



Board of Variance - 7:00 p.m.  
Tuesday, January 19, 1982

BOARD OF VARIANCE  
MINUTES



A meeting of the Board of Variance convened in the Council Chambers of the Municipal Hall, 1111 Brunette Avenue, Coquitlam, B.C. on Tuesday, January 19, 1982 at 7:00 p.m.

Members present were:

- Mr. G. Crews, Chairman
- Mr. J. Bennett
- Mr. R. Farion
- Mrs. J. Hill

Staff present were:

- Mr. C. E. Spooner, Building Inspector II;
- Mr. K. McLaren, Development Control Technician;
- Mrs. S. Aikenhead, Deputy Municipal Clerk, who acted as Secretary to the Board.

The Chairman explained to those present that all appeals would be heard and the Board would rule on them later and that all applicants would then be informed by letter from the Clerk's office of the decision of the Board.

REPORT FROM THE PLANNING DEPARTMENT

Submitted to the Board for this meeting was a brief from the Planning Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these Minutes.

REPORT FROM THE BUILDING DEPARTMENT

Submitted to the Board for this meeting were comments from the Building Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these Minutes.

ITEM #7 W. and M. Melville  
800 Rochester Avenue  
Subject: Relaxation of side yard setback requirements.

Mr. Melville appeared before the Board of Variance to request relaxation of the side yard setback requirements to allow them to build to 3 feet from their side yard property line. He stated they have a very small kitchen area and wish to enclose the existing carport and convert it to a family room. The area already exists and is under the permanent roof.

Mr. Melville stated that they could build out to the rear of their home but this would financially be a hardship as they would have to extend the roof line whereas the present roof will suffice for the addition as he now proposes it. He further informed the Hearing that he had checked with the neighbour on that side of his property and that neighbour has no objections to the application.

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Item #7 continued...

Mr. Spooner, Building Inspector, stated that the Building Department had no objections to this addition but he informed Mr. Melville that no windows would be allowed in the east wall of the extension.

On a question from the Board, Mr. Melville stated that they would probably build a garage at the rear of their property sometime in the future..

There was no opposition expressed to this application.

ITEM #1 R. J. and C. McLean  
2020 Compton Court  
Subject: Relaxation of Front and Side Yard setback requirements.

Mr. McLean appeared before the Board of Variance to request relaxation of the side yard setback requirements to 0 (zero) feet and the front yard setback requirements to 20.9 feet. He stated he wished to close in his existing carport and turn it into a family room and build a double side by side carport out towards the front of his home. He stated his request for relaxation of the side yard setback requirements to 0 (zero) feet would enable him to build a retaining wall approximately 2 feet high on top of which there would be a steel post up to the height of the carport roof. This post would support an Ibeam which would run across the front of the carport roof and act as a support for same.

He stated that he wishes to make these alterations because he has a very small, no basement home and requires extra room for a family room and would also like a double wide carport. Further, he informed the Hearing the cul-de-sac he lives on has open ditches on both sides of the street, making it extremely difficult to park a car on the street.

Mr. and Mrs. Kirk of 2060 Compton Court appeared before the Board of Variance in opposition to this application and a copy of their brief is attached hereto and forms a part of these Minutes.

After hearing Mr. Kirk's presentation, Mr. McLean stated that he would withdraw his application at this time and come back at a later date with a modified proposal.

ITEM #2 L. and M. Ashton  
986 Porter Street  
Subject: Relaxation of Front Yard setback requirements.

Mr. Leonard Ashton appeared before the Board of Variance to request relaxation of the front yard setback requirements to allow him to move his carport and locate it 13 feet, 6 inches from the front yard property line.

Mr. Ashton informed the Board that in the Port Moody Mud Slide in December of 1979 he lost approximately 45 - 50 feet of his yard and because of the dangerous cliff that is there now he wished to move his carport forward to the front of his property which would, in effect, help block access to this cliff area to the neighbourhoods school children, He stated he would like to build a fence on each side of his carport and this would hook-up with the chain-link fence the Municipality has across the Municipal portion of this cliff area.

The Building Department and Planning Department comments were read out to Mr. Ashton.

In regard to these comments, Mr. Ashton reported that he had a soils report done by Hardy & Associates and they have assured him that this area is a hardpan area and will support the carport.

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Item #2 continued...

In answer to a question from the Board, Mr. Ashton stated that the carport in its new location will be approximately 7 or 8 feet from the drop-off point of the cliff.

There was no opposition expressed to this application.

