



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

January 17, 2024

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. Election of Chair for 2024

Pursuant to section 9.1 of Board of Variance Bylaw No. 4487, 2007, members of the Board of Variance shall elect one of their number as Chair for a one year period. The Chair may appoint a member of the Board as Acting Chair to preside in the Chair's absence either for a single meeting or for a set period of time.

3. Designation of Head Pursuant to *Freedom of Information and Protection of Privacy Act*

Section 77 of the Freedom of Information and Protection of Privacy Act (the "Act") provides that "A local public body.... must designate a person or group of persons as the head of the local public body for the purposes of this Act". In the Act, definition of a "local public body" means "a local government body" and a local government body includes "a Board of Variance".

RECOMMENDATION:

THAT pursuant to section 77 of the *Freedom of Information and Protection of Privacy Act*, the Board of Variance designates the Corporate Officer of The Corporation of the District of West Vancouver as the Head for the purposes of the Act.

4. Board of Variance Hearing Location

RECOMMENDATION:

THAT

1. Board of Variance hearings for all of 2024 and for January 15, 2025 be held via electronic communication facilities only;
2. the Municipal Hall Council Chamber be designated as the place where the public may attend to hear, or watch and hear, the Board of Variance hearing proceedings; and
3. a staff member be in attendance at the Municipal Hall Council Chamber for each of the scheduled hearings.

5. Introduction

The Board of Variance hearing procedure will be described.

6. Confirmation of Agenda

RECOMMENDATION:

THAT the January 17, 2024 Board of Variance hearing agenda be approved as circulated.

7. Adoption of Minutes

RECOMMENDATION:

THAT the November 15, 2023 Board of Variance hearing minutes be adopted as circulated.

8. Time Limit of Board of Variance Orders

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

9. Application 24-001 (1072 Duchess Avenue) regarding a power pole (accessory structure) with the following variances:

- a) 7.0 m to Front Yard Setback
- b) 0.74 m to Minimum Side Yard Setback
- c) 5.4 m to Accessory Structure 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 24-001 regarding a power pole (accessory structure) at 1072 Duchess Avenue with variances of:

- 7.0 m to Front Yard Setback
- 0.74 m to Minimum Side Yard Setback
- 5.4 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated October 11, 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 24-001 regarding a power pole (accessory structure) at 1072 Duchess Avenue with variances of:

- 7.0 m to Front Yard Setback
- 0.74 m to Minimum Side Yard Setback
- 5.4 m to Accessory Structure Height

BE NOT ALLOWED pursuant to the plans dated October 11, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 24-001 (1072 Duchess Avenue) to the next Board of Variance hearing.

10. Application 24-002 (620 Kenwood Road) regarding a power pole (accessory structure) with the following variances:

- a) 5.75 m to Rear Yard Setback
- b) 2.3 m to Accessory Structure 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 24-002 regarding a power pole (accessory structure) at 620 Kenwood Road with variances of:

- 5.75 m to Rear Yard Setback
- 2.3 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated November 16, 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 24-002 regarding a power pole (accessory structure) at 620 Kenwood Road with variances of:

- 5.75 m to Rear Yard Setback
- 2.3 m to Accessory Structure Height

BE NOT ALLOWED pursuant to the plans dated November 16, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 24-002 (620 Kenwood Road) to the next Board of Variance hearing.

11. Application 24-003 (1024 Groveland Place) regarding a private power pole (accessory structure) with the following variances:

- a) 7.42 m to Front Yard Setback
- b) 1.28 m to Minimum Side Yard Setback
- c) 0.80 m to Accessory Structure 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 24-003 regarding a private power pole (accessory structure) at 1024 Groveland Place with variances of:

- 7.42 m to Front Yard Setback
- 1.28 m to Minimum Side Yard Setback
- 0.80 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated October 10, 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 24-003 regarding a private power pole (accessory structure) at 1024 Groveland Place with variances of:

- 7.42 m to Front Yard Setback
- 1.28 m to Minimum Side Yard Setback
- 0.80 m to Accessory Structure Height

BE NOT ALLOWED pursuant to the plans dated October 10, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 24-003 (1024 Groveland Place) to the next Board of Variance hearing.

12. Application 24-004 (1457 Haywood Avenue) regarding an accessory building with the following variances:

- a) 0.91 m to Minimum Side Yard Setback
- b) 81.28 m² to Floor Area Ratio
- c) Street Access instead of Lane Access.

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 24-004 regarding an accessory building at 1457 Haywood Avenue with variances of:

- 0.91 m to Minimum Side Yard Setback
- 81.28 m² to Floor Area Ratio
- Street Access instead of Lane Access

BE ALLOWED pursuant to the plans dated December 1, 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 24-004 regarding an accessory building at 1457 Haywood Avenue with variances of:

- 0.91 m to Minimum Side Yard Setback
- 81.28 m² to Floor Area Ratio
- Street Access instead of Lane Access

BE NOT ALLOWED pursuant to the plans dated December 1, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 24-004 (1457 Haywood Avenue) to the next Board of Variance hearing.

13. Application 24-005 (4309 Erwin Drive) regarding a sauna (accessory building) and pool mechanical equipment (accessory structure) with the following variances:

- a) 7.9 m to Front Yard Setback (Pool Mechanical Equipment)
- b) 0.89 m to Minimum Side Yard Setback (Pool Mechanical Equipment)
- c) 6.31 m to Front Yard Setback (Sauna)
- d) 4.7% (42.10 m²) to Floor Area Ratio (Sauna).

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 24-005 regarding a sauna (accessory building) and pool mechanical equipment (accessory structure) at 4309 Erwin Drive with variances of:

- 7.9 m to Front Yard Setback (Pool Mechanical Equipment)
- 0.89 m to Minimum Side Yard Setback (Pool Mechanical Equipment)
- 6.31 m to Front Yard Setback (Sauna)
- 4.7% (42.10 m²) to Floor Area Ratio (Sauna)

BE ALLOWED pursuant to the plans dated November 23 and December 7, 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 24-005 regarding a sauna (accessory building) and pool mechanical equipment (accessory structure) at 4309 Erwin Drive with variances of:

- 7.9 m to Front Yard Setback (Pool Mechanical Equipment)
- 0.89 m to Minimum Side Yard Setback (Pool Mechanical Equipment)
- 6.31 m to Front Yard Setback (Sauna)
- 4.7% (42.10 m²) to Floor Area Ratio (Sauna)

BE NOT ALLOWED pursuant to the plans dated November 23 and December 7, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 24-005 (4309 Erwin Drive) to the next Board of Variance hearing.

14. Application 24-006 (4370 Keith Road) regarding a private power pole (accessory structure) with the following variances:

- a) 8.49 m to Front Yard Setback
- b) 0.28 m to Minimum Side Yard Setback
- c) 0.87 m to Accessory Structure 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 24-006 regarding a private power pole (accessory structure) at 4370 Keith Road with variances of:

- 8.49 m to Front Yard Setback
- 0.28 m to Minimum Side Yard Setback
- 0.87 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated November 10, 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 24-006 regarding a private power pole (accessory structure) at 4370 Keith Road with variances of:

- 8.49 m to Front Yard Setback
- 0.28 m to Minimum Side Yard Setback
- 0.87 m to Accessory Structure Height

BE NOT ALLOWED pursuant to the plans dated November 10, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 24-006 (4370 Keith Road) to the next Board of Variance hearing.

15. Application 24-007 (3051 Procter Avenue) regarding a new single family dwelling with the following variances:

- a) 4.73 m to Front Yard Setback
- b) 4.69 m to Rear Yard Setback.

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 24-007 regarding a new single family dwelling at 3051 Procter Avenue with variances of:

- 4.73 m to Front Yard Setback
- 4.69 m to Rear Yard Setback

BE ALLOWED pursuant to the plans dated November 10, 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 24-007 regarding a new single family dwelling at 3051 Procter Avenue with variances of:

- 4.73 m to Front Yard Setback
- 4.69 m to Rear Yard Setback

BE NOT ALLOWED pursuant to the plans dated November 10, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 24-007 (3051 Procter Avenue) to the next Board of Variance hearing.

16. Application 24-008 (819 Burley Drive) regarding a power pole (accessory structure) with the following variances:

- a) 8.80 m to Front Yard Setback
- b) 0.69 m to Minimum Side Yard Setback
- c) 0.3 m to Accessory Structure 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 24-008 regarding a power pole (accessory structure) at 819 Burley Drive with variances of:

- 8.80 m to Front Yard Setback
- 0.69 m to Minimum Side Yard Setback
- 0.3 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated November 27, 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 24-008 regarding a power pole (accessory structure) at 819 Burley Drive with variances of:

- 8.80 m to Front Yard Setback
- 0.69 m to Minimum Side Yard Setback
- 0.3 m to Accessory Structure Height

BE NOT ALLOWED pursuant to the plans dated November 27, 2023 submitted with the application.

OR

RECOMMENDATION:

THAT the Board defers further consideration of Application 24-008 (819 Burley Drive) to the next Board of Variance hearing.

17. Receipt of Oral and Written Submissions

RECOMMENDATION:

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

- Application 24-001 (1072 Duchess Avenue)
- Application 24-002 (620 Kenwood Road)
- Application 24-003 (1024 Groveland Place)
- Application 24-004 (1457 Haywood Avenue)
- Application 24-005 (4309 Erwin Drive)
- Application 24-006 (4370 Keith Road)
- Application 24-007 (3051 Procter Avenue)
- Application 24-008 (819 Burley Drive)

up to and including January 17, 2024 be received.

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

19. Next Hearing

The next Board of Variance hearing is scheduled for February 21, 2024.

20. Adjournment

RECOMMENDATION:

THAT the January 17, 2024 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, NOVEMBER 15, 2023**

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

STAFF: P. Cuk, Board Secretary; T. Yee, Building Inspector; and M. Beattie, 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 November 15, 2023 Board of Variance hearing agenda be approved as circulated.

CARRIED

4. Adoption of the October 18, 2023 Minutes

Chair Radage referred to the minutes of the Board of Variance hearing held on October 18, 2023.

It was Moved and Seconded:

THAT the October 18, 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 23-035 (3127 Travers Avenue)

Staff confirmed the following requested variances regarding a generator:

- a) 1.4 m to Front Yard Setback
- b) 2.3 m to Minimum Side Yard Setback.

Staff informed that no written submissions were received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None.		

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

H. Heyvaerts (AC86 Architecture Inc., representing the owner of 3127 Travers Avenue) described the variance application for a generator. H. Heyvaerts and L. Buksevics (3127 Travers Avenue) 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.

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 October 12, 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 submissions of H. Heyvaerts and L. Buksevics:

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 23-035 regarding a generator at 3127 Travers Avenue with variances of:

- 1.4 m to Front Yard Setback
- 2.3 m to Minimum Side Yard Setback

BE ALLOWED pursuant to the plans dated September 23, 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 23-036 (1066 Keith Road)

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

- a) 6.4 m to Front Yard Setback
- b) 0.62 m to Minimum Side Yard Setback
- c) 1.8 m to Accessory Structure Height.

Staff informed that no written submissions were received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None.		

Staff provided permit history of the subject property.

D. Downing (representing the owner of 1066 Keith Road) and M. Fei (representing the owner of 1066 Keith Road) described the variance application for a power pole (accessory structure). D. Downing, M. Fei, and staff 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.

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 October 18, 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 submissions of D. Downing and M. Fei:

It was Moved and Seconded:

THAT the Board defers further consideration of Application 23-036 (1066 Keith Road) until the applicant can:

- confirm where the connection with BC Hydro would come from;
- confirm whether the existing carrier wire can be used to bridge over Keith Road; and
- reconcile BC Hydro's requirements with the observations of the District's electrical inspector.

CARRIED

8. **Application 23-037 (1015 Jefferson Avenue)**

Staff confirmed the following requested variance regarding additions:

a) 0.64 m to Minimum Side Yard Setback.

Staff informed that no written submissions were received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None.		

Staff provided permit history of the subject property.

N. Fallah (1015 Jefferson Avenue) and K. Kheradmand (Structural Engineer, representing the owner of 1015 Jefferson Avenue) described the variance application for additions. N. Fallah, K. Kheradmand, and staff 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.

Members Abri and Yaworksy recused themselves (conflict of interest as they know the structural engineer representing the applicant) and left the hearing at 5:42 p.m.

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 October 18, 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 submissions of N. Fallah and K. Kheradmand:

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 23-037 regarding additions at 1015 Jefferson Avenue with a variance of:

- 0.64 m to Minimum Side Yard Setback

BE ALLOWED pursuant to the plans dated April 24 and September 18, 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

Member Abri and Yaworsky absent at the vote

Members Abri and Yaworsky returned to the hearing at 5:43 p.m. via electronic communication facilities.

9. 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 23-035 (3127 Travers Avenue);
- Application 23-036 (1066 Keith Road);
- Application 23-037 (1015 Jefferson Avenue);

up to and including November 15, 2023, be received.

CARRIED

10. Public Question Period

There were no questions.

11. Proposed 2024 Board of Variance Hearing Schedule

Board members commented regarding the format for hearings in 2024 and staff provided procedural information.

It was Moved and Seconded:

THAT the proposed 2024 Board of Variance Hearing Schedule be adopted.

CARRIED

12. Next Hearing

Staff confirmed that the next hearing of the Board of Variance is scheduled for January 17, 2024 at 5 p.m.

13. Adjournment

It was Moved and Seconded:

THAT the November 15, 2023 Board of Variance hearing be adjourned.

CARRIED

The Board of Variance hearing adjourned at 5:46 p.m.

Certified Correct:

L. Radage, Chair

P. Cuk, Secretary

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: **1072 Duchess Avenue**

A Board of Variance hearing will be held on:

Wednesday, January 17, 2024

at 5 p.m. via electronic communication facilities

**The following variances for a power pole (accessory structure)
at 1072 Duchess Avenue will be considered:**

Front Yard Setback	Bylaw Requirement	Proposed	Variance
	7.6 m	0.6 m	7.0 m
Minimum Side Yard Setback	Bylaw Requirement	Proposed	Variance
	1.64 m	0.90 m	0.74 m
Accessory Structure Height	Bylaw Requirement	Proposed	Variance
	3.7 m	9.1 m	5.4 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; or
- addressed to the Board of Variance and placed in the drop box located at the main entrance of Municipal Hall.

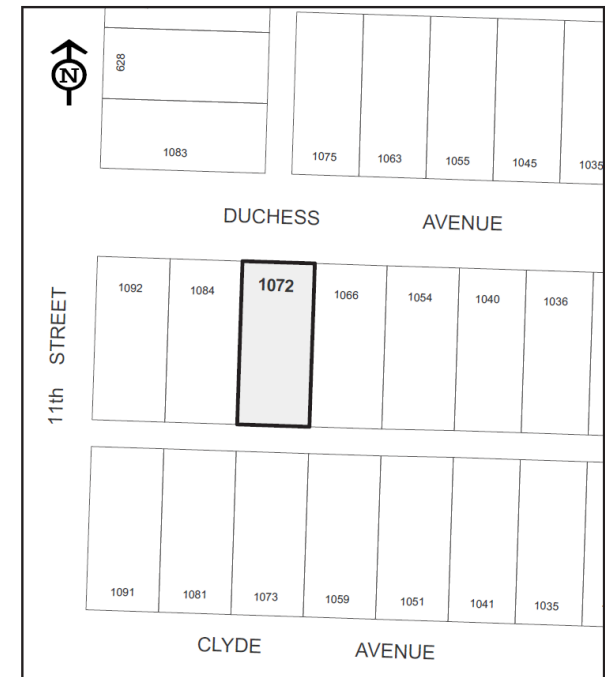
Please provide written submissions no later than noon on January 17, 2024 to ensure their availability to the Board for the hearing.

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>

9.
24-001



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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

24-001

Board of Variance Application Form

Subject Property (please print clearly)

Address: 1072 Duchess Ave, West Vancouver, BC, V7T1G9

Applicant (please print clearly)

Name(s): Yashar Khalighi

Phone #: s. 22(1)

Mailing Address: s. 22(1)

Cell #:

Email Address: s. 22(1)

Fax #:

(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:

Cell #:

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)

November 23 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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s. 22(1)

1072 Duchess Ave, West Vancouver, BC, V7T 1G9

West Vancouver Board of Variance
750 17th Street West Vancouver BC V7V 3T3

November 23, 2023

Re: Private Power Pole

Dear Board of Variance,

I am writing to request a variance to the following to install a private power pole for a new under construction house at 1072 Duchess Ave:

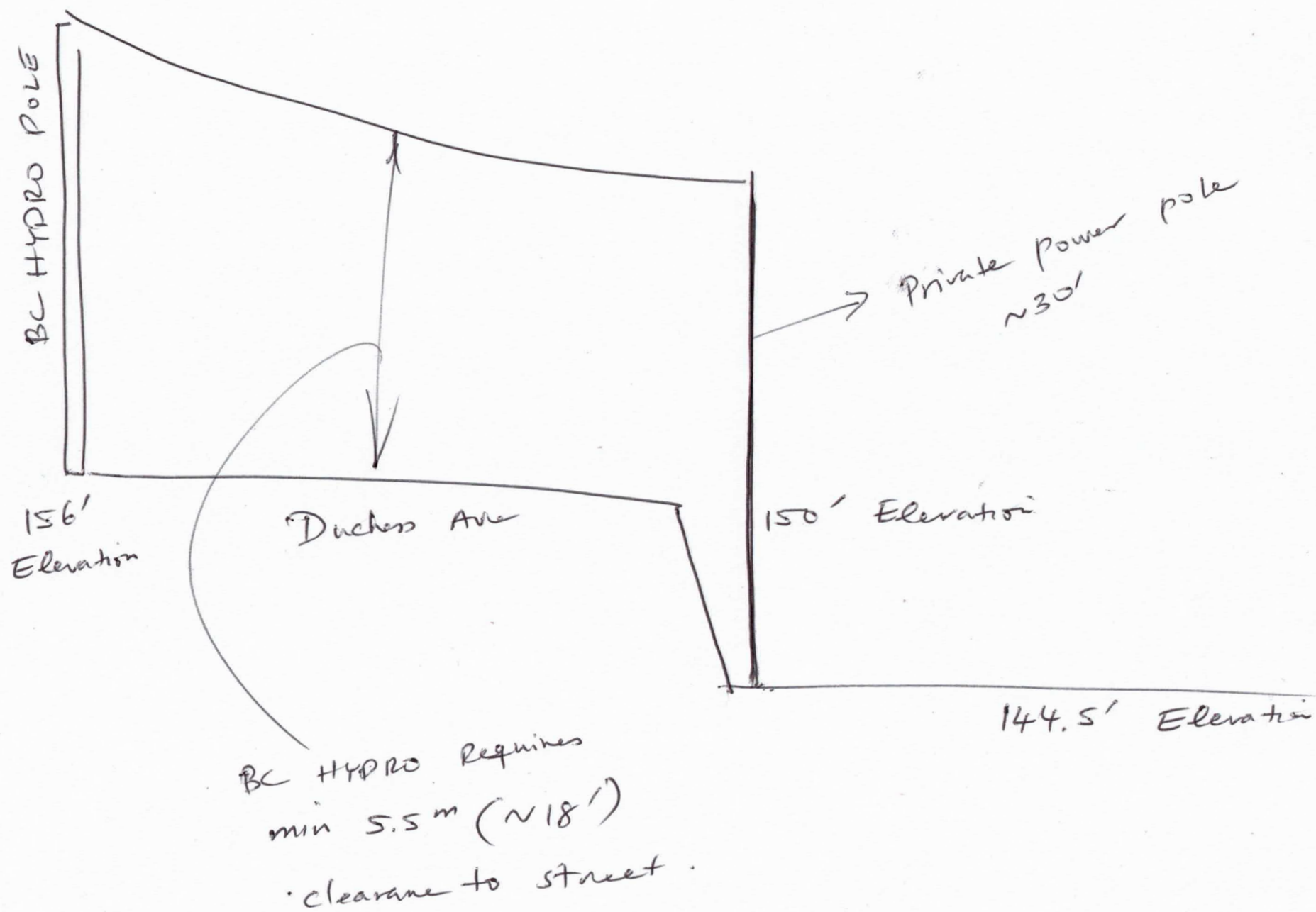
- Front Yard Set Back
- Side Yard Set Back
- Maximum Height for an accessory building

As per the attached schematic elevation, the main elevation of the new house is about 10' lower than the street level where the BC Hydro power pole is and if the power cable is connected directly to the house, the BC Hydro minimum clearance of 18' to the street can not be met. Also the addition of the power pole will eliminate the power cable crossing above the front yard which enhances the safety, functionality and aesthetics in our family home. We hope that the Board would grant us this variance approval.

