



Minutes of the Board of Variance held in the Council Chamber, City Hall, 141 West 14th Street, North Vancouver, B.C., on **Wednesday, April 6, 2011 at 10:00 a.m.**

PRESENT:

BOARD MEMBERS:

Mr. Dan Sampson, Chair
Ms. Gordana Askraba
Mr. Cynthia Ellacott
Mr. Abi Tur

STAFF MEMBERS:

Ms. Penny Lurbiecki, Committee Clerk,
City Clerk's Department
Mr. Christopher Wilkinson, Planning Technician,
Community Development Department
Mr. John de Ruiten, Assistant Manager, Inspections,
Community Development Department

ABSENT:

Mr. Raymond Vesely

The meeting was called to order at 10:03 a.m.

1. ADOPTION OF MINUTES

It was moved by Cynthia Ellacott and seconded by Abi Tur

THAT the Minutes of the Board of Variance meeting of July 7, 2010 be adopted as circulated.

CARRIED UNANIMOUSLY

2. APPEAL

Richard Plewes
575 East 17th Street

The applicant is requesting a variance of the City's Zoning Bylaw re: "Size, Shape and Siting of Accessory Structures in One-Unit and Two-Unit Residential Zones", Part 4:

1. Section 412 (2)(a) to increase the allowable height from 1.22 metres (4 feet) to 1.83 metres (6 feet) for fences sited on any portion of the lot;
2. Section 412 (2)(d)(i) to increase the allowable height from 0.914 metres (3 feet) to 1.83 metres (6 feet) for fences sited with 4.57 metres (15 feet) of the intersection of the lot lines along two streets, or along a street in a lane, or along two lanes.

NOTE: The appeal, if approved, would permit the retention of the existing fence with arbour as currently constructed on site.

Applicant Presentation

The owners and applicants, Mr. Richard Plewes and Mrs. Donna Plewes, were in the gallery to support the application and presented an overview with the following points noted:

- The overhang onto City property was the main issue they were aware of.
- Fence height requested is not a visibility issue for the intersection of E 17th Street and Grand Blvd.
- Trees on side property are City trees and should be removed.

Staff Presentation

Staff offered the following comments:

- Two letters were received, one supporting and one in opposition of the application.
- The Zoning Bylaw limits the fence height in front yards to a 4' maximum, and the applicant is requesting to vary that up to a 6' height.
- The Zoning Bylaw limits the height where there are two lot lines intersecting at the corner of two streets, a street and a lane, or two lanes. This property is located at the corner of two streets.
- The Zoning Bylaw regulates structures only, not trees and planting material.

Gallery Discussion

There was no one present in the gallery to comment on the application.

Board Discussion

Board members reviewed the application of Mr. Richard Plewes and Mrs. Donna Plewes.

It was moved by Abi Tur, seconded by Gordana Askraba

THAT the appeal of Mr. Richard Plewes and Mrs. Donna Plewes, 575 East 17th Street, North Vancouver, BC, more particularly known as Lot B, Block 35, D.L. 550, Plan BCP41081, requesting a variance of the City's Zoning Bylaw re: "Size, Shape and Siting of Accessory Structures in One-Unit and Two-Unit Residential Zones", Part 4:

1. Section 412 (2)(a) to increase the allowable height from 1.22 metres (4 feet) to 1.83 metres (6 feet) for fences sited on any portion of the lot;
2. Section 412 (2)(d)(i) to increase the allowable height from 0.914 metres (3 feet) to 1.83 metres (6 feet) for fences sited with 4.57 metres

(15 feet) of the intersection of the lot lines along two streets, or along a street in a lane, or along two lanes

be **DEFEATED** as per the plans submitted to the City of North Vancouver dated February 4, 2011.

CARRIED

3. APPEAL

402 East 7th Street

Mr. Steve Hoiles, Applicant and Contractor, Surfside Properties Ltd.

