

**MINUTES**  
**BOARD OF VARIANCE**  
Held electronically via MS Teams  
April 14, 2024 at 6:00 p.m.

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

Staff: A. Whyte, Senior Planning Technician; C. Yancoff, Senior Planning Technician; and M. MacDonald, Senior Committee Clerk

Regrets: C. Schlenker

Minutes: **MOVED by A. Gill and Seconded by M. Cole: “That the Minutes of the Board of Variance meeting held March 13, 2024, be adopted as circulated.”**

**CARRIED**

---

Height and Setbacks  
BOV #01068

**Applicant: Zebra Design Group**  
**Property: 2717 Queenswood Drive**  
**Variance: Relaxation of the maximum height from 7.5 m (24.6 ft) to 7.96 m (26.12 ft) for a sloped roof**  
**Relaxation of the maximum height from 6.5 m (21.3 ft) to 9.58 m (31.43 ft) for a flat roof**  
**Relaxation of the maximum vertical portion of a dwelling within 5.0 m of a vertical plane extending from the lowest outermost wall from 7.5 m (24.6 ft) to 8.18 m (26.84 ft) for a sloped roof**  
**Relaxation of the maximum vertical portion of a dwelling within 5.0 m of a vertical plane extending from the lowest outermost wall from 6.5 m (21.3 ft) to 9.80 m (32.15 ft) for a flat roof**  
**Relaxation of the minimum front lot line setback from 15.0 m (49.2 ft) to 9.0 m (29.53 ft) for an accessory building**

Due to unforeseen circumstances the applicant requested this item be postponed until further notice. The application was postponed, the Clerk advised interested parties that notifications would be sent when the application is scheduled in the future.

---

Springridge Crescent Setbacks  
BOV #01069

**Applicant: Deckadence Construction Inc.**  
**Property: 4152 Springridge Crescent**  
**Variance: Relaxation of the minimum rear lot line setback from 7.5 m (24.6 ft) to 5.03 m (16.50 ft)**  
**Relaxation of the minimum combined front and rear setbacks from 15.0 m (49.21 ft) to 13.04 m (42.78 ft)**

The Notice of Meeting was read, the applicant’s letter and one piece of correspondence was received.

Applicants: A. Johnson (Deckadence) and G & J Jaschko, owners, were present in support of the application, the following was noted:

- The application is to rebuild an existing deck, which has been in place since the owners purchased the property in the 1990's.
- The rear yard setback is very close to the existing home.
- Looking to construct a modest deck.

Public input: Nil

Discussions: The applicant stated the following in response to questions from members of the Board:

- The lot is pie shaped, meaning that only the east side yard would allow for a deck, there is not space anywhere else on the lot.
- The new deck will be approximately 2 feet wider than what is currently there, this modest additional space will not affect neighbours.

In response to questions, the Planning Technician stated the following:

- The deck was not shown on the existing plans, this means the existing deck is currently not permitted.

The following was noted during Board discussion:

- An aerial shot presented shows a warehouse occupies the adjacent lot which would be most impacted visually as the deck faces it. The warehouse does not have windows and this deck does not impact it.
- The proposed expansion would maintain the same height of the existing deck with a minor increase to the width.
- There would be minimal impact to neighbours and the environment.

**MOTION: MOVED by M. Cole and Seconded by K. Zirul: "That the following request to vary from the requirements of Zoning Bylaw 2003, Sections 220.4 (a) (i) further to the construction of an addition on Lot 2, Section 100, Lake District, Plan 34616 (4152 Springridge Crescent) be APPROVED:**

- Relaxation of the minimum rear lot line setback from 7.5 m (24.6 ft) to 5.03 m (16.50 ft)
- Relaxation of the minimum combined front and rear setbacks from 15.0 m (49.21 ft) to 13.04 m (42.78 ft)

**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**

Santa Clara  
Avenue  
Setbacks

**Applicant: Michelle Owen Design**  
**Property: 5075 Santa Clara Avenue**  
**Variance: Relaxation of the minimum rear lot line setback from 7.5 m (24.61 ft) to 3.05 m (10.01 ft).**

BOV #01070

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

Applicants: Michelle Owen, applicant/owner, was present in support of the application, the following was noted:

- The property is a single-family home located on a A-1 zoned lot. Other homes in the area are typically residential zoning.
- There are challenges posed by mature trees, slopes, and existing septic systems, making building difficult within bylaw constraints.
- A 10-foot hedge surrounds the property, primarily for safety and privacy reasons. Retaining the hedge is important.
- Maintaining visibility of children while they play is imperative, especially if a pool is constructed on the premises.
- There is no intention to remove existing mature trees.

Public input: Nil

Discussions: The applicant stated the following in response to questions from members of the Board:

- The applicant canvassed the neighborhood, spoke with all adjoining neighbors and received signatures of support.

The Senior Planning Technician stated the following:

- The 7.5 metre setback applies to all lot lines in this zone.