Thank you in advance

s. 22(1)





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

October 17, 2023

File: **BP118864**

s. 22(1)

Dear Sir/Madam

**RE: 1072 DUCHESS 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 Power Pole will not comply with the Zoning Bylaw because it does not maintain the required 7.6m front yard setback, side yard setback and height.

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

- The Zoning Bylaw, Section 205.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Power Pole	7.6 m	0.6 m	7.0 m

- The Zoning Bylaw, Section 205.09(2)(a)(i) requires a minimum side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for Power Pole	1.64 m	0.9 m	0.74 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	9.1 m	5.4 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 December 13, 2023**. The next Board of Variance Hearing is scheduled for **Wednesday January 17, 2024**. 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 604-925-7212 should you require any further information regarding this matter.

Thank you,

s. 22(1)

Nima Karimabadi
nkarimabadi@westvancouver.ca

Enclosure
cc: Secretary, Board of Variance



Legend

Notes

50.8 0 25.40 50.8 Meters

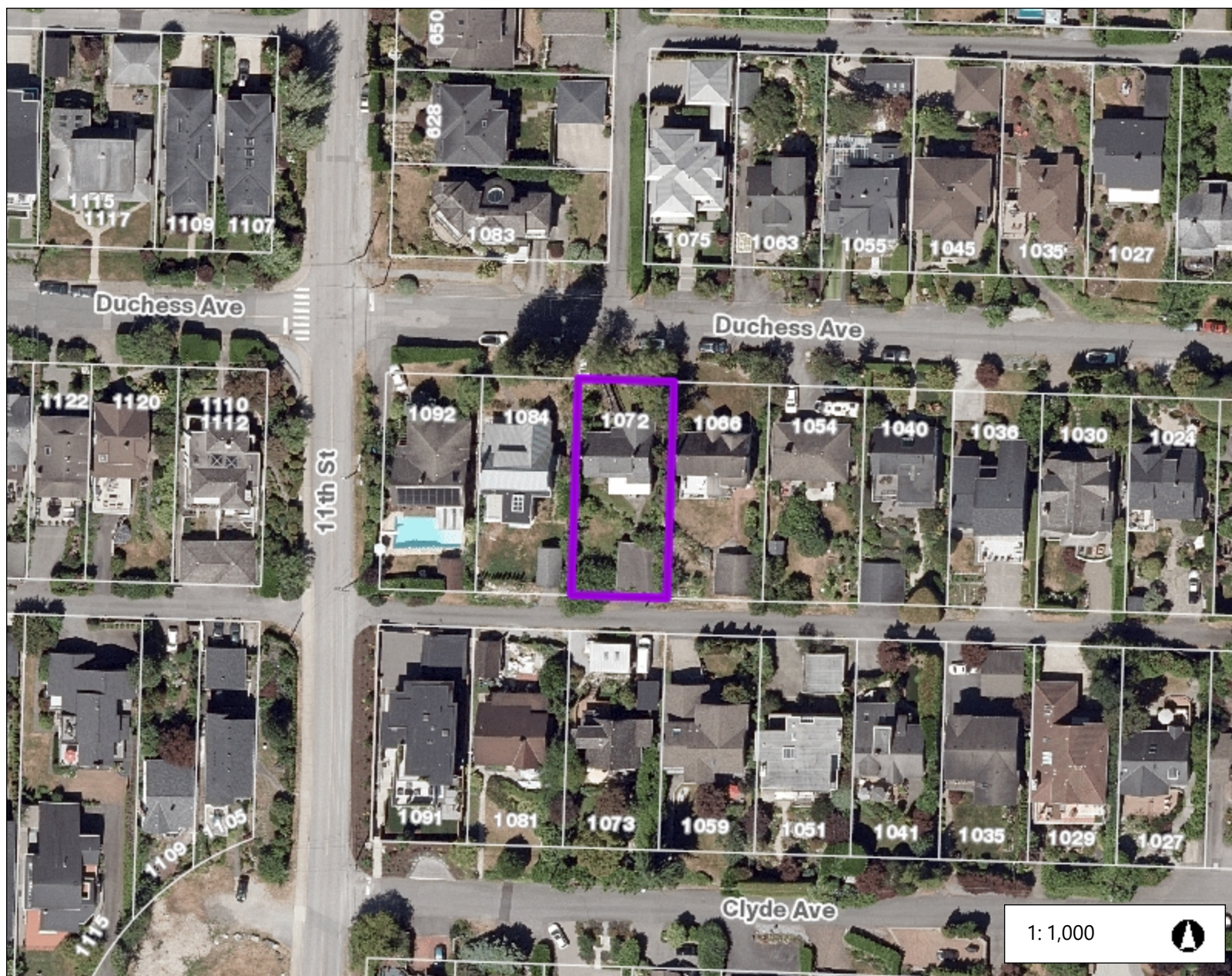
WGS_1984_UTM_Zone_10N
District of West Vancouver

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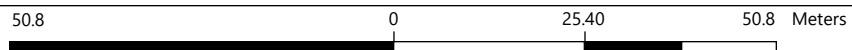
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Legend

Notes



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

10.
24-002



NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **620 Kenwood Road**

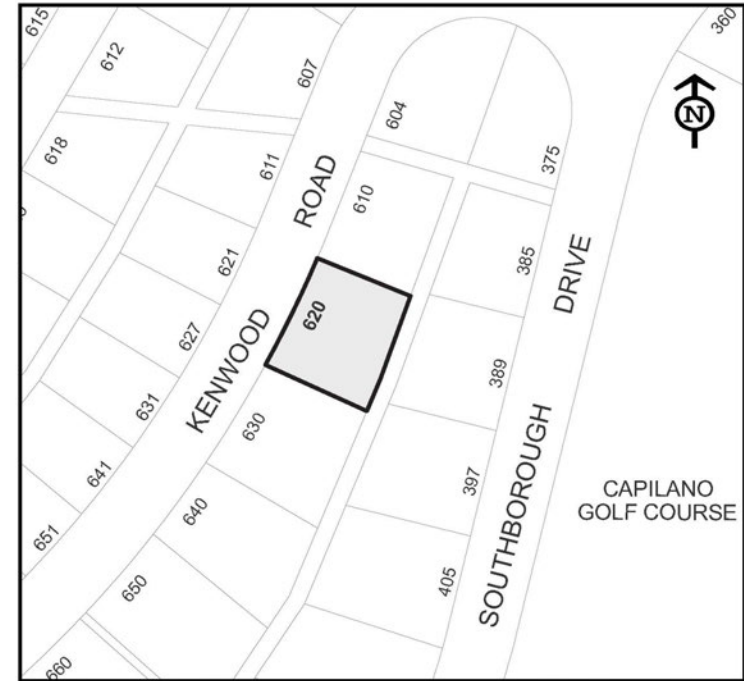
A Board of Variance hearing will be held on:

Wednesday, January 17, 2024

at 5 p.m. via electronic communication facilities

**The following variances for a power pole (accessory structure)
at 620 Kenwood Road will be considered:**

Rear Yard Setback	Bylaw Requirement	Proposed	Variance
	9.10 m	3.35 m	5.75 m
Accessory Structure Height	Bylaw Requirement	Proposed	Variance
	3.7 m	6.0 m	2.3 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; 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 January 17, 2024 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

24-002

Board of Variance Application Form

Subject Property (please print clearly)

Address: 620 Kenwood Rd, West Vancouver, BC, V7S 1S8

Applicant (please print clearly)

Name(s): Pooya Merrikh

Phone #:

Mailing Address: 107-828 Harbourside Dr, N. Van.

Cell #:

s. 22(1)

Email Address:

s. 22(1)

Fax #:

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 #:

Email Address:

Fax #:

Completed Application Must Include

☒ A letter (signed original) describing:

- The proposed construction;
- The requested variance(s); and
- 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

Date

28th Nov 2023

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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Pooya Merrikh,
107-828 Harbourside Dr,
North Vancouver, BC
V7S 1S8

Nov 28th 2023

To whom it may concern,

I, Pooya Merrikh, the applicant for the property located at 620 Kenwood Rd, West Vancouver, BC, V7S 1S8, would like to request to have a private pole in the property for our power connection. BC Hydro's Pole is located at the rear side of the property on the easement.

Distance from BC Hydro's Pole to the closest structure at the property would be over 50' and the elevation difference is more than 10' which makes it impossible for us to have overhead connection.

Based on our conversation with BC Hydro and the Electricians, We need to have our private pole at the rear side of the property for the overhead connection and then have to go underground from private pole to the house.

I would really appreciate if you could grant the permission so we can continue with the construction.

Please let me know if you have any questions or concerns.

Sincerely,

Pooya Merrikh,
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

November 28, 2023

File: **BP118896**

s. 22(1)

Dear Sir/Madam

**RE: 620 KENWOOD ROAD - 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 Power Pole will not comply with the Zoning Bylaw because it does not maintain the required rear yard setback, and accessory structure height.

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

- The Zoning Bylaw, Section 203.08 requires a rear yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Rear Yard Setback for Power Pole	9.1 m	3.35 m	5.75 m

- The Zoning Bylaw, Section 130.01(7)(b) requires that accessory structures not exceed a height of 3.7 meters 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	6.0 m	2.3 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 13th December 2023**. The next Board of Variance Hearing is scheduled for **Wednesday 17th January 2024**. 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

Enclosure

cc: Secretary, Board of Variance



Legend

Notes

1: 1,000



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WGS_1984_UTM_Zone_10N
District of West Vancouver

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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 NOT TO BE USED FOR NAVIGATION

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NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **1024 Groveland Place**

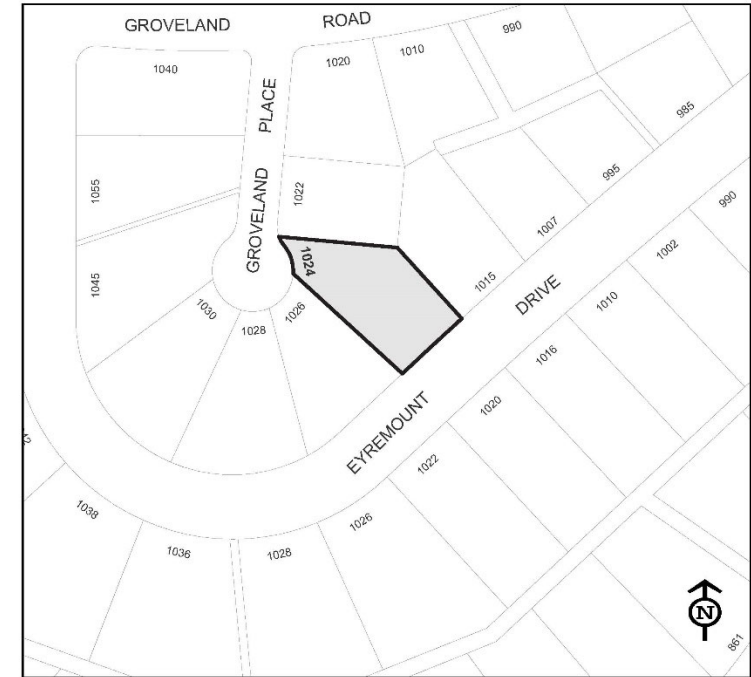
A Board of Variance hearing will be held on:

Wednesday, January 17, 2024

at 5 p.m. via electronic communication facilities

The following variances for a private power pole (accessory structure) at 1024 Groveland Place will be considered:

Front Yard Setback	Bylaw Requirement	Proposed	Variance
	9.10 m	1.68 m	7.42 m
Minimum Side Yard Setback	Bylaw Requirement	Proposed	Variance
	1.89 m	0.61 m	1.28 m
Accessory Structure Height	Bylaw Requirement	Proposed	Variance
	3.70 m	4.50 m	0.80 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; 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: 1024 GROVELAND PLACE West Vancouver BC V7V 1K1

Applicant (please print clearly)

Name(s): PARAMAX HOMES (OSCAR) Phone #: 604-281-2232

Mailing Address: 1571 MARINE DR WEST VANCOUVER Cell #: s. 22(1)

Email Address: OSCAR@PARAMAXHOMES.COM Fax #: 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

DEC 5 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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Reasons we require a Pole

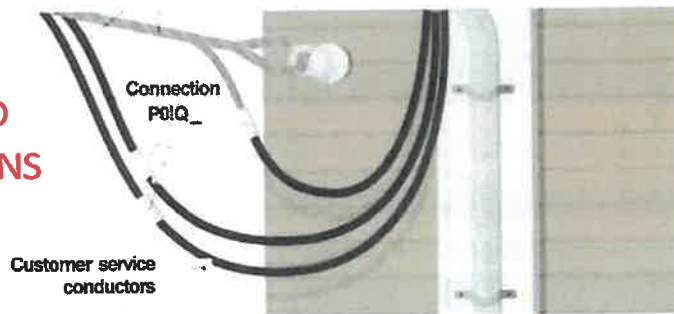
1. The house is 156 'from the BC Hydro pole
The maximum service length 100'(BC hydro regulations ,photo A and plan showing layout)
2. There is not a line of site from the BC hydro pole to existing garage (see photo B)

Reasons we require a Variance

We require the pole to be outside the building envelope and to exceed the allowable height because

1. From the BC hydro pole to the building envelope there is no clear line of site
2. We do not want to have a power pole in driveway area(See plan showing layout).
3. The height of pole needs to exceed the 12' max accessory height to accommodate the sag in the power line(See Section A2 from BOV Top View).
4. The service from the pole to the house will be underground which is less subject to weather.

BC HYDRO REGULATIONS



Service height

- The point of attachment must be within 7 metres above the ground.
- The clearance of supply conductors at any point above the ground must be to the following specifications:

Across highways, freeways and expressways: 7.1 m

1. Across streets, lanes, alleys and pipeline right-of-way: 5.5 m
2. Across driveways to commercial and industrial premises: 5.5 m
3. Across driveways to residential garages: 4.5 m
4. Across ground normally accessible to pedestrians only: 3.5 m

Adequate clearance for safe use of a ladder by our installers (1 m from wall for every 4 m in height) must be available to meet BC Hydro and WorkSafe BC regulations.

Learn more about [ladder safety requirements](#).

Service location

The location of the service entrance (wire holder) must not create an aerial trespass and shall be:

1. In direct line of sight with BC Hydro's service pole
2. On the wall of the building facing the power supply; or
3. No further than 1 m (3 ft) back on the side of the building closest to BC Hydro's source or stub off

If a roof mast is required to meet the minimum vertical clearance above grade, it must be located within 45 centimetres (18 in) from the edge of the roof within reach of the installer's ladder. Rain gutters must be reinforced to be capable of holding the weight of an installer on a ladder without damaging the gutter.

We recommend that ducts for the utility supply service conductors are installed outside of the building wall or the ducts must be encased in concrete. This is in accordance with the BC Electrical Code administered by BC Safety Authority or the local safety inspection branch.

Customer-owned poles with utility services must be accessible by a bucket truck with a relatively even and drivable surface, and be within 3 meters of a lane or roadway.

Mid-span taps are **normally not allowed**. If you can't meet the requirements of the preferred service location, please contact us at [1 877 520 1355](tel:18775201355) between 8 a.m. and 4 p.m. PST.

Service length

The maximum service length from a BC Hydro pole to the customer's point of attachment is 30 metres (100 feet). If the service length exceeds 30 metres, an intermediate pole may be required.

