



Pursuant to the *Freedom of Information and Protection of Privacy Act*, names, addresses, contact information and other personal information of individuals who write to the Board are protected from disclosure and must not be disclosed during the hearing.

The Corporation of the District of West Vancouver

## Board of Variance Hearing Agenda

July 19, 2023

5 p.m. via electronic communication facilities

*Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber, or via electronic communication facilities through the link provided on the District's Board of Variance webpage.*

### 1. Call to Order

The Board of Variance hearing will be called to order.

### 2. Introduction

The Board of Variance hearing procedure will be described.

### 3. Confirmation of Agenda

RECOMMENDATION:

THAT the July 19, 2023 Board of Variance hearing agenda be approved as circulated.

### 4. Adoption of Minutes

RECOMMENDATION:

THAT the June 21, 2023 Board of Variance hearing minutes be adopted as circulated.

### 5. Time Limit of Board of Variance Orders

The Chair will describe the time limit of orders approving a variance.

**6. Application 23-001 (3196 Mathers Avenue) regarding a private power pole (accessory structure) with the following variances:**

- a) 7.68 m to Front Yard Setback
- b) 0.81 m to Minimum Side Yard Setback
- c) 2.4 m to Accessory Structure Height.

*The Board of Variance considered Application 23-001 at its January 18, 2023 hearing and deferred further consideration for up to six months, or until confirmation is received from BC Hydro regarding:*

- 1. whether a direct connection to the subject property is feasible; and*
- 2. whether BC Hydro can remove the redundant pole from the south side of Mathers Avenue.*

*Application 23-001 was withdrawn by the applicant on May 29, 2023.*

**7. Application 23-026 (4321 Erwin Drive) regarding a power pole (accessory structure) with the following variances:**

- a) 7.6 m to Minimum Front Yard Setback
- b) 1.03 m to Minimum Side Yard Setback
- c) 3.8 m to Accessory Building Height.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None to date.		

The Chair will request that the applicant or applicant's representative describe the application.

The Chair will call for public input.

Following conclusion of public input, and the Board's debate, the Board will consider the following motions.

**RECOMMENDATION:**

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-026 regarding a power pole (accessory structure) at 4321 Erwin Drive with variances of:

- 7.6 m to Minimum Front Yard Setback
- 1.03 m to Minimum Side Yard Setback
- 3.8 m to Accessory Building Height

BE ALLOWED pursuant to the plans dated June 8, 2023 submitted with the application, AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

**OR**

**RECOMMENDATION:**

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-026 regarding a power pole (accessory structure) at 4321 Erwin Drive with variances of:

- 7.6 m to Minimum Front Yard Setback
- 1.03 m to Minimum Side Yard Setback
- 3.8 m to Accessory Building Height

BE NOT ALLOWED pursuant to the plans dated June 8, 2023 submitted with the application.

**OR**

**RECOMMENDATION:**

THAT the Board defers further consideration of Application 23-026 (4321 Erwin Drive) to the next Board of Variance hearing.

**8. Application 23-027 (1280 Clyde Avenue) regarding a power pole (accessory structure) with the following variances:**

- a) 6.99 m to Front Yard Setback
- b) 0.91 m to Minimum Side Yard Setback
- c) 2.4 m to Accessory Building Height.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None to date.		

The Chair will request that the applicant or applicant's representative describe the application.

The Chair will call for public input.

Following conclusion of public input, and the Board's debate, the Board will consider the following motions.

**RECOMMENDATION:**

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-027 regarding a power pole (accessory structure) at 1280 Clyde Avenue with variances of:

- 6.99 m to Front Yard Setback

- 0.91 m to Minimum Side Yard Setback
- 2.4 m to Accessory Building Height

BE ALLOWED pursuant to the plans dated May 17, 2023 submitted with the application, AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

**OR**

**RECOMMENDATION:**

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-027 regarding a power pole (accessory structure) at 1280 Clyde Avenue with variances of:

- 6.99 m to Front Yard Setback
- 0.91 m to Minimum Side Yard Setback
- 2.4 m to Accessory Building Height

BE NOT ALLOWED pursuant to the plans dated May 17, 2023 submitted with the application.

**OR**

**RECOMMENDATION:**

THAT the Board defers further consideration of Application 23-027 (1280 Clyde Avenue) to the next Board of Variance hearing.

**9. Application 23-028 (2309 Inglewood Avenue) regarding additions and alterations with the following variances:**

- 0.10 m to Combined Side Yard Setback (Single Family Dwelling)
- 0.42 m to Roof Overhangs for East and West Side Yards.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None to date.		

The Chair will request that the applicant or applicant's representative describe the application.

The Chair will call for public input.

Following conclusion of public input, and the Board's debate, the Board will consider the following motions.



**RECOMMENDATION:**

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-028 regarding additions and alterations at 2309 Inglewood Avenue with variances of:

- 0.10 m to Combined Side Yard Setback (Single Family Dwelling)
- 0.42 m to Roof Overhangs for East and West Side Yards

BE ALLOWED pursuant to the plans dated May 3 and June 19, 2023 submitted with the application, AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

**OR****RECOMMENDATION:**

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-028 regarding additions and alterations at 2309 Inglewood Avenue with variances of:

- 0.10 m to Combined Side Yard Setback (Single Family Dwelling)
- 0.42 m to Roof Overhangs for East and West Side Yards

BE NOT ALLOWED pursuant to the plans dated May 3 and June 19, 2023 submitted with the application.

**OR****RECOMMENDATION:**

THAT the Board defers further consideration of Application 23-028 (2309 Inglewood Avenue) to the next Board of Variance hearing.

**10. Application 23-029 (850 Sentinel Drive) regarding additions and alterations with the following variances:**

- a) 1.49 m to Combined Side Yard Setback (Single Family Dwelling)
- b) 4.04 m to Front Yard Setback (Single Family Dwelling)
- c) 1.01 m to Minimum Side Yard Setback (Single Family Dwelling)
- d) 1.2 m to Setback for Retaining Wall.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None to date.		

The Chair will request that the applicant or applicant's representative describe the application.

The Chair will call for public input.

Following conclusion of public input, and the Board's debate, the Board will consider the following motions.

**RECOMMENDATION:**

THAT the Board finds that undue hardship would be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-029 regarding additions and alterations at 850 Sentinel Drive with variances of:

- 1.49 m to Combined Side Yard Setback (Single Family Dwelling)
- 4.04 m to Front Yard Setback (Single Family Dwelling)
- 1.01 m to Minimum Side Yard Setback (Single Family Dwelling)
- 1.2 m to Setback for Retaining Wall

BE ALLOWED pursuant to the plans dated May 23 and June 12, 2023 submitted with the application, AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

**OR**

**RECOMMENDATION:**

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-029 regarding additions and alterations at 850 Sentinel Drive with variances of:

- 1.49 m to Combined Side Yard Setback (Single Family Dwelling)
- 4.04 m to Front Yard Setback (Single Family Dwelling)
- 1.01 m to Minimum Side Yard Setback (Single Family Dwelling)
- 1.2 m to Setback for Retaining Wall

BE NOT ALLOWED pursuant to the plans dated May 23 and June 12, 2023 submitted with the application.

**OR**

**RECOMMENDATION:**

THAT the Board defers further consideration of Application 23-029 (850 Sentinel Drive) to the next Board of Variance hearing.

**11. Receipt of Oral and Written Submissions**

RECOMMENDATION:

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

- Application 23-026 (4321 Erwin Drive)
- Application 23-027 (1280 Clyde Avenue)
- Application 23-028 (2309 Inglewood Avenue)
- Application 23-029 (850 Sentinel Drive)

up to and including July 19, 2023 be received.

**12. Public Question Period  
(Regarding process and/or disposition only)**

**13. Next Hearing**

The next Board of Variance hearing is scheduled for September 20, 2023.

**14. Adjournment**

RECOMMENDATION:

THAT the July 19, 2023 Board of Variance hearing be adjourned.

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**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
BOARD OF VARIANCE HEARING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
WEDNESDAY, JUNE 21, 2023**

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**BOARD MEMBERS:** Chair L. Radage and Members J. Elwick, D. Simmons, and R. Yaworsky attended the hearing via electronic communication facilities. Absent: Member S. Abri.

**STAFF:** P. Cuk, Board Secretary; T. Yee, Building Inspector; and N. Shokar, Legislative Services Clerk, 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 21, 2023 Board of Variance hearing agenda be approved as circulated.

CARRIED

**4. Adoption of the May 17, 2023 Minutes**

Chair Radage referred to the minutes of the Board of Variance hearing held on May 17, 2023.

It was Moved and Seconded:

THAT the May 17, 2023 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(3) 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. Further, if that construction is not substantially started within 2 years after the Order was made, or within a longer or shorter time period established by the Order, the permission of the Board terminates and the bylaw applies.

## **6. Application 23-024 (5866 Eagle Island)**

Staff confirmed the following requested variances regarding an accessory building:

- a) 0.34 m to Minimum Side Yard Setback
- b) 1.0 m to Accessory Building Height.

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, 2023	1
Redacted	June 9, 2023	2
Redacted	June 12, 2023	3
Redacted	June 12, 2023	4
Redacted	June 12, 2023	5
Redacted	June 21, 2023	6
Redacted	June 21, 2023	7
Redacted	June 21, 2023	8
E. Reisen	June 21, 2023	9
E. Reisen	June 21, 2023	10

Staff provided permit history of the subject property.

E. Reisen (representing the owner of 5866 Eagle Island) read from a written submission from the Eagle Harbour Yacht Club, described the variance application for an accessory building, and responded to Board members' questions. Staff responded to Board members' and E. Reisen's questions.

Chair Radage queried whether anyone else had signed up to address the Board regarding the subject application. Staff informed that one member of the public had signed up to address the Board regarding the subject application but has since chosen to not address the Board.

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 15, 2023, 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 Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-024 regarding an accessory at building at 5866 Eagle Island with variances of:

- 0.34 m to Minimum Side Yard Setback
- 1.0 m to Accessory Building Height

BE ALLOWED pursuant to the plans dated February 15, 2023 submitted with the application; AND THAT if construction is not substantially started within 2 years of the issuance of the Order, the permission terminates and the Zoning Bylaw applies.

CARRIED

## 7. Application 23-025 (5935 Falcon Road)

Staff confirmed the following requested variances regarding a proposed single-family dwelling:

- 6.74 m to Front Yard Setback (cantilevered slab structure)
- 21.5 % to Highest Building Face Exemption (single-family dwelling).

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 14, 2023	1
Redacted	June 14, 2023	2
Redacted	Undated	3
Redacted	June 15, 2023	4
Redacted	June 17, 2023	5

Redacted	June 19, 2023	6
Redacted	June 19, 2023	7
Redacted	June 19, 2023	8
Redacted	June 19, 2023	9
Redacted	June 19, 2023	10
Redacted	June 20, 2023	11
Redacted	June 20, 2023	12
Redacted	June 20, 2023	13
Redacted	June 21, 2023	14
Redacted	June 21, 2023	15
Redacted	June 21, 2023	16

Staff provided permit history of the subject property.

A. Voth (representing the owner of 5935 Falcon Road) displayed images and described the variance application for a proposed single-family dwelling. Staff and A. Voth responded to Board members' questions.

Chair Radage queried whether anyone else had signed up to address the Board regarding the subject application. Staff informed that no one else had signed up to address the Board regarding the subject application.

A. Voth displayed images and further described the variance application for a proposed single-family dwelling.

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 23, 2023, 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 A. Voth:



It was Moved and Seconded:

THAT the Board finds that undue hardship would not be caused to the applicant by compliance with Zoning Bylaw No. 4662, 2010 (as amended) and orders that Application 23-025 regarding a proposed single-family dwelling at 5935 Falcon Road with variances of:

- 6.74 m to Front Yard Setback (cantilevered slab structure)
- 21.5 % to Highest Building Face Exemption (single-family dwelling)

BE NOT ALLOWED pursuant to the plans dated January 23, 2022 submitted with the application.

CARRIED

## **8. 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 23-024 (5866 Eagle Island);
  - Application 23-025 (5935 Falcon Road);
- up to and including June 21, 2023, be received.

CARRIED

## **9. Public Question Period**

There were no questions.

## **10. Next Hearing**

Staff confirmed that the next hearing of the Board of Variance is scheduled for July 19, 2023 at 5 p.m.

## **11. Adjournment**

It was Moved and Seconded:

THAT the June 21, 2023 Board of Variance hearing be adjourned.

CARRIED

The Board of Variance hearing adjourned at 5:52 p.m.