The following was noted during Board discussion:

- Concerns were raised regarding the A-1 zoning designation, if the lot was zoned residential, the application would be compliant.
- Viewing the pool from the home as a safety measure is supportable.
- The property is larger than surrounding lots, which may be why it is zoned agricultural and requires further setbacks.
- Specific consideration could be given to a flat, non-treed area in the back right portion of the property as a potential location for the pool.
- Moving the pool to any other location apart from the suggested area would likely require moving it into the front yard, which would still require a variance in order to be compliant.

**MOTION: MOVED by A. Gill and Seconded by M. Cole: "That the following request to vary from the requirements of Zoning Bylaw 2003, Sections 101.7 (a) (i) further to the construction of an accessory building on Lot 20, Block 3, Section 46, Lake District, Plan 1522, except the southerly 104.6 feet and except that part in Plan 46517 (5075 Santa Clara Avenue) be APPROVED:**

- **Relaxation of the minimum rear lot line setback from 7.5 m (24.61 ft) to 3.05 m (10.01 ft)**

**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  
With K. Zirul OPPOSED**

---

Georgia Park  
Terrace  
Setbacks

**Applicant:** Yager Construction Ltd  
**Property:** 4980 Georgia Park Terr  
**Variance:** Relaxation of the minimum front lot line setback from 7.5 m (24.6 ft) to 4.47 m (14.67 ft)

BOV #01071

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

Applicants:

D. Owens of Yager Construction was present in support of the application, the following was noted:

- The east setback is existing non-conforming.
- The back of the house features graded and steep terrain, making it unsuitable for construction.
- Due to these limitations, building upwards is the only viable option.
- Hardship is attributed to the topography of the land and the existing location of the house.

Public input:

Nil

Discussions:

The applicant stated the following in response to questions from members of the Board:

- The intention is to maintain the existing front lot line setback, extending the front facade of the house vertically.
- As the proposed construction only involves extending upwards, no additional setback variance is being requested. The existing non-conforming status means this request is required for the construction.
- Current setbacks are not imposing, and efforts were made to step back the structure to minimize any potential impact on neighbors.

The following was noted during Board discussion:

- Due to the extremely steep driveway and surrounding area, there is not an option to build elsewhere on the lot.

**MOTION:**

**MOVED by A. Gill and Seconded by M. Cole: "That the following request to vary from the requirements of Zoning Bylaw 2003, Section 295.3 (a) (i) further to the construction of an addition on Lot 2, Section 29, Lake District, Plan 14851 (4980 Georgia Park Terr) be APPROVED:**

- **Relaxation of the minimum front lot line setback from 7.5 m (24.6 ft) to 4.47 m (14.67 ft).**

**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**

Phyllis Street Setbacks  BOV #01072	<b>Applicant:</b> Studio Ink Design <b>Property:</b> 2880 Phyllis Street <b>Variance:</b> Relaxation of the minimum front lot line setback from 15.0 m (49.2 ft) to 3.2 m (10.5 ft)
--	---

The Notice of Meeting was read, the applicant's letter and three pieces of correspondence were received.

Applicants: G. Streight, applicant, and P. & S. Stanford, owners, were present in support of the application, the following was noted:

- Variance required for the proposed double car garage and studio.
- The front yard on the west side of the property presents challenges due to a significant slope in the backyard and the side. Building in these areas would make the garage inaccessible.
- The east side of the house was identified as the only flat, accessible space for a garden, currently utilized for growing food, as a play space, and sitting area. Building here would eliminate the current use and restrict sunlight in the house.
- Preservation of a mature plum tree in this area was also emphasized.
- It is preferred that the garage does not dominate the front of the house.
- It was acknowledged that the proposed building site is well away from the west property line, with fir trees and an adjacent park.
- The proposed building will not interfere with the critical root zone of nearby mature trees.
- Letters of support from neighbors were received.
- The design of the proposed structure was confirmed to be within height, square footage, and maximum lot coverage regulations.
- The building's location would have minimal impact on neighbors and visitors to the park.

Public input: C. Arnsdorf, Phyllis Street

- The area on which the accessory building will be located is not environmentally sensitive.
- There is ample boulevard, in addition to the proposed setbacks.
- Minimal impact to the streetscape character because mature trees and vegetation surround the property, including large plants across the majority of the front lot line.

Discussions: Board members commended the applicant on presentation of the application, no questions were asked.

The following was noted during Board discussion:

- The lot is challenging due to the constraints of the slope and current use of the garden area. Retaining the garden and trees is supportable.
- Neighbors are supportive of the project.
- The boulevard is wide, although this application requires a variance, the accessory building is still set back quite far from the road.
- The proposed setback would be appropriate in this location.
- A hedge would effectively hide most of the building from view, further mitigating concerns.

**MOTION:**        **MOVED** by K. Zirul and **Seconded** by M. Cole: “That the following request to vary from the requirements of Zoning Bylaw 2003, Section 5.34 (a) (i) further to the construction of an accessory building on Lot 16, Section 44, Victoria District, Plan 8533 (2880 Phyllis Street) be **APPROVED:**

- Relaxation of the minimum front lot line setback from 15.0 m (49.2 ft) to 3.2 m (10.5 ft).

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 J. Uliana, the meeting was adjourned at 7:16 pm.

\_\_\_\_\_  
J. Uliana, Chair

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

\_\_\_\_\_  
Recording Secretary