Meters

- Residential meters must be accessible to BC Hydro representatives at all times
- Meters must not be installed inside carports, garages or breezeways, or in any part of a structure that may potentially be enclosed or within 1 metre of a natural gas relief discharge device or vent, or 3 metres of a propane gas relief discharge device or vent
- Meters must be installed between 1.5 and 1.8 metres (5 and 6 feet) above finished grade
- The meter base is not more than 1 metre (3 feet) from the corner of the building closest to BC Hydro's source
- If the site has more than one meter base, the meters are clearly marked (i.e. House and Suite, A and B)

Street lighting services

Customer owned poles

Multi-residential & commercial connections

Distribution Technical Standards and Guides

Electrical service connection forms and guides

Attaching to BC Hydro poles, towers and ducts

Generate your own electricity

Large load connections

Distribution Generator Interconnections

Transmission Generator Interconnections

TSBC information sharing agreement

See also

Distribution Technical Standards and Guides

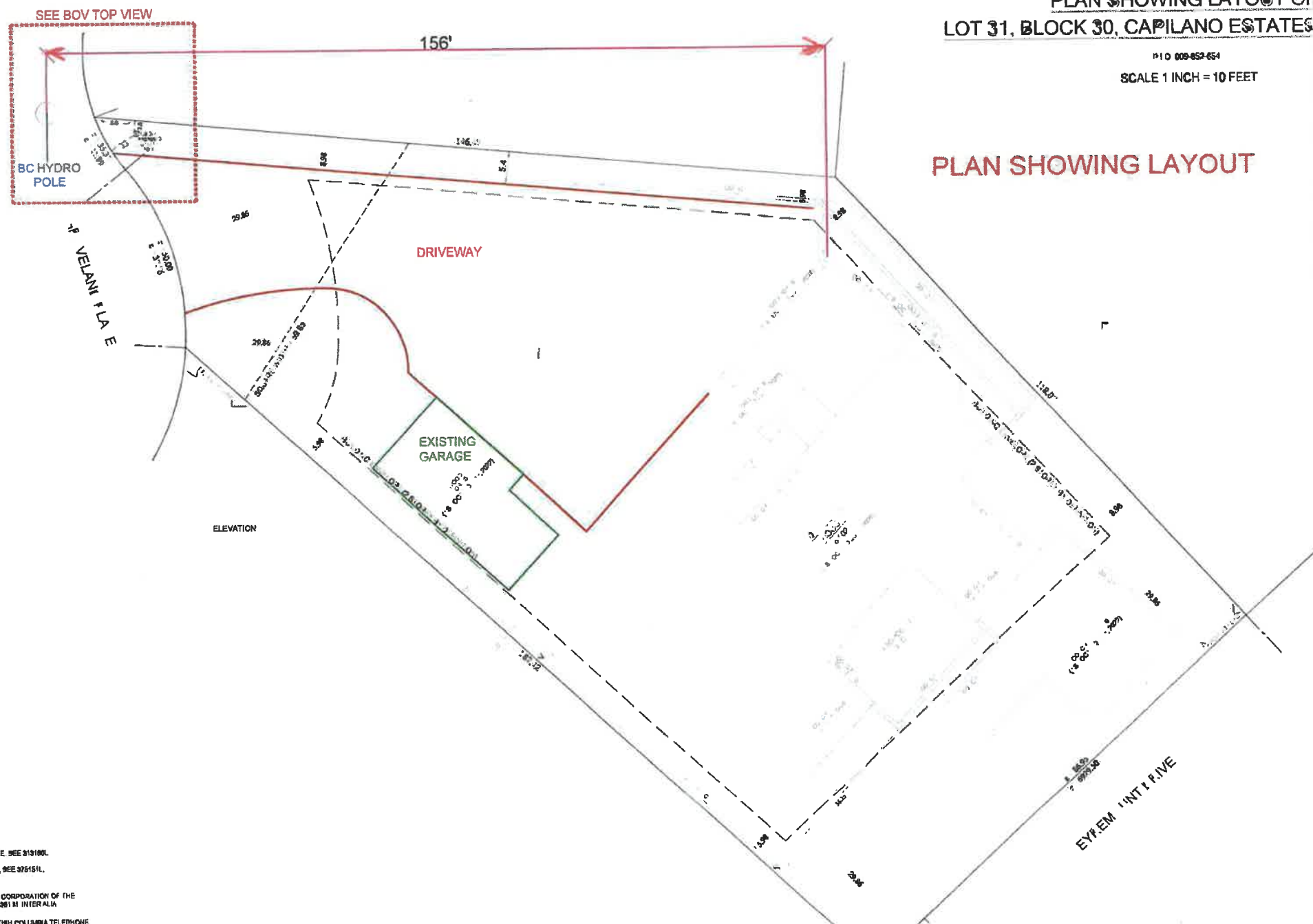
24-003

PLAN SHOWING LAYOUT OF
LOT 31, BLOCK 30, CAPILANO ESTATES

ISSN 0098-6528/54

SCALE 1 INCH = 10 FEET

PLAN SHOWING LAYOUT

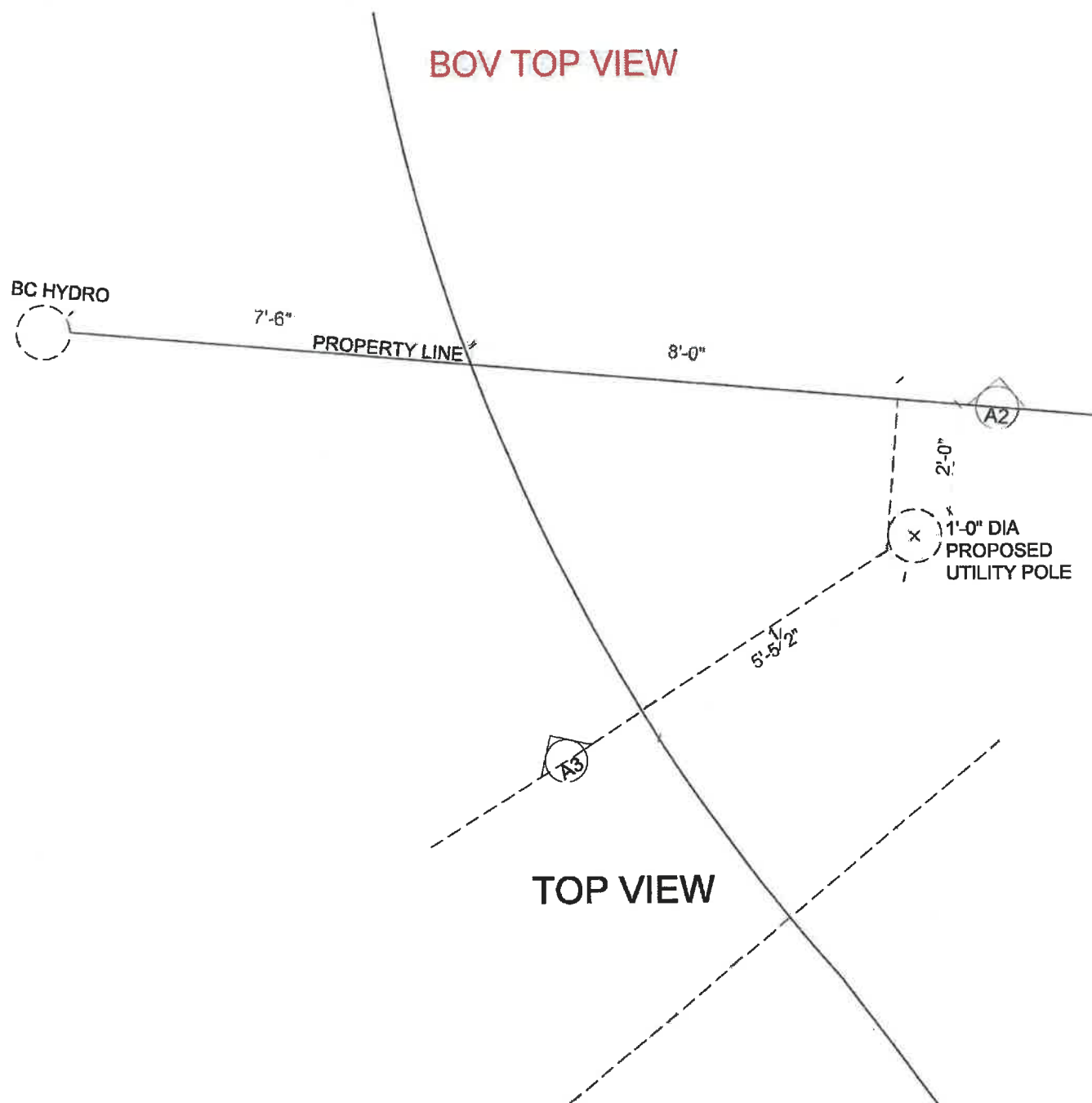


² ME. SEE 213100L

22. SEE 375181L.

IE CORPORATION OF THE
BOSCH INTERALIA

11 KITH COLUMBIA TELEPHONE



SPECIFICATION

REVISIONS:

THIS DRAWING IS THE EXCLUSIVE PROPERTY OF PARAMAX HOMES AND MAY NOT BE USED WITHOUT PRIOR WRITTEN APPROVAL

JOB NAME

1024 GROVELAND

TITLE

BOV TOP VIEW

DATE

OCT 06, 2023

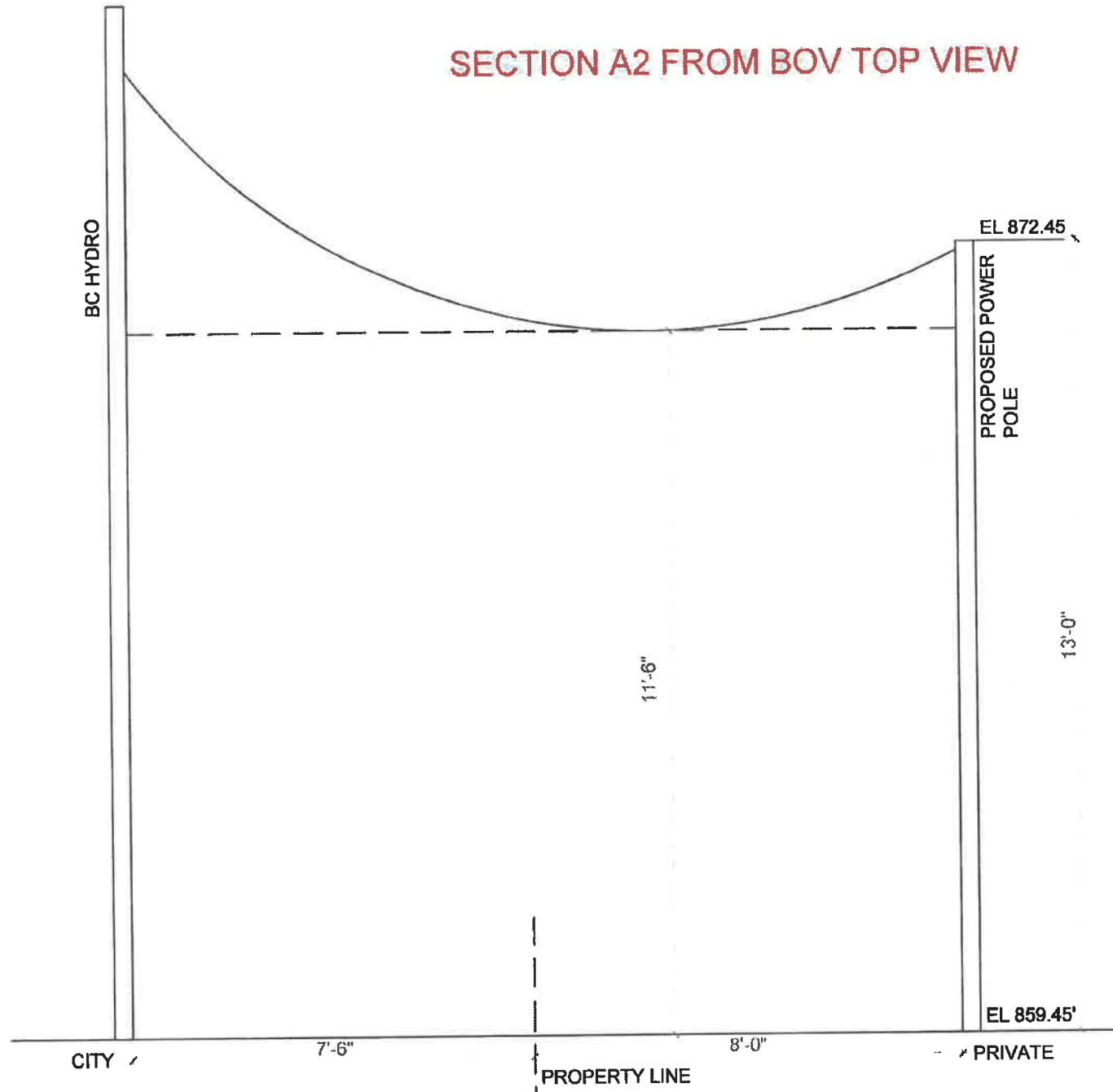
SHEET

1

SCALE

1"=10'-0"





SPECIFICATION

REVISIONS

THIS DRAWING IS THE EXCLUSIVE PROPERTY
OF PARAMAX HOMES AND MAY NOT BE USED
WITHOUT PRIOR WRITTEN APPROVAL.

JOB NAME
1024 GROVELAND

TITLE
BOV SECTION A2

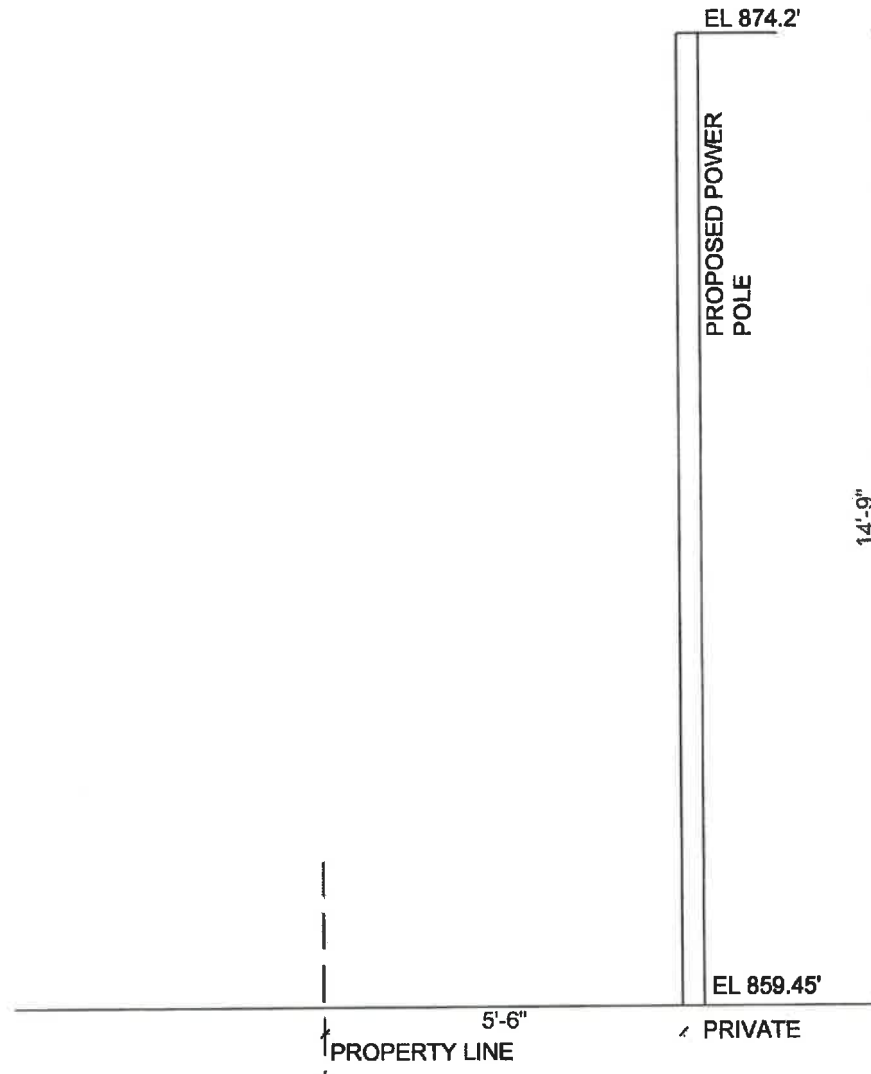
DATE
OCT 05, 2023

SHEET
2

SCALE
1"=1'-0"

PARAMAX HOMES

SECTION A3 FROM BOV TOP VIEW



SPECIFICATION

REVISIONS

THIS DRAWING IS THE PROPERTY OF
PARAMAX HOMES. NO PART MAY BE REPRODUCED
OR TRANSMITTED IN ANY FORM OR BY ANY MEANS
WITHOUT PERMISSION BY PARAMAX HOMES.

JOB NAME

1024 GROVELAND

TITLE

BOV SECTION A3

DATE

OCT 08 2023

SCALE

1"=1'-0"

SHEET

3



24-003

PHOTO A

BC HYDRO
POLE

GARAGE

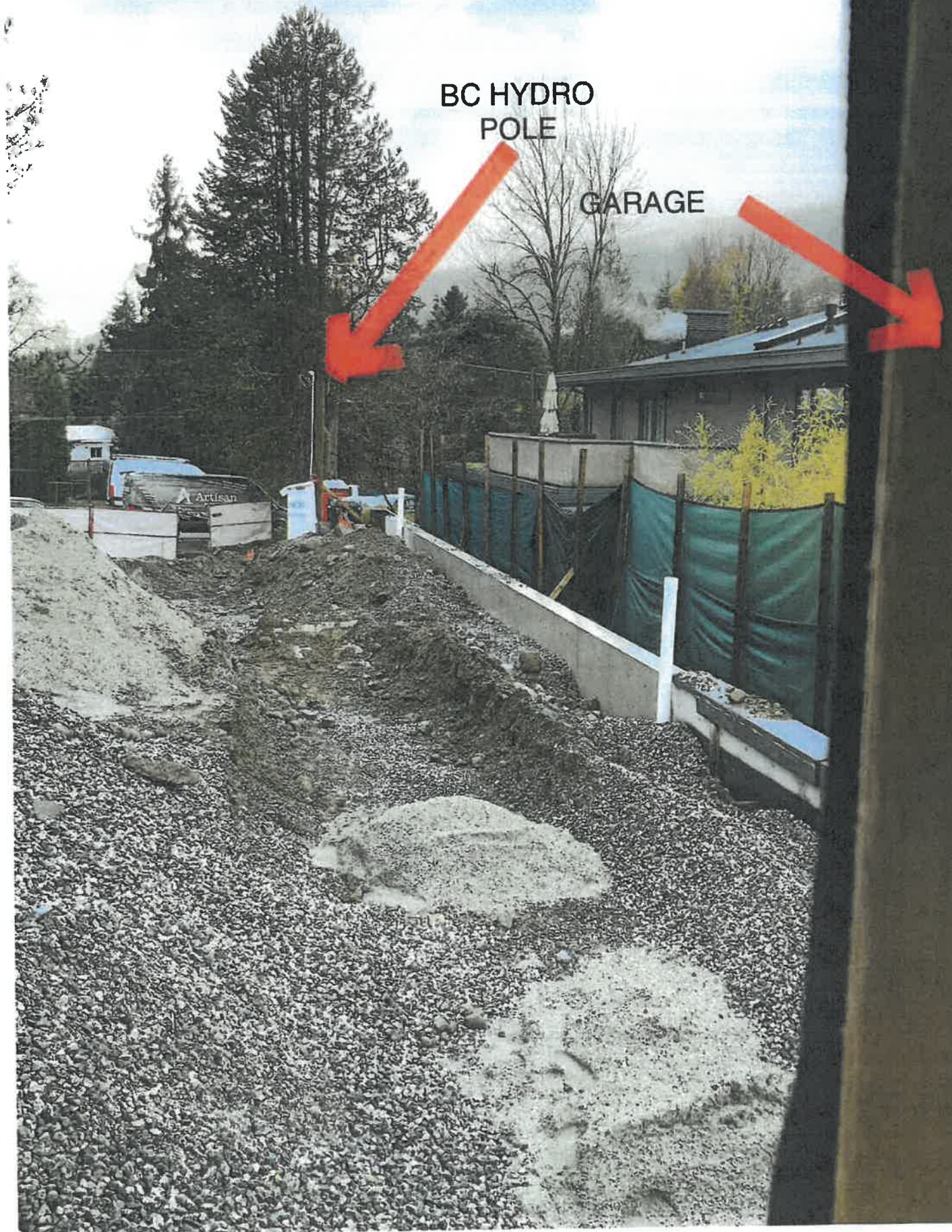


PHOTO B

BC HYDRO
POLE

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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

November 28, 2023

File: **BP118862**

s. 22(1)

Dear Sir/Madam

**RE: 1024 GROVELAND PLACE - 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 Private Power Pole (Accessory Structure) will not comply with the Zoning Bylaw because it does not maintain the required front yard setback, minimum side yard setback and accessory structure height.

