

**DISTRICT OF NORTH VANCOUVER
BOARD OF VARIANCE**

Minutes of the Board of Variance of the District of North Vancouver held at 5:01 p.m. on Thursday, June 20, 2024. The meeting was held in the Committee Room of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

Present: James Paul, Chair
Guy Akester, Vice-Chair
Lee Gavel
Laura Lee Richard
Neville York (via Zoom)

Staff: Adriana Reiher, Council Liaison/Support Officer
Lisa Koncsik, Supervisor – Residential Plans Review
Veronica Milburn-Brown, Supervisor – Residential Plans Review
Kaitlin Hebron, Confidential Council Clerk
Jillian Holden, Administration Clerk

Also in

Attendance: Shawn Lapointe, Owner
Julia Pomerinskas, Applicant
Laura Flores, Owner
Milad Ghodrat, Applicant
Arash Haidari-Khabbaz, Owner
Nastaran Mohammadi, Owner
Maziar Rahmati, Applicant
Omar Shariff, Owner
Notified Person for 2552 Panorama Drive

1. Adoption of Minutes

1.1 April 18, 2024, Board of Variance Meeting

MOVED by James Paul

SECONDED by Guy Akester

THAT the minutes of the April 18, 2024 Board of Variance meeting are adopted.

CARRIED

2. Hearing of Applications

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

2.1 3925 Hoskins Road

Staff Presentation

Staff reported that the property is located in the RS4 Zone and that the lot area is 733.59 square metres. The house was built in 1959 and is not on the Heritage Registry or located in a Development Permit Area.

The variance for the proposed addition at rear of carport on this property is as follows:

1. Minimum Sideyard Setback variance of 0.9 feet (0.27 metres).

In response to a question from the Board, staff advised that the bylaw considers the shed as part of the principal dwelling as it is attached.

In response to a question from the Board, staff advised that the property adjacent to the requested variance to the setback is District-owned green belt or park area and there are no structures on the property.

Applicant Presentation of Hardship

The applicant drew attention to the following points and hardships:

- The existing shed on the property is non-conforming and is in poor condition with leaking an ongoing issue;
- The original plan was to rebuild the shed and the design was changed to attach the building to the principal dwelling;
- They would like to rebuild on the existing foundation as demolition and new construction would entail more work; and,
- They were not aware at the time of purchase that the structure was non-conforming.

Representations from Notified Persons

Nil

Representations from the Public

Nil

Discussion

Guy Akester spoke in opposition to the application, noting that hardship has not been demonstrated.

Neville York spoke in support of the application, noting that the requested variance is minor and there are no negative impacts to neighbouring properties.

Laura Lee Richard spoke in support of the application, noting that the design does not defeat the intent of the Zoning Bylaw.

Lee Gavel spoke in support of the application, noting that the requested variance is minor and there are no negative impacts to neighbouring properties.

The Chair spoke in support of the application, noting that the requested variance is minor and there are no negative impacts to neighbouring properties.

MOVED by Lee Gavel

SECONDED by Laura Lee Richard

THAT Board of Variance Application BOV2024-00005 for 3925 Hoskins Road presented at the June 20, 2024 Board of Variance meeting is **APPROVED** as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS4	Minimum Sideyard Setback	6 ft (1.83 m)	n/a	5.1 ft (1.55 m)	0.9 ft (0.27 m)

CARRIED

Opposed: Guy Akester

2.2 1996 Hoskins Road

Staff Presentation

Staff reported that the property is located in the RS3 Zone and that the lot area is 883.89 square metres. The house was built in 1962, is not on the Heritage Registry, and is located in Development Permit Areas for Slope Hazard and Streamside Protection.

The variance for the proposed new deck on this property are as follows:

1. Principal Dwelling Side Yard Setback variance of 1.7 feet (0.52 metres).

In response to a question from the Board, staff advised that a Building Permit was issued for the deck.

In response to a question from the Board, staff advised that the survey provided to the District in the Building Permit application was in compliance with the Building Permit.

