

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
BOARD OF VARIANCE HEARING MINUTES
MUNICIPAL HALL COUNCIL CHAMBER
WEDNESDAY, JUNE 17, 2020**

BOARD MEMBERS: Chair L. Radage and Members I. Davis, S. Sanguinetti, D. Simmons, and R. Yaworsky, attended the hearing via electronic communication facilities.

STAFF: M. Panneton, Director, Legislative Services/Corporate Officer. P. Cuk, Board Secretary; and T. Yee, Building Inspector, attended the hearing via electronic communication facilities.

1. Call to Order

The hearing was called to order at 5 p.m.

2. Introduction

Staff introduced the Board Members and described the hearing procedure.

3. Confirmation of the Agenda

It was Moved and Seconded:

THAT the June 17, 2020 Board of Variance hearing agenda be approved as circulated.

CARRIED

4. Adoption of the March 18, 2020 Minutes

Chair Radage referred to the minutes of the Board of Variance hearing held on March 18, 2020.

It was Moved and Seconded:

THAT the March 18, 2020 Board of Variance hearing minutes be adopted as circulated.

CARRIED

5. Time Limit of Board of Variance Orders

Chair Radage read out the following statement regarding Time Limit of Order Approving a Variance and noted that the time limit applied to each application approved by the Board:

“Pursuant to section 542 of the *Local Government Act*, if a Board of Variance orders that a minor variance be permitted from the requirements of the bylaw, and the Order sets a time limit within which the construction of the building or structure must be completed, and the construction is not completed within that time, the permission of the Board terminates and the bylaw applies. Orders of this Board of Variance that permit a variance specify that: if construction is not substantially started within 6 months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.”

6. Application 20-011 (8055 Pasco Road)

Staff confirmed the following requested variances regarding a proposed addition and alteration:

- a) 0.49 m to Building Height
- b) 56.4% to Permitted Highest Building Face Exemption
- c) 1 Storey to Number of Storeys.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
K. Dhaliwal	June 16, 2020	1
K. Dhaliwal	June 17, 2020	2

Staff provided permit history of the subject property.

G. Hu (Director, My House Design Build Team Ltd., representing the owner of 8055 Pasco Road) and I. Lara-Faure (Design Manager, My House Design Build Team Ltd., representing the owner of 8055 Pasco Road) referred to written submissions of support, described the variance application for a proposed addition and alteration, and responded to Board members’ questions.

Chair Radage queried whether there was anyone in the gallery who wished to address the Board regarding the application and there was no response.

Staff responded to a Board member’s questions.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated February 21, 2020, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submissions of G. Hu and I. Lara-Faure:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 20-011 regarding a proposed addition and alteration at 8055 Pasco Road with the following variances:

- 0.49 m to Building Height
- 56.4% to Permitted Highest Building Face Exemption
- 1 Storey to Number of Storeys

BE ALLOWED pursuant to the plans dated February 27, 2020 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

Member Yaworsky voted in the negative

7. Application 20-013 (4495 Ross Lane)

Staff confirmed the following requested variances regarding a proposed addition:

- a) 4.6 m to Front Yard Setback
- b) 0.87 m to Minimum Side Yard Setback.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	June 10, 2020	1

Staff provided permit history of the subject property.

P. Li (4495 Ross Lane) and R. Van der Eerden (Architect, Pacific Image Home Designs Ltd., representing the owner of 4495 Ross Lane) described the variance application for a proposed addition and responded to a Board member's question.

Chair Radage queried whether there was anyone in the gallery who wished to address the Board regarding the application.

D. Smith (4468 Marine Drive) spoke in support of the requested variances and commented regarding: side yard setbacks; construction of a firewall; and alternative locations for the proposed addition.

Chair Radage queried whether there was anyone else in the gallery who wished to address the Board regarding the application and there was no response.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated April 8, 2020, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submissions of P. Li, D. Smith, and R. Van der Eerden:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 20-013 regarding a proposed addition at 4495 Ross Lane with variances of:

- 4.6 m to Front Yard Setback
- 0.87 m to Minimum Side Yard Setback

BE ALLOWED pursuant to the plans dated March 5, 2020 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

8. Application 20-014 (5874 Eagle Island)

Staff confirmed the following requested variance regarding a proposed addition:

- a) 5.29 m to Front Yard Setback.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	June 6, 2020	1

Staff provided permit history of the subject property.

E. Reisen (5874 Eagle Island) referred to written submissions of support and described the variance application for a proposed addition. A Board member commented.

Chair Radage queried whether there was anyone in the gallery who wished to address the Board regarding the application and there was no response.

Staff responded to a Board member's question.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or

- defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated April 25, 2020, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submission of E. Reisen:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 20-014 regarding a proposed addition at 5874 Eagle Island with a variance of:

- 5.29 m to Front Yard Setback

BE ALLOWED pursuant to the plans dated April 21, 2020 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

9. Application 20-015 (3704 McKechnie Avenue)

Staff confirmed the following requested variance regarding an upper floor deck guardrail:

- a) 0.37 m to Combined Side Yard Setback.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	May 14, 2020	1

Staff provided permit history of the subject property.