Certified Correct:

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L. Radage, Chair

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P. Cuk, Secretary

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District of West Vancouver  
750 17th Street, West Vancouver, BC V7V 3T3  
t: 604-925-7004 f: 604-925-7006

## NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **4321 Erwin Drive**

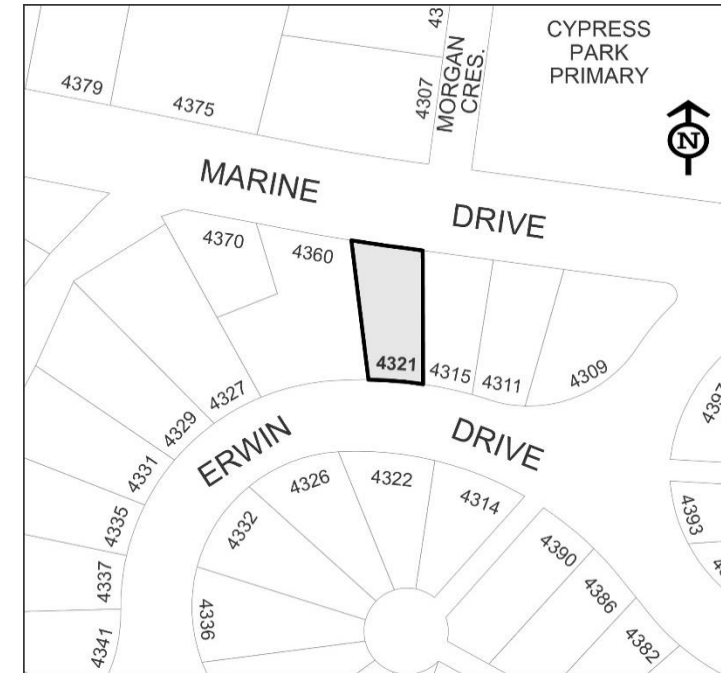
A Board of Variance hearing will be held on:

**Wednesday, July 19, 2023**

**at 5 p.m. via electronic communication facilities**

**The following variances for a power pole (accessory structure)  
at 4321 Erwin Drive will be considered:**

Minimum Front Yard Setback	Bylaw Requirement	Proposed	Variance
	9.1 m	1.5 m	7.6 m
Minimum Side Yard Setback	Bylaw Requirement	Proposed	Variance
	1.63 m	0.60 m	1.03 m
Accessory Building Height	Bylaw Requirement	Proposed	Variance
	3.7 m	7.5 m	3.8 m



**To view plans, permit and variance information** contact Permits & Inspections at 604-925-7040.

**To view application documents and written submissions, or to enquire about hearing procedures or results** contact Legislative Services at 604-925-7004.

Representations regarding the requested variances may be made, and written submissions read, to the Board of Variance during the hearing on the date, time, and place shown above. **Pursuant to Council Committee Procedure Bylaw No. 5020, 2019, this hearing will be conducted via electronic communication facilities.** Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber or via electronic communication facilities through the link provided on the District's Board of Variance web page. To register to make representations (via WebEx video conferencing software) during the Board of Variance hearing please phone 604-925-7004 between 8 a.m. and 4 p.m. on the scheduled hearing date.

Prior to the hearing, written submissions may be:

- mailed to the Board of Variance, District of West Vancouver, 750 17th Street, West Vancouver, BC V7V 3T3;
- emailed to the Board of Variance at [boardofvariance@westvancouver.ca](mailto:boardofvariance@westvancouver.ca); or
- addressed to the Board of Variance and placed in the drop box located at the main entrance of Municipal Hall.

**Please provide written submissions no later than noon on July 19, 2023 to ensure their availability to the Board for the hearing.**

Technical issues may affect receipt of electronic submissions; persons relying on this means of transmittal do so at their own risk.

**Written submissions received for the hearing will be included in the public information package for the Board's consideration and for the public record.**

To view the agenda package for the hearing please visit <https://westvancouver.ca/government-administration/committees-groups/board-variance>

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The Corporation of the District of West Vancouver

750 17th Street, West Vancouver, BC V7V 3T3

Permits and Inspections Department: 604-925-7242 || Fax: 604-925-7234 || westvancouver.ca

23-026

## Board of Variance Application Form

### Subject Property (please print clearly)

Address: 4321 Erwin dr, west vancouver, V7V1P1

### Applicant (please print clearly)

Name(s): Eric Yan s. 22(1) Phone #: s. 22(1)

Mailing Address: s. 22(1) Cell #: s. 22(1)

Email Address: s. 22(1) Fax #: s. 22(1)

Interest of Applicant: s. 22(1)

(Note: If the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

### Registered Owner (please print clearly)

Name(s): s. 22(1) Phone #: s. 22(1)

Mailing Address: s. 22(1) Cell #: s. 22(1)

Email Address: s. 22(1) Fax #: s. 22(1)

### Completed Application Must Include

- ☒ A letter (signed original) describing:
  - a) The proposed construction;
  - b) The requested variance(s); and
  - c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)
- ☒ Authorization of Registered Owners Form (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).
- ☒ \$800 fee

Note: a copy of this application (redacted as necessary) and supporting documents will be available to the public and will be placed in the public agenda binder for the Board of Variance Hearing.

Jun 12, 2023

Applicant Signature

Date

Completed (signed original) applications must be received no later than the deadline date listed on the Board of Variance Deadline and Hearing Schedule (included in this application package). Incomplete applications will not be accepted.

**Freedom of Information and Protection of Privacy Act Notification:** The information on this form is collected under the general authority of the *Local Government Act* and Board of Variance Bylaw No. 4487, 2007. It is related directly to, required for and used by the District of West Vancouver to administer the Board of Variance application process. The access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* apply to the information collected on this form. Please contact the Manager, Records and Privacy, at 604-925-3497 if you have any questions.

Application forwarded to Legislative Services by: \_\_\_\_\_ Date: \_\_\_\_\_

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June 13, 2023

s. 22(1)

s. 22(1)

West Vancouver, BC

s. 22(1)

RE: 4321 ERWIN DRIVE – Request for a Variance for a Private Power Pole

Dear Sir/Madam

A request was made to have a private pole located at the north west side of the property on Marine Drive to match the other three homes on the same row. This request was denied by BC Hydro (due to a commercial property next door) and we couldn't make a formal application to WVD for a private pole to match the other homes.

We are now requesting a private pole at the south east end of the property on Erwin Drive. This is the only location on the site to add a private pole. The existing power pole, also on the south east end, the distance is too far to reach the house directly from the existing power lines (as stated by BC Hydro). I

If we use the side setback rule of 1.63M, it will directly impede the walkway to the front door, in fact, it will literally be in the middle of the walkway to our front door. s. 22(1)

s. 22(1) Also, the property is shaped like a pie where it's wider on the north end and tapers in at the south; thus, limiting the options for a private pole placement.

Our request is to please allow the pole to be 0.6m, so access to the front door is not impeded as much. Currently, BC Hydro has installed a temporary private pole for providing power to the property during construction, we are now requesting to please use the existing temporary power pole location.

Please note the private pole does not meet the required front yard setback of 9.1m (which would make it too far from the nearest power pole line), side yard setback of 1.635m (which would affect the pathway to front door) and accessory building height of 3.7m (too low and it may get caught in a neighbour's overgrown hedge that impedes onto the property).

Thus, we would like to request a variance for a front yard setback to 1.5m, side yard setback to 0.6m and a total height for power pole to 7.5m (1.5m buried and 6m above ground).

Thank you for the cons

s. 22(1)

Registered owner 1

s. 22(1)

Registered owner 2

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PERMITS & INSPECTIONS DEPARTMENT  
 750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits  
 t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

June 12, 2023

File: **BP118645**

s. 22(1)

Dear Sir/Madam

**RE: 4321 ERWIN DRIVE - WEST VANCOUVER  
 BUILDING PERMIT APPLICATION – RS4 ZONE**

The plans submitted with your application for a building permit at the above referenced address show that the proposed Power Pole will not comply with the Zoning Bylaw because it does not maintain the required rear and side yard setbacks and accessory building height.

The following non-conformities exist and are listed for reference only:

The Zoning Bylaw, Section 204.07 requires a minimum front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Front Yard Setback for Power Pole	9.1 m	1.5 m	7.6 m

The Zoning Bylaw, Section 204.09 requires a minimum side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for Power Pole	1.63 m	0.6 m	1.03 m

The Zoning Bylaw, Section 130.01(7)(b) requires that accessory structures not exceed a height of 3.7 metres measured from the lowest of the average natural or finished grades abutting the building as indicated in the table below:

	Bylaw	Proposed	Variance
Accessory Building Height for Power Pole	3.7 m	7.5 m	3.8 m

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The Permits and Inspections Department is unable to issue a Building Permit unless you:

- a) revise your plans to conform to the Zoning Bylaw; **or**
- b) make application to the Planning Department for a Development Variance Permit (DVP) to be considered by Municipal Council, for a relaxation of the Zoning Bylaw requirements. Information regarding the Development Variance Permit Application process may be obtained from the Planning Department at Municipal Hall (604-925-7055).
- c) make application to the Board of Variance for relaxation of the Zoning Bylaw requirements by submitting a Board of Variance Application (application form enclosed) to the Permits & Inspections secretary. Your application, together with the \$800 fee and required attachments, must be received by the Permits & Inspections secretary by 1:00 p.m. on **Wednesday 21st June 2023**. The next Board of Variance Hearing is scheduled for **Wednesday 19th July 2023**.
- d) Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail; **or**

If you choose to make application to the Board of Variance, the Board at its Hearing, may order that a minor variance be permitted if it finds that undue hardship would be caused to the applicant if the Zoning Bylaw is complied with, and that the Board is of the opinion that the variance does not:

- a) result in inappropriate development of the site
- b) adversely affect the natural environment
- c) substantially affect the use and enjoyment of adjacent land
- d) vary permitted uses and densities under the applicable bylaw, or
- e) defeat the intent of the bylaw.

The Board of Variance members may visit the site as part of the variance consideration.

You and/or a representative should attend the Hearing to speak to your application and respond to any questions the Board may have.

Please do not hesitate to contact me at 604-921-2932 should you require any further information regarding this matter.

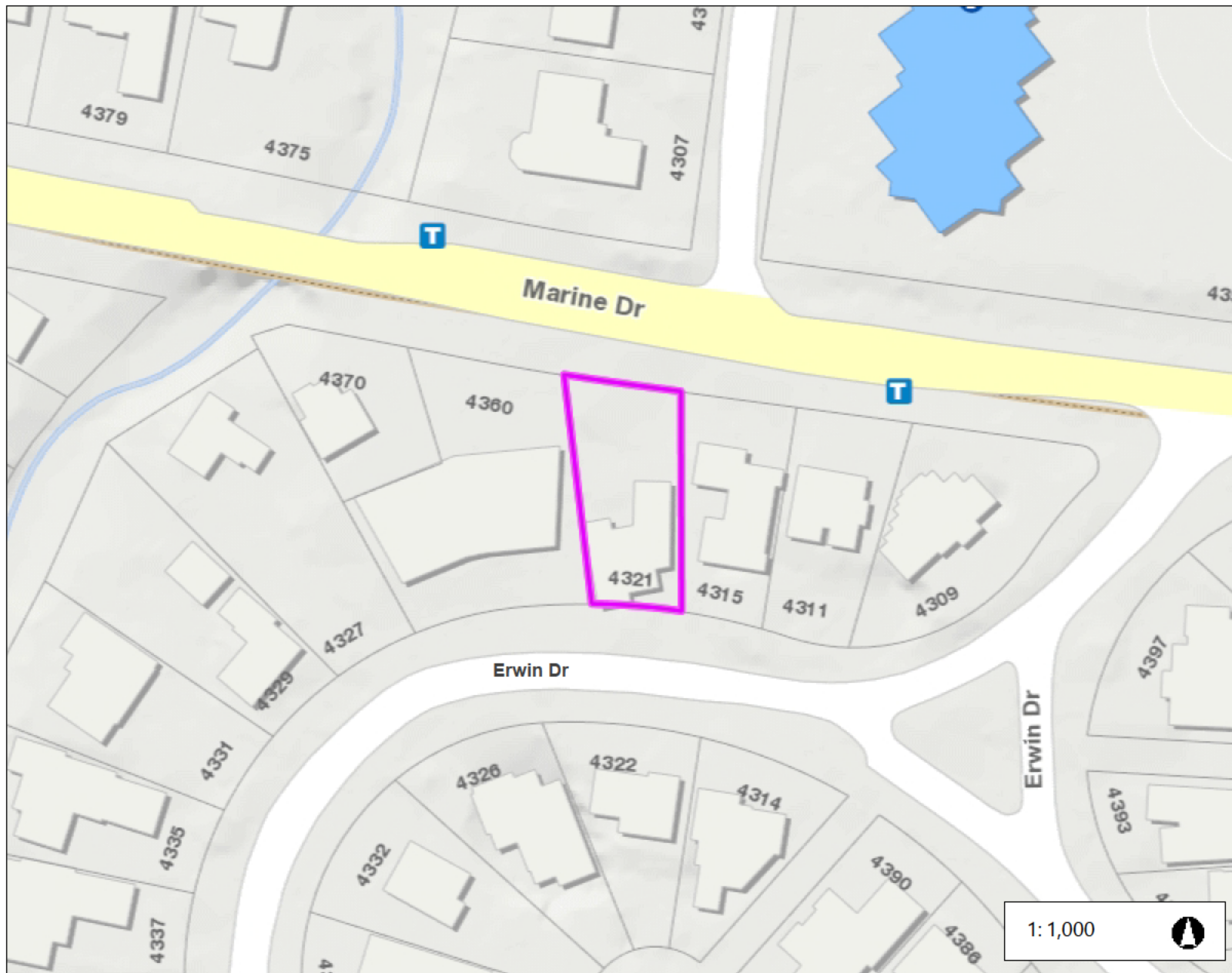
Thank you.

