

**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, February 16, 2023. The meeting was held in the Committee Room of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mr. J. Paul, Chair  
Mr. G. Akester, Vice-Chair (via Zoom)  
Mr. L. Gavel  
Ms. L. Richard

**Absent:** Mr. N. York

**Staff:** Mr. J. Gordon, Manager – Administrative Services  
Ms. J. Jorgenson, Supervisor – Residential Plans Review  
Ms. V. Milburn-Brown, Residential Plans Reviewer  
Ms. C. Archer, Confidential Council Clerk  
Ms. H. Pellerud, Committee Clerk

**Also in Attendance:** Erik Van Der Putten, Applicant  
Aaron R. Rizzardo, Owner  
Shirin Rizzardo, Owner

**1. Adoption of Minutes**

**1.1 January 19, 2023, Board of Variance Meeting**

**MOVED by Laura Lee Richard**

**SECONDED by Lee Gavel**

THAT the minutes of the January 19, 2023 Board of Variance meeting are adopted.

**CARRIED**

**2. Hearing of Applications**

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

**2.1 338 East St. James Road**

**Staff Presentation**

Staff reported that the property is located in the RSQ Zone and that the lot area is 13,155 square feet. The construction date is unknown, though there was a renovation in 1958. The house is not on the Heritage Registry and is not located in a Development Permit Area for environmental hazards.

The proposal is to allow the construction of a dormer addition.

The variance requested on the property is as follows:

1. Flat Roof Height - Lot 40' Wide or More variance of 2.91 ft (0.89 m).

Staff advised that the topography of the lot creates the need for the variance as there is a seven foot change in grade across the site. If the site was not sloped, the addition would comply with the Zoning Bylaw.

In response to a question from the Board, staff confirmed that if the dormers were built with a sloped roof, the addition would not require a variance, but this would cause an increase in the massing.

### **Applicant Presentation of Hardship**

The applicant drew attention to the following points and hardships:

- The site slopes from north to south with a visibly lower grade than the adjacent property at the southwest corner;
- The average grade of the site is lowered by the existing depression at the garage entry;
- A design in compliance with the Zoning Bylaw would have resulted in a larger massing; and,
- A design with a pitched roof would have the same allowable roof height as the proposed dormers.

In response to a question from the Board, the applicant advised that the proposed dormers are located on the east elevation and allowable heights are determined by the average base height of the property.

In response to a question from the Board, the applicant advised that the allowable height would be greater if the roof were pitched rather than flat.

In response to a question from the Board, staff advised that the allowable height of a 3-in-12 pitched roof is higher in the RSQ Zone and that if the property were in one of the Single Family Residential Zones (RS1-5), the allowable height would be less.

### **Representations from Notified Persons**

Nil

### **Representations from the Public**

Nil

### **Discussion**

Mr. Lee Gavel spoke in support of the application, noting that a hardship exists in that the proposal is for a renovation on an existing dwelling and that compliance with the Zoning Bylaw would be achievable for a new dwelling on the property. Mr. Gavel further noted that the limit of 22 feet for flat roof height in the RSQ Zone is not suitable for a sloped lot and that the requested variance is minor.

Ms. Laura Lee Richard spoke in support of the application, noting that the requested variance is minor and is within the intent of the Zoning Bylaw.

Mr. Guy Akester spoke in support of the application, noting that the topography of the lot and existing structure create a hardship. Mr. Akester noted that the proposed design attempts to reduce the overall massing of the structure.

The Chair spoke in support of the application, noting that he concurs with the other members' comments and that the lower pitched roof reduces the massing of the structure.

**MOVED by Lee Gavel**

**SECONDED by Laura Lee Richard**

THAT Board of Variance Application BOV2023-00003 338 East St. James Road presented at the February 16, 2023 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RSQ	Flat Roof Height - Lot 40' Wide or More	22 ft (6.71 m)		24.91 ft (7.59 m)	2.91 ft (0.89 m)

**CARRIED**

**3. CORRESPONDENCE**

Nil

**4. NEXT MEETING**

The next regular meeting of the Board of Variance is scheduled for Thursday, March 16, 2023.

**5. ANY OTHER BUSINESS**

Nil

Guy AKESTER left the meeting at 5:20 p.m.

**6. ADJOURNMENT**


**MOVED by James Paul**

**SECONDED by Laura Lee Richard**

THAT the February 16, 2023 Board of Variance Meeting is adjourned at 5:21 p.m.

**CARRIED**

Absent for Vote: Guy Akester

Chair 

  
Committee Clerk