

## **DISTRICT OF NORTH VANCOUVER BOARD OF VARIANCE**

Minutes of the Board of Variance of the District of North Vancouver held at 5:00 p.m. on Thursday, November 21, 2024 virtually via Zoom.

**Present:** Guy Akester, Vice-Chair  
Robert Griesdale  
Laura Lee Richard  
Neville York

**Absent:** James Paul, Chair

**Staff:** Genevieve Lanz, Director – Legislative Services and Corporate Officer  
Veronica Milburn-Brown, Acting Supervisor – Residential Plans Review  
Cheryl Archer, Confidential Council Clerk  
Jennifer Malcolm, Residential Plans Reviewer  
Jillian Holden, Administration Clerk

### **Also in**

**Attendance:** Emmanuel Ameli, Owner/Applicant  
Jonathan Gilbey, Owner  
Andrew Mitchell, Architect  
Matthew Monroe, Applicant/Owner  
Jason Prince, Applicant/Notified Person  
Nevita Sulistyo, Owner  
James Wigglesworth, Applicant  
Mark Woodall, Owner  
Matt Woodall, Owner

### **1. Adoption of Minutes**

Nil

### **2. Hearing of Applications**

Guy Akester, Acting Chair, welcomed members of the public to the meeting and provided an overview of the procedures for the meeting.

#### **2.1 1864 Cardinal Crescent**

##### **Staff Presentation**

Staff reported that the property is located in the RS3 Zone. The house was built in 1973, is not on the Heritage Registry, and is located in Development Permit Areas for Slope Hazard and Wildfire Hazard, which are not applicable to this application as it is not new construction. Staff noted that the house is existing non-conforming for height and the property has a steep slope. The proposal is for a renovation and garage addition, which would add a parking structure at the front of the property and convert the existing garage at the rear of the property to living space.

The variances for the proposed construction on this property are as follows:

1. Building Height - 3/12 or Greater variance of 2.81 feet (0.86 metres).
2. Building Height - 4.5/12 or Greater variance of 4.24 feet (1.29 metres).
3. Eave Height variance of 12.82 feet (3.91 metres).

In response to a question from the Board, staff advised the variances would not be required if the property were level.

### **Applicant Presentation of Hardship**

The applicant drew attention to the following points and hardships:

- The existing house is non-conforming for eave height and building height;
- The renovation is designed to use the existing foundation;
- The proposal is to add living space above the existing carport and enclose the carport;
- The new construction portion of the renovation conforms to the Zoning Bylaw;
- The slope of the property causes the datum determination points to be located at significantly different elevations;
- They applied for and were granted variances in 2020 for a larger project, which was too expensive to implement;
- The currently application is more modest in scope while improving the livability of the home;
- An effort was made to minimize the roof height;
- The design lowers the existing roof height by approximately two feet and removes a decorative roof section; and,
- The only option to completely eliminate the need for variances involved major blasting.

### **Representations from Notified Persons**

Nil

### **Representations from the Public**

Nil

### **Discussion**

Laura Lee Richard spoke in support of the application, noting the steep slope of the property is a hardship, the variances requested are minor, and the proposal does not defeat the intent of the Zoning Bylaw.

Robert Griesdale spoke in support of the application the application, noting the previous approval of the larger project and that the renovation matches the existing conditions.

Neville York spoke in support of the application the application, noting that the steep slope is a hardship and commended the decision to remove the decorative aspect of the roof to lower the height.

Guy Akester spoke in support of the application the application, noting that the slope of the lot presents a clear hardship and that the proposal does not defeat the intent of the Zoning Bylaw.

**MOVED by Laura Lee Richard**  
**SECONDED by Robert Griesdale**

THAT Board of Variance Application BOV2024-00014 1864 Cardinal Cresent presented at the November 21, 2024 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS3	Building Height - 3/12 or Greater	24 ft (7.32 m)	0 ft (0 m)	26.81 ft (8.17 m)	2.81 ft (0.86 m)
	Building Height - 4.5/12 or Greater	26 ft (7.92 m)	0 ft (0 m)	30.24 ft (9.22 m)	4.24 ft (1.29 m)
	Eave Height	22 ft (6.71 m)	28.69 ft (8.74 m)	34.82 ft (10.61 m)	12.82 ft (3.91 m)

**CARRIED**

## 2.2 3821 Orlohma Place

### Staff Presentation

Staff reported that the property is located in the RS4 Zone. The house was built in 1984, is not on the Heritage Registry, and is not located in a Development Permit Area. The proposal is for a one-storey addition of 328 square feet. The garage is existing non-conforming to the front yard setback.

