Committee Clerk

Appointment of Chair The Senior Committee Clerk called the meeting to order and asked for nominations for the Chair. K. Zirul was nominated and accepted the nomination.

Moved by A. Gill and Seconded by J. Uliana: "That Kevin Zirul be appointed as Chair of the Board of Variance for the 2023 term."

CARRIED

K. Zirul assumed the Chair.

Bute Street Height
BOV#01005
Applicant: Footprints Ventures Inc
Property: 1141 Bute Street
Variance: Relaxation of the maximum vertical portion of a dwelling within 5.0 m of a vertical plane extending from the outermost wall for a flat roof (single face) from 6.5 m (21.3 ft) to 8.09 m (26.5 ft).

Notice of Cancellation: It was noted that this application was canceled shortly after statutory notifications had been sent out to neighbours. A cancellation notice was sent on January 3, 2023; no interested parties attended the meeting. This application will not be considered by the Board of Variance.

Parkside Crescent Non-basement
BOV #01006
Applicant: Darren Sopher, Mavericks Solutions Ltd
Property: 4355 Parkside Crescent
Variance: Relaxation of the maximum allowable non-basement floor area from 248.0 m² (80%) to 292.25 m² (94.27%).

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

Applicants: Darren Sopher of Mavericks Solutions Ltd. (applicant) and Roman Mokhnach (Owner) were present in support of the application. The following was noted:

- The house was built in the early 1960's, the lower floor was considered a basement when the house was built.
- The lower level does not meet the current definition of a basement as per the current Zoning Bylaw.

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

- The request will allow for a new master bedroom and ensuite bathroom to be built for the lower level.

- The variance is necessary as the foundation/slab was built slightly above the grade required for it to be considered basement.
- Allowing this variance would reduce environmental impacts.
- In order to comply with the bylaw, the family would have to remove a wall from the lower level, bring in machinery to remove the concrete slab, dig deeper and then build a new slab and then rebuild the house. That would be cost prohibitive, take much longer, and create many unnecessary environment impacts including demolition materials and requiring all new building materials for the entire lower floor.

The following was noted during Board discussion:

- The variance will not affect adjacent land.
- In order for the lower level to be considered a basement, there is approximately a 7” difference necessary, which is a minor request.
- Repurposing the existing space on site is a reasonable request.
- Bringing the existing slab down 7” as described above would create undue hardship for many reasons outlined above.
- The lower level was likely considered basement area by the definition of the previous Zoning Bylaw.
- There is a 1.5 metre drop from the front to the back of the site. The lower level looks to be a basement when observing from the road.

Public input: Nil

MOTION: MOVED by M. Horner and Seconded by A. Gill: “That the following request to relax the maximum allowable non-basement floor area from the requirements of Zoning Bylaw 2003, Sections 210.4 (c) further to the construction of an addition on Lot 24, Section 52, Victoria District, Plan 13519 (4355 Parkside Crescent) be APPROVED:

- **Relaxation of the maximum allowable non-basement floor area from 248.0 m² (80%) to 292.25 m² (94.27%).**

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

Adjournment On a motion from A. Gill, the meeting was adjourned at 6:38 pm.

Kevin Zirul, Chair

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

Recording Secretary