

**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, July 20, 2023 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

Staff: Genevieve Lanz, Deputy Municipal Clerk
Lisa Koncsik, Acting Supervisor – Residential Plans Review
Veronica Milburn-Brown, Acting Supervisor – Residential Plans Review
Cheryl Archer, Confidential Council Clerk
Emily Allen, Committee Clerk

Also in Attendance: Jonathan Ehling, Applicant
David Tiplady, Owner

1. Adoption of Minutes

1.1 June 15, 2023, Board of Variance Meeting

MOVED by James Paul

SECONDED by Lee Gavel

THAT the minutes of the June 15, 2023 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 2031 Hyannis Drive

Staff Presentation

Staff reported that the property is located in the RS3 Zone and that the lot area is 7,500 square feet. The house was built in 1967, is not on the Heritage Registry, and is not located in a Development Permit Area. The proposal is for an addition and renovation, including the addition of two inches of exterior insulation to the north and south sides of the house. The house has an existing non-conformance on the south side, which would be increased by the proposal. Staff noted that changes to the roof require variances for eave height.

The variances requested on the property are as follows:

1. North sideyard setback variance of 0.2 ft (0.06 m).
2. South sideyard setback variance of 0.4 ft (0.12 m).
3. Maximum eave height south elevation variance of 0.41 ft (0.12 m).
4. Maximum eave height north elevation variance of 0.32 ft (0.1 m).

In response to a question from the Board, the applicant advised that the wall assembly is currently constructed using two by four inch lumber.

In response to a question from the Board, the applicant advised that it would be possible to use spray foam insulation, however exterior insulation is becoming the industry standard. The applicant noted that the District of West Vancouver and City of North Vancouver have relaxed their rules for these types of applications to allow for better insulation on building exteriors.

In response to a question from the Board, staff advised that if the setbacks were measured to the face of the sheathing, a variance would not be required, but insulation is not excluded from the setback calculation.

Applicant Presentation of Hardship

The applicant drew attention to the following points and hardships:

- The siting of the existing house is not square to the property lines;
- Portions of the existing house are non-conforming;
- The owners wish to improve the thermal efficiency of the house in a manner that will last a long time;
- The exterior insulation creates the requirement for a variance;
- Many municipalities exclude exterior insulation when calculating setbacks;
- The variance for eave height is required due to the slope of the lot;
- The proposal is to change from an attic roof to a flat roof, which will reduce the impact on the neighbourhood; and,
- The proposal does not increase the interior volume of the house.

Representations from Notified Persons

Nil

Representations from the Public

Nil

Discussion

Lee Gavel spoke in support of the application, noting that the proposed variances are minor and that the current Zoning Bylaw is outdated.

Guy Akester spoke in support of the application, noting that the proposed variances are minor and that the application does not result in inappropriate development of the

site, substantially affect the use and enjoyment of adjacent land, defeat the intent of the Zoning Bylaw, adversely affect the natural environment, or vary permitted uses.

Laura Lee Richard spoke in support of the application, noting agreement with the reasons provided by the other members of the Board.

Neville York spoke in support of the application, noting that the requested variances are minor and that he is in agreement with the additional reasons provided by the other members of the Board.

The Chair spoke in support of the application, noting that the requested variances are minor and that the Zoning Bylaw is outdated.

MOVED by Lee Gavel

SECONDED by Guy Akester

THAT Board of Variance Application BOV2023-00012 2031 Hyannis Drive presented at the July 20, 2023 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS3	North sideyard setback	6 ft (1.83 m)	6 ft (1.83 m)	5.8 ft (1.77 m)	0.2 ft (0.06 m)
RS3	South sideyard setback	6 ft (1.83 m)	5.8 ft (1.77 m)	5.6 ft (1.71 m)	0.4 ft (0.12 m)
RS3	Maximum eave height south elevation	18 ft (5.49 m)		18.41 ft (5.61 m)	0.41 ft (0.12 m)
RS3	Maximum eave height north elevation	18 ft (5.49 m)		18.32 ft (5.58 m)	0.32 ft (0.1 m)

CARRIED

3. CORRESPONDENCE

Nil

4. NEXT MEETING

The next regular meeting of the Board of Variance is scheduled for Thursday, September 21, 2023.

5. ANY OTHER BUSINESS

5.1 Meeting Procedure Review

Genevieve Lanz, Deputy Municipal Clerk, provided an overview of meeting procedures and answered procedural questions. Ms. Lanz highlighted relevant legislation, bylaws and policies governing the Board of Variance (Board), including the *Local Government Act* and *Community Charter*, *Board of Variance Bylaw*, and *Code of Ethics Policy*. Ms. Lanz reviewed meeting procedures, noting that there must be a quorum of three members in order to proceed with a meeting, the Chair

participates and votes on applications and how motions are brought forward, amended, and voted on. Ms. Lanz advised that a majority of all members of the Board is required to pass a motion rather than a majority of those in attendance. Ms. Lanz advised that an applicant may request an adjournment to a future meeting and that the Board may defer a decision to a future meeting; however, both actions may only take place before a decision is reached on an application as the Board may not hear the same application twice.

6. ADJOURNMENT

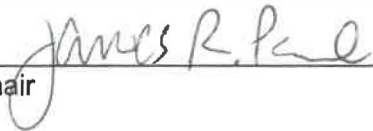
MOVED by James Paul

SECONDED by Guy Akester

THAT the July 20, 2023 Board of Variance Meeting is adjourned at 5:36 p.m.

CARRIED

Chair

Handwritten signature of James R. Paul in blue ink, written over a horizontal line.

Committee Clerk

Handwritten signature of Guy Akester in blue ink, written over a horizontal line.