ITEM #3 H. and E. Watson  
1870 Masset Court  
Subject: Relaxation of Rear Yard setback requirements.

Mr. Watson submitted a written brief to the Board, a copy of which is attached hereto and forms a part of these Minutes. Mr. Watson also submitted a revised drawing to the Board and requested that his application be revised to show that he is asking for relaxation of the rear yard setback requirements to allow him to build to 9.2 feet from the rear yard property line and 5 feet, 3 inches from the side yard property line.

At this time members of the audience interested in this application asked to look at the site plan and floor plans of this proposed application.

After inspecting the plans, Mr. and Mrs. G. Catherwood, owners of lot 95, immediately to the east and north of lot 96 stated they had no objections to this application.

Mr. G. Stogryn, 1910 Custer Court, appeared before the Board of Variance and stated he did not want the Board to set a precedent by allowing this variance and then have all the other lot owners in that cul-de-sac coming forward with other requests for relaxation of setback requirements.

The Chairman explained to Mr. Stogryn that each application is considered individually and it is dependant on hardship and the Board does not set precedents.

Mr. and Mrs. Morrison of 1908 Custer Court, appeared before the Board of Variance and stated that they agreed with the statements made by Mr. Stogryn but had no objections to this particular application.

There was no further opposition expressed to this application.

ITEM #4 P. and S. Allinger  
1830 Brunette Avenue  
Subject: Relaxation of Front Yard setback requirements.

Mr. Philip Allinger appeared before the Board of Variance to request relaxation of the front yard setback requirements to allow him to build a home 14 feet from the front yard property line.

Mr. Allinger stated he wishes to subdivide a lot off his property and build another home but because of the B.C. Hydro Easement running through the back portion of the property, he will require relaxation of the front yard setback requirements. He received relaxation of the front yard setback requirements to 14 feet approximately 1 year ago for the existing home on this property and, he stated, if the Board grants relaxation to this application the proposed home would blend in nicely with the existing home.

There was no opposition expressed to this application.

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ITEM #5 B. Veljacic  
1394 Briarcliff Drive  
Subject: Relaxation of Rear Yard setback requirements.

Mrs. Brian Veljacic appeared before the Board of Variance to request relaxation of the rear yard setback requirements to allow him to build to 11 feet, 6 inches from the rear yard property line. Copies of Mr. Veljacic's written presentation and proposed side plan area attached hereto and form a part of these Minutes.

There was no opposition expressed to this application.

ITEM #6 L. J. Postnikoff  
850 Westwood Street  
Subject: Relaxation of Side Yard setback requirements.

Mr. Postnikoff informed the Board that he wished relaxation of the side yard setback requirements to allow him to build to 4 feet from both side yard property lines. He stated his lot is only 33 feet in width and his present home, which is very small, is located on the back portion of the property. Therefore, he would have to build this proposed new home in front of his present home and with a 25 foot front yard setback and 6 foot side yard setbacks it would not leave him much room in which to build.

He stated he wished to build a house of approximately 1,125 square feet as he has 4 children. The home he has in mind would have dimensions of 25 feet by 45 feet and additionally a 6 foot wide sun-deck across the front of the home and a 5 foot wide sundeck across the back of the home.

Mr. Postnikoff informed the Board of Variance that another reason for his request for relaxation of the side yard setback requirements is that one corner of his existing home encroaches onto 848 Westwood Street and once the new house is built, he will be tearing down the old one, eliminating the encroachment problem.

The Chairman, at this time, pointed out to Mr. Postnikoff that in July of 1980 Mr. Postnikoff's neighbour at 848 Westwood Street came to the Board of Variance and asked for the identical 4 foot side yard setback relaxation that Mr. Postnikoff is asking for today. At that time, Mr. Postnikoff and his neighbours objected to that request and appeared before the Board of Variance to express their opposition. Subsequent to their presentation, the Board denied the application of Mr. Postnikoff's neighbour. The Chairman then asked Mr. Postnikoff why his application is different to the one made in July of 1980.

Mr. Postnikoff stated that the reason he was opposed to his neighbour's application was because Mr. Postnikoff's house is situated so far back on his lot, he feared that if that application was allowed the proposed house would block out the sunlight from his yard preventing him from growing a garden, which is very important to him.

The son of the owner of the home at 848 Westwood Street appeared before the Board of Variance of behalf of his father to express their opposition to this application, stating that his father was not in favour of relaxing the side yard setback requirements to 4 feet and further, that he didn't feel this house should be built that close to the property line.