- The Zoning Bylaw, Section 130.01(3); 203.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Power Pole	9.1 m	1.68 m	7.42 m

- The Zoning Bylaw, Section 130.01(3); 203.09(2)(a)(ii) requires a minimum side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for Power Pole	1.89 m	0.61 m	1.28 m

- The Zoning Bylaw, Section 130.01(7)(b)(i) requires that accessory structures not exceed a height of 3.7 metres as indicated in the table below:

	Bylaw	Proposed	Variance
Accessory Structure Height for Power Pole	3.7 m	4.5 m	0.80 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 December 13th 2023**. The next Board of Variance Hearing is scheduled for **Wednesday January 17th 2024**. 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.

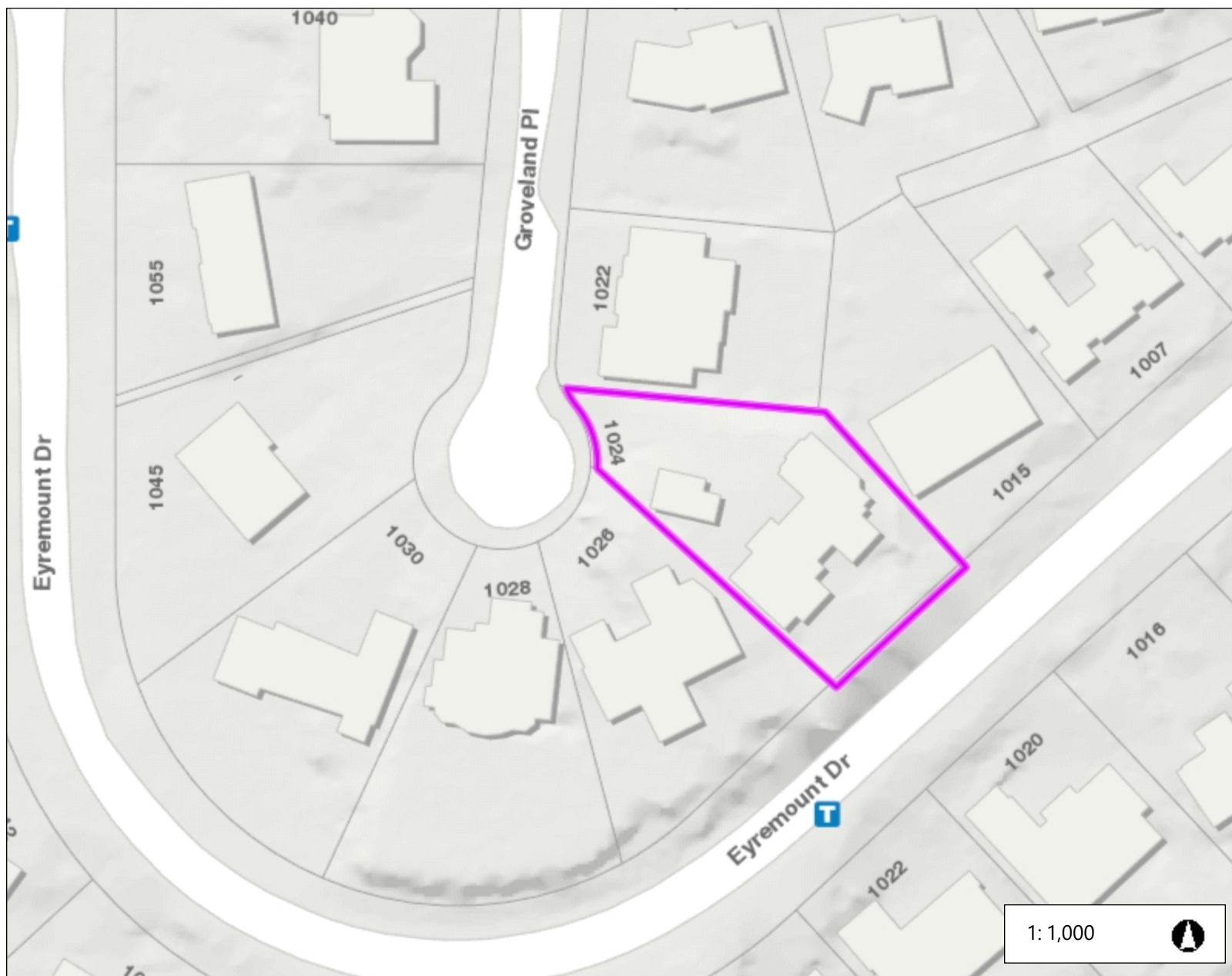
Please do not hesitate to contact me at 604-921-3455 should you require any further information regarding this matter.

Thank you
s. 22(1)

Nicole Colby
Plans Examiner II

Enclosure

cc: Secretary, Board of Variance



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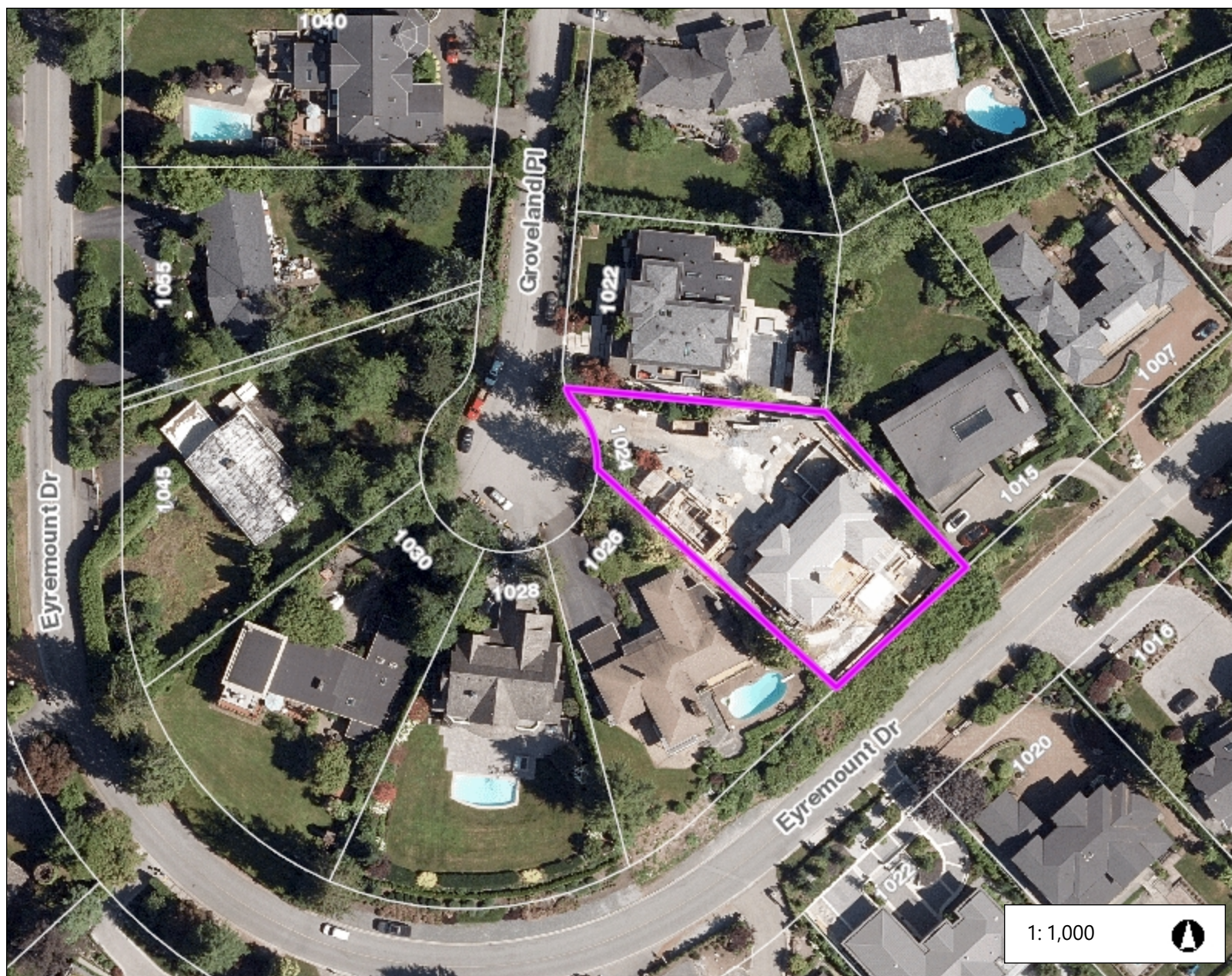
WGS_1984_UTM_Zone_10N
District of West Vancouver

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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

12.
24-004



NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **1457 Haywood Avenue**

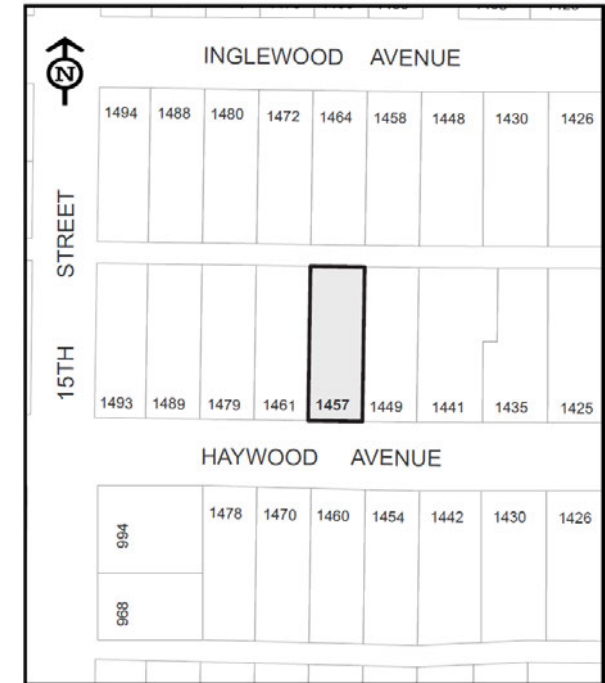
A Board of Variance hearing will be held on:

Wednesday, January 17, 2024

at 5 p.m. via electronic communication facilities

The following variances for an accessory building at 1457 Haywood Avenue will be considered:

Minimum Side Yard Setback	Bylaw Requirement	Proposed	Variance
	1.52 m	0.61 m	0.91 m
Floor Area Ratio	Bylaw Requirement	Proposed	Variance
	204.4 m ²	285.68 m ²	81.28 m ²
Lane Access	Bylaw Requirement	Proposed	Variance
	Lane Access	Street Access	Street Access



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; 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 January 17, 2024 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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Board of Variance Application Form

Subject Property (please print clearly)

Address: 1457 Haywood Ave, West Vancouver, BC. V7T 1V5

Applicant (please print clearly)

Name(s): Kenneth Kim

Phone #:

Mailing Address: 211 - 2223 West Broadway, Vancouver BC. V6K2E4

Cell #: 778-319-0761

Email Address: kenneth@kkai.ca

Fax #:

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 #:

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)

Applicant Signature

December 10, 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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December 01, 2023

District of West Vancouver

Board of Variance

750 17th Street

West Vancouver, BC

V7V 3T3

RE: 1457 Haywood Avenue, West Vancouver - Application for Variance

Dear Board of Variance,

My name is Kenneth Kim, Architect AIBC and my office has been retained for this small garage renovation project. This project proposes to enclose the existing rear carport to create more storage space for the following reasons:

1. The existing rear carport is too small for regular parking. The carport space is only 10' x 15'. For a typical SUV parking, the width cannot allow to open doors on both sides and the limited length leaves the vehicle partially protruding outside the carport over the driveway apron.
2. Because owners are not able to reasonably utilize this rear carport, they have been leaving it unoccupied and the resulting visual and physical openness invites security and privacy issues.
3. The existing buildings (main house and the front and rear carports) have no secure storage space other than a small storage closet which is part of the subject carport. This situation has been very inconvenient to the owner. For example, they had to resort to using one of the bedrooms as storage and they still ended up having to store [REDACTED] s.22(1) [REDACTED].

Therefore, renovating the rear carport to a storage shed could address the above challenges and significantly improve their quality of life.

Unfortunately, as the planner (Nicole Colby) indicated, this proposal seems to not comply with the latest zoning bylaw and requires variance(s) for the following items:

- a. Minimum side yard setback to the proposed garbage enclosure does not comply as per s205.09(2)(a)(i)
- b. Floor area ratio does not comply. The house is existing non-conforming. In addition, the maximum exemption permitted for garages/carports/accessory buildings exceeded 41m² combined as per s130.08(5)(a).
- c. Lane access is not maintained as required by s205.13 due to the change of use of the accessory building

Here is our initial rationale for requesting the relaxations for the 3 items indicated above:

- a. The existing rear carport's side yard setback is 2' feet. This condition may not conform to the current zoning bylaw, but it appears to have been permitted back in 1981. The current proposal does not change this existing setback condition. We hope, therefore, that this condition can be grandfathered.
- c. Firstly, the existing floor area already exceeds the maximum floor area as per the current zoning bylaw. However, the existing buildings conform to the record design permitted in 1981 and there is no work proposed on the main house. Therefore, we hope that the existing (as built) floor area of the main house (including its attached front carport) can be grandfathered.
In addition, in terms of the rear carport renovation, we are proposing a small 4.5 m² addition at the rear carport, making it 22.0 m² in total, which is just under the maximum allowed accessory building area (Max. 22.5m²). As the existing carport rear set back is 6.9 feet (from the existing rear columns), and the minimum required rear setback is 4 feet, all we hope to achieve is to put an enclosure wall at 4 feet setback, which provides slightly more storage space for the owners while conforming to the rear setback requirements.

Lastly, the total gross floor area resulting from this proposal will be 284.68m². A new 1-family dwelling in compliance with current zoning bylaw (Max. 204m² of floor area) on a comparable lot can also have the same gross floor area, utilizing a 81.28 m² basement area exemption (such number should be easily achievable for new houses). So, the overall floor area resulting from this proposal will not be greater than that of other houses on a comparable lot.

- c. Despite the current zoning bylaw requirement for parking access from the lane, the main existing parking space has been front carport accessed from Haywood Avenue. According to the record drawings, it appears that this carport at the front was built as part of the original house development as allowed by the Building Permit issued then for the house construction. It has been functioning well as the main sheltered parking space.
- The existing rear carport, although presumably satisfies the lane parking requirements, is of significantly limited use and causes privacy issues as mentioned earlier. Renovating this carport to improve the parking functionality is not an option since it has already reached its maximum possible length with a minimum required 4.6m setback from the main building. Therefore, the least impactful option is to repurpose this carport as a storage space, which is what the owners need the most.

In summary, what we propose is a small-scale rear carport renovation, but it will greatly improve the owners' quality of life. We sincerely hope that you see it in your hearts that the proposed renovation with the said variance will result in far greater convenience and happiness for the owners of this house in your community. Thank you for your consideration over this request for Variance.

Most Sincerely,

s. 22(1)



Kenneth Kim, Architect AIBC

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

December 6, 2023

File: **BP118866**

s. 22(1)

Dear Sir/Madam

**RE: 1457 HAYWOOD 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 accessory building (existing North carport converted to shed) will not comply with the Zoning Bylaw because it does not maintain the required minimum side yard setback, floor area ratio, and does not maintain lane access for parking and garage purposes.

- The Zoning Bylaw, Section 205.09(2)(a)(i) requires a minimum side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for Accessory Building	1.52m	0.61m	0.91m

- The Zoning Bylaw, Section 205.06(2), Floor Area Ratio, as indicated in the table below:

	Bylaw	Proposed*	Variance
Floor Area Ratio	204.4m ²	285.68 ²	81.28m ²

- The Zoning Bylaw, Section 205.13, requires Lane Access, as indicated in the table below:

	Bylaw	Proposed**	Variance
Lane Access (for parking and garage purposes)	Lane access	Street access	Street access

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

*Existing non-conforming floor area is 281.22m²

Comments:

Lot area is 662.29m²

**Existing South driveway and carport is located off Haywood Avenue

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 December 13, 2023**. The next Board of Variance Hearing is scheduled for **Wednesday January 17, 2024**. 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.

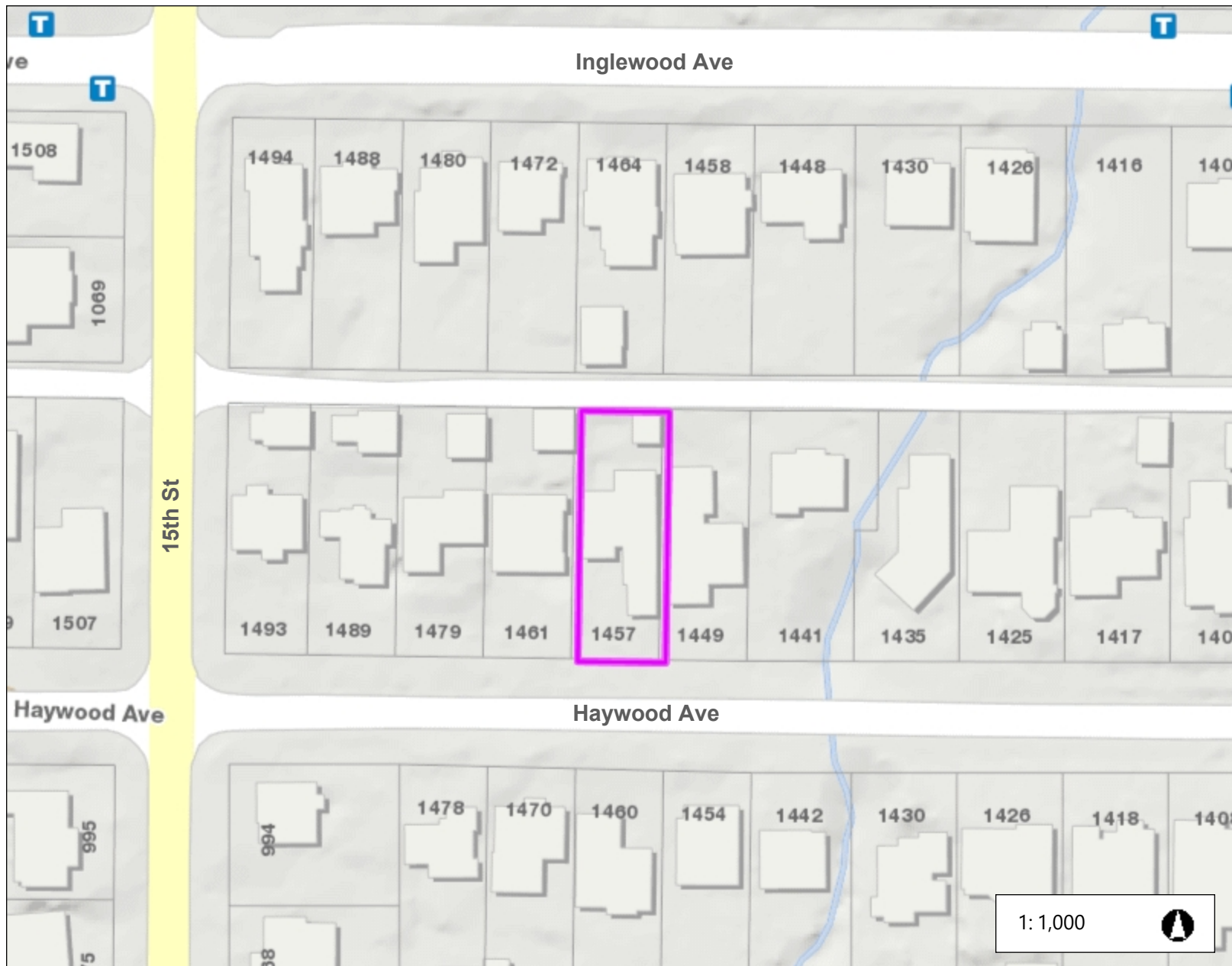
Please do not hesitate to contact me at 604-921-3455 should you require any further information regarding this matter.