G. Nielsen (Owner, GD Nielsen Homes, representing the owner of 3704 McKechnie Avenue) and D. Cheung (Architect, GD Nielsen Homes, representing the owner of 3704 McKechnie Avenue) described the variance

application for an upper floor deck guardrail and responded to a Board member's question.

Chair Radage queried whether there was anyone in the gallery who wished to address the Board regarding the application and there was no response. Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated May 20, 2020, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submissions of D. Cheung and G. Nielsen:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 20-015 regarding an upper floor deck guardrail at 3704 McKechnie Avenue with a variance of:

- 0.37 m to Combined Side Yard Setback

BE ALLOWED pursuant to the plans dated May 7, 2020 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

10. Application 20-016 (4135 Ripple Road)

Staff confirmed the following requested variances regarding a pool mechanical accessory building:

- a) 8.49 m to Front Yard Setback for Almondel Road
- b) 0.12 m to Minimum Side Yard Setback.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
D. White	June 14, 2020	1

Staff provided permit history of the subject property and responded to a Board member's question.

D. Baron (4135 Ripple Road) and D. White (4135 Ripple Road) referred to a written submission of support and described the variance application for a pool mechanical accessory building.

Chair Radage queried whether there was anyone in the gallery who wished to address the Board regarding the application and there was no response.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated May 19, 2020, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submissions of D. Baron and D. White:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 20-016 regarding a pool mechanical accessory building at 4135 Ripple Road with variances of:

- 8.49 m to Front Yard Setback for Almondel Road

- 0.12 m to Minimum Side Yard Setback

BE ALLOWED pursuant to the plans dated May 4, 2020 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

11. Application 20-017 (2418 Nelson Avenue)

Staff confirmed the following requested variances regarding a proposed detached accessory garage with the following variances:

- 0.47 m to Combined Side Yard Setback
- 7.03 m to Front Yard Setback for Nelson Avenue
- 0.81 m to Minimum Side Yard Setback
- 8 % to Impermeable Surfaces in Front Yards for Nelson Avenue.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	June 8, 2020	1
Redacted	June8, 2020	2
BoutHouse Design Group Inc.	June 10, 2020	3
Redacted	June 10, 2020	4
Redacted	June 11, 2020	5
Redacted	June 12, 2020	6
Redacted	June 14, 2020	7
Redacted	June 15, 2020	8
Redacted	June 16, 2020	9

Staff provided permit history of the subject property.

I. Zhang (Architect, BoutHouse Design Group Inc., representing the owner of 2418 Nelson Avenue) described the variance application for a proposed detached accessory garage.

Chair Radage queried whether there was anyone in the gallery who wished to address the Board regarding the application.

T. Craig (2425 Nelson Avenue) referred to a written submission, expressed opposition to the requested variances, and commented regarding: front yard garages; neighbourhood character; constructing within the building envelope; and sightlines.

Chair Radage queried whether there was anyone else in the gallery who wished to address the Board regarding the application and there was no response.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated May 22, 2020, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submissions of T. Craig and I. Zhang:

It was Moved and Seconded:

THAT the Board finds that undue hardship would not be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 20-017 regarding a proposed detached accessory garage at 2418 Nelson Avenue with variances of:

- 0.47 m to Combined Side Yard Setback
- 7.03 m to Front Yard Setback for Nelson Avenue
- 0.81 m to Minimum Side Yard Setback
- 8 % to Impermeable Surfaces in Front Yards for Nelson Avenue

BE NOT ALLOWED pursuant to the plans dated May 4, 2020 submitted with the application.

CARRIED

12. Application 20-018 (1015 Greenwood Road)

Staff confirmed the following requested variances regarding a proposed power pole (accessory structure):

- a) 3.46 m to Combined Side Yard Setback for Power Pole & Dwelling
- b) 1.17 m to Minimum Side Yard Setback for Power Pole
- c) 2.09 m to Accessory Building Height for Power Pole.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	June 17, 2020	1

Staff provided permit history of the subject property.

P. Fraser (Site Supervisor, Bradner Homes Ltd., representing the owner of 1015 Greenwood Road) and C. Bradner (Contractor, Bradner Homes Ltd., representing the owner of 1015 Greenwood Road) described the variance application for a proposed power pole (accessory structure) and responded to Board members' questions.

Chair Radage queried whether there was anyone in the gallery who wished to address the Board regarding the application.

T. Gill (1025 Greenwood Place) requested that the Board defer consideration of Application 20-018 and commented regarding: neighbourhood opposition to the requested variances; Board of Variance hearing notification; location of the existing home; alternative locations for the proposed power pole; and working with BC Hydro to determine alternative locations for the proposed power pole.

R. Gill (1025 Greenwood Place) requested that the Board defer consideration of Application 20-018 and commented regarding: Board of Variance hearing notification and the height of the proposed power pole. Staff provided information regarding the height of the proposed power pole.

T. Piovesan (1055 Greenwood Place) expressed opposition to the requested variances and commented regarding the height and location of the proposed power pole.