Applicant Presentation of Hardship

The applicant drew attention to the following points and hardships:

- The house was purchased in 2020;
- Opined that the building inspector did not take measurements at the time of inspection;
- A surveyor attended the property prior to and following construction;
- They have paid three times for surveys;
- The angles of the property are not standard;
- The deck was built in accordance with the BC Building Code; and,
- Repairs have just been completed on the roof due to a fallen tree located on District property.

In response to a question from the Board, the applicant advised that they were aware of the setback requirement and had followed the property line for the measurements.

In response to a question from the Board, the applicant advised that the previous non-conforming deck had deteriorated and become a safety hazard.

Representations from Notified Persons

Nil

Representations from the Public

Nil

Discussion

Guy Akester spoke in opposition to the application, noting that hardship has not been demonstrated.

Neville York spoke in support of the application, noting that the requested variances are minor.

Laura Lee Richard spoke in opposition to the application, noting that hardship has not been demonstrated as they had an approved Building Permit for construction.

Lee Gavel spoke in support of the application, noting that there was confusion over the location of the property line.

The Chair spoke support of the application, noting that there is some confusion regarding the error in measurements, the requested variance is minor, and that the new construction is an improvement over the previous structure.

MOVED by Lee Gavel

SECONDED by Neville York

THAT Board of Variance Application BOV2024-00003 for 1996 Hoskins Road presented at the June 20, 2024 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS3	Principal Dwelling Side Yard Setback	6 ft (1.83 m)	0.6 ft (0.18 m)	4.3 ft (1.31 m)	1.7 ft (0.52 m)

CARRIED

Opposed: Guy Akester and Laura Lee Richard

2.3 3011 St. Georges Avenue

Staff Presentation

Staff reported that the property is located in the RSQ Zone and that the lot area is 974.45 square metres. The house was built in 1949 and is not on the Heritage Registry or located in a Development Permit Area.

The variances for the proposed main and upper floor addition on this property are as follows:

1. Principal Dwelling Height (Flat Roof Slope) variance of 3.32 feet (1.01 metres).
2. Principal Dwelling Eave Height variance of 4.41 feet (1.34 metres).

In response to a question from the Board, staff advised that the application is to add space to an existing upper floor.

In response to a question from the Board, staff advised that a 3.1 feet variance for eave height was approved for the property in 1992.

In response to a question from the Board, staff confirmed that a design with a pitched roof with an extended second floor would require a variance for eave height.

Applicant Presentation of Hardship

The applicant drew attention to the following points and hardships:

- They moved into the home in 2018;
- The existing upper floor has a master bedroom and one small bedroom, which is not adequate for a couple with young children;
- The children require separate bedrooms and study areas;
- Another bathroom on the upper floor is required for the family;
- The existing roof is non-conforming;
- The proposed new roof will be lower in height in relation to the property to the south;
- They have no other options and would need to demolish and rebuild if the variances are not approved; and,
- They do not wish to move out of the neighbourhood.

In response to a question from the Board, the applicant advised that consideration has been given to floor-to-ceiling heights and that the existing ceiling and roof are higher than the proposed design. The applicant stated that the existing site is the issue.

In response to a question from the Board, the applicant advised that a flat or pitched roof could be designed and that the existing roof is non-conforming.

In response to a question from the Board, staff advised that the floor-to-ceiling height on the upper floor is eight feet and floor to floor measures 9.7 feet.

Representations from Notified Persons

Nil

Representations from the Public

Nil

Discussion

Guy Akester spoke in support of the application, noting that the grade of the property and the existing structure may be considered hardships, the requested variances are minor, and the proposal does not defeat the intent of the Zoning Bylaw.

Neville York spoke in support of the application, noting that the grade on the south side of the property creates a hardship, the requested variances are minor, and that there is support from an adjacent neighbour.

Lee Gavel spoke in opposition to the application, noting that a design with a pitched roof would reduce the need for variances.

Laura Lee Richard spoke in support of the application, noting that the proposal retains the existing home rather than demolition and new construction.

The Chair spoke in opposition to the application, noting that lowering the roof height could have reduced the need for variances.