Mr. Postnikoff replied that if the application was allowed at least he would be tearing down the existing home which is now encroaching on 848 Westwood Street and he would then be 4 feet away from their property line.

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Item #6 continued...

Mr. Spooner, the Building Inspector, informed Mr. Postnikoff that if the side yard setbacks are relaxed to 4 feet he would only be allowed 50 square feet of windows in the side walls. He further informed Mr. Postnikoff that he would be able to cantilever his sun-deck 4 feet into the front yard which would give him 4 more feet in which to build his house and he could also leave off the rear sundeck and build his home up to his existing home and then when he tears the present house down he could add the sundeck at the back. This would give him the required square footage without going to the 4 foot side yards setbacks.

There was no further opposition expressed to this application.

CONCLUSIONS

ITEM #7 W. and M. Melville

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is, side yard setback relaxed to 3 feet.

CARRIED UNANIMOUSLY

ITEM #1 R. and C. McLean

This Item was withdrawn by the applicant.

ITEM #2 L. and M. Ashton

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is, front yard setback relaxed to 13 feet, 6 inches.

CARRIED

Mrs. Hill registered opposition.

ITEM #3 H. and E. Watson

MOVED BY MRS. HILL  
SECONDED BY MR. FARION

That this appeal be allowed with rear yard setback relaxed to 9.2 feet and side yard setback relaxed to 5 feet, 3 inches.

CARRIED UNANIMOUSLY

ITEM #4 P. and S. Allinger

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is, front yard setback relaxed to 14 feet.

CARRIED UNANIMOUSLY

ITEM #5 B. Veljacic

MOVED BY MR. BENNETT  
SECONDED BY MR. FARION

That this appeal be allowed with rear yard setback relaxed to 11 feet, 6 inches.

CARRIED UNANIMOUSLY

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CONCLUSIONS, continued...

ITEM #6 L. J. Postnikoff

MOVED BY MR. BENNETT  
SECONDED BY MR. FARION

That this appeal be denied.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY MRS. HILL  
SECONDED BY MR. FARION

That the Board of Variance Meeting adjourn. 9:15 p.m.

CARRIED UNANIMOUSLY

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C H A I R M A A N

PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE MEETING  
TUESDAY, JANUARY 19, 1982

ITEM #1

The Planning Department has no objection to this appeal as it would appear to be a local issue.

ITEM #2

This application proposes the location of an enclosed garage within, I understand, approximately eight to ten feet of the crest of a steep slope.

The District of Coquitlam has had a geotechnical report prepared on guidelines for development in and adjacent to the Chines area where this property is located. This report has made several recommendations with regard to siting of buildings and structures, clearing, filling and excavation in these areas.

Furthermore, the guidelines contained in this report have been included in a draft Conservation By-law No. 1199, which is presently being reviewed by municipal staff. As well, these guidelines have been included in a draft amendment to Zoning By-law No. 1928, which is currently being reviewed by the Ministry of the Environment.

Although not at liberty to provide the Board with the complete details of this report, I can advise that in areas where slopes exceed 30 degrees, our geotechnical consultants recommend that any structures be located not less than 15 metres from the crest of the slope. This particular property is adjacent to an area where the slope exceeds 30 degrees.

The Planning Department, therefore, cannot recommend in favour of this application for relaxation, although we would not object to a front yard setback relaxation if the garage were located over the 15-metre minimum requirement from the crest of the slope. If the Board looks favourably upon this application, I would suggest that it be subject to the location being supported by written recommendations by a geotechnical engineer.

ITEM #3

The Planning Department has no objection to this appeal as it would appear to be a local issue.

ITEM #4

I can advise that this applicant has applied to subdivide the subject property basically in accordance with his proposed sketch. A copy of this subdivision sketch is attached and labelled 8-3676. I can further advise that the Subdivision Committee, at their meeting of 1981.08.04, declined this application



PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE MEETING  
TUESDAY, JANUARY 19, 1982 con't

ITEM #4 con't

as the proposed southerly lot would not contain a suitable building area in relation to the setback requirements of Zoning By-law No. 1928. Therefore, it would appear that this applicant is seeking Board of Variance endorsement of an appeal in order that he can go back to the Subdivision Committee with a case for subdividing the property.

ITEM #5

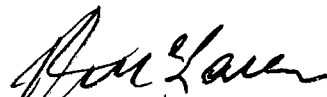
A copy of the Planning Department's letter to this applicant is attached with the sketch indicating the setback requirements. The applicant indicates that the area of variance is a small triangular area on the easterly side of the property where the 20-foot rear yard setback converges with the 6-foot side yard setback. Board members will notice on the Planning Department sketch that a different method of obtaining this transition was utilized in that we took a minimum 20-foot arc from the transition point on the rear and side lot lines, which means that, based on our setback requirement, the corner of the building would be encroaching in the setback and not just the small triangle.