s. 22(1)



Eric Mah  
Assistant Plans Examiner  
[enmah@westvancouver.ca](mailto:enmah@westvancouver.ca)

Enclosure  
cc: Secretary, Board of Variance



Legend

Notes

50.8 0 25.40 50.8 Meters

WGS\_1984\_UTM\_Zone\_10N  
District of West Vancouver

1:1,000



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Legend

Notes

1: 1,000



50.8 0 25.40 50.8 Meters

WGS\_1984\_UTM\_Zone\_10N  
District of West Vancouver

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District of West Vancouver  
750 17th Street, West Vancouver, BC V7V 3T3  
t: 604-925-7004 f: 604-925-7006

## NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **1280 Clyde Avenue**

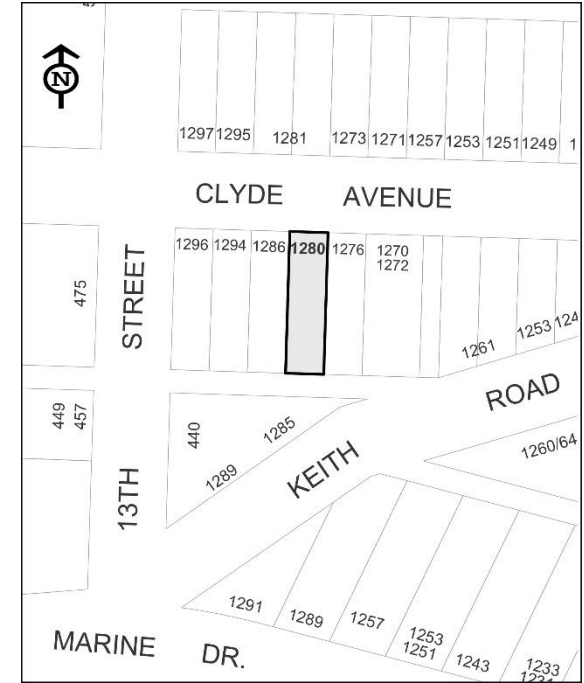
A Board of Variance hearing will be held on:

**Wednesday, July 19, 2023**

**at 5 p.m. via electronic communication facilities**

**The following variances for a power pole (accessory structure)  
at 1280 Clyde Avenue will be considered:**

Front Yard Setback	Bylaw Requirement	Proposed	Variance
	7.6 m	0.61 m	6.99 m
Minimum Side Yard Setback	Bylaw Requirement	Proposed	Variance
	1.52 m	0.61 m	0.91 m
Accessory Building Height	Bylaw Requirement	Proposed	Variance
	3.7 m	6.1 m	2.4 m



**To view plans, permit and variance information** contact Permits & Inspections at 604-925-7040.

**To view application documents and written submissions, or to enquire about hearing procedures or results** contact Legislative Services at 604-925-7004.

Representations regarding the requested variances may be made, and written submissions read, to the Board of Variance during the hearing on the date, time, and place shown above. **Pursuant to Council Committee Procedure Bylaw No. 5020, 2019, this hearing will be conducted via electronic communication facilities.** Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber or via electronic communication facilities through the link provided on the District's Board of Variance web page. To register to make representations (via WebEx video conferencing software) during the Board of Variance hearing please phone 604-925-7004 between 8 a.m. and 4 p.m. on the scheduled hearing date.

Prior to the hearing, written submissions may be:

- mailed to the Board of Variance, District of West Vancouver, 750 17th Street, West Vancouver, BC V7V 3T3;
- emailed to the Board of Variance at [boardofvariance@westvancouver.ca](mailto:boardofvariance@westvancouver.ca); or
- addressed to the Board of Variance and placed in the drop box located at the main entrance of Municipal Hall.

**Please provide written submissions no later than noon on July 19, 2023 to ensure their availability to the Board for the hearing.**

Technical issues may affect receipt of electronic submissions; persons relying on this means of transmittal do so at their own risk.

**Written submissions received for the hearing will be included in the public information package for the Board's consideration and for the public record.**

To view the agenda package for the hearing please visit <https://westvancouver.ca/government-administration/committees-groups/board-variance>

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The Corporation of the District of West Vancouver

750 17th Street, West Vancouver, BC V7V 3T3

Permits and Inspections Department: 604-925-7242 || Fax: 604-925-7234 || westvancouver.ca

23-027

## Board of Variance Application Form

### Subject Property (please print clearly)

Address: 1280 Clyde Avenue, West Vancouver, V7T-2V6

### Applicant (please print clearly)

Name(s): Karsten Duch Huynh

Phone: s. 22(1)

Mailing Address: s. 22(1)

Cell #: s. 22(1)

Email Address: s. 22(1)

Fax #: s. 22(1)

Interest of Applicant: s. 22(1)

(Note: If the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

### Registered Owner (please print clearly)

Name(s): s. 22(1)

Phone #: s. 22(1)

Mailing Address: s. 22(1)

Cell #: s. 22(1)

Email Address: s. 22(1)

Fax #: s. 22(1)

### Completed Application Must Include

- ☒ A letter (signed original) describing:
  - a) The proposed construction;
  - b) The requested variance(s); and
  - c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)
- ☒ Authorization of Registered Owners Form (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).
- ☒ \$800 fee

Note: a copy of this application (redacted as necessary) and supporting documents will be available to the public and will be placed in the public agenda binder for the Board of Variance Hearing.

s. 22(1)

Applicant Signature

June 14, 2023  
Date

Completed (signed original) applications must be received no later than the deadline date listed on the Board of Variance Deadline and Hearing Schedule (included in this application package). Incomplete applications will not be accepted.

Freedom of Information and Protection of Privacy Act Notification: The information on this form is collected under the general authority of the *Local Government Act* and Board of Variance Bylaw No. 4487, 2007. It is related directly to, required for and used by the District of West Vancouver to administer the Board of Variance application process. The access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* apply to the information collected on this form. Please contact the Manager, Records and Privacy, at 604-925-3497 if you have any questions.

Application forwarded to Legislative Services by: \_\_\_\_\_ Date: \_\_\_\_\_

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Attn: District of West Vancouver  
Board of Variance  
750 17<sup>th</sup> Street, West Vancouver BC V7V 3T3

June 14, 2023

RE: Private Power Pole  
1280 Clyde Avenue, West Vancouver BC V7T 2V6

Dear Board of Variance Members,

I am writing to the Board requesting a relaxation of the Zoning Bylaw for a private power pole on the northwest corner of 1280 Clyde Avenue, which does not conform with Section 251.07 front yard setback of 7.6 m, 251.09(1)(a)(i) side yard setback 1.52 m, and 131.01(7)(b)(i) power pole height of 3.7 m. The variances are as follows:

	<b>Bylaw</b>	<b>Proposed</b>	<b>Variance</b>
Front yard setback for power pole	7.6 m	0.61 m	6.99 m
Side yard setback for power pole	1.52 m	0.61 m	0.91 m
Accessory building height for power pole	3.7 m	6.10 m	2.4 m

My family's home is an older West Vancouver house built in 1919 and is equipped with the original electrical panel and an expired BC Hydro meter (one of the oldest in BC according to BC Hydro). This antiquated setup prevents BC Hydro from replacing our expired meter with a smart meter since options to retrofit a smart meter are not available. The panel is also undersized for today's modern electrical needs, which makes upgrading to a larger 200 amp panel a logical decision. Furthermore, our house sits on the original position of the lot, closest to the back lane and over 30.48 m (100 ft.) from the main power pole on our front street. Due to this distance, BC Hydro will not replace the existing power line for this upgrade as it sits.

We hired DLP Electrical to upgrade the panel and BC Hydro meter. A private power pole was advised as the best option. An electrical permit for the upgrade was obtained (permit # EL124464). The private power pole was installed and an inspection was called, unaware of the zoning bylaw in West Vancouver for private power poles. The electrical inspector was satisfied with the work but could not pass the pole itself and advised to seek variance with the BOV. Another option was suggested by the inspector, utilizing our detached garage that sits on the edge of our property on Clyde and is nearest to the main power pole across the street.

The inspector's suggestion would be to install a panel in the garage and a metal mast on the roof, connecting to the main power pole across the street. An electrical cable would then run to a sub-panel in the house. This option would not require a building permit to install. The problem with this option is that the garage is in poor condition and we plan to either rebuild in the coming years or tear down and repurpose the space. This necessitates the electrical service staying independent of our garage. The metal mast would need to be tall enough for the power line to clear traffic, towering at least 3.05 m (10 ft.) above the low roof line of the garage, this would require multiple guy wires to stabilize it, anchored to the roof. A large metal mast and steel cables would appear out of place and aesthetically displeasing, in my opinion and to those I've talked to. Comparing this option to a wooden pole, which is commonly seen, makes a private power pole a preferred option.

I hope the points brought forward to you in favor of a private power pole are reasonable. Thank you for your time and consideration of the resulting hardship caused by this zoning bylaw.

Sincerely,

s.22(1)

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PERMITS & INSPECTIONS DEPARTMENT  
 750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits  
 t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

May 24, 2023

File: **BP118707**

s. 22(1)

Dear Sir/Madam

**RE: 1280 CLYDE AVENUE - WEST VANCOUVER  
 BUILDING PERMIT APPLICATION – RSRD1 ZONE**

The plans submitted with your application for a building permit at the above referenced address show that the proposed Power pole will not comply with the Zoning Bylaw because it does not maintain the required front and side yard setback and accessory building height.

The following non-conformities exist and are listed for reference only:

- The Zoning Bylaw, Section 251.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Power Pole	7.6 m	0.61 m	6.99 m

- The Zoning Bylaw, Section 251.09(1)(a)(i) requires a minimum side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for Power Pole	1.52 m	0.61 m	0.91 m

- The Zoning Bylaw, Section 131.01(7)(b)(i) requires that accessory structures not exceed a height of 3.7 metres measured from the lowest of the average natural or finished grades abutting the building as indicated in the table below:

	Bylaw	Proposed	Variance
Accessory Building Height for Power Pole	3.7 m	6.10 m	2.4 m

The Permits and Inspections Department is unable to issue a Building Permit unless you:

- 
- a) revise your plans to conform to the Zoning Bylaw; **or**
  - b) make application to the Planning Department for a Development Variance Permit (DVP) to be considered by Municipal Council, for a relaxation of the Zoning Bylaw requirements. Information regarding the Development Variance Permit Application process may be obtained from the Planning Department at Municipal Hall (604-925-7055).
  - c) make application to the Board of Variance for relaxation of the Zoning Bylaw requirements by submitting a Board of Variance Application (application form enclosed) to the Permits & Inspections secretary. Your application, together with the \$800 fee and required attachments, must be received by the Permits & Inspections secretary by 1:00 p.m. on **Wednesday June 21st 2023**. The next Board of Variance Hearing is scheduled for **Wednesday July 19th 2023**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail; **or**

If you choose to make application to the Board of Variance, the Board at its Hearing, may order that a minor variance be permitted if it finds that undue hardship would be caused to the applicant if the Zoning Bylaw is complied with, and that the Board is of the opinion that the variance does not:

- a) result in inappropriate development of the site
- b) adversely affect the natural environment
- c) substantially affect the use and enjoyment of adjacent land
- d) vary permitted uses and densities under the applicable bylaw, or
- e) defeat the intent of the bylaw.

The Board of Variance members may visit the site as part of the variance consideration.

You and/or a representative should attend the Hearing to speak to your application and respond to any questions the Board may have.

Please do not hesitate to contact me at 604-921-2932 should you require any further information regarding this matter.