Mr. Mark Kerschbaumer, Designer, Kerschbaumer Design

on behalf of Owner, Ms. Manjula Dufresne

The applicant is requesting a variance of the City's Zoning Bylaw re: "Size, Shape and Siting of Buildings for One-Unit Residential Use and Accessory Coach House Use", Part 5:

1. Section 509 (5) (c) to vary the Interior (easterly) Sideyard setback from the required 1.524 metres (5.00 ft.) to 1.44 metres (4.73 ft.) for the main floor of this existing one unit dwelling.
2. Section 509 (5) (d) to vary the Exterior (westerly) Sideyard setback from the required 3.048 metres (10.0 ft.) to 1.67 metres (5.48 ft.) for main floor of this existing one unit dwelling and the proposed second floor roof deck.

The appeal, if approved, would allow for the building to maintain the existing non conforming interior (easterly) setback and exterior (westerly) setback. A second storey with adjacent roof deck is being proposed for this existing house. This roof deck projects into the required exterior (westerly) Sideyard setback 1.38 metres (4.52 ft.).

Applicant Presentation

The Designer, Mr. Mark Kerschbaumer and the Contractor, Mr. Steve Hoiles, presented an overview of the application with the following points noted:

- The house was built prior to the existing bylaws.
- The house is very dated but the bones are in excellent condition.
- Wanting to maintain the same nonconforming footprint.
- Adding one floor conforming to maximum allowable height.

Staff Presentation

Staff offered the following comments:

- Two letters were received in support of the application.
- The house was built in 1954 and the house was constructed in accordance with the bylaws in effect at that time.
- Zoning bylaws have changed and the house is now nonconforming.
- Any substantial renovation would require an appeal.
- Two variances requested are consistent with the existing siting of the house.
- The applicant will be extending the life of the nonconforming setbacks.

Gallery

There was no one present in the gallery to comment on the application.

Board Discussion

Board members reviewed the application of Mr. Mark Kerschbaumer and Mr. Steve Hoiles, representing the owner, Ms. Manjula Dufresne. The Board concurred that the required variances are minor.

It was moved by Cynthia Ellacott, seconded by Abi Tur

THAT the appeal of Mr. Steve Hoiles, representing the owner, Ms. Manjula Dufresne, of 402 East 7th Street, North Vancouver, BC, more particularly known as Lot 24, Block 1, D.L. 273, Plan 1063, requesting a variance of the City's Zoning Bylaw re: "Size, Shape and Siting of Buildings for One-Unit Residential Use and Accessory Coach House Use", Part 5:

1. Section 509 (5) (c) to vary the Interior (easterly) Sideyard setback from the required 1.524 metres (5.00 ft.) to 1.44 meters (4.73 ft.) for the main floor of this existing one unit dwelling;
2. Section 509 (5) (d) to vary the Exterior (westerly) Sideyard setback from the required 3.048 metres (10.0 ft.) to 1.67 metres (5.48 ft.) for main floor of this existing one unit dwelling and the proposed second floor roof deck

be **GRANTED** as per the plans submitted to the City of North Vancouver dated March 3, 2011.

CARRIED UNANIMOUSLY

4. ELECTION OF VICE-CHAIR

A vote was taken by show of hands to elect a new Vice-Chair for the Board of Variance.

It was moved by Cynthia Ellacott and seconded by Gordana Askraba

THAT Abi Tur be appointed as Vice-Chair of the Board of Variance effective April 6, 2011.

CARRIED UNANIMOUSLY

5. ANY OTHER BUSINESS

Correspondence circulated to the Board of Variance on December 11, 2009 from the Delta Board of Variance dated December 9, 2009 regarding "Board of Variance Concerns" will be re-circulated and discussed at the next Board of Variance Meeting.

6. ADJOURNMENT

It was moved by Abi Tur and seconded by Cynthia Ellacott

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:08 a.m.



Dan Sampson, Chair

Date

Sept 7/2011