The Planning Department has no objection to this appeal as it would appear to be a local issue.

ITEMS #6 & #7

The Planning Department has no objection to these appeals as they appear to be local issues.

Respectfully submitted,



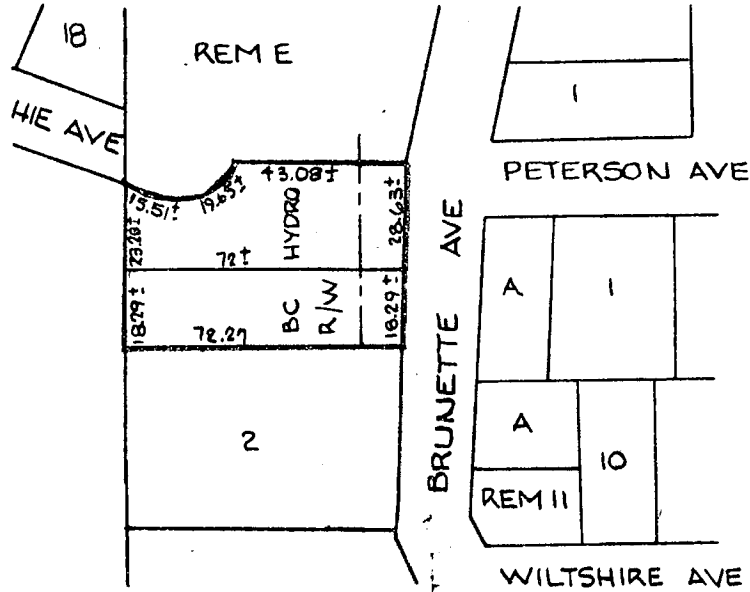
Ken McLaren  
Development Control Technician

KM/ci  
Encl.

c.c. T. Spooner, Building Department

# SUBDIVISION OF LOT 1 DL 64 GROUP 1 PLAN 17796

OWNER : P. ALLINGER



**NOTES:**

1. LOCATION OF BUILDING SUPPLIED.

# METRIC

This approval expires in 90 days from date shown in this sketch. Surveyors subdivision plans must be submitted to the Approving Officer prior to this date for approval, or a new application must be submitted.

CORPORATION OF THE DISTRICT OF COQUITLAM		
SUBDIVISION PRELIMINARY APPROVAL		
<u>DECLINED</u>		
DATE <u>1981 08 04</u>		
<i>Neil Maxwell</i> for Planning Director		
DRAWN DCT	SCALE 1:2000	DRG. NO. 8-3676

*Write new file*

OF COQUITLAM  
UNETTE AVENUE,  
COQUITLAM, B.C.

PHONE 526-3611

1981 12 14

File: 1394 Briarcliff

Brian Veljacic  
41 North Hythe Avenue  
Burnaby, B.C.

Dear Sir:

Re: 1394 Briarcliff Drive,  
Lot 17, Twp. 39, Plan 50323

I write in reply to your verbal request for setback requirements on the above described parcel. Attached for your information is a copy of the registered plan, upon which I have indicated the setback requirements of the zoning by-law. Even though the building envelope is a bit irregular, there still appears to be sufficient area to allow the construction of a home.