The variances requested on the property are as follows:

1. Front Yard Setback variance of 4.75 feet (1.45 metres).
2. Roof Overhang Into Front Setback variance of 1.75 feet (0.53 metres).

In response to a question from the Board, staff advised that conforming portion of extension is just under 11 feet.

In response to a question from the Board, staff advised that garage may have complied with the Zoning Bylaw at the time it was constructed and become non-conforming with later changes to the Zoning Bylaw.

### Applicant Presentation of Hardship

The applicant drew attention to the following points and hardships:

- Three other design options were considered, two of which would have added to the main and subfloor at the rear of the building and would also have required variances;
- They considered the options that would be best for the appearance and project cost;
- The hardship is that the layout of the existing house does not lend itself to adding an addition anywhere but at the front.

### Representations from Notified Persons

Nil

### Representations from the Public

Nil

### Discussion

Neville York spoke in support of the application, noting that the Zoning Bylaw had different requirements at the time of original construction and that the requested variances are minor.

Laura Lee Richard spoke in support of the application, noting that the requested variances are minor and the existing layout presents challenges.

Robert Griesdale spoke in opposition to the application, noted that the variances could have been reduced and that wanting to build a larger room is not a hardship.

Guy Akester spoke in support of the application, noting that the neighbour most impacted is in support and that the requested variances are minor.

**MOVED by Neville York**

**SECONDED by Laura Lee Richard**

THAT Board of Variance Application BOV2024-00021 3821 Orlohma Place presented at the November 21, 2024 Board of Variance meeting is APPROVED as follows:

Zone	Regulation	Required/ Allowed	Existing	Proposed	Variance
RS4	Front Yard Setback	25 ft (7.62 m)	n/a	20.25 ft (6.17 m)	4.75 ft (1.45 m)
	Roof Overhang Into Front Setback	21 ft (6.4 m)	n/a	19.25 ft (5.87 m)	1.75 ft (0.53 m)

**CARRIED**

Opposed: Robert Griesdale

## 2.3 429 West Queen Road

### Staff Presentation

Staff reported that the property is located in the RSNQ Zone. The house was built in 1956, is not on the Heritage Registry, and is not located in a Development Permit Area. The proposal is to convert the existing parking structure to a coach house and with the change of use, the building must comply with all coach house regulations or seek a variance.

The variance requested on the property is as follows:

1. Separation Between Principal and Coach House variance of 0.93 feet (0.28 metres).

### **Applicant Presentation of Hardship**

The applicant drew attention to the following points and hardships:

- The proposal is to convert the existing garage to a coach house;
- The garage is recently constructed; and,
- The exterior wall of the house is an irregular shape, causing the need for a variance.

### **Representations from Notified Persons**

Nil

### **Representations from the Public**

Nil

### **Discussion**

Robert Griesdale spoke in support of the application, noting the building faces the rear of the property, the requested variance is minor, and complying with the coach house regulations would incur excessive costs for a change in use.

Neville York spoke in support of the application, noting that the requested variance is minor and that complying with the Zoning Bylaw would require new foundation work and framing.

Laura Lee Richard spoke in support of the application, noting that the requested variance is minor, new rules were implemented after the garage had been constructed, and commending the conversion to a coach house to provide additional housing.

Guy Akester spoke in support of the application, noting that hardship has been demonstrated and that the requested variance is minor and does not defeat the intent of the Zoning Bylaw.

**MOVED by Robert Griesdale**

**SECONDED by Laura Lee Richard**

THAT Board of Variance Application BOV2024-00020 429 West Queens Road presented at the November 21, 2024 Board of Variance meeting is APPROVED as follows:

<b>Zone</b>	<b>Regulation</b>	<b>Required/ Allowed</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
RSNQ	Separation Between Principal & Coach House	20 ft (6.1 m)	n/a	19.07 ft (5.81 m)	0.93 ft (0.28 m)

**CARRIED**

## **2.4 1875 Riverside Drive**

### **Staff Presentation**

Staff reported that the property is located in the RS3 Zone. The house was built in 1988, is not on the Heritage Registry, and is located in Development Permit Areas for Creek Hazard, Slope Hazard, Streamside and Wildfire Hazard. The applicant is working with the Environment Department regarding the permits that would be required should the variances be approved. The proposal is a new single-family dwelling with the new structure in approximately the same location as the existing dwelling, which is non-conforming. Staff noted the steep slope of the property with a difference of approximately 22 feet between the front and rear datum determination points contributes to the need for variances.