Thank you.

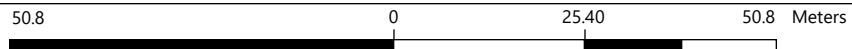
s. 22(1)

Nicole Colby
Plans Examiner II

Enclosure cc: Secretary, Board of Variance



Notes



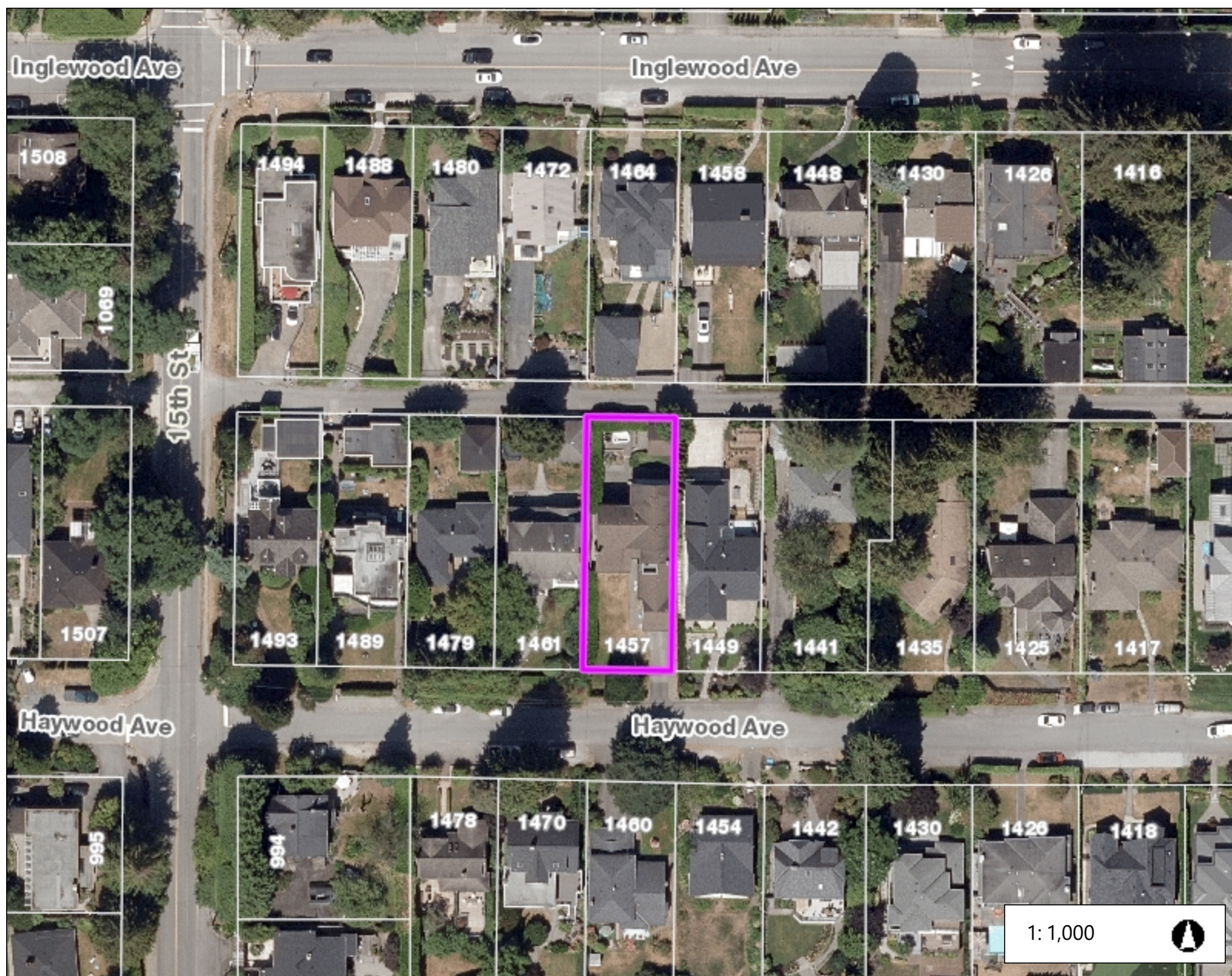
WGS_1984_UTM_Zone_10N
District of West Vancouver

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NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **4309 Erwin Drive**

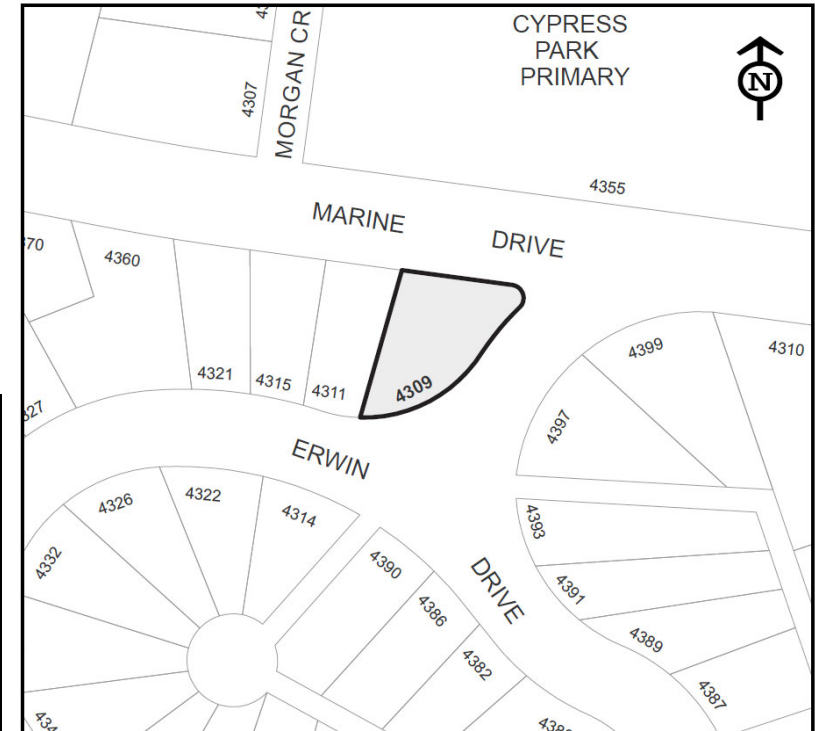
A Board of Variance hearing will be held on:

Wednesday, January 17, 2024

at 5 p.m. via electronic communication facilities

The following variances for a sauna (accessory building) and pool mechanical equipment (accessory structure) at 4309 Erwin Drive will be considered:

Front Yard Setback (Pool Mechanical Equipment)	Bylaw Requirement	Proposed	Variance
	9.1 m	1.2 m	7.9 m
Minimum Side Yard Setback (Pool Mechanical Equipment)	Bylaw Requirement	Proposed	Variance
	2.87 m	1.98 m	0.89 m
Front Yard Setback (Sauna)	Bylaw Requirement	Proposed	Variance
	9.10 m	2.79 m	6.31 m
Floor Area Ratio (Sauna)	Bylaw Requirement	Proposed	Variance
	30.0% (270.33 m ²)	34.7% (312.43 m ²)	4.7% (42.10 m ²)



To view plans, permit and variance information contact Permits and Inspections at 604-925-7242.

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; 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 January 17, 2024 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

24-005

Board of Variance Application Form

Subject Property (please print clearly)

Address: 4309 Erwin Drive, West Vancouver, BC, V7V 1H7

Applicant (please print clearly)

Name(s): Abigail Olsen

Phone #: s. 22(1)

Mailing Address: s. 22(1)

Cell #:

Email Address: s. 22(1)

Fax #:

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 #:

Email Address: s. 22(1)

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)

Applicant Signature

Date

December 11, 2023

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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s. 22(1)

December 11, 2023

4309 Erwin Drive
West Vancouver, BC
V7V 1H7

s. 22(1)

Thank you for your consideration of variances for the proposed pool mechanical equipment and existing sauna.

We are requesting setback variances as to the location of both of these items due to the fact that our lot is a double fronting lot, with front yard set backs required for both sides of our yard. The setback restrictions make it quite difficult to find locations for accessory structures.

Site placement for both the sauna and pool mechanical equipment is at the rear of our house along Marine Drive and accessed through our rear door. We chose this placement as we have always considered this area the backyard of our house. It is a darker, disused area of the yard, which leaves the sunnier areas for s. 22(1). On the other side of the fence is a bus stop which can be quite noisy at times and a newly installed Telus termination box which sits on a gravel or concrete pad. There is no sidewalk and no foot traffic along this stretch.

The setback variance requested for the pool mechanical equipment along Marine Drive is 7.9m and along the side yard is .89m. The variance requested for the sauna along Marine Drive is 6.31m. I also understand that the sauna does not conform to the floor area ratio instated in 2022 so we are requesting a floor area ratio variance. The proposed floor area ratio is 34.7%, with the requested variance being 4.7%.

The sauna has been instrumental in our families health. We have s. 22(1) and we were advised s. 22(1) that the sauna would be valuable due to s. 22(1) properties. It also proved valuable to our health during Covid.

One of s.22(1) and we have specifically been advised to s.22(1) I have included the letter from s. 22(1) s. 22(1) for your review. We have participated in s.22(1) with little gain. It is difficult to s.22(1) with any regularity due to the high demand. We believe this pool will be a great asset in this regard.

We would be grateful for the granting of these variances as the sauna has been very beneficial for our families health and we believe the pool will be as well.

Best,

s. 22(1)

s. 22(1)

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s. 22(1)

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Date: January 22, 2021

s.22(1)

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Thank you for providing resources and finding

s.22(1)

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Please contact me with any questions.

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

December 7, 2023

File: **BP118907**

s. 22(1)

Dear Sir/Madam

**RE: 4309 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 existing sauna (accessory building) built without permits, and proposed pool mechanical equipment (accessory structure) will not comply with the Zoning Bylaw because it does not maintain the required front yard setback, minimum side yard setback, and floor area ratio.

- The Zoning Bylaw, Section 130.01(3);204.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Pool mechanical equipment (accessory structure)	9.1m	1.2m	7.9m

- The Zoning Bylaw, Section 130.01(3);204.09(2)(a)(i) requires a minimum side yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for Pool mechanical equipment (accessory structure)	2.87m	1.98m	0.89m

- The Zoning Bylaw, Section 130.01(3);204.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Existing Sauna (accessory building)	9.1m	2.79m	6.31m

- The Zoning Bylaw, Section 204.06(1) limits floor area ratio to a maximum percentage of a lot as indicated in the table below:

	Bylaw	Proposed*	Variance
Floor Area Ratio for Existing sauna (accessory building)	30 % (270.33m ²)	34.7 % (312.43m ²)	4.7 % (42.1m ²)

Comments:

Double fronting lot: front yard setbacks are required of Marine Drive and Erwin Drive. Lot area is 901.1m²

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

*Existing non-conforming floor area is 306.39m²

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

- revise your plans to conform to the Zoning Bylaw; **or**
- 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).
- 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 13th December 2023**. The next Board of Variance Hearing is scheduled for **Wednesday 17th January 2024**. 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:

- 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.

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)



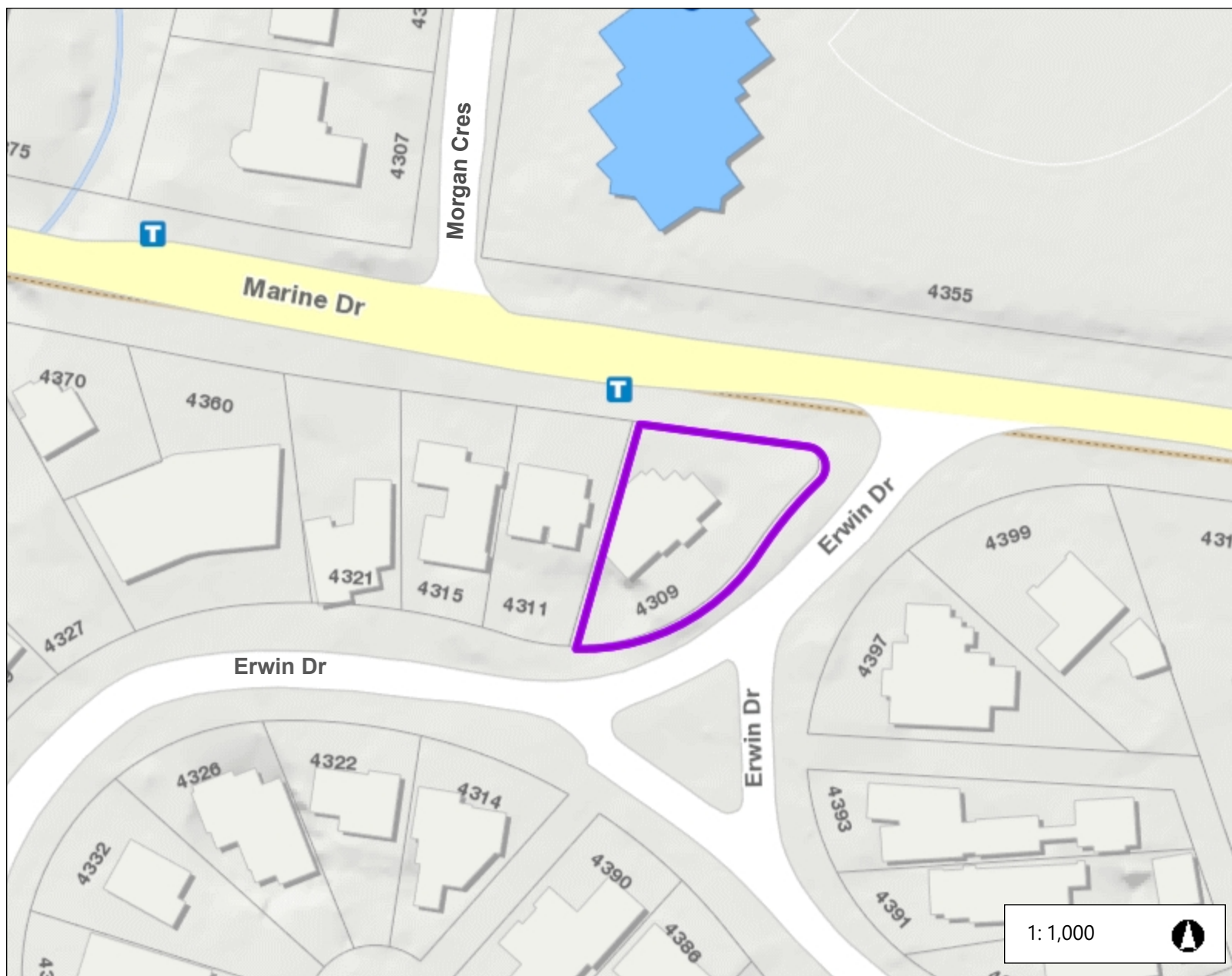
Nicole Colby
Plans Examiner II
ncolby@westvancouver.ca

Enclosure

cc: Secretary, Board of Variance

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Legend

Notes

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WGS_1984_UTM_Zone_10N
District of West Vancouver

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NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **4370 Keith Road**

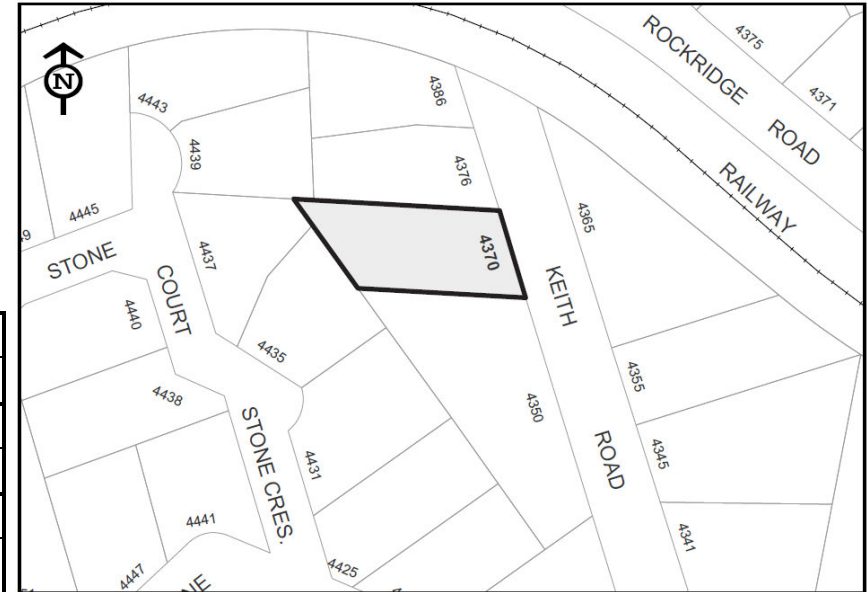
A Board of Variance hearing will be held on:

Wednesday, January 17, 2024

at 5 p.m. via electronic communication facilities

The following variances for a private power pole (accessory structure) at 4370 Keith Road will be considered:

Front Yard Setback	Bylaw Requirement	Proposed	Variance
	9.10 m	0.61 m	8.49 m
Minimum Side Yard Setback	Bylaw Requirement	Proposed	Variance
	1.52 m	1.24 m	0.28 m
Accessory Structure Height	Bylaw Requirement	Proposed	Variance
	3.70 m	4.57 m	0.87 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; 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 January 17, 2024 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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Board of Variance Application Form

Subject Property (please print clearly)

Address: 4370 Keith Road, West Vancouver, BC V7W 2M2

Applicant (please print clearly)

Name(s): Alex Laos

Phone #: s. 22(1)

Mailing Address: 360-1650 West 2nd Avenue, Vancouver

Cell #: _____

Email Address: alex@hodgsonda.com

Fax #: _____

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 #: _____

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)

11/12/2023

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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LETTER FOR BOARD OF VARIANCE

January 17, 2024 Hearing

Legal Description

Property Address	4370 Keith Road, West Vancouver, BC. V7W 2L9
District Lot	582
Legal Plan	10220
PID	009-571-108
Block & Lot	Block E, Lot A
Registered Owners	s. 22(1)

Dear Board of Variance members,

The original home was built in 1963 with the existing power pole located outside Southeast of the property. The power lines currently run low overhead from the power pole to the roof corner of the house (see photo below).