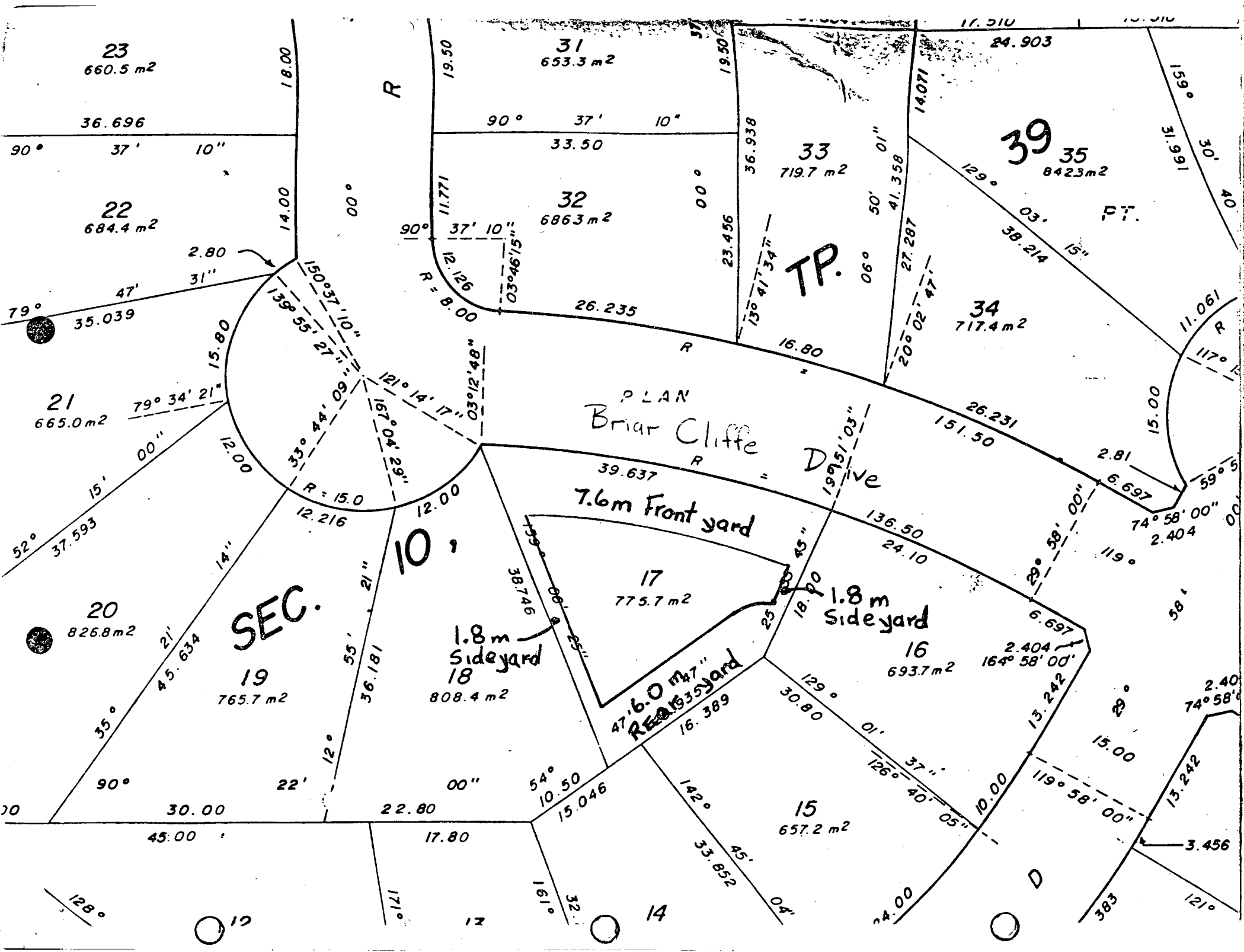
If further clarification is required, please do not hesitate to contact the writer.