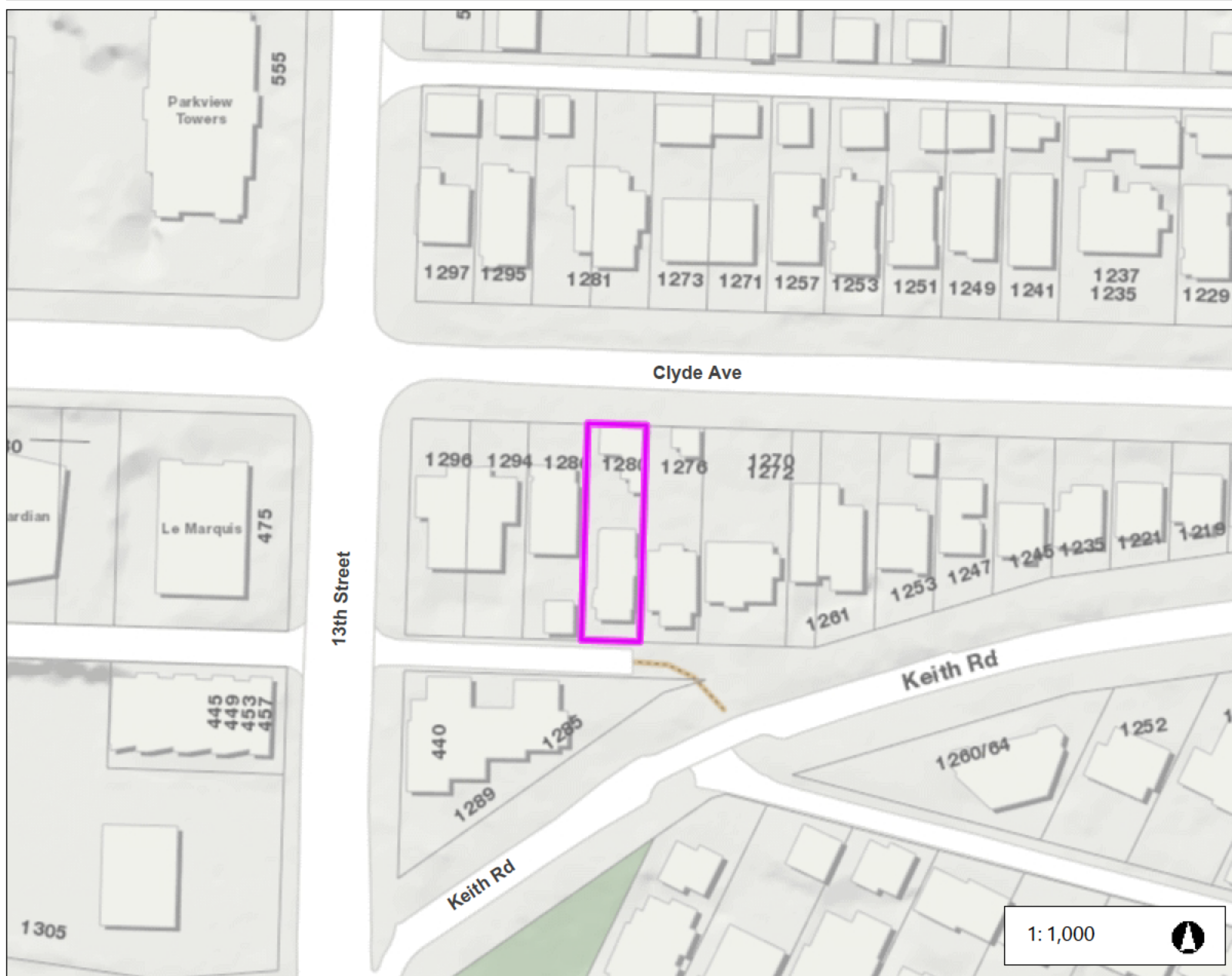
Thank you.

s. 22(1)

Eric Mah  
Assistant Plans Examiner  
[enmah@westvancouver.ca](mailto:enmah@westvancouver.ca)

Enclosure

cc: Secretary, Board of Variance



Legend

Notes

50.8 0 25.40 50.8 Meters

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District of West Vancouver

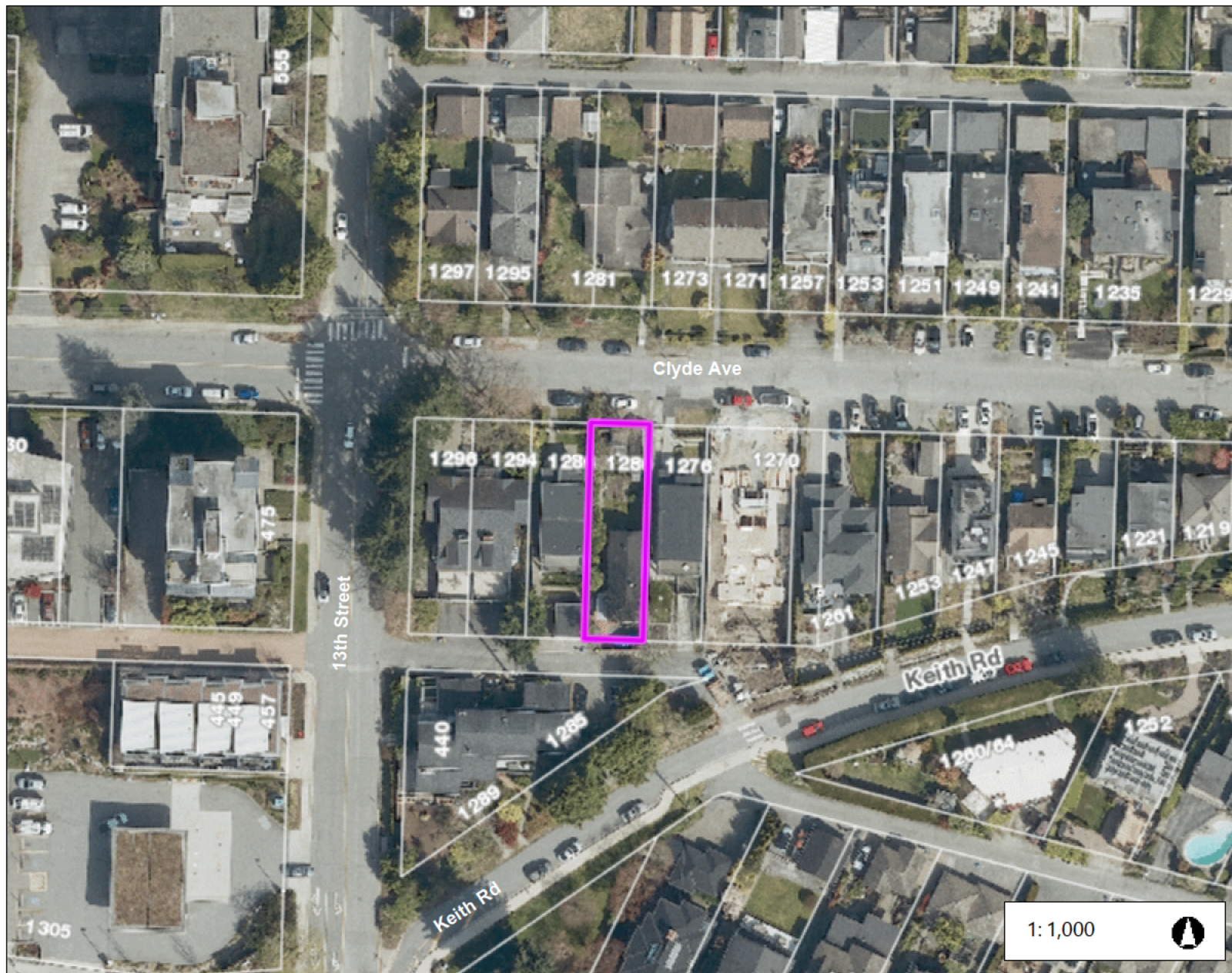
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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Legend

Notes

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WGS\_1984\_UTM\_Zone\_10N  
District of West Vancouver

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District of West Vancouver  
750 17th Street, West Vancouver, BC V7V 3T3  
t: 604-925-7004 f: 604-925-7006

## NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **2309 Inglewood Avenue**

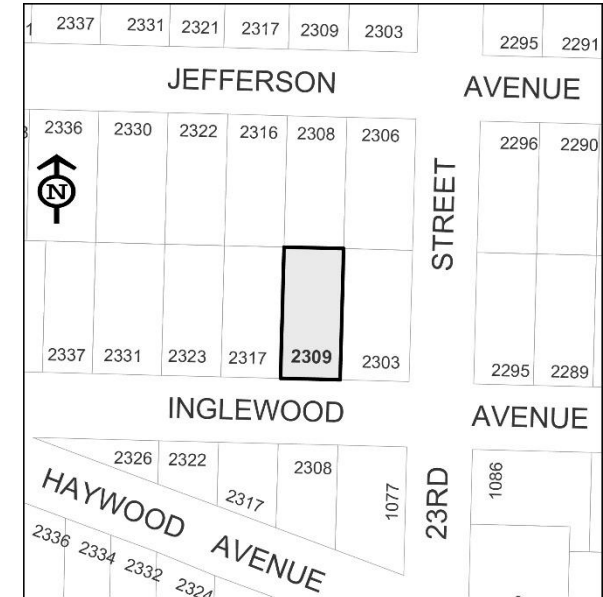
A Board of Variance hearing will be held on:

**Wednesday, July 19, 2023**

**at 5 p.m. via electronic communication facilities**

**The following variances for additions and alterations  
at 2309 Inglewood Avenue will be considered:**

Combined Side Yard Setback (Single Family Dwelling)	Bylaw Requirement	Proposed	Variance
	3.36 m	3.26 m	0.10 m
Roof Overhangs for East and West Side Yards	Bylaw Requirement	Proposed	Variance
	0.60 m	1.02 m	0.42 m



**To view plans, permit and variance information** contact Permits & Inspections at 604-925-7040.

**To view application documents and written submissions, or to enquire about hearing procedures or results** contact Legislative Services at 604-925-7004.

Representations regarding the requested variances may be made, and written submissions read, to the Board of Variance during the hearing on the date, time, and place shown above. **Pursuant to Council Committee Procedure Bylaw No. 5020, 2019, this hearing will be conducted via electronic communication facilities.** Members of the public may hear, or watch and hear, the hearing by attending the Municipal Hall Council Chamber or via electronic communication facilities through the link provided on the District's Board of Variance web page. To register to make representations (via WebEx video conferencing software) during the Board of Variance hearing please phone 604-925-7004 between 8 a.m. and 4 p.m. on the scheduled hearing date.

Prior to the hearing, written submissions may be:

- mailed to the Board of Variance, District of West Vancouver, 750 17th Street, West Vancouver, BC V7V 3T3;
- emailed to the Board of Variance at [boardofvariance@westvancouver.ca](mailto:boardofvariance@westvancouver.ca); or
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The Corporation of the District of West Vancouver

750 17th Street, West Vancouver, BC V7V 3T3

Permits and Inspections Department: 604-925-7242 || Fax: 604-925-7234 || westvancouver.ca

## Board of Variance Application Form

### Subject Property (please print clearly)

Address: 2309 INGLEWOOD AVE.

### Applicant (please print clearly)

Name(s): KARL GUSTAVSON ARCHITECT INC. Phone #: 604 926-1649

Mailing Address: 3685 McKECHNIE AVE., W.V. Cell #: 604 644-4540

Email Address: KARLOKGA CT. CA Fax #: \_\_\_\_\_

Interest of Applicant: \_\_\_\_\_ s. 22(1)

(Note: If the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

### Registered Owner (please print clearly)

Name(s): \_\_\_\_\_ s. 22(1)

Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ s. 22(1)

Cell # \_\_\_\_\_ s. 22(1)

Email Address: \_\_\_\_\_ Fax #: \_\_\_\_\_

### Completed Application Must Include

☒ A letter (signed original) describing:

- a) The proposed construction;
- b) The requested variance(s); and
- c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)

☒ Authorization of Registered Owners Form (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).

☒ \$800 fee

Note: a copy of this application (redacted as necessary) and supporting documents will be available to the public and will be included in the public agenda binder for the Board of Variance Hearing.

\_\_\_\_\_ s. 22(1)

A

JULIE 19/23  
Date

Completed (signed original) applications must be received no later than the deadline date listed on the Board of Variance Deadline and Hearing Schedule (Included in this application package). Incomplete applications will not be accepted.

**Freedom of Information and Protection of Privacy Act Notification:** The information on this form is collected under the general authority of the *Local Government Act* and Board of Variance Bylaw No. 4487, 2007. It is related directly to, required for and used by the District of West Vancouver to administer the Board of Variance application process. The access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* apply to the information collected on this form. Please contact the Manager, Records and Privacy, at 604-925-3497 if you have any questions.

Application forwarded to Legislative Services by: \_\_\_\_\_ Date: \_\_\_\_\_

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Karl Gustavson Architect Inc.  
Architecture + Planning

The Corporation of the District of West Vancouver  
750 17<sup>th</sup> Street,  
West Vancouver, B.C.  
V7V 3T3

June 19, 2023

Att: Board of Variance

Dear Board;

Re: 2309 Inglewood Avenue – RS5 Zone, Hardship Letter

This is an existing nonconforming single storey home. We are proposing an extension of this existing nonconformity on the west to allow for the addition of a single car garage at the basement level and [REDACTED] s.22(1) at the main floor level. The proposed plan includes a full renovation along with raising the house 1'-0" and the elimination of the change in floor level at the main floor for the purpose of making the house accessible and adaptable to aging in place. We are very sensitive to the existing natural environment along with mature vegetation on the property line that provides privacy for the neighbours. The owner has met with the neighbours on the east and west side to review our plans along with our intention to minimize site disruption and maintain the landscape screen.

The hardship created if we are not successful with this variance request will be to demolish the house and build a second storey. Two key components are crucial to the success of this plan. One is providing enough space at the garage level to access the basement door and elevator with a wheelchair. The other is making the entire main floor area including the [REDACTED] s.22(1) extension suitable for aging in place. This is the purpose of the variance request.