MOVED by Guy Akester

SECONDED by Neville York

THAT Board of Variance Application BOV2024-00006 for 3011 St. Georges Avenue presented at the June 20, 2024 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RSQ	Principal Dwelling Height (Flat Roof Slope)	22 ft (6.71 m)	n/a	25.32 ft (7.72 m)	3.32 ft (1.01 m)
RSQ	Principal Dwelling Eave Height	24.23 ft (7.39 m)	n/a	28.64 ft (8.73 m)	4.41 ft (1.34 m)

DEFEATED

Opposed: James Paul, Guy Akester, Lee Gavel, and Laura Lee Richard

2.4 2552 Panorama Drive

Staff Presentation

Staff reported that the property is located in the RS4 Zone and that the lot area is 470.56 square metres. The house was built in 2021 and is located in a Development Permit Area for Wildfire Hazard.

The variance for the proposed parking structure on this property is as follows:

1. Parking Structure Floor Height Above Natural Grade variance of 9.08 ft (2.77 m).

In response to a question from the Board, staff advised that the internal height of the garage is 11.2 feet.

In response to a question from the Board, staff advised that the variance is required due to the slope of the lot.

Applicant Presentation of Hardship

The applicant drew attention to the following points and hardships:

- The revised design takes all feedback from the February Board of Variance meeting into consideration, including eliminating some requested variances reducing the remaining requested variance by 7.5 feet;
- The applicant consulted with the neighbours;
- The proposed parking structure has been moved closer to the principal dwelling;
- The slope of the property creates a hardship;
- There are new street parking restrictions in the neighbourhood, increasing the pressure to provide on-site parking;
- The proposal allows for electric vehicle charging, which is impacted by extreme temperatures; and,
- The proposal would contribute to the visual appeal of the neighbourhood.

Representations from Notified Persons

Neighbouring Resident:

- Spoke in support of the application;
- Noted that many properties on Panorama Drive are steeply sloped;
- Stated that the lot sizes on Panorama Drive have also impacted the ability to build on the properties; and,
- Noted there are significant street parking issues in Deep Cove.

Representations from the Public

Nil

Discussion

Guy Akester spoke in support of the application, noting that the steep slope of the property is a hardship and that the application has addressed neighbourhood concerns as well as feedback from their previous application, including eliminating most of the previously requested variances.

Laura Lee Richard spoke in support of the application, noting that the steep slope of the property is a hardship and that the applicant has incorporated feedback from their previous application, reducing the number and size of the requested variances as much as possible.

Neville York spoke in support of the application, noting the steep slope of the property is a hardship and that the applicant has incorporated feedback from their previous application and consulted with neighbours. Mr. York further noted that parking is an issue in Deep Cove and that Panorama Drive is very narrow and has no sidewalks.

Lee Gavel spoke in support of the application, noting that the steep slope of the property is a hardship and that the requested variance is minor.

The Chair spoke in support of the application, noting that the applicant has made efforts to bring the design as close as possible to conformance with the Zoning Bylaw.

MOVED by Guy Akester

SECONDED by Laura Lee Richard

THAT Board of Variance Application BOV2024-00009 for 2552 Panorama Drive presented at the June 20, 2024 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS4	Parking Structure Floor Height Above Natural Grade	4 ft (1.22 m)	n/a	13.08 ft (3.99 m)	9.08 ft (2.77 m)

CARRIED

3. CORRESPONDENCE

Nil

4. NEXT MEETING

The next regular meeting of the Board of Variance is scheduled for Thursday, July 18, 2024.

5. ANY OTHER BUSINESS

Lee Gavel advised that he will retire from the Board of Variance following the meeting in July 2024.

6. ADJOURNMENT

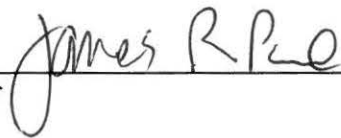
MOVED by James Paul

SECONDED by Guy Akester

THAT the June 20, 2024 Board of Variance Meeting is adjourned at 6:37 p.m.

CARRIED

Chair



Committee Clerk

