

SUBJECT TO ADOPTION

DISTRICT OF NORTH SAANICH  
Minutes of the Meeting of the  
**BOARD OF VARIANCE**

**April 19 at 10:00 a.m.**

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**ATTENDING:**

Board Members: Gordon Safarik, Chair  
Denny Warner  
Paige Gibson

Absent:

Staff: Deanna Law, Recording Secretary

**Also Attending:** **Mr. Dave Meena**  
**Mr. Jesse Couture**  
**Mr. Ian and Mrs. Tania Pleasance**  
**Mr. Dean Beusfield**  
**Mr. Aaron Mills**  
**Ms. Jennifer Taylor**  
**Mr. Jim Gower**

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Chair G. Safarik called the meeting to order at 10:00 a.m.

**1. ADOPTION OF THE AGENDA**

MOVED BY: P. Gibson  
SECONDED: D. Warner

**8-BOV** To accept the Board of Variance agenda as circulated.

CARRIED

**2. ADOPTION OF THE MINUTES**

MOVED BY: D. Warner  
SECONDED: P. Gibson

**9-BOV** That the minutes of the February 15, 2018 Board of Variance Meeting be approved as circulated.

CARRIED

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**3. APPLICATIONS**

**3.1 11200 Gullhaven Road** – to allow for a decrease in minimum side yard and front yard setbacks as well as a request for an increase in maximum fence height for the construction of a screening fence around a propane tank.

Location: Lot B, Section 21, Range 3 East, NS District, Plan 21846  
 Civic Address: 11200 Gullhaven Road  
 Applicant/Owner: David Meena  
 Variance: **To vary three Sections of the District of North Saanich’s Zoning Bylaw No. 1255, to allow for the placement of a propane storage tank within a Single Family Residential 2 (R-2) Zone. The three variance requests include a decrease to the minimum side lot line setback for a fuel storage tank from 6m to 3.5m, a 42% decrease, a decrease in the minimum setback from front lot of 7.6m to 4.57m, a 40% decrease, and an increase in the maximum height for a front yard fence (screening the fuel storage tank) from 1.2m to 1.68m, an increase of 40%.**

**Correspondence:**

In Support:

| In support: Name   | Address              | Type of correspondence & date |
|--------------------|----------------------|-------------------------------|
| James Erickson     | 11208 Gullhaven Road | Letter – Mar. 22/18           |
| Tamsin Erickson    | 11208 Gullhaven Road | Letter – Mar. 22/18           |
| Beverly Backhaus   | 2357 Gullhaven Road  | Letter – Mar. 21/18           |
| Shannon Brady      | 2370 Gullhaven Road  | Letter – Mar. 21/18           |
| Peter Cunningham   | 2351 Sandpiper Close | Letter – Mar. 21/18           |
| Jo-Lana Cunningham | 2351 Sandpiper Close | Letter – Mar. 21/18           |
| Ian Brady          | 2370 Gullhaven Road  | Letter – Mar. 21/18           |
| Poul Backhaus      | 2357 Gullhaven Road  | Letter – Mar. 21/18           |

Not In Support:

| Not In support: Name | Address             | Type of correspondence & date |
|----------------------|---------------------|-------------------------------|
| Anne Cowely          | 2365 Gullhaven Road | Email – Apr. 6/18             |
| David Hartwick       | 2365 Gullhaven Road | Email – Apr. 6/18             |

Mr. Dave Meena of 11200 Gullhaven Road advised he was wanting to install a propane tank. He mentioned that DNS received a complaint from neighbours that it did not comply with the zoning bylaw. He has the support of neighbours Shannon and Ian who are closest to the house. He mentioned he was stuck and had nowhere else to move the propane tank.

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D. Warner mentioned that it is always a challenge when things are underway

P. Gibson noted she was personally struggling to find the hardship and mentioned that poor planning is not hardship.

D. Meena stated that some of the neighbour’s letters had errors.

Jim Gower of 1615 McTavish stated that he was asked to attend the meeting on behalf of Anne Cowley. He mentioned that the proponent knew he was contravening the bylaw and went ahead anyways. They feel strongly about the safety regulations.

G. Safarik stated that when people purchase property they expect that zoning will stay and the BOV has consistently respected the wishes of neighbours who don’t want change.

Chair called the question as there was no further discussion.

MOVED BY: D. Warner

SECONDED: P. Paige

**10-BOV** *That the application for Lot B, Section 21, Range 3 East, NS District, Plan 21846, 11200 Gullhaven Road to decrease to the minimum side lot line setback for a fuel storage tank from 6m to 3.75m, a 38% decrease, a decrease in the minimum setback from front lot of 7.6m to 4.5m, a 41% decrease, and an increase in the maximum height for a front yard fence (screening the fuel storage tank) from 1.2m to 1.68m, an increase of 40% not be granted.*

CARRIED

**3.2 1229 Maple Road** – to allow for an increase of the maximum height for a principle dwelling in a Single Family Residential 3 (R-3).