This proposal has minimum impact to the neighbours as it remains a single storey home without changing any existing side yard setbacks or roof overhangs. We are committed to Step 4 code compliance which is a much higher level of energy performance than your typical home. In addition, we are researching the addition of a solar array on the roof and a rainwater collection system. I see this project as a model for retention and reuse of existing materials along with a more energy efficient building.

I thank you in advance for your consideration of this request.

Yours truly,

[REDACTED] s. 22(1)

Karl W. Gustavson, Architect AIBC, FRAIC, LeedAP

c.c. [REDACTED] s. 22(1)

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PERMITS & INSPECTIONS DEPARTMENT  
 750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits  
 t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

June 19, 2023

File: **BP118689**

s. 22(1)

Dear Sir/Madam

**RE: 2309 INGLEWOOD AVENUE - WEST VANCOUVER  
 BUILDING PERMIT APPLICATION – RS5 ZONE**

The plans submitted with your application for a building permit at the above referenced address show that the proposed additions and alterations will not comply with the Zoning Bylaw because it does not maintain the required combined side yard setback and roof overhang allowance.

- The Zoning Bylaw, Section 205.09(1)(b)(i); 120.29(4)(a)(i), requires a combined side yard setback as indicated in the table below:

	Bylaw*	Proposed	Variance
Combined Side Yard Setback for Single Family Dwelling	3.36 m	3.26 m	0.10 m

- The Zoning Bylaw, Section 120.27(9)(b), requires a Roof Overhang as indicated in the table below:

	Bylaw	Proposed	Variance
Roof Overhangs for East and West Side Yards	0.6 m	1.02 m	0.42 m

Comments: \*Proposed voluntary approach to Step 4 of the BC Energy Step Code. Zoning Adjustments for High Performance Buildings apply.

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The Permits and Inspections Department is unable to issue a Building Permit unless you:

- a) revise your plans to conform to the Zoning Bylaw; **or**
- b) make application to the Planning Department for a Development Variance Permit (DVP) to be considered by Municipal Council, for a relaxation of the Zoning Bylaw requirements. Information regarding the Development Variance Permit Application process may be obtained from the Planning Department at Municipal Hall (604-925-7055).
- c) make application to the Board of Variance for relaxation of the Zoning Bylaw requirements by submitting a Board of Variance Application (application form enclosed) to the Permits & Inspections secretary. Your application, together with the \$800 fee and required attachments, must be received by the Permits & Inspections secretary by 1:00 p.m. on **Wednesday June 21, 2023**. The next Board of Variance Hearing is scheduled for **Wednesday July 19, 2023**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail; **or**

If you choose to make application to the Board of Variance, the Board at its Hearing, may order that a minor variance be permitted if it finds that undue hardship would be caused to the applicant if the Zoning Bylaw is complied with, and that the Board is of the opinion that the variance does not:

- a) result in inappropriate development of the site
- b) adversely affect the natural environment
- c) substantially affect the use and enjoyment of adjacent land
- d) vary permitted uses and densities under the applicable bylaw, or
- e) defeat the intent of the bylaw.

The Board of Variance members may visit the site as part of the variance consideration.

You and/or a representative should attend the Hearing to speak to your application and respond to any questions the Board may have.

Please do not hesitate to contact me at 604-921-3455 should you require any further information regarding this matter.

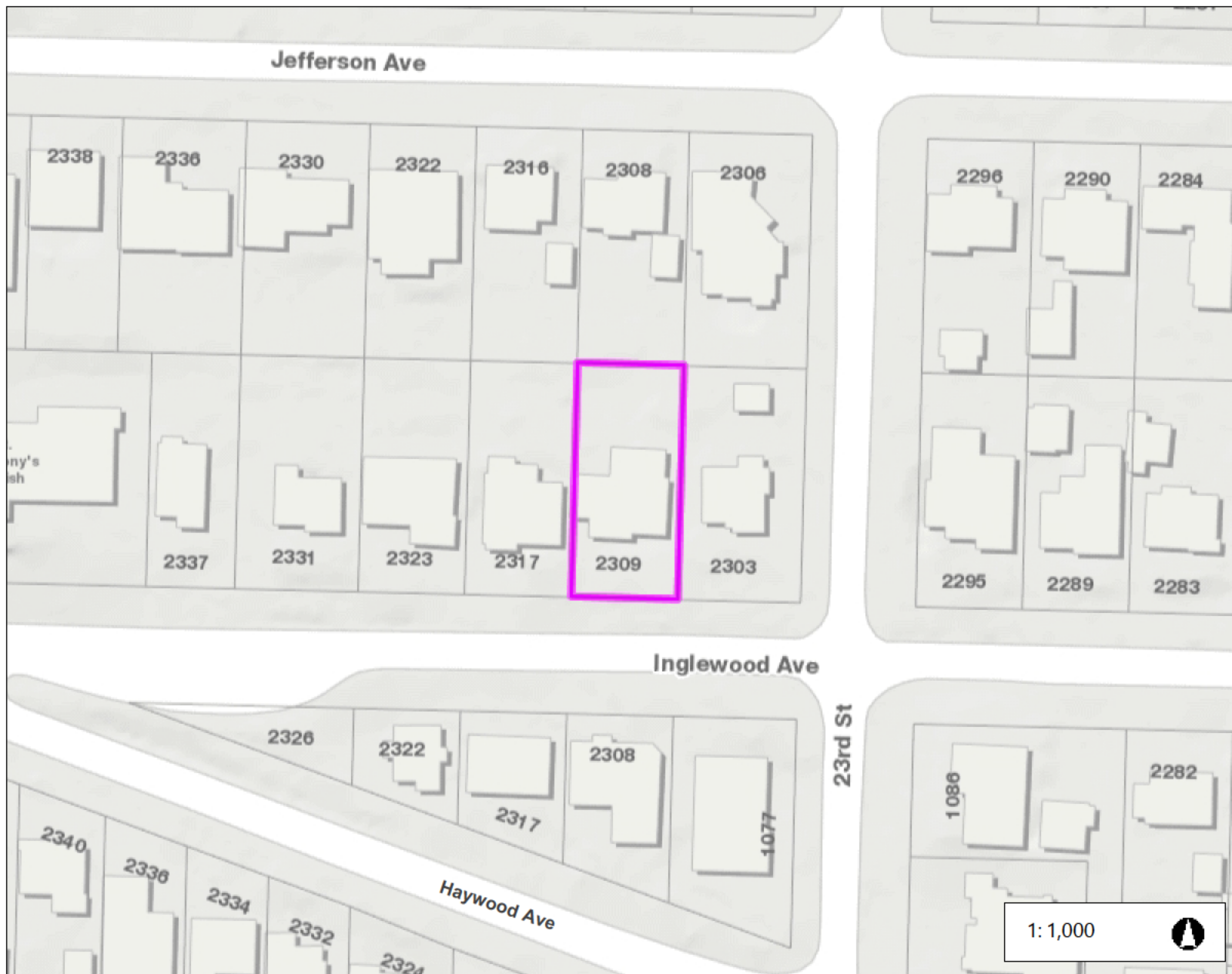
Thank you.

s. 22(1)

Nicole Colby  
Plans Examiner II  
[ncolby@westvancouver.ca](mailto:ncolby@westvancouver.ca)

Enclosure

cc: Secretary, Board of Variance



Legend

Notes

50.8 0 25.40 50.8 Meters

WGS\_1984\_UTM\_Zone\_10N  
District of West Vancouver

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## NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **850 Sentinel Drive**

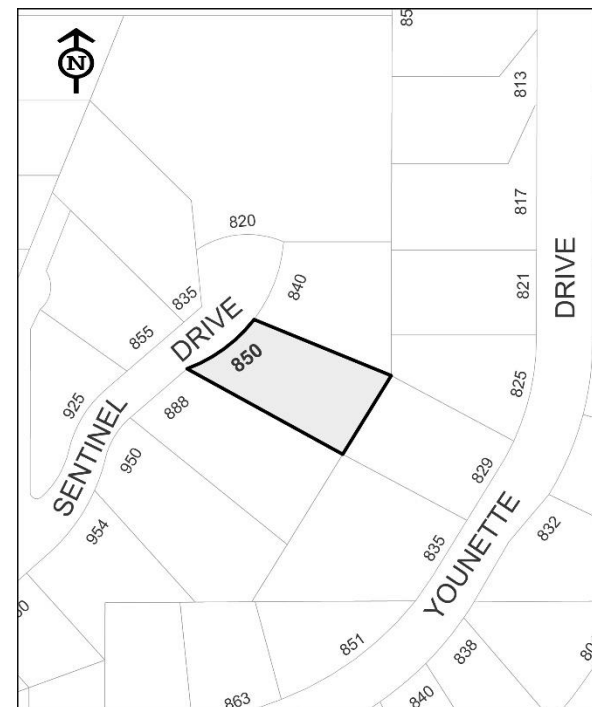
A Board of Variance hearing will be held on:

**Wednesday, July 19, 2023**

**at 5 p.m. via electronic communication facilities**

**The following variances for additions and alterations  
at 850 Sentinel Drive will be considered:**

Combined Side Yard Setback (Single Family Dwelling)	Bylaw Requirement	Proposed	Variance
	6.03 m	4.54 m	1.49 m
Front Yard Setback (Single Family Dwelling)	Bylaw Requirement	Proposed	Variance
	8.95 m	4.91 m	4.04 m
Minimum Side Yard Setback (Single Family Dwelling)	Bylaw Requirement	Proposed	Variance
	2.38 m	1.37 m	1.01 m
Setback for Retaining Wall	Bylaw Requirement	Proposed	Variance
	1.2 m	0.0 m	1.2 m



**To view plans, permit and variance information** contact Permits and Inspections at 604-925-7040.

**To view application documents and written submissions, or to enquire about hearing procedures or results** contact Legislative Services at 604-925-7004.

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Prior to the hearing, written submissions may be:

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750 17th Street, West Vancouver, BC V7V 3T3

Permits and Inspections Department: 604-925-7242 || Fax: 604-925-7234 || westvancouver.ca

## Board of Variance Application Form

### Subject Property (please print clearly)

**Address:** 850 Sentinel Drive, West Vancouver, BC, V7T 1T2

### Applicant (please print clearly)

**Name(s):** Mike Courtenay

**Phone #:**

**Mailing Address:** s. 22(1)

**Cell #:** s. 22(1)

**Email Address:**

**Fax #:**

**Interest of Applicant:**

s. 22(1)

(Note: If the registered property owner is not the applicant then the authorization form must be completed by the registered property owner)

### Registered Owner (please print clearly)

**Name(s):** s. 22(1)

**Phone #:**

**Mailing Address:** s. 22(1)

**Cell #:** s. 22(1)

**Email Address:**

**Fax #:**

### Completed Application Must Include

- ☐ **A letter (signed original) describing:**
  - a) The proposed construction;
  - b) The requested variance(s); and
  - c) Hardship (pursuant to s.540 of the *Local Government Act* the applicant must demonstrate that hardship would be caused by compliance with the Zoning Bylaw)
- ☐ **Authorization of Registered Owners Form** (if this application is made by some but not all of the registered owners, or persons other than the registered owner(s), written authority for the applicant to apply to the Board of Variance on behalf of all registered owner(s) is required. Complete the attached form. For corporate ownership, a Corporate Search must be submitted showing proof of signing authority).
- ☐ **\$800 fee**

**Note: a copy of this application (redacted as necessary) and supporting documents will be available to the public and will be placed in the public agenda binder for the Board of Variance Hearing.**

s. 22(1)

20 June 2023

**Applicant Signature**

**Date**

Completed (signed original) applications must be received no later than the deadline date listed on the Board of Variance Deadline and Hearing Schedule (included in this application package). Incomplete applications will not be accepted.

**Freedom of Information and Protection of Privacy Act Notification:** The information on this form is collected under the general authority of the *Local Government Act* and Board of Variance Bylaw No. 4487, 2007. It is related directly to, required for and used by the District of West Vancouver to administer the Board of Variance application process. The access and privacy provisions of the *Freedom of Information and Protection of Privacy Act* apply to the information collected on this form. Please contact the Manager, Records and Privacy, at 604-925-3497 if you have any questions.

Application forwarded to Legislative Services by: \_\_\_\_\_ Date: \_\_\_\_\_

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MJC Development Consultants Inc.

s. 22(1)

The Corporation of the District of West Vancouver  
750 17<sup>th</sup> Street, West Vancouver, BC V7T 3T3  
Attention Board of Variance

Re: 850 Sentinel Drive, West Vancouver

Members of the Board,

s. 22(1) is proposing to construct an addition and renovation to the existing house that was built in 1951 at 850 Sentinel Drive. The portion of Sentinel Drive frontage is part of an irregular shaped cul-de-sac. The site is sloped from the high point at the North-East property line (Sentinel Drive) at an average of 37 degrees to the South-West property line. The southern portion contains extensive mature trees and a sanitary sewer easement.

The proposed design takes advantage of retaining the existing home that was constructed on a relatively flat area and reducing the footprint of the structure on the forested portion if the existing 1951 house was demolished. The setback encroachment is required to accommodate two staircases that access levels 1 (addition) and 2 (1951 structure), and level 3 (addition) and 4 (1951 structure). The stairs become an integral part to successfully marrying of the new and old structures together and are partially within the renovated existing structure. The addition complies with the setback requirements and the existing structure is non-conforming.