Yours truly,

*N.M.*  
Neil Maxwell  
Planning Assistant

NM/pm

cc: R. Rush, Chief Building Inspector



PLAN  
Briarcliffe Drive

SEC. 19

23  
660.5 m<sup>2</sup>

31  
653.3 m<sup>2</sup>

39 35  
842.3 m<sup>2</sup>

33  
719.7 m<sup>2</sup>

32  
686.3 m<sup>2</sup>

34  
717.4 m<sup>2</sup>

21  
665.0 m<sup>2</sup>

20  
826.8 m<sup>2</sup>

19  
765.7 m<sup>2</sup>

17  
775.7 m<sup>2</sup>

18  
808.4 m<sup>2</sup>

16  
693.7 m<sup>2</sup>

15  
657.2 m<sup>2</sup>

14

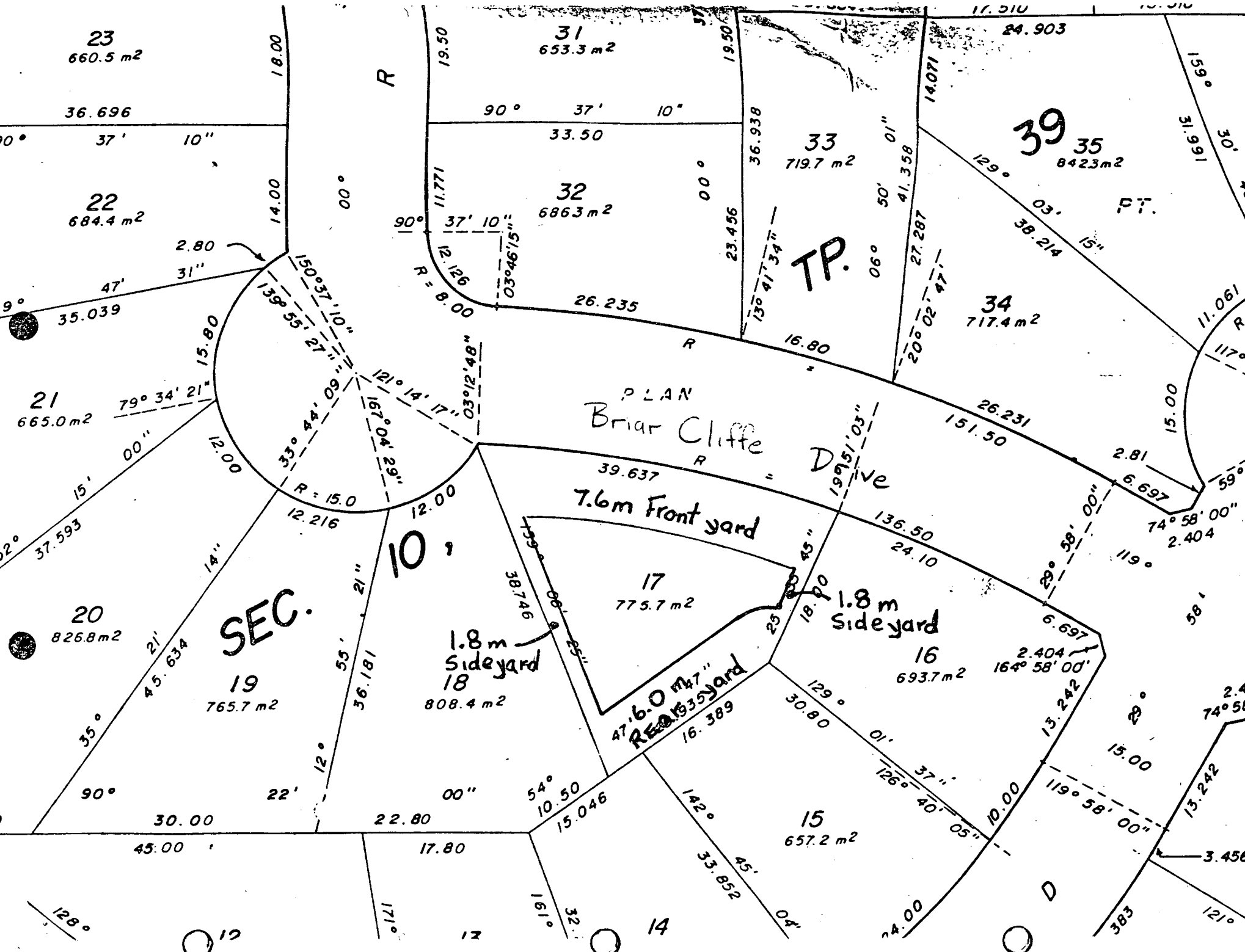
7.6m Front yard

1.8m Sideyard

1.8m Sideyard

47.6.0 m<sup>2</sup>  
Rear Yard

TR.



**DISTRICT OF COQUITLAM**

Inter-Office Communication

TO: Sandra Aikenhead

DEPARTMENT: Administration

DATE: 82-01-19

FROM: C.E. Spooner

DEPARTMENT: Building

YOUR FILE:

SUBJECT: Board of Variance Comments

OUR FILE:

Item # 1

1. The Building Department has no objection to relaxation of the front yard setback to 20' 9" .
2. However the Building Department can not recommend approval of any building closer than 2'0" from the side yard.

Item # 2

1. The Building Department has no objection to this appeal, however the Building Department would require a Soils Engineers report prior to issuing a Building Permit.

Items # 3,4,& 5.

1. The Building Department has no objection to the above relaxations as the Building Bylaw does not appear to be involved.

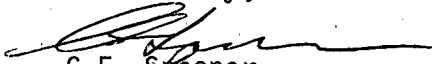
Item # 6

1. The Building Department has no objection to the relaxation of the sideyard to 4'0", however the applicant should be made aware that he would be restricted to a Maximum of 7% opening in each side wall.

Item #7

1. The Building Department has no objection to this relaxation of the sideyard to 3'0", however the applicant should be made aware that no openings would be allowed into this sideyard.