Chair Radage queried whether there was anyone else in the gallery who wished to address the Board regarding the application and there was no response.

Staff responded to a Board member's question.

Members of the Board considered:

- All of the submissions;

- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated May 22, 2020, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submissions of C. Bradner, P. Fraser, R. Gill, T. Gill, and T. Piosevan:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 20-018 regarding a proposed power pole (accessory structure) at 1015 Greenwood Road with variances of:

- 3.46 m to Combined Side Yard Setback for Power Pole & Dwelling
- 1.17 m to Minimum Side Yard Setback for Power Pole
- 2.09 m to Accessory Building Height for Power Pole

BE ALLOWED pursuant to the plans dated May 19, 2020 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

Chair Radage and Member Yaworsky voted in the negative

13. Application 20-019 (370 MacBeth Crescent)

Staff confirmed the following requested variances regarding proposed retaining walls:

- a) 0.06 m to Maximum Exposed Retaining Wall Height
- b) 0.96 m at 45 degrees to Retaining Wall Grade Line.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Batista Properties Inc.	June 15, 2020	1

Staff provided permit history of the subject property.

N. Batista (Director, Batista Properties Inc., representing the owner of 370 MacBeth Crescent) read from a written submission from the owner, described the variance application for proposed retaining walls, and responded to a Board member's question. Staff responded Board members' questions.

Chair Radage queried whether there was anyone in the gallery who wished to address the Board regarding the application and there was no response.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated May 20, 2020, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submission of N. Batista:

It was Moved and Seconded:

THAT the Board finds that undue hardship would not be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 20-019 regarding proposed retaining walls at 370 MacBeth Crescent with variances of:

- 0.06 m to Maximum Exposed Retaining Wall Height
- 0.96 m at 45 degrees to Retaining Wall Grade Line

BE NOT ALLOWED pursuant to the plans dated March 10, 2020 submitted with the application.

CARRIED

Chair Radage and Member Yaworsky voted in the negative

14. Application 20-020 (4051 Rose Crescent)

Staff confirmed the following requested variances regarding an electrical meter:

- a) 8.03 m to Front Yard Setback
- b) 2.57 m to Minimum Side Yard Setback.

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
OpenSpace Architecture	June 4, 2020	1
Redacted	June 13, 2020	2
Redacted	June 15, 2020	3

Staff provided permit history of the subject property.

N. Boffo (4051 Rose Crescent) and E. Pettit (Associate, OpenSpace Architecture, representing the owner of 4051 Rose Crescent) described the variance application for an electrical meter and responded to Board members' questions.

Chair Radage queried whether there was anyone in the gallery who wished to address the Board regarding the application.

B. Peters (4075 Rose Crescent) referred to written submissions of opposition, expressed opposition to the requested variances, and commented regarding: the actions of developers on the subject property; and adhering to bylaws.

Y. Girard (4045 Rose Crescent) referred to a written submission, expressed opposition to the requested variances, and commented regarding: actions of developers on the subject property; property damage; adhering to bylaws; proposed location of the electrical meter; and construction of a fence between 4051 and 4045 Rose Crescent.

N. Boffo and E. Pettit commented regarding: neighbourhood consultation; property damage; construction of a fence between 4051 and 4045 Rose Crescent; and adhering to bylaws.

Member Sanguinetti left the hearing at 6:44 p.m. and returned to the hearing at 6:53 p.m. via electronic communication facilities.

Chair Radage queried whether there was anyone else in the gallery who wished to address the Board regarding the application and there was no response.

Members of the Board considered:

- All of the submissions;

- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated May 21, 2020, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submissions of N. Boffo, Y. Girard, B. Peters, and E. Pettit:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 20-020 regarding an electrical meter at 4051 Rose Crescent with variances of:

- 8.03 m to Front Yard Setback
- 2.57 m to Minimum Side Yard Setback

BE ALLOWED pursuant to the plans dated May 13 and 14, 2020 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

Member Sanguinetti voted in the negative

15. Receipt of Written and Oral Submissions

It was Moved and Seconded:

THAT all written and oral submissions regarding the following Board of Variance Applications:

- Application 20-011 (8055 Pasco Road);
- Application 20-013 (4495 Ross Lane);
- Application 20-014 (5874 Eagle Island);
- Application 20-015 (3704 McKechnie Avenue);
- Application 20-016 (4135 Ripple Road);

- Application 20-017 (2418 Nelson Avenue);
- Application 20-018 (1015 Greenwood Road);
- Application 20-019 (370 MacBeth Crescent); and
- Application 20-020 (4051 Rose Crescent);

up to and including June 17, 2020, be received.

CARRIED

16. Public Question Period

There were no questions.

17. Next Hearing

Staff confirmed that the next hearing of the Board of Variance is scheduled for July 15, 2020 at 5 p.m. in the Municipal Hall Council Chamber.

18. Adjournment

It was Moved and Seconded:

THAT the June 17, 2020 Board of Variance hearing be adjourned.

CARRIED

The Board of Variance hearing adjourned at 6:57 p.m.

Certified Correct:

[Original signed by Chair]

CHAIR

[Original signed by Secretary]

SECRETARY