The existing house is set back from the Sentinel Drive property line 4.75m - 4.90. and presently the existing house is without a garage. The proposed renovation of the 1951 structure incorporates a two-car garage. The design provides a driveway apron adequate to maneuver vehicles in and out of the garage. However, the bylaw requires a 1.2m distance from the property line to a downhill retaining wall. We are requesting that the retaining wall is constructed at the property line, so access and egress of the garage is possible.

Regards,

s. 22(1)

Mike Courtenay  
MJC Development Consultants Inc.

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PERMITS & INSPECTIONS DEPARTMENT  
 750 17th Street West Vancouver BC V7V 3T3 westvancouver.ca/permits  
 t: 604-925-7040 f: 604-925-7234 e: permits@westvancouver.ca

June 19, 2023

File: **BP118514**

s. 22(1)

Dear Sir/Madam

**RE: 850 SENTINEL DRIVE - WEST VANCOUVER  
 BUILDING PERMIT APPLICATION – RS3 ZONE**

The plans submitted with your application for a building permit at the above referenced address show that the proposed additions and alterations will not comply with the Zoning Bylaw because it does not maintain the required setbacks.

- The Zoning Bylaw, Section 203.09(2)(b)(i); 120.29(4)(a)(i), requires a combined side yard setback as indicated in the table below:

	Bylaw*	Proposed	Variance
Combined Side Yard Setback for Single Family Dwelling	6.03 m	4.54 m	1.49 m

- The Zoning Bylaw, Section 203.07; 120.29(4)(a)(i) requires a front yard setback as indicated in the table below:

	Bylaw*	Proposed	Variance
Front Yard Setback for Single Family Dwelling	8.95 m	4.91 m	4.04 m

- The Zoning Bylaw, Section 203.09(2)(a)(ii); 120.29(4)(a)(i) requires a minimum side yard setback as indicated in the table below:

	Bylaw*	Proposed	Variance
Minimum Side Yard Setback for Single Family Dwelling	2.38 m	1.37 m	1.01 m

- The Zoning Bylaw, Section 120.22(8)(a) requires a minimum retaining wall setback from a front site line as indicated in the table below:

	Bylaw	Proposed	Variance
Setback for Retaining Wall	1.2 m	0.0 m	1.2 m

---

Comments: \*Proposed voluntary approach to Step 4 of the BC Energy Step Code. Zoning adjustments for High Performance Buildings apply.  
The following non-conformities exist and are listed for reference only: Existing dwelling is non conforming to required front and side yard setbacks. Appeal #258 (Feb 15, 1951) approved a front yard setback of 4.57m (15'-0")

The Permits and Inspections Department is unable to issue a Building Permit unless you:

- a) revise your plans to conform to the Zoning Bylaw; **or**
- b) make application to the Planning Department for a Development Variance Permit (DVP) to be considered by Municipal Council, for a relaxation of the Zoning Bylaw requirements. Information regarding the Development Variance Permit Application process may be obtained from the Planning Department at Municipal Hall (604-925-7055).
- c) make application to the Board of Variance for relaxation of the Zoning Bylaw requirements by submitting a Board of Variance Application (application form enclosed) to the Permits & Inspections secretary. Your application, together with the \$800 fee and required attachments, must be received by the Permits & Inspections secretary by 1:00 p.m. on **Wednesday June 21, 2023**. The next Board of Variance Hearing is scheduled for **Wednesday July 19, 2023**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail; **or**

If you choose to make application to the Board of Variance, the Board at its Hearing, may order that a minor variance be permitted if it finds that undue hardship would be caused to the applicant if the Zoning Bylaw is complied with, and that the Board is of the opinion that the variance does not:

- a) result in inappropriate development of the site
- b) adversely affect the natural environment
- c) substantially affect the use and enjoyment of adjacent land
- d) vary permitted uses and densities under the applicable bylaw, or
- e) defeat the intent of the bylaw.

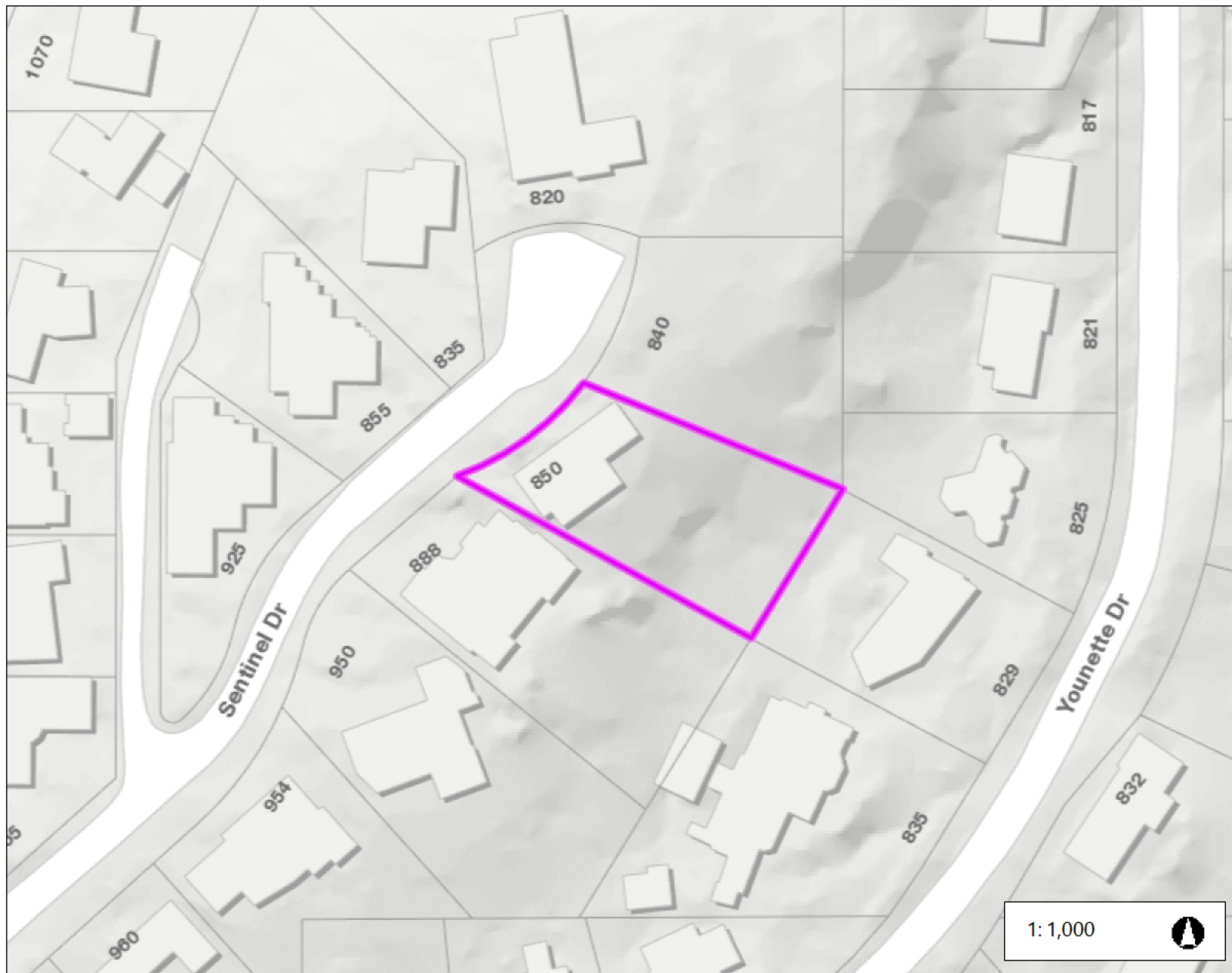
The Board of Variance members may visit the site as part of the variance consideration. You and/or a representative should attend the Hearing to speak to your application and respond to any questions the Board may have. Please do not hesitate to contact me at 604-921-3455 should you require any further information regarding this matter.

Thank you  
 s. 22(1)

Nicole Colby  
 Plans Examiner II  
[ncolby@westvancouver.ca](mailto:ncolby@westvancouver.ca)

Enclosure  
 cc: Secretary, Board of Variance





Legend

Notes

1: 1,000



50.8 0 25.40 50.8 Meters

WGS\_1984\_UTM\_Zone\_10N  
District of West Vancouver

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Legend

Notes

50.8 0 25.40 50.8 Meters

WGS\_1984\_UTM\_Zone\_10N  
District of West Vancouver

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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

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Pursuant to the *Freedom of Information and Protection of Privacy Act*, names, addresses, contact information and other personal information of individuals who write to the Board are protected from disclosure and must not be disclosed during the hearing.

The Corporation of the District of West Vancouver

## Board of Variance

July 19, 2023

### Supplemental Agenda Information Package

For Application 23-026 (4321 Erwin Drive)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	July 13, 2023	1

For Application 23-029 (850 Sentinel Drive)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
M. Courtenay	July 10, 2023	1
M. Courtenay	July 10, 2023	2
M. Courtenay	July 17, 2023	3

Please add these supplemental items to the July 19, 2023  
Board of Variance Agenda Package as indicated.

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# Application 23-026 (4321 Erwin Drive)

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**From:** [REDACTED] s. 22(1)  
**Sent:** Thursday, July 13, 2023 8:58 AM  
**To:** BoardOfVariance  
**Cc:** [REDACTED] s. 22(1)  
**Subject:** Updated information - 4321 Erwin Drive Variance request  
**Attachments:** DWV Hardship letter July updated.pdf

CAUTION: This email originated from outside the organization from email address [REDACTED] s. 22(1)  
Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

Please find attached an updated letter with some new information to be added to our request for a private pole placement at 4321 Erwin Drive, which we understand is on the agenda for the upcoming July 19 meeting.

With thanks  
[REDACTED] s. 22(1)



July 13, 2023

s. 22(1)

s. 22(1)

West Vancouver, BC

s. 22(1)

RE: REVISED 4321 ERWIN DRIVE – Request for a Variance for a Private Power Pole

Dear Members of the Variance Board, District of West Vancouver

As you may recall from our June 13, 2023 letter, we had requested a private pole at the south east end of the property on Erwin Drive.

This letter is being written as an addendum with some additional information:

- We had initially requested a pole on the north west side of the property – Hydro would not allow this due to the commercial property next door
- The existing power pole, located on Erwin Drive is also not an option – Hydro would not allow us access to this pole as the distance is too far to reach the house directly.
- Our house at 4321 Erwin Drive (prior to demolition and rebuild) was non-conforming on the property and therefore could reach the existing power pole, however now that we have conformed to the required set backs, Hydro has stated the house is too far.
- We met with Hydro during the week of March 20 who initially agreed to a pole on the north west corner, they then phoned on March 31 stating they had made a mistake and could not provide a connection from Marine due to the lines and the commercial property next door.
- We scheduled another meeting and site visit with them (earliest possible was May 3) – 6 weeks later from the initial visit!
- On May 3, the technician met with our builder and electrician and explored every possible option on the site and the only location that Hydro would allow is the location we are now requesting a variance.
- On July 10, we have been in touch with Surat Brar at Hydro. We understand that if we were to request underground service it would take approx. 6 months to book a Hydro crew thus delaying our house build significantly.

Again, we respectfully request the variance as per our June 13 letter.

s. 22(1)

Registered owner 1

s. 22(1)

Registered owner 2



# Application 23-029 (850 Sentinel Drive)

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**From:** Mike Courtenay [REDACTED] s. 22(1)  
**Sent:** Monday, July 10, 2023 5:14 PM  
**To:** BoardOfVariance  
**Subject:** 850 Sentinel Drive - Board of Variance meeting 19 July 2023  
**Attachments:** 850 Sentinel Retention Re-BP May29\_2023\_compressed.pdf; 850 driveway layout.pdf

CAUTION: This email originated from outside the organization from email address [REDACTED] s. 22(1). Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

Hello Members of the Board of Variance,

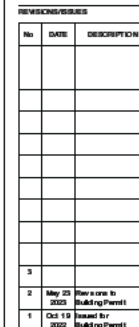
Attached are plans of the existing and retained portions of 850 Sentinel Drive, an aerial photo of the site, and a drive way plan.

The existing dwelling was constructed approximately 1951 and a steel framed addition was constructed 1999. The site is 37 degrees of slope. The proposed addition is 2'-9" lower than the 1999 addition. The plans attached show both structures. The 1951 portion is non conforming. The proposed renovation of the 1951 structure incorporates 5 stair risers between grid lines B to C and 7 to 8 that is approximately 20 square feet in area on two floors (Levels 2 and 4) The stairs are considered new construction and is required to comply with the current setback requirements. The stairs do not physically create any changes to the existing setbacks of the 1951 structure. The addition does complies with the current setback requirements.

The driveway plan show the necessity of constructing the retaining wall at the property line to allow access and egress to the proposed 2 car garage.