Yours truly,

  
C.E. Spooner  
Building Inspector

/TEM #1

D.B. & S.C. Kirk  
2060 Compton Court  
Coquitlam, B.C.  
V3J 2K8

January 19, 1982

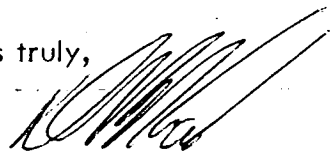
District of Coquitlam  
Board of Variance  
1111 Burnette Avenue  
Coquitlam, B.C.  
V3K 1E9

Dear Sirs:

We are appearing before this Board to express our opinions regarding the request to vary existing zoning regulations at 2050 Compton Court. We have very real and sincere concerns that the proposed variance will result in increased noise, reduced property values and reduced marketability of our residence.

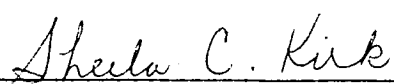
We have offered alternative solutions which we feel are reasonable to both parties concerned. We ask that you read this submission and act in accordance with the recommendations contained herein.

Yours truly,



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D.B. Kirk



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S.C. Kirk

/jem

## DUTIES OF THE BOARD OF VARIANCE

- determine that existing conditions constitute undue hardship.
- protect rights of adjacent properties and ensure that proposed variations do not have negative impact on adjacent properties.
- ensure that allowed variances do not create undesirable precedents.
- examine alternative solutions that will alleviate the "hardship" which would still conform to existing regulations and lessen negative impact on adjacent properties.

## REASON FOR REQUESTED RELOCATION OF ZONING REGULATIONS

Based on information supplied by the Municipal Clerk's office, my understanding of the problem is: the ditch on Compton Court prevents suitable on-street parking and therefore the proposed addition to the existing carport is necessary to enable two cars to be parked on the property.

## EXISTING CONDITIONS

Compton Court is a short cul-de-sac with 8 houses facing on to it. Of these 8, only 4 houses require vehicle access past 2050 Compton Court. The street is paved but does not have curb and gutter. The road is constructed 2 to 3 feet below the general elevation of the lots. The gravelled shoulders are sloped down towards the properties to form a shallow ditch or swale. In engineering terminology a ditch is an excavation to enable proper drainage and the ground is generally the same elevation on both sides of the excavation. On steeply sloped ground one side may be higher than the other. A swale is a contoured depression with gradually sloped sides to encourage proper drainage. On Compton Court, the gravelled road shoulders form a swale. The gravelled shoulders are wide enough and flat enough to enable on-street parking without obstructing traffic. Compton Court is a quiet cul-de-sac, with very little vehicle traffic, and since its construction in 1967, people have been using the gravelled shoulders for parking with no problems at all. All the houses have 2 or more cars and without exception these cars are parked in single carports, in driveways or on the street. No one has a double wide carport.

At present 2050 Compton court has a single car carport and the second family car is usually parked in the paved driveway in front of the carport. There is room to park a third car in the driveway without obstructing traffic on the street. Additional parking is available on the street.

It may be a minor inconvenience to back one car out onto the street to enable access to the car parked in the existing carport, but the present situation most certainly does not constitute "undue hardship" as per Section 727 (c) of the Municipal Act.

## PROPOSED CONSTRUCTION

The proposed addition, as outlined on the sketch submitted with the request for zoning variance, indicates that the extension of the existing carport will create a 17 foot wide carport. This is an inadequate width for 2 cars parked side by side, and it would appear that the proposed construction would simply provide a roof over the second car. It will still be necessary to back out the first car to gain access to the car parked in the existing carport. Nothing will have been achieved except to provide a roof over the second car. Having a second car parked outside does not constitute "undue hardship".

Extension of the existing carport a further 5 feet to the front without any extension sideways will afford protection from the weather and we have no objection to such a proposal. We can see no useful purpose to the requested 2 feet side extension other than to create additional storage space. Lack of additional storage does not constitute "undue hardship".

Assuming that the 2 feet extension was granted, it is totally unnecessary to have the structure supported by a steel post on the property line. The steel post and steel I beam method of construction are unnecessary and totally incompatible with existing architecture. Such a structure should logically be supported by bearing walls or post and beam construction set at four feet (preferably 6 feet) from the property line.

The cement retaining wall shown on the sketch does not exist and must be assumed to be a proposed retaining wall. There is no need to construct a retaining wall at this point as the ground is the same elevation on both sides of the property line. A retaining wall would only be necessary if the ground is to be excavated to the same elevation as the existing carport floor.