The required setbacks and compliance with the Zoning Bylaw impose hardships to the property and its residents. The power lines pose a safety hazard to individuals walking underneath it along the south path and create difficulties with roof and exterior renovations.

As illustrated in the Proposed Site Plan attached to this package, the intent is to propose a Private Power Pole (accessory structure) in the front yard setback on the Southeast corner of the Property Line to bury existing overhead power lines underground.

The proposed private pole location would be nested within existing vegetation and will be visually non-intrusive for residents and pedestrians from the street.

We respectfully request the variance be granted to alleviate the hardships imposed by the existing power pole and overhead power lines.

Sincerely,

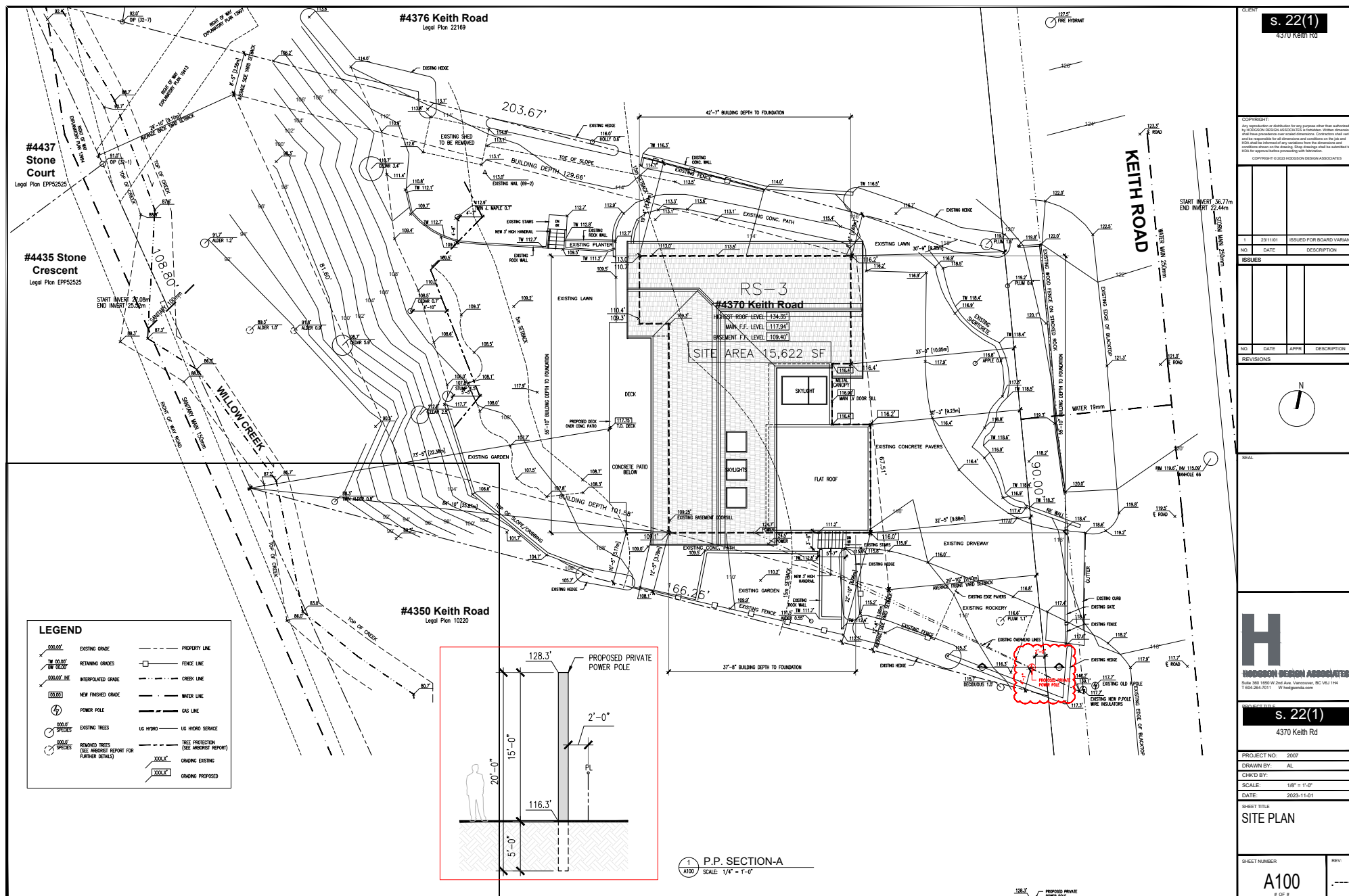
s. 22(1)

Alex Laos

December 11, 2023



Photo of existing power lines connected to the house.



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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

November 15, 2023

File: **BP118890**

s. 22(1)

Dear Sir/Madam

**RE: 4370 KEITH ROAD - 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 Private Power Pole (accessory structure) will not comply with the Zoning Bylaw because it does not maintain the required front yard setback, minimum side yard setback, and accessory structure height.

- The Zoning Bylaw, Section 130.01(3); 203.07, requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Power Pole	9.1 m	0.61 m	8.49 m

- The Zoning Bylaw, Section 130.01(3); 203.09(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	1.24 m	0.28 m

- The Zoning Bylaw, Section 130.01(7)(b)(i) requires that accessory structures not exceed a height of 3.7 meters as indicated in the table below:

	Bylaw	Proposed	Variance
Accessory Structure Height for Power Pole	3.7 m	4.57 m	0.87 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 December 13, 2023**. The next Board of Variance Hearing is scheduled for **Wednesday January 17, 2024**. 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.

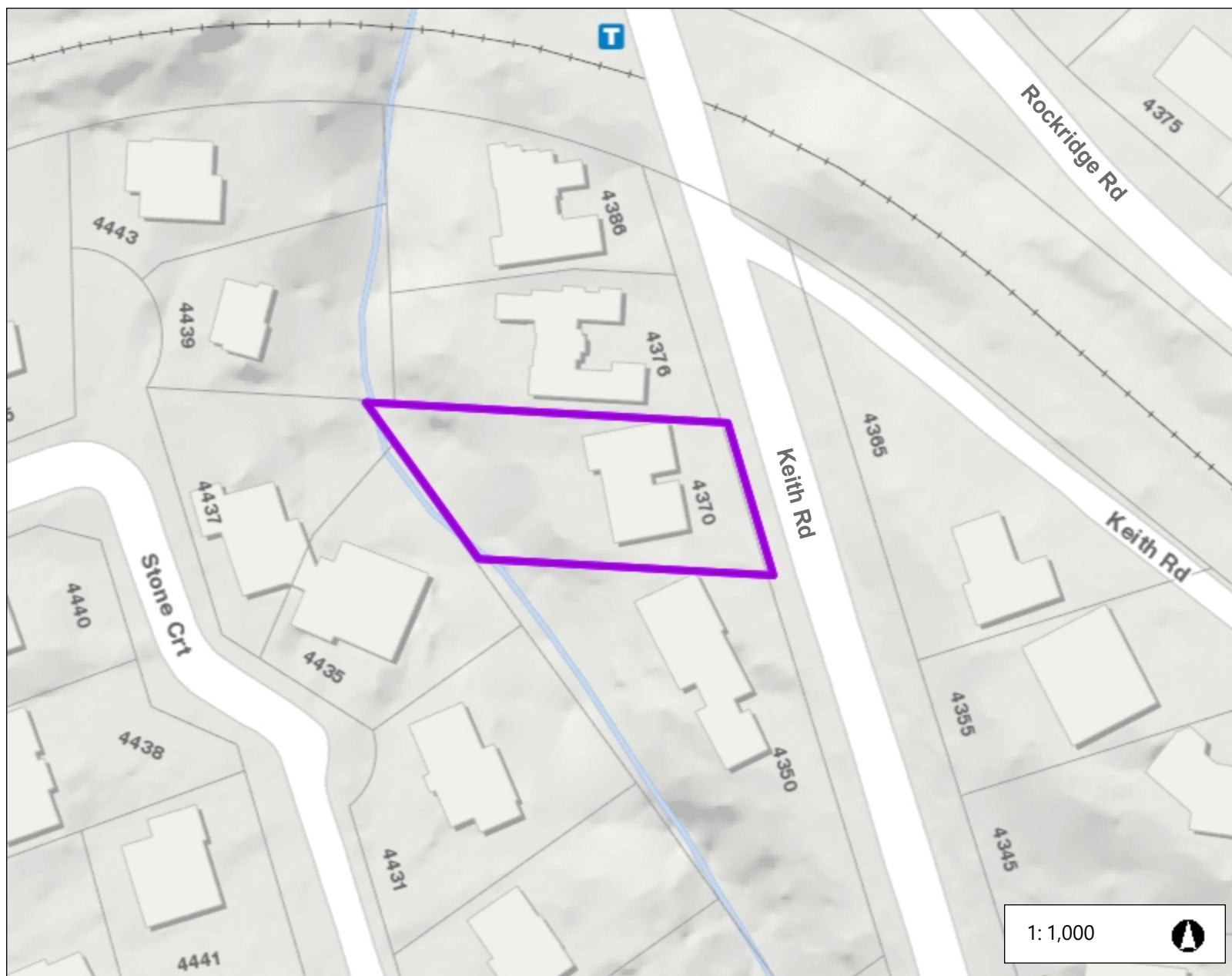
Thank you.

s. 22(1)

Nicole Colby
Plans Examiner II
ncolby@westvancouver.ca

Enclosure

cc: Secretary, Board of Variance



Legend

Notes

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WGS_1984_UTM_Zone_10N
District of West Vancouver

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NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **3051 Procter Avenue**

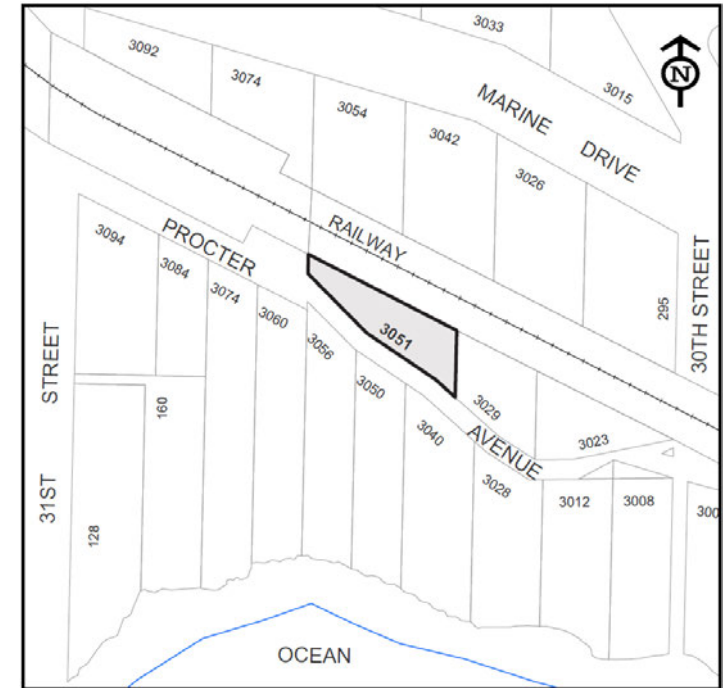
A Board of Variance hearing will be held on:

Wednesday, January 17, 2024

at 5 p.m. via electronic communication facilities

**The following variances for a new single family dwelling
at 3051 Procter Avenue will be considered:**

Front Yard Setback	Bylaw Requirement	Proposed	Variance
	8.80 m	4.07 m	4.73 m
Rear Yard Setback	Bylaw Requirement	Proposed	Variance
	8.80 m	4.11 m	4.69 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; 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 January 17, 2024 to ensure their availability to the Board for the hearing.

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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

24-007

Board of Variance Application Form

Subject Property (please print clearly)

Address: 3051 Procter Ave, West Vancouver

Applicant (please print clearly)

Name(s): Daniel Cordingley and Aila Cordingley

Phone #: _____

Mailing Address: _____ s. 22(1)

Cell #: _____ s. 22(1)

Email Address: _____ s. 22(1)

Fax #: _____

(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)

Dec. 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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December 11, 2023

Board of Variance
District of West Vancouver
750 17th Street
West Vancouver, BC
V7V 3T3

Re: Front and Rear Yard Zoning Bylaw Variances for 3051 Procter Avenue

Dear Members of the Board:

We are writing to request variance approval for reduced front and rear yard setbacks to allow for the construction of a new one-storey plus basement, two-bedroom home for our clients on their property at 3051 Procter Avenue.

Hardship

Their property is approximately triangular with its longest side bordering Procter Avenue. Under current RS4 Zoning Bylaws, the property dimensions produce an acutely angled buildable area of approximately 66m² with a maximum depth of 4.5m which presents a hardship. A new house with compliant front and rear yards would be both impractically small and disproportionate for the lot size.

Requested variances

We are seeking approval for the following variances to the required front and rear yard setbacks in order to build a reasonably sized single family residence.

- a) A variance of 4.73m to the Front Yard Setback.
- b) A variance of 4.69m to the Rear Yard Setback.

Proposed construction

For the past year, the owners have lived on the property in the existing old-timer cottage (circa 1940), and they are now looking forward to building a new home. The proposed Step Code 5 house has its entry and garage, along with the second s.22(1) a single, stepped, garden level above. The building location would be substantially similar to that of the existing cottage and the main living areas will maintain the same elevation as before. The proposed exterior materials are brick for the basement and a linear non combustible siding for the upper level.

Neighbour, streetscape and natural environment impact

The intention of this project is to rebuild in a sensitive manner to provide an appropriately sized, considerately designed, energy efficient home sited to maintain and enhance the natural environment.

The property is bounded by the railway on the north and one adjacent residential neighbour on the east. Across the street are waterfront lots with single family dwellings that principally face south.

3051 Procter Ave, West Vancouver

ABC Architecture Building Culture Inc. | 5736 Cranley Drive, West Vancouver, BC V7W1S8 | 778.960.3505 architecture-bc.com | Holder of Certificate of Practice, Architectural Institute of British Columbia

Design consideration has been given to avoid a monolithic appearance through stepped forms, both in plan and elevation, with the taller of the forms placed to the rear of the property, away from both the street and the eastern neighbour. As seen from its only immediate residential neighbour, the proposed house would be narrower and more stepped than the existing cottage. Privacy is managed by limiting the size, number and placement of eastern facing windows. Further we anticipate that the proposed removal of the existing front yard garage on their boundary will also be beneficial.

The proposed low slope mono pitched metal roof fits with the immediate neighbourhood's mix of pitched, flat and mono pitched roofs of varying materials and colour. The lowest point of the roof is on the eastern side assisting in afternoon sunlight access for the eastern neighbour.

We are also proposing to re-establish the front yard hedges and extend landscaping through removal of the existing gravel parking spaces to eventually restore and improve the streetside garden. The siting of the proposed building in the same general location as the cottage allows for preservation of the existing landscaping within the property's western yard, including a large Sequoia tree with a diameter of 110cm and exposed rock outcropping.

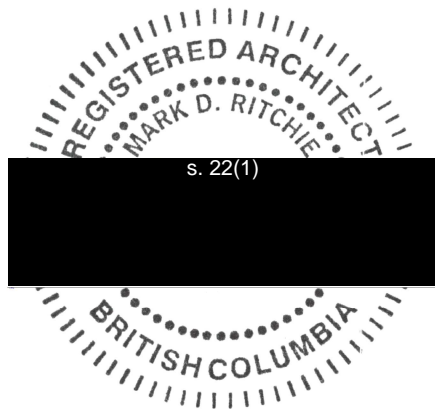
Additional information

Supporting images and diagrams are provided for clarification including:

- Diagrammatic site plans of the existing and proposed house with key dimensions.
- Diagrammatic area plan showing proposed house in neighborhood context.
- Exterior 3D view of proposed house.
- Aerial 3D view showing proposed house in neighborhood context.

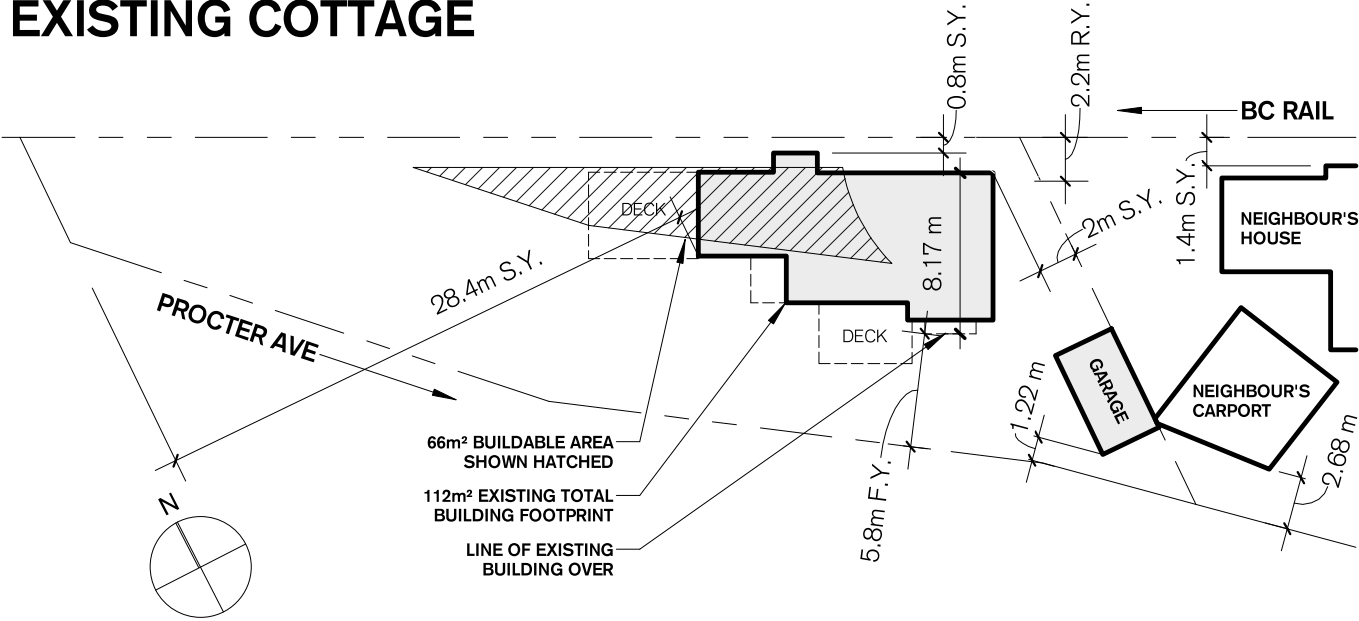
We appreciate the Board's consideration of our request for the specified variances in order to build the proposed single family residence.