Regards,

Mike Courtenay



PROJECT NAME \_\_\_\_\_

RESIDENTIAL

850 Sentinel Drive  
West Vancouver B C

DRAWING TITLE

RETENTION  
LOWER FLOOR  
PLAN

**MJC Development  
Consultants Inc.**



NORTH MANDOUVRIE  
SPEECH COLUMBIA  
CANADA

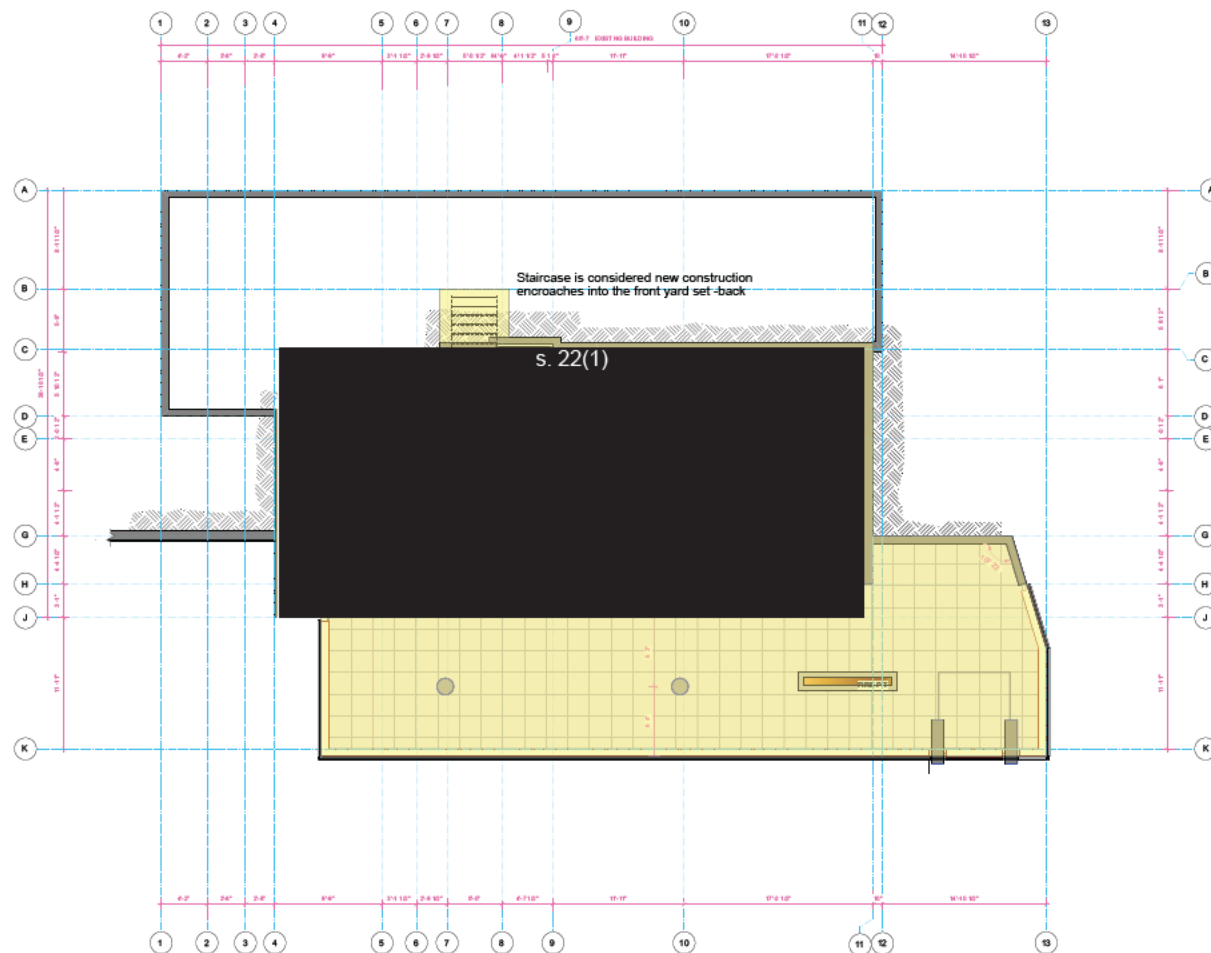
TELEPHONE: 800-440-5500

EG \_\_\_\_\_ MC \_\_\_\_\_

1/4" 1' 0"  
PLOT DATE \_\_\_\_\_




January 5, 2023

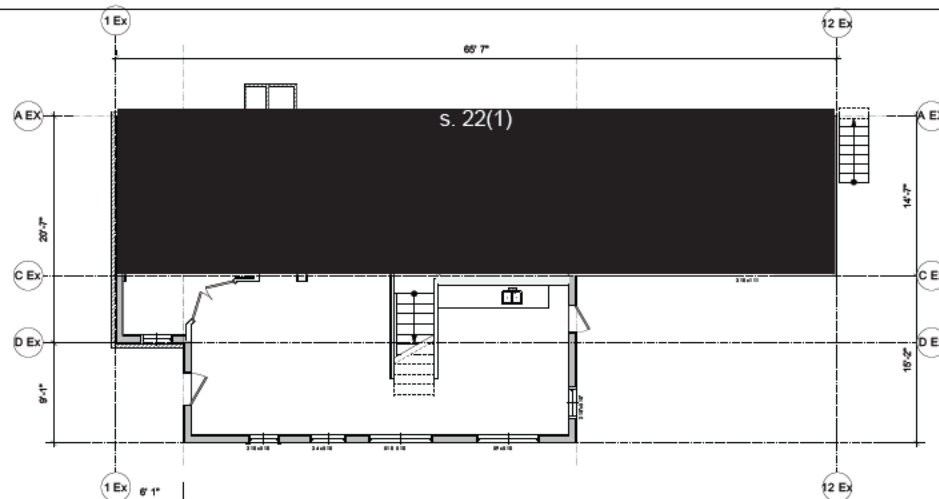
AR-6.1



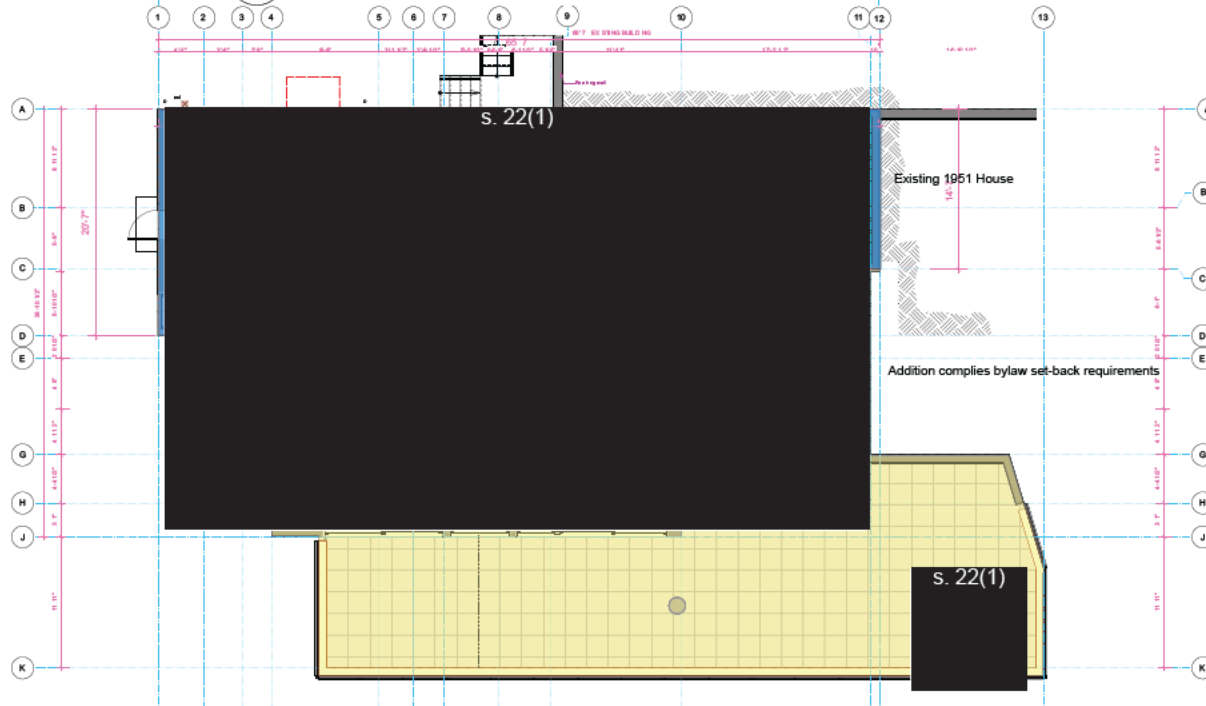
2 PROPOSED LOWER FLOOR LEVEL 1  
AR-6.1 Scale: 3/16" = 1'-0"

**RETAINED PLANS LEGEND**

	RETAINED CHARACTER BUILDING
	NEW CONSTRUCTION
	RETAINED WALLS
	EXIST'NG BUILDING/CRACK OUT



1 EXISTING LOWER FLOOR LEVEL (PROPOSED LEVEL 2)  
AR-6.2 Scale: 3/16" = 1'-0"



2 PROPOSED LEVEL 2 & 3  
AR-6.2 Scale: 3/16" = 1'-0"

RETAINED PLAN LEGEND	
	RETAINED CHARACTER BUILDING
	NEW CONSTRUCTION
	RETAINED WALLS
	EXISTING BUILDING/DECK OUTLINE



REVISIONS/ISSUES		
No.	DATE	DESCRIPTION
1	May 20, 2023	Plan set for Building Permit
2	Oct 18, 2023	Revised for Building Permit

PROJECT NAME  
**RESIDENTIAL**  
850 Sentinel Drive  
West Vancouver B.C.  
DRAWING TITLE  
**RETENTION  
MAIN FLOOR  
PLAN**

MJC Development  
Consultants Inc.



1/4" = 1'-0"  
SCALE  
DATE  
January 5, 2023

DESIGNED BY: MJC  
DRAWN BY: MJC  
APPROVED BY: MJC

1/4" = 1'-0"  
SCALE  
DATE  
January 5, 2023

AR-6.2



ISSUES/ISSUES		
No	DATE	DESCRIPTION
3		
2	May 28, 2023	Flow down to Building Permit
1	Oct 19, 2022	Issued for Building Permit

PROJECT NAME \_\_\_\_\_

RESIDENTIAL

350 Sentinel Drive  
West Vancouver B.C.

RAW HQ TITLE

RETENTION  
UPPER FLOOR  
PLAN

MJC Development  
Consultants Inc.

JOHN WILCOX  
PETER C. CLINE  
CANADA

REF ID: A64448

REF ID: A66508

RAWN \_\_\_\_\_ APPROVED

EG MC

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LOT DATE \_\_\_\_\_

January 5, 2023

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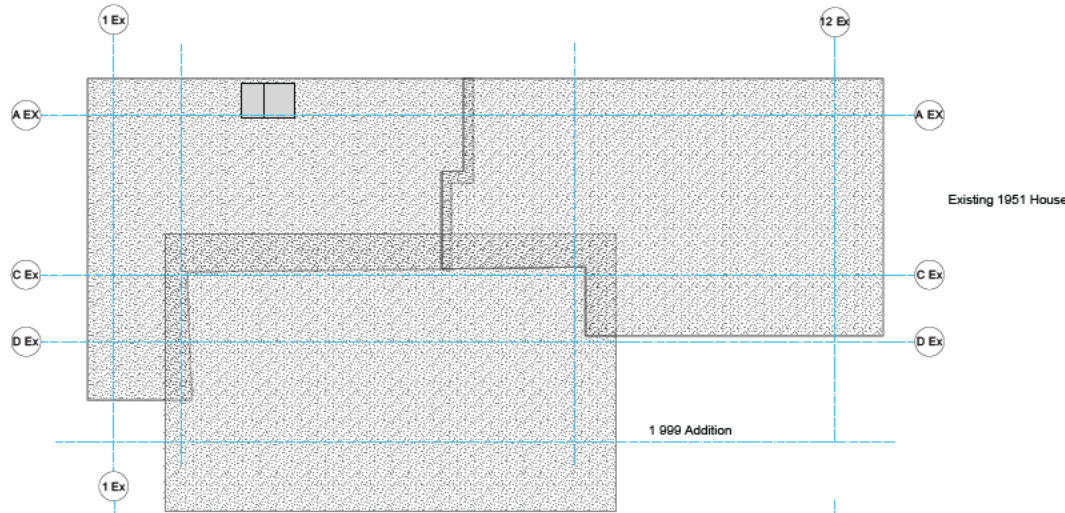
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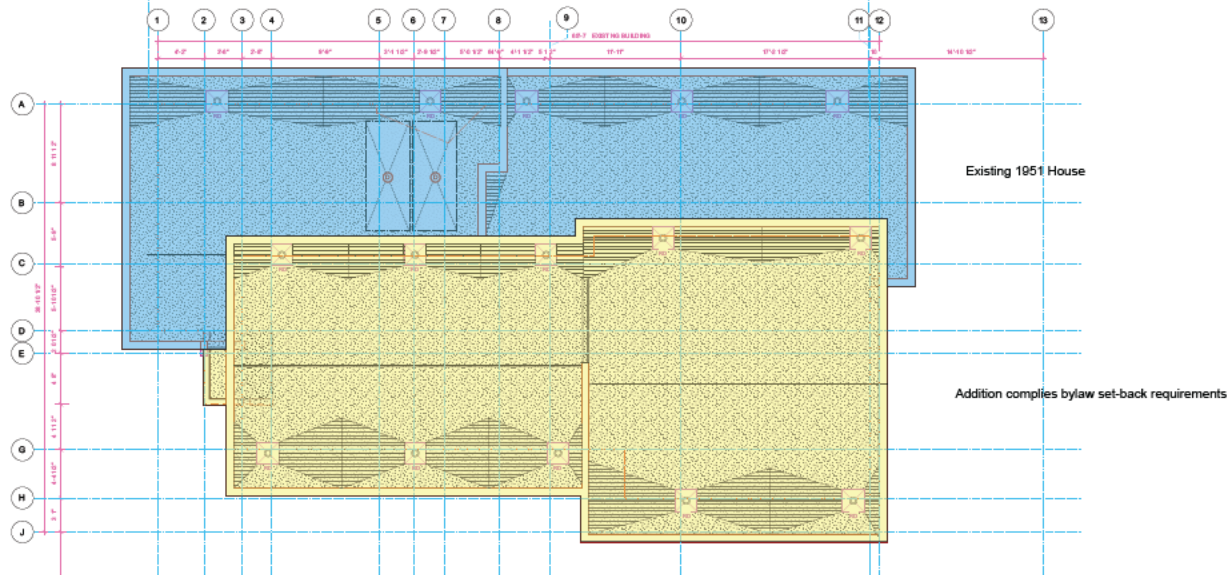
AR-6.3

