



BOARD OF VARIANCE

**Thursday, September 26, 2018 at 6:00 p.m.
Council Chamber**

MINUTES

PRESENT:

Mr. Baj Puri - Community Member
Mr. Michel Roy - Chair, Community Member
Mr. Sonny Johal - Community Member

REGRETS:

Mr. Ross Hood - Community Member

STAFF:

Mr. Joseph Krevs - Building Official, Development Services
Mr. Hardev Gill - Planning Technician, Development Services
Ms. Nicole Ludwig - Board of Variance Secretary

The Hearing was called to order at 6:05 p.m.

1.0 APPOINTMENT OF 2019 CHAIR/ACTING CHAIR

Following due process, Michel Roy was elected Chair for the 2019 term, by acclamation.

Following due process, Sonny Johal was elected Acting Chair for the 2019 term, by acclamation.

2.0 ADDITIONS TO AGENDA

None.

3.0 ADOPTION OF MINUTES

3.1 Receipt of July 27, 2018 Notes

MOVED and SECONDED

THAT the July 27, 2018 Board of Variance Notes be received.

CARRIED.

All members of the Board present voted in favour

4.0 APPLICATIONS

4.1 Application No. BV000346 – 833 Cherry Street

- a) Secretary's Report regarding Public Notice and Title Search

Nicole Ludwig, Board of Variance Secretary, reported that on September 12, 2018, 24 notices were mailed to owners and occupants located within the 50 meter notification area of 833 Cherry Street.

Ms. Ludwig reported that four written submissions have been received and were on table for the Board's review. She also reported that no issues were found with the Title search.

- b) Submission by Development Services

Hardev Gill, Planning Technician, provided a summary of the variance application, noting the following:

- There is a typo error in the table on page 3 of the report: the section reads 310.20(a)(i) and should be 310.21(a)(i);
- There is a relaxation from the zoning bylaw for a new detached garage to increase the height by 0.91m to the 5.4m mark; and
- The request for a variance under the undue hardship rationale is consistent with the policy approach to considering a variance.

In response to questions from the Board, Mr. Gill and Joseph Krevs, Building Official, Development Services, provided the following information:

- The requirements for RS-1 zoning have not changed in recent years; and,
- This is considered a one-storey structure for the purposes of the rezoning.

- c) Submission by Applicant/Agent

Sean and Donna Hagan, Property Owners, provided an overview of their application, noting the following:

- Garage is very old and needs replacing;
- Part of the new garage will be used for exercise equipment for Mr. Hagan's use to help manage a medical condition;
- The maximum height of the attic will be about 5 feet;
- The peak will be built perpendicular to the lane to maintain neighbours' views; and

- There will be only electrical services running to the attic and no sewer or water.
- d) Submissions by interested parties
- None.
- e) Discussion/Decision

The Board noted the following in discussion with regards to the application:

- Members are supportive of the application; and
- Members are sensitive to the space needs of the owners.

MOVED and SECONDED

WHEREAS, the Board of Variance has listened to all parties expressing an interest in the proposed variance at 833 Cherry Street and considered the information presented;

WHEREAS, the Board is of the opinion that the variance does not:

- i) Result in inappropriate development of the site;*
- ii) Adversely affect the natural environment;*
- iii) Substantially affect the use and enjoyment of adjacent land;*
- iv) Vary permitted uses and densities; or*
- v) Defeat the intent of the bylaw, and*

WHEREAS, the Board finds that undue hardship would be caused to the applicant if Section 310.21(a)(i) of the Zoning Bylaw is complied with, in view of the extremely cramped conditions of the existing dwelling unit.

WHEREAS, the Board considers the requested variance to be minor:

The Board of Variance hereby varies Section 310.21(a)(i) of the New Westminster Zoning Bylaw to allow construction of a single detached garage with a proposed height of 5.48 m (18 feet) at 833 Cherry Street.

CARRIED.

All members of the Board present voted in favour

5.0 NEXT HEARING

Thursday, October 24, 2019, at 6 p.m., Council Chamber

6.0 ADJOURNMENT

ON MOTION, the meeting was adjourned at 6:28 p.m.

Original Signed

Ross Hood
Chair

Original Signed

Nicole Ludwig
Board of Variance Secretary