Sincerely,

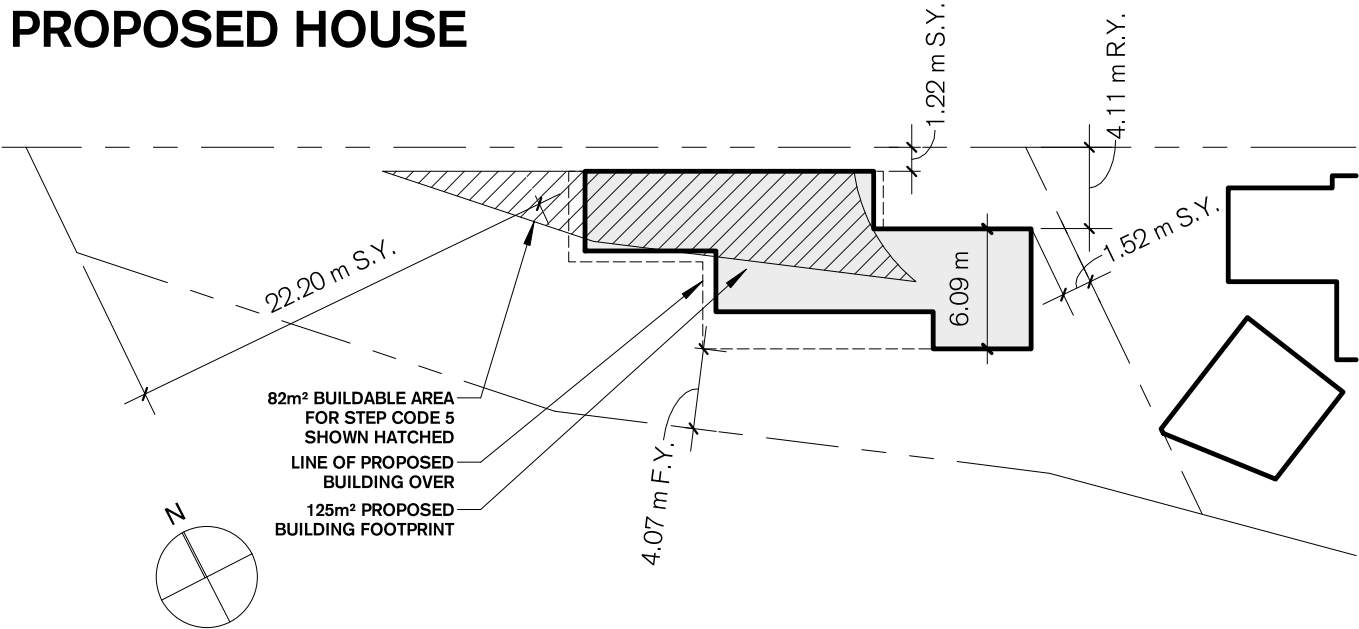


Mark Ritchie
Architect, AIBC MRAIC ANZIA

EXISTING COTTAGE



PROPOSED HOUSE

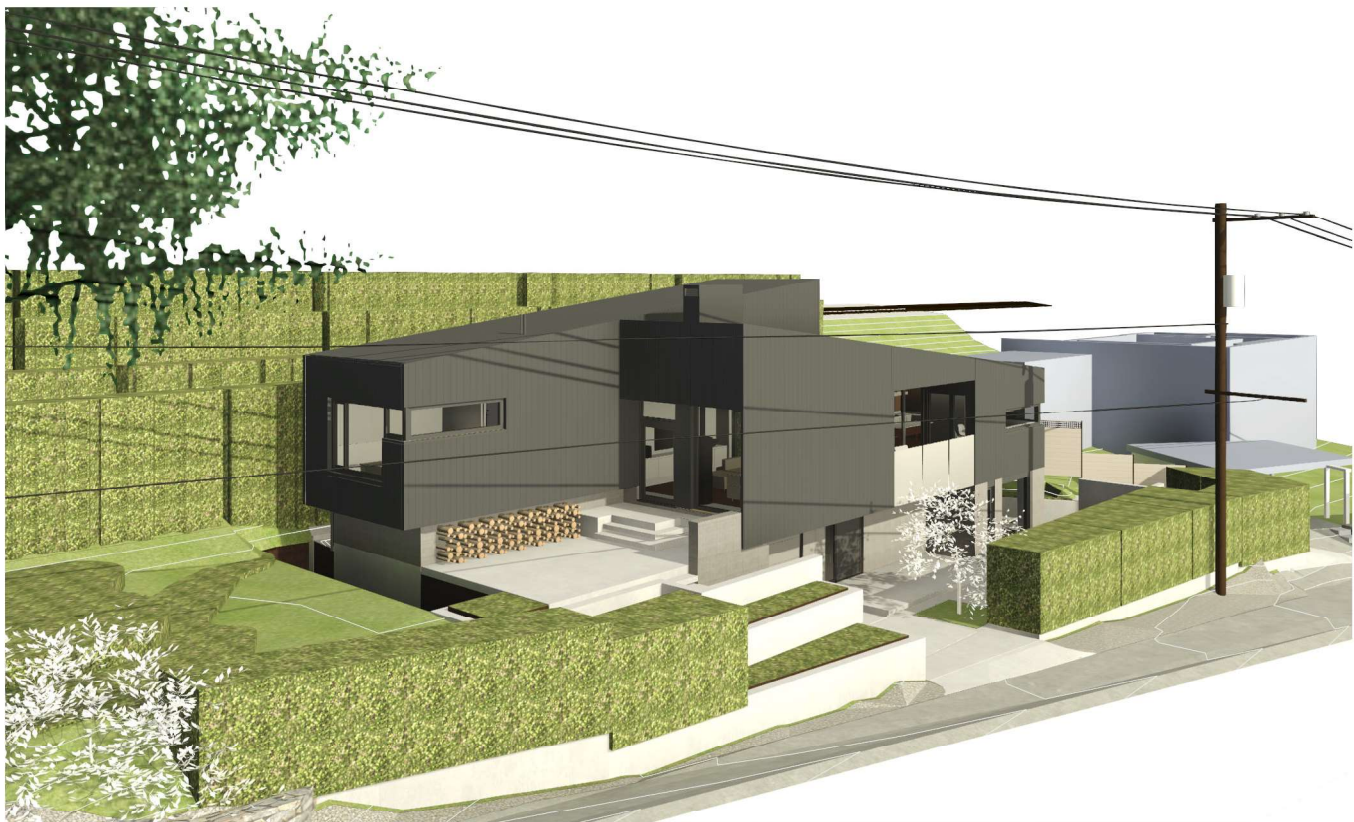


		RS4 BYLAW MINIMUM	PROPOSED	VARIANCES REQUIRED
FRONT YARD	FOR STEP 5 (9.1m - 0.3m)	8.8m	4.07m	4.73m
REAR YARD	FOR STEP 5 (9.1m - 0.3m)	8.8m	4.11m	4.69m
SIDE YARDS	FOR STEP 5 (1.52m - 0.3m)	1.22m	1.22m	
COMBINED SIDE YARDS	FOR 20.5m SITE WIDTH	4.5m	23.72m	

AREA PLAN



3051 Procter Ave, West Vancouver



3051 Procter Ave, West Vancouver

ABC Architecture Building Culture Inc. | 5736 Cranley Drive, West Vancouver, BC V7W1S8 | 778.960.3505 architecture-bc.com | Holder of Certificate of Practice, Architectural Institute of British Columbia

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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

December 7, 2023

File: **BP118891**

s. 22(1)

Dear Sir/Madam

**RE: 3051 PROCTER AVENUE - 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 New Single Family Dwelling will not comply with the Zoning Bylaw because it does not maintain the required 8.80 m front yard setback and 8.80 m rear yard setback.

- The Zoning Bylaw, Section 204.07, with consideration to Section 120.29(4)(a)(ii), requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Single family dwelling	8.80 m	4.07 m	4.73 m

- The Zoning Bylaw, Section 204.08, with consideration to Section 120.29(4)(a)(ii), requires a rear yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Rear Yard Setback for Single family dwelling	8.80 m	4.11 m	4.69 m

Comments: Required setbacks are reduced by 0.30 m due to proposed Step 5 construction as per Zoning Bylaw 120.29(4)(a)(ii).

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); **or**
- 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 13th December 2023**. The next Board of Variance Hearing is scheduled for **Wednesday 17th January 2024**. Confirmation of the date and time of the Board of Variance Hearing at which your application will be considered will be forwarded by mail.

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 604-921-3450 should you require any further information regarding this matter.

Thank you,

s. 22(1)

Colin Coulter
Plans Examiner II
ccoulter@westvancouver.ca

Enclosure

cc: Secretary, Board of Variance



Legend

Notes

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WGS_1984_UTM_Zone_10N
District of West Vancouver

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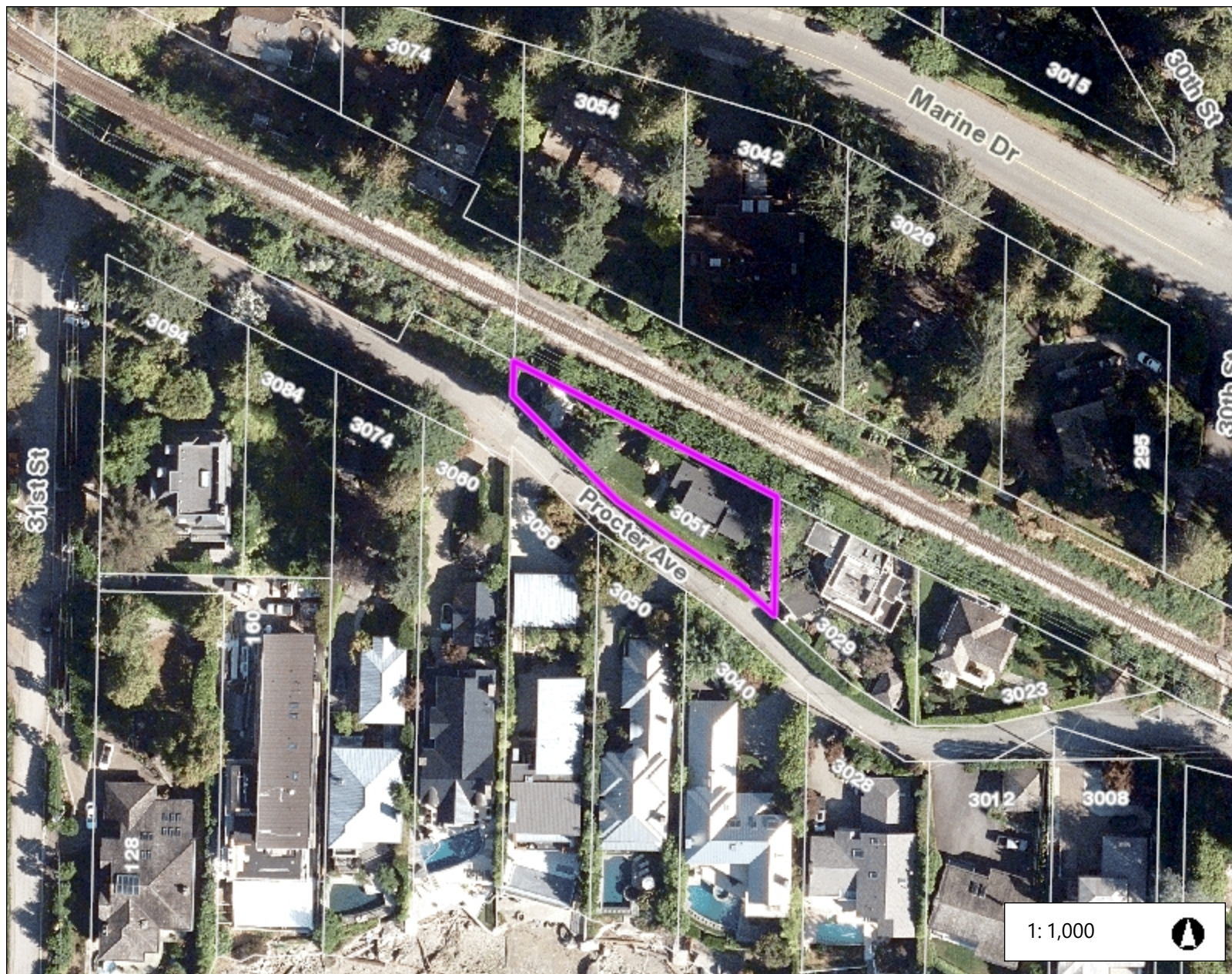


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District of West Vancouver

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NOTICE OF BOARD OF VARIANCE HEARING

Subject property: **819 Burley Drive**

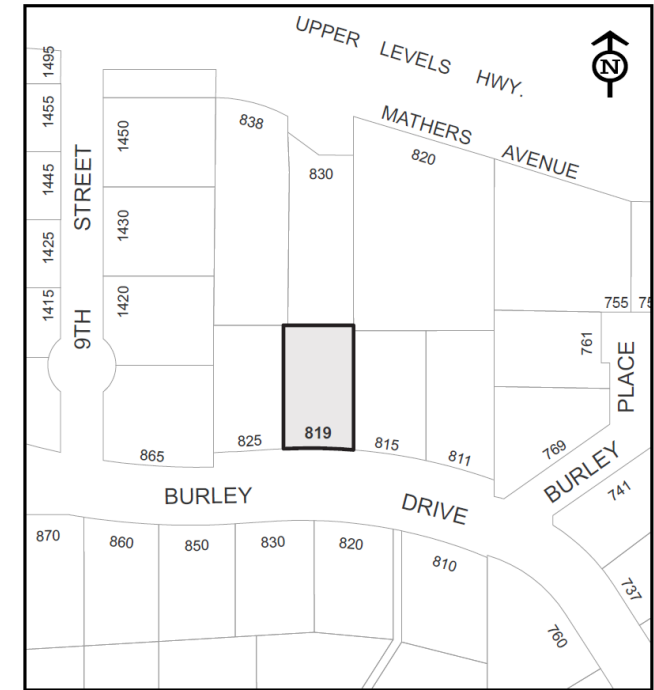
A Board of Variance hearing will be held on:

Wednesday, January 17, 2024

at 5 p.m. via electronic communication facilities

**The following variances for a power pole (accessory structure)
at 819 Burley Drive will be considered:**

Front Yard Setback	Bylaw Requirement	Proposed	Variance
	9.10 m	0.30 m	8.80 m
Minimum Side Yard Setback	Bylaw Requirement	Proposed	Variance
	2.52 m	1.83 m	0.69 m
Accessory Structure Height	Bylaw Requirement	Proposed	Variance
	3.7 m	4.0 m	0.3 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; 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 January 17, 2024 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

Board of Variance Application Form

Subject Property (please print clearly)

Address: 819 Burley Drive, West Vancouver

Applicant (please print clearly)

Name(s): Yasaman Mohammadkhani on behalf of Palacio Construction

Phone #: 7783194644

Mailing Address: [REDACTED] s. 22(1)

Cell #:

Email Address: Info@palacio.ca

Fax #:

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

Phone #:

Mailing Address: [REDACTED] s. 22(1)

Cell #:

[REDACTED] 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.

[REDACTED] s. 22(1)

Dec 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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s. 22(1)

12 Dec 2023

Regarding 819 Burley Drive West Van BC V7T 1Z8

Subject: Request for Consideration for Board of Variance – Private power pole Installation

Dear Members of the Board of variance,

I am writing to formally request your help for a variance regarding the installation of a private power pole at the front of the property located at 819 Burley Drive West Vancouver owned by myself and my wife.

When we got our construction Palacio we felt it was something we could handle. Unfortunately cost went up and the house is now costing double what the original estimate was. This has put us in a terrible situation. We have s.22(1) get the house to occupancy. We are totally stretched and absolutely need to get this variance s.22(1)

We are placing the pole just where the original power pole is located so there is no difference. Also we are beautifying the neighbourhood.

Thank you very much.

s. 22(1)

s. 22(1)

Palacio Construction Ltd.

s. 22(1)

info@palacio.ca

(778)319-4644

26th of November, 2023

Regarding: s. 22(1) Property
819 Burley Drive
West Vancouver, BC

Subject: Request for Consideration for Board of Variance - Private Power Pole Installation

Dear Members of the Board of Variance,
I trust this letter finds you in good health. I am writing to formally request your consideration for a variance regarding the installation of a private power pole at the front of the property located at 819 Burley Drive, West Vancouver, owned by s. 22(1)

s. 22(1)

s. 22(1)

s. 22(1)

s. 22(1)

s. 22(1)

for the completion of their home. The post-COVID-19 market inflation has further compounded their challenges, preventing them from finishing the construction of their house—a property intended to be their primary residence, where they hope to spend the remainder of their lives with their family.

The primary issue at hand pertains to the electrical power connection to the house. The house's design and elevation present a challenge, as there is a variance of centimeters that prevents the installation of an overhead connection. Despite proposing to sacrifice square footage and block access to the front balcony to accommodate the connection, BC Hydro has identified safety hazards and technical difficulties with this approach. Additionally, side access and roof installation are not feasible due to the necessary distance from the wall required by BC Hydro crews, infringing on the neighbor's property with no viable right-of-way solution. Financial constraints have also ruled out the initially prepared and roughed-in underground connection, as the required connection from the other side of the street is financially unattainable for s. 22(1)

The proposed solution involves installing a private power pole next to an existing BC Hydro post in the same area. This would allow for an underground connection from the private pole to the house. Notably, s. 22(1) have already obtained a permit for the pole, contingent upon the completion of the Board of Variance review, with all specifications confirmed by the District of West Vancouver.

Furthermore, we would like to bring to your attention that the house is nearing completion and is almost at the occupancy permit stage. Due to the timing of obtaining the permit, we inadvertently missed the due date for the upcoming hearing on January 17th. We sincerely appreciate your understanding of our situation and kindly request consideration for participation in the hearing scheduled for that date.

Considering the existing BC Hydro post in the vicinity, the financial hardship faced by [REDACTED] s. 22(1) and the safety concerns associated with alternative options, we respectfully request that the District grant approval for the installation of the private power pole. This solution aligns with all necessary specifications and addresses the unique challenges faced by the property owners.

We appreciate your time and consideration of this matter and are available for any further information or clarification you may require.

Sincerely,

Yasaman Mohammadkhani
CEO Palacio Construction Ltd.

Nov 26th 2023

[REDACTED] s. 22(1)

[REDACTED] s. 22(1)

Nov 26th 2023

[REDACTED] s. 22(1)

Nov 26th, 2023

Hindermann, Sabine <Sabine.Hindermann@bchydro.com>

Wed, Sep 13, 10:01 AM

s. 22(1)

I fear that placing the private pole so far into the lot will not provide the bucket truck access the crews require.

Can you move the pole to as close as 1m to public property? We need bucket truck access for our crews to access the pole. While there is no roadway/ driveway where our trucks can easily park, the crews had advised they can drive onto the gravel shoulder with their trucks, but they only have a limited reach with their trucks.