The variances requested on the property are as follows:

1. Principal Dwelling Height (4.5/12 or greater) variance of 3.76 feet (1.15 metres).
2. Principal Dwelling Height (Flat) variance of 7.93 feet (2.42 metres).
3. Principal Dwelling Eave Height variance of 12.86 feet (3.92 metres).

In response to a question from the Board, staff advised that the portions of the building requiring variances face the river and that a portion would be visible from street level.

In response to a question from the Board, staff advised that the side yard setbacks in the design are at the maximum allowed.

In response to a question from the Board, staff confirmed that width of the proposed house is 48 feet.

### **Applicant Presentation of Hardship**

The applicant drew attention to the following points and hardships:

- The existing single-family home is non-conforming and in poor condition including leaks, mould, and issues with the foundation;
- There is no way to rehabilitate the existing structure to a livable condition;
- The proposal is for a home that is approximately seven percent smaller than the existing house;
- The property has a steep slope;
- There is no way to build a modern home on the property that conforms to the Zoning Bylaw;
- The owners would like a new, modern home as close to the existing form as possible; and,
- They are working with the Environment Department regarding the Development Permit Areas.

In response to a question from the Board, the applicant advised that they attempted to conform with the Zoning Bylaw and found it was not possible if they wanted to have modern dimensions. The applicant reiterated that the proposed design is smaller than the existing house and does not expand beyond the existing building envelope.

In response to a question from the Board, the architect advised that the challenges designing for the site were exacerbated by environmental issues. There were issues with other options such as lowering the house as this would increase the slope of the

driveway and environmental constraints prevent moving the location of the building further to the rear of the property. There were challenges with the depth of the home as the lower level could only be 14 feet deep and 37 feet wide within the Zoning Bylaw and this was considered too narrow to be livable within a modern lifestyle. The architect opined that selling the home would be difficult if it were built to conform to the Zoning Bylaw.

### **Representations from Notified Persons**

Nil

### **Representations from the Public**

Nil

### **Discussion**

Neville York spoke in opposition to the application, noting that while the slope of the property could present design challenges, the proposal is for new construction of a 4,000 square feet dwelling that could be designed to conform to the Zoning Bylaw, and the requested variances are not minor.

Robert Griesdale spoke in opposition to the application, noting that the condition of the previous house is not relevant when considering new construction and that more of an effort could be made to conform to the Zoning Bylaw.

Laura Lee Richard spoke in opposition to the application, noting that hardship had not been demonstrated, an effort had not been made to comply with the Zoning Bylaw, the requested variances are not minor, and the condition of the existing house is not relevant to the application.

Guy Akester spoke in opposition to the application, noting that while the steep slope may present a hardship, there are many options to reduce the variances that were not explored.

**MOVED by Neville York**

**SECONDED by Guy Akester**

THAT Board of Variance Application BOV2024-00019 1875 Riverside Drive presented at the November 21, 2024 Board of Variance meeting is DENIED as follows:

<b>Zone</b>	<b>Regulation</b>	<b>Required/ Allowed</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
RS3	Principal Dwelling Height (4.5/12 or greater)	26 ft (7.92 m)	n/a	29.76 ft (9.07 m)	3.76 ft (1.15 m)
	Principal Dwelling Height (Flat)	22 ft (6.71 m)	n/a	29.93 (9.12 m)	7.93 ft (2.42 m)
	Principal Dwelling Eave Height	18.22 ft (5.55 m)	n/a	31.08 ft (9.47 m)	12.86 ft (3.92 m)

**CARRIED**

3. **CORRESPONDENCE**

Nil

4. **NEXT MEETING**

The next regular meeting of the Board of Variance is scheduled for Thursday, January 16, 2025.

5. **ANY OTHER BUSINESS**

Genevieve Lanz, Director – Legislative Services and Corporate Officer, advised that updates to the Board of Variance Bylaw may be brought forward in 2025 to clarify processes and for some housekeeping matters and that the Board will be kept informed.

6. **ADJOURNMENT**

**MOVED by Guy Akester**

**SECONDED by Neville York**

THAT the November 21, 2024 Board of Variance Meeting is adjourned at 5:53 p.m.

**CARRIED**

Chair

Committee Clerk