Location: Lot 5, Block 11, Section 20, Range 1 West, NS District, Plan 1787  
Civic Address: 1229 Maple Road  
Applicant/Owner: Tania and Ian Douglas  
Variance: **To increase the maximum height for a principle dwelling in a Single Family Residential 3 (R-3) zone from 9.15m to 9.56m, an increase of 0.41m or 4%.**

**Correspondence:**

In Support:

| In support: Name  | Address         | Type of correspondence & date |
|-------------------|-----------------|-------------------------------|
| Ken Pleasance     | 1219 Maple Road | Email – Apr. 9/18             |
| Erika Pleasance   | 1219 Maple Road | Email – Apr. 9/18             |
| Jennifer Naismith | 1230 Maple Road | Email – Apr. 12/18            |
| Michael Payne     | 1230 Maple Road | Email – Apr. 12/18            |

SUBJECT TO ADOPTION

Chair G. Safarik asked for comments from the gallery.

Mr. Ian and Mrs. Tania Douglas of 1229 Maple and Mr. Dean Beaufield representing the owners advised that they were seeking a height variance as there was poor drainage and lots of water on the property and they would like to raise the crawl space.

D. Warner advised there were no complaints.

P. Gibson stated hardship was compelling with the state of the property.

Chair called the question as there was no further discussion.

MOVED BY: P. Gibson

SECONDED: D. Warner

**11-BOV** *That the application for Lot 5, Block 11, Section 20, Range 1 West, NS District, Plan 1787, 1229 Maple Road to increase the maximum height for a principle dwelling in a Single Family Residential 3(R-3) zone from 9.15m to 9.56m, an increase of 0.41m or 4% be approved.*

CARRIED

**3.3 10323 West Saanich Road** – to decrease the minimum interior side setback for an accessory building and decrease the minimum rear setback for an accessory building.

Location: Lot 2, Block 6, Section 14, Range 1 West, NS District, Plan 2276

Civic Address: 10323 West Saanich Road

Applicant/Owner: Ian Carroll and Jennifer Taylor

Variance: **To vary Section 502.2.4(d)(iii) of Zoning Bylaw No. 1255 within a Single Family Residential 2 (R-2) Zone in order to decrease the minimum interior side setback for an accessory building from 3.0m to 1.52m, a decrease of 1.48m or 49% AND to vary Section 502.2.4(d)(ii) to decrease the minimum rear setback for an accessory building from 7.6m to 4.57 m, a decrease of 3.03m or 40%.**

**Correspondence**

In Support:

| In support: Name   | Address                 | Type of correspondence & date |
|--------------------|-------------------------|-------------------------------|
| Kristi Bergmeier   | 10318 Tsaykum Road      | Letter – Jan. 3/18            |
| Olaf Bergmeier     | 10318 Tsaykum Road      | Letter – Jan. 3/18            |
| Paul Byron Bahnsen | 10331 West Saanich Road | Letter – Dec. 14/17           |

## SUBJECT TO ADOPTION

Chair G. Safarik asked for comments from the gallery.

Mr. Aaron Mills of Design Zone at 1211 Fairfield Road representing the owners and Jennifer Taylor of 10323 West Saanich. Mr. Mills advised they were asking for 2 variances for the carport. He mentioned there were no negative comments and two letters of support.

Recess at 10:18 regarding a question about notices that went out to adjacent neighbors, specifically 10312 Tsaykum who would be affected the most as noticed house for sale and wanted to know if letter was received. Meeting resumed at 10:23 am and it appears this owner would have received a copy of the notice letter.

P. Gibson asked what the nature of the hardship was and A. Mills advised there were two, first was turning radius and the second was pushing the house back.

P. Gibson asked if the intention was for this to remain as an unenclosed carport and A. Mills advised it was.

Chair called the questions as there was no further discussion

MOVED BY: D. Warner

SECONDED: D. Safarik

**12-BOV**      *That the application for Lot 2, Block 6, Section 14, Range 1 West, NS District, Plan 2276, 10323 West Saanich Road to vary Section 502.2.4(d)(iii) of Zoning Bylaw No. 1255 within a Single Family Residential 2 (R-2) Zone in order to decrease the minimum interior side setback for an accessory building from 3.0-m to 1.562m, a decrease of 1.48m or 49% AND to vary Section 502.2.4(d)(ii) to decrease the minimum rear setback for an accessory building from 7.6m to 4.57m, a decrease of 3.03m or 40% be approved.*

CARRIED

Opposed: P. Gibson

### **DATE OF NEXT MEETING**

The date of the next Board of Variance meeting will be May 17, 2018 at 10:00 am.

### **ADJOURNMENT**

The Board adjourned by unanimous consent at 10:27 a.m.

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G. Safarik  
Chair

Email: L. Coburn