Please provide confirmation from the municipality about the approval of the private pole

Thanks,

Sabine

Hindermann, Sabine | GTT, Distribution Design

BC Hydro

630 Brooksbank Avenue

North Vancouver, BC V7J3V1

T 604-983-8237

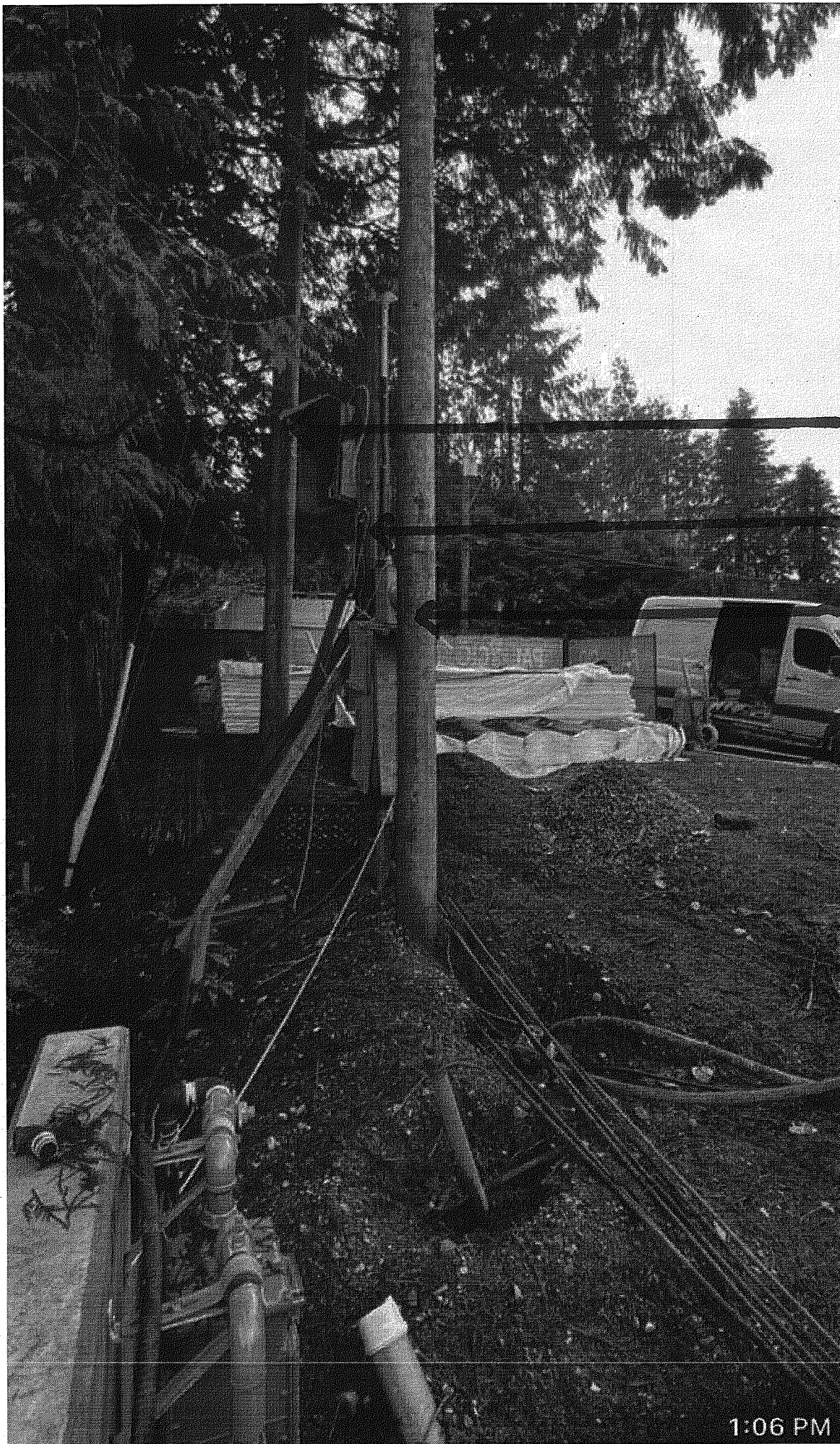
C 604-240-3419

E sabine.hindermann@bchydro.com

bchydro.com

Smart about power in all we do.

24-008



ORIGINAL

TEMPORAI

NEW

1:06 PM

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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

December 11, 2023

File: **BP118909**

s. 22(1)

Dear Sir/Madam

**RE: 819 BURLEY 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 Power Pole will not comply with the Zoning Bylaw because it does not maintain the required 9.1m Front Yard Setback, and 2.52 metre minimum side yard setback, and 3.7 metre height..

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

- The Zoning Bylaw, Section 203.07 requires a front yard setback as indicated in the table below:

	Bylaw	Proposed	Variance
Front Yard Setback for Power Pole	9.1 m	0.30 m	8.80 m

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

	Bylaw	Proposed	Variance
Minimum Side Yard Setback for Power Pole	2.52 m	1.83 m	0.69 m

- The Zoning Bylaw, Section 130.01(7)(b) requires that structures not exceed a height of 7.62 metres measured from the lowest of the average natural or finished grades abutting the building as indicated in the table below:

	Bylaw	Proposed	Variance
Building Height for Power Pole	3.7 m	4.0 m	0.3 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 13th December 2023**. The next Board of Variance Hearing is scheduled for **Wednesday 17th January 2024**. 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 604-925-7212 should you require any further information regarding this matter.

Thank you.

s. 22(1)

Nima Karimabadi
nkarimabadi@westvancouver.ca

Enclosure

cc: Secretary, Board of Variance

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

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Notes

50.8 0 25.40 50.8 Meters

WGS_1984_UTM_Zone_10N
District of West Vancouver

1: 1,000

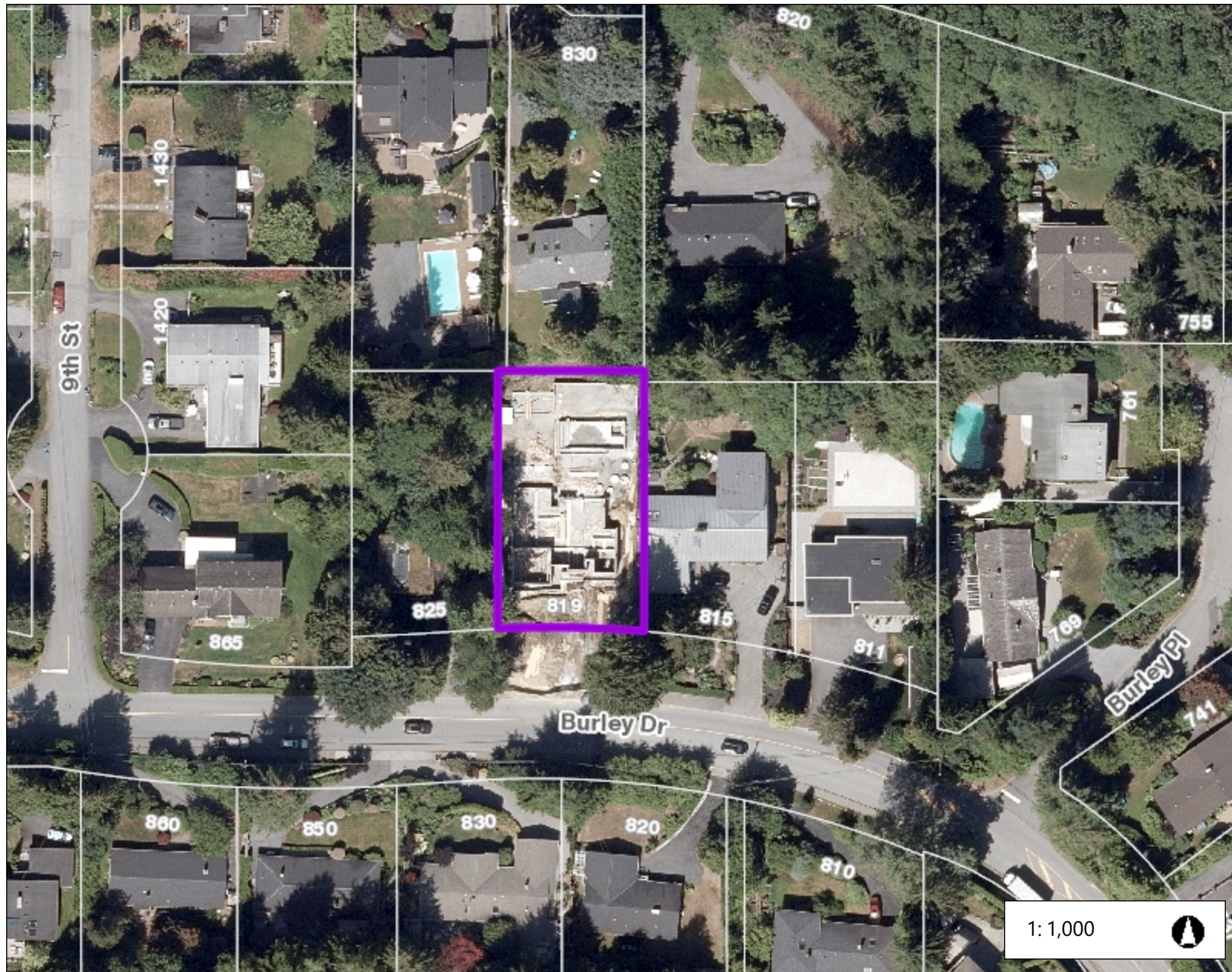


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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

1: 1,000



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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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

January 17, 2024

Supplemental Agenda Information Package

For Application 24-001 (1072 Duchess Avenue)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	January 8, 2024	1
Redacted	January 14, 2024	2
Y. Khalighi	January 15, 2024	3

For Application 24-005 (4309 Erwin Drive)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	January 14, 2024	1

For Application 24-007 (3051 Procter Avenue)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	January 11, 2024	1
Redacted	January 12, 2024	2

Please add these supplemental items to the January 17, 2024
Board of Variance Agenda Package as indicated.

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Application 24-001
(1072 Duchess Avenue)

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From: [REDACTED] s. 22(1)
Sent: Monday, January 8, 2024 11:16 AM
To: BoardOfVariance
Cc: [REDACTED] s. 22(1)
Subject: Application 24-001 (1072 Duchess Avenue) regarding a power pole (accessory structure)

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.

Application 24-001 (1072 Duchess Avenue) regarding a power pole (accessory structure)

Dear Chair and Board of Variance Members:

My name is [REDACTED] s. 22(1) and I reside [REDACTED] s. 22(1),
[REDACTED] s. 22(1) the subject single family lot. We have owned and resided in our family home for [REDACTED] s. 22(1)
years and appreciate the ongoing renewal of our neighbourhood.

We are pleased to support the requested variance. We have no objections to siting a power pole (accessory structure) on the 1072 Duchess property with the following variances:

- a) 7.0 m to Front Yard Setback
- b) 0.74 m to Minimum Side Yard Setback
- c) 5.4 m to Accessory Structure Height

My contact details follow.

[REDACTED] s. 22(1)

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From: s. 22(1)
Sent: Sunday, January 14, 2024 5:03 PM
To: BoardOfVariance
Subject: 1072 Duchess Avenue
Attachments: 1072 Duchess Objection BoV.docx

CAUTION: This email originated from outside the organization from email address 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.

I enclose an objection for the Board to review on the 17th January. I will drop this in the drop box at municipal hall as well

Thank you

s. 22(1)

s. 22(1)
West Vancouver
BC
s. 22(1)

14th January 2024

Dear Board of Variance

Subject property 1072 Duchess Avenue

Our objection is that it would substantially affect the use and enjoyment of the adjacent lands.

There is a request for a power pole (accessory structure) variance for this property. The variance would put in a taller pole (9.1m instead of 3.7m) much closer to the road (0.6m instead of 7.6m)

Impact on Enjoyment of Adjacent Land from the proposal

The proposed pole, and higher wires, would obstruct a spectacular view and as a direct result, substantially reduce the enjoyment of adjacent land and alter the character of the neighbourhood.

Current standard

The power line poles come down the opposite side of the road from this house. Lines then cross the road to the properties on the same side of the road as 1072 Duchess Avenue. The properties above and below this house have their power lines come directly from the power poles on the other side of the road, into their houses. None of these houses have poles. This proposal would be unique for that side of the road.

Alternative Solution to the proposal

The power lines could come to the present pole that is set back from the road.
The power lines could come straight into the house.

I have enclosed pictures of the road to show the current standard, and a before and after impact of the pole. Thank you for considering our objection and we hope you will refuse this variance.

Yours sincerely

s. 22(1)



Road – property is on left near large tree



Before



After



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From: Yashar Khalighi [REDACTED] s. 22(1)
Sent: Monday, January 15, 2024 11:21 PM
To: BoardOfVariance
Cc: [REDACTED] s. 22(1)
Subject: Re: Participating in the upcoming Board of Variance Hearing - January 17, 2024 @ 5 p.m.
Attachments: image003.png; 20240115_163556.jpg; 20240115_163443.jpg

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.

Dear Board Members

I have also included a couple of pictures from the site to help explaining the issue.

Thank you
Yashar Khalighi



Application 24-005 (4309 Erwin Drive)

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From: [REDACTED] s. 22(1)
Sent: Sunday, January 14, 2024 4:34 PM
To: BoardOfVariance
Cc: [REDACTED] s. 22(1)
Subject: 4309 Erwin Drive, Board of Variance Application

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.

Hi,

Please find two documents I would like to add to our application package for the Boards review. If you would rather I bring physical copies or submit in a different format, please let me know. Thank you!

Best,
[REDACTED] s. 22(1)

s. 22(1)

January 14, 2024

4309 Erwin Drive
West Vancouver, BC
V7V 1H7

s. 22(1)

In discussing the proposed variances with s. 22(1) he had no objections and volunteered to sign a letter attesting to such.

I have attached the signed letter.

s. 22(1)

January 14, 2024

File: [REDACTED] s. 22(1)

RE: 4309 Erwin Drive - West Vancouver
Building Permit Application - RS4 Zone

This letter is a letter of support for [REDACTED] s. 22(1) 4309 Erwin Drive in their effort to have setback variances approved for their sauna and pool equipment.

I support the setback variances proposed in the current case before the Board, and see no reason for denying the request.

Best,

[REDACTED] s. 22(1)

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Application 24-007
(3051 Procter Avenue)

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From: s. 22(1)
Sent: Thursday, January 11, 2024 11:52 AM
To: BoardOfVariance
Subject: Letter for 3050 Procter to board of variance

CAUTION: This email originated from outside the organization from email address 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.

To whom it may concern,

I am s. 22(1).

I am the registered owner of s. 22(1) and ABSOLUTELY APPOSE this variance, particularly the front yard set back from the bylaw of 8.8 M to 4.07 M. This part of the street on Procter Avenue is already comprised with the width of the street, and pushing the property closer will only incur more crowding and exacerbate the issue.

Further, I would suggest moving the rear setback from 8.8M to 4.11M would be a possible safety hazard for the home owner as it butts onto an active railway line.

The zoning and bylaw are in place for a reason in this instance.

Sincerely,

s. 22(1)

West Vancouver

s. 22(1)

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From: [REDACTED] s. 22(1)
Sent: Friday, January 12, 2024 9:00 AM
To: BoardOfVariance; [REDACTED] s. 22(1)
Subject: 3051 Procter Ave. West Vancouver/Variance Application

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.

Dear Board Members

We support the Variance application submitted with respect to 3051 Procter Ave. West Vancouver. We are [REDACTED] s. 22(1) and find the submissions and plans for the development to sustain the current complexion of Procter Ave. Procter is more lane than street and these designs maintain the lane quality which includes maintaining the hedge row to the front of 3051 which also [REDACTED] s. 22(1). Procter is enjoyed as a walking and biking route and the hedge is a part of that enjoyment in that it provides a green hedge which extends several hundred feet. The proposal also provides a pleasant entrance to the street when travelling from the west. The house design is in the vein of post modernism and does not alter the feel of the street.

The owners have been respectful with their design and have taken into consideration the impact (none) which it may have [REDACTED] s. 22(1).

Thank you for the opportunity and once again we support the application for 3051 Procter Ave.

Sincerely

[REDACTED] s. 22(1)

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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

January 17, 2024

On-Table Agenda Information Package

For Application 24-008 (819 Burley Drive)		
SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	January 17, 2024	1

Please add these on-table items to the January 17, 2024
Board of Variance Agenda Package as indicated.

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Application 24-008 (819 Burley Drive)

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From: s. 22(1)
Sent: Wednesday, January 17, 2024 10:59 AM
To: BoardOfVariance
Subject: Re: 819 Burley Drive Power Pole (Accessory Structure) Variance January 17, 2024

CAUTION: This email originated from outside the organization from email address 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.

I object to the current proposal for power pole placement in front yard being applied for by 819 Burley Drive.

Moving the power pole so far into the front yard makes it 100% more visible s.22(1)

The house build is already a massive box which was permitted just prior to reductions of square footage by the district. It has been a two year build with s.22(1) and contractors moving people and construction material s. 22(1). The builders have been dumping garbage and piles of fill to the rear of property which has not been retained s.22(1). The buiders took out a 3' high berm of screened topsoil s.22(1) without permission which has not been replaced since last July.

The gas meters have been mounted in the front yard away from the house which is a total eyesore.

Also note that the existing power poles in the front yard have been mounted with surveillance cameras, data being uploaded to the web. Allowing the s. 22(1) to have a new high structure to place cameras on that would be capable of covering s. 22(1) is an unacceptable violation of my privacy and security.

Furthermore, moving the power pole almost 9 meters towards the front is by no means a minor deviation from what is allowed under current setback regulations. The District was not able to provide me reasons for the desired change and I have not been approached by the parties for an explanation or input.

Regards, s. 22(1)
Owner s. 22(1)



Virus-free www.avg.com

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From: s. 22(1)
Sent: Wednesday, January 17, 2024 1:53 PM
To: BoardOfVariance
Subject: Board of Variance Hearing Jan 17, 2024 [Concerning 3051 Procter Ave.]

CAUTION: This email originated from outside the organization from email address 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.

Attn: Board of Variance, District of West Vancouver

RE: Subject Property Application 3051 Procter Avenue

Dear Members,

I am writing today to voice the support of my wife and I for the variance application submitted for 3051 Procter Avenue. My wife and I s.22(1) the planned hearing today, and thus apologize for the delayed notice concerning this variance request.

s. 22(1) and I are homeowners s.22(1)
We have lived at this location for s.22(1) years.

I s.22(1) routinely drive or cycle down Procter Avenue past the said property. Having studied the request for the proposed setbacks, I see no impact upon s. 22(1) neighbouring properties. The proposed home at 3051 Procter has clearly been designed in an 'environmentally-favourable' manner and given that the property is well above road grade, I see no negative impacts as a result of the proposed setback variances – particularly the reduced front yard setback.

s. 22(1) the owners at 3051 Procter took care to share in advance their rationale behind the variances with s. 22(1). s.22(1), thoroughly reviewed the development proposal to ensure there was no negative implication s. 22(1). The variances would seem a fair and reasonable proposal given some of the natural limitations of the property.

Yours truly,

s. 22(1)

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