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1 EXISTING ROOF PLAN  
AR-6.4 Scale: 3/16" = 1'-0"



2 PROPOSED ROOF PLAN  
AR-6.4 Scale: 3/16" = 1'-0"

RETAINED PLANS LEGEND	
	RETAINED CHARACTER BUILDING
	NEW CONSTRUCTION

REVISIONS		
No	DATE	DESCRIPTION
3		
2	May 23, 2023	Plan review by Building Permit
1	Oct 18, 2023	Issued for Building Permit

PROJECT NAME  
RESIDENTIAL

850 Sentinel Drive  
West Vancouver B.C.

DRAWING TITLE  
RETENTION  
ROOF PLAN

MJC Development  
Consultants Inc.



NORTH VANCOUVER  
BY LAW COLUMN A  
C.A.M.A.

DESIGNED BY MJC INC.  
DRAWN BY E.G.

SCALE 1/4" = 1'-0"  
PLOT DATE January 5, 2023

AR-6.4







No.	DATE	DESCRIPTION
3		
2	May 23 2020	Pave & core to Building Permit
1	OCT 19 2020	Issued B7 Building Permit

PROJECT NAME

RESIDENTIAL

850 Sentinel Drive  
West Vancouver B C

DRAWING TITLE

SOUTH / WEST  
ELEVATION -  
RETENTION

MJC Development  
Consultants Inc.

NORTH: MUNDO UNIV  
RUE TECH C COLLEGE A  
C. ANADA

---

TELEPHONE: 800-448-1000

---

DRAWN BY: APPROPRIATE

---

E.G. M.C.

---

SCALE

---

1/4" = 1' 0"

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PLOT DATE

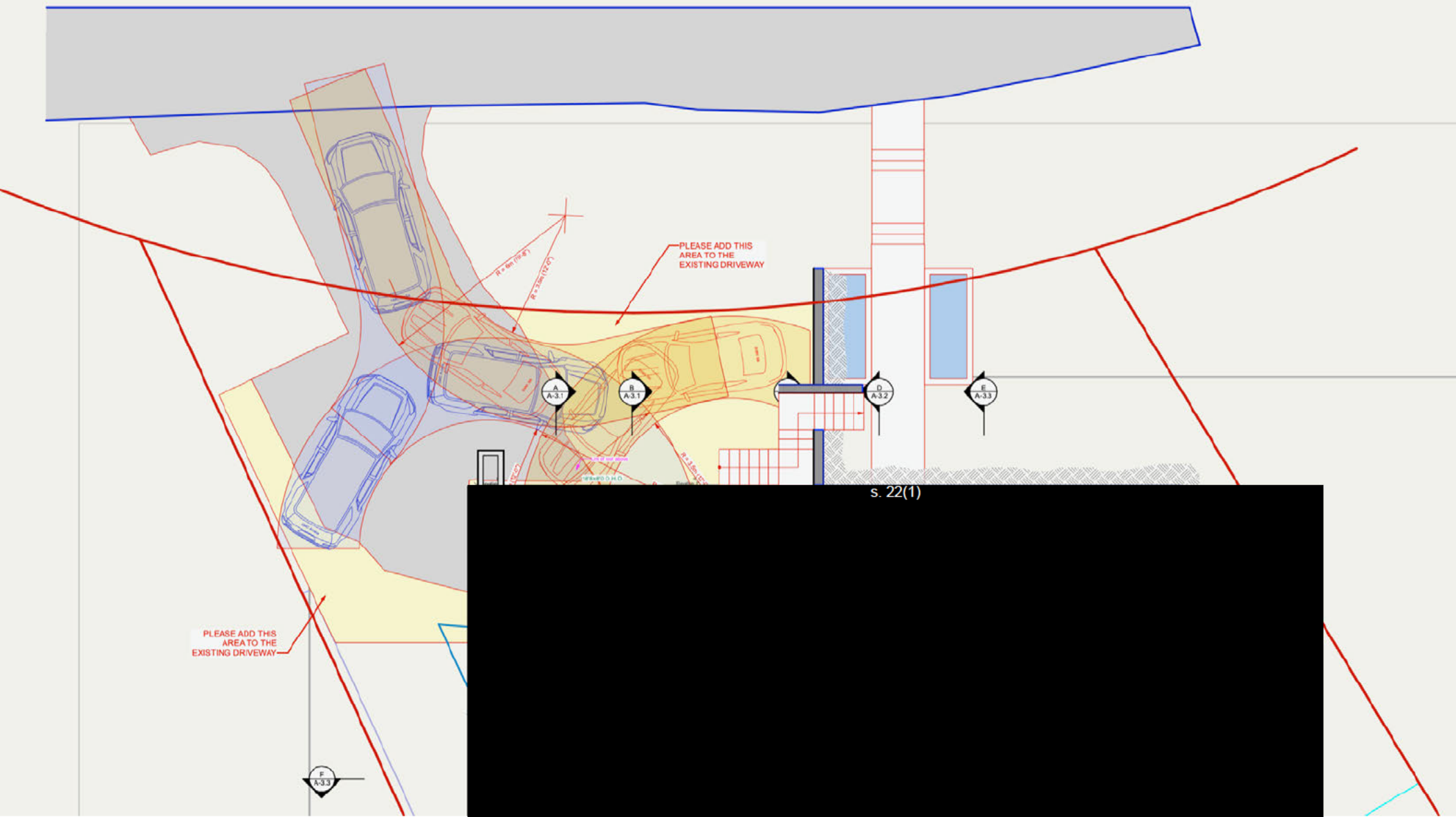
---

January 5, 2023

AR-6.6







**From:** Mike Courtenay [REDACTED] s. 22(1)  
**Sent:** Monday, July 10, 2023 5:16 PM  
**To:** BoardOfVariance  
**Subject:** 850 Sentinel Drive - Aerial photo  
**Attachments:** 850 Sentinel Aerial Photo.pdf

**CAUTION:** This email originated from outside the organization from email address [REDACTED] s. 22(1). Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.







**From:** Mike Courtenay [REDACTED] s. 22(1)  
**Sent:** Monday, July 17, 2023 10:45 AM  
**To:** BoardOfVariance  
**Subject:** 850 Sentinel Drive- Replacement letter  
**Attachments:** BOV presentation.docx

CAUTION: This email originated from outside the organization from email address [REDACTED] s. 22(1). Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

Members of the Board of Variance,

Attached is a replacement letter of explanation for the variances requested. The previous letter contained an inaccurate description of the site and might have been confusing.

Regards,  
Mike Courtenay

# MJC Development Consultants Inc.

s. 22(1)

The Corporation of the District of West Vancouver  
750 17<sup>th</sup> Street, West Vancouver, BC V7T 3T3  
**Attention Board of Variance**

## **Re: 850 Sentinel Drive, West Vancouver**

### **Members of the Board,**

s. 22(1) is proposing to construct an addition and renovation to the existing house that was built in 1951 at 850 Sentinel Drive. The portion of Sentinel Drive frontage is part of an irregular shaped cul-de-sac. The site is sloped from a highest elevation point at the North-West property line (Sentinel Drive) and slopes at an average of 37 degrees to the South-West property line. The southern portion contains extensive mature trees and a sanitary sewer easement.

The proposed design retains the existing non-conforming home that was constructed on a relatively flat area and reduces the footprint of the structure on the forested portion if the existing 1951 house was demolished and replaced with a new construction.

The 1951 structure is retained and maintains the existing footprint.

The addition and existing structure will conform to BCBC step code 4. Any additional insulation required in the existing portion will be installed within the existing footprint.

The existing footprint of the 1951 house remains the same except for an introduction of rainscreen that is approximately 3cm.

The addition and existing home require 5 levels to accommodate the topography. Level 1 is considered the basement levels 2 (existing) and 3 plus 4 (existing) and 5 are each considered as a single floor plate. Levels 1 and 2 along with levels 3 and 4 are accessed by a staircase that transition between the addition and the renovated existing dwelling. The stairs penetrate the existing 1951 structure by approximately 1.2m and are 1.2m wide. When designing the house, I considered the stairs as part of the renovation. The plans examiner explained to me that the staircases are considered as new construction and therefore must conform to the bylaw setback requirements or request a Board of Variance.

The existing house is set back from the Sentinel Drive property line 4.75m - 4.90. and presently the existing house is without a garage. The proposed renovation of the 1951 structure incorporates a two-car garage. The design provides a driveway apron adequate to maneuver vehicles in and out of the garage. However, the bylaw requires a 1.2m distance from the property line to a downhill retaining wall. We are requesting that the retaining wall is constructed at the property line, so access and egress of the garage is possible.



Pursuant to the *Freedom of Information and Protection of Privacy Act*, names, addresses, contact information and other personal information of individuals who write to the Board are protected from disclosure and must not be disclosed during the hearing.

The Corporation of the District of West Vancouver

## Board of Variance

July 19, 2023

### On-Table Agenda Information Package

For Application 23-026 (4321 Erwin Drive)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	July 19, 2023	2

Please add these on-table items to the July 19, 2023  
Board of Variance Agenda Package as indicated.

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# Application 23-026 (4321 Erwin Drive)

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**From:** [REDACTED] s. 22(1)  
**Sent:** Wednesday, July 19, 2023 10:14 AM  
**To:** BoardOfVariance  
**Subject:** Petition 4321 Erwin Dr  
**Attachments:** 2023-07-17 15-26.pdf

**CAUTION:** This email originated from outside the organization from email address [REDACTED] s. 22(1). Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

**From:** [REDACTED] s. 22(1)  
**Date:** July 19, 2023 at 9:33:20 AM PDT  
**To:** Pascal Cuk <pdcuk@westvancouver.ca>  
**Cc:** [REDACTED] s. 22(1)  
**Subject:** Petition 4321 Erwin Dr

Hi Pascal

Please find attached a petition from [REDACTED] s.22(1) who are IN SUPPORT of our private pole.

With thanks  
[REDACTED] s. 22(1)

---



July 2023

Dear Neighbours,

We are respectfully requesting your support on this petition to assist in our ask to the District of West Vancouver for a placement of a private Hydro pole. Our request is going to the Board of Variance for a decision on July 19.

To summarize the situation and why we are seeking a variance:

- We had requested connection service and a private pole at the north end of our property to conform with the other 3 properties to the east of us – our request was denied by Hydro due to the commercial property next door.
- Hydro will not allow a connection to the existing pole on the south east end of the property on Erwin Drive, as due to the setback of the house (as per DWV rules) we are now too far to reach the house directly
- Currently, BC Hydro has installed a temporary private pole for providing power to the property during construction, we are now requesting to use the existing temporary power pole location for a permanent pole, this location does not conform with DWV and hence our request for the variance. There are no trees that would be affected with this installation.
- The only other option is to secure a connection underground however, it would take Hydro crews 6 months before they are able to accommodate our request, thus delaying our house build.

Our request to the Variance Board would be significantly strengthened we had the support of s.22(1) neighbours.

With thanks for your consideration  
s. 22(1)

We, the undersigned are in support of s. 22(1) request at 4321 Erwin Drive:

NAME	ADDRESS	SIGNATURE
	s.22(1)	
	s.22(1)	
	s.22(1)	
	s.22(1)	
	s.22(1)	
	s.22(1)	