It is apparent that the steel post and steel I beam is intended to provide a clear span of  $17 + 4 = 21$  feet at the front of the proposed addition, and although not shown on the sketch, it appears that no supports will be used along the easterly edge of the structure. It appears that the structure will be supported only at the corners. This method of construction, together with excavation to the property line, will create a parking area 21 feet wide, with the apparent intent to park 2 cars, side by side, with a partial roof being 17 feet wide. It will be necessary to widen the existing driveway to utilize this space. This will require further excavation adjacent to our property with the retaining wall extending to the front property line. The net result is, the apparently minor additions to the carport represent only the tip of the iceberg, and what will ultimately result is a relatively large parking lot, not a carport extension.

## ADDITIONAL INFORMATION REQUIRED

In order to properly assess the requested variance, additional information is required. For example:

- how long and how high is the retaining wall?



- how wide and how long is the paved area to be?
- what are the architectural details of the carport, is it compatible with present architecture? Need North and East elevational drawings.
- are the side walls to be enclosed and insulated to minimize vehicle noise?
- is the carport intended to house 1 car or 2 cars?
- is the 4 feet offset to roof line or wall? Will the roof overhang the wall and therefore be closer to the property line than 4 feet?
- is the addition to be used strictly as a carport or will other uses be intended, e.g. a workshop with noisy machinery?
- has any provision been made to alleviate the additional noise that will be created by parking additional cars?
- has any provision been made to replace the existing fence along the property line?
- what provision will be made to protect my landscaping adjacent to the property line during construction and excavation.

#### NEGATIVE IMPACT OF PROPOSED CONSTRUCTION

To appreciate the negative impact on our property it must be realized that our house is set back 6 feet from the affected property line and our bedrooms in the front and back of our house are adjacent to 2050 Compton Court.

The negative impacts affecting our property are:

- additional noise as a result of having additional cars parked in close proximity to our bedrooms.
- increased level of noise by having the cars parked closer to our bedrooms than present.
- increased fire hazard as a result of reduction of setback and potential of parking cars between the two houses.
- decreased property values due to above items.
- decreased property values due to relocation of setback. Post on property line will create a zero lot zoning which would significantly affect property values.
- restricted marketability of our house because regardless of value of house and lot, many people would not be interested in buying because of adjacent zero lot concept and adjacent parking lot appearance.

The negative impacts affecting the neighbourhood are:

- method of construction and architectural details incompatible with other houses on the court.
- relocation of sideyard setback inconsistent with existing regulations and will establish a dangerous precedent. This will result in depreciated property values and reduced marketability.

### ALTERNATIVE SOLUTIONS

The following alternatives will provide off-street parking and will conform to existing zoning regulations.

- extend existing culvert on Compton Court and widen driveway on west side to create additional parking space. No excavation nor expensive retaining wall required. (Sketch A)
- create one car parking space in front of house. Least cost alternative (Sketch B).
- install new culvert on Compton Court and create off-street parking on west side of lot (Sketch C).

These sketches show exactly what almost all of the residents in our neighbourhood and surrounding areas have done over the years. Double carports were not in vogue when our area was constructed. None of us have double carports and we have all managed very well without them.

### COMPROMISE ALTERNATIVE

We offer the following compromise alternatives, both of which will required zoning variations.

#### Alternative 1

Relaxation of front yard setback as requested but no relaxation of side yard setback - providing that:

- no excavation to take place adjacent to 2060 Compton Court and existing retaining wall on east side of driveway at 2050 Compton Court and landscaping between driveway and adjacent property line will remain as is or be improved.

#### Alternative 2

Relaxation of front yard setback as requested and relaxation of sideyard setback to 4 feet - providing that:

- easterly sides of both existing and proposed carports be enclosed with siding identical to existing siding and these walls be insulated to minimize vehicle noise from within.
- no excavation take place within 4 feet of the adjacent property line and that existing landscaping within this 4 feet area remain as is or be improved.

Both alternatives shall be subject to architectural drawings being submitted to the Municipal Building Department, with sufficient detail to ensure that the style and materials of the proposed addition are compatible with the existing house and surroundings. In no case shall any portion of the proposed addition be located within 4 feet of the adjacent property line. In no case shall the existing or proposed structures be used for any use other than parking their personal cars.

### CONCLUSIONS

1. On-street parking is available
2. On-street parking does not constitute undue hardship.
3. The proposed works are unnecessary and incompatible with existing houses.
4. The proposed works and proposed zoning variances create unjustified and negative impacts on the use and value of 2060 Compton Court.
5. The proposed zoning variances establish an undesirable precedent which could reduce property values and marketability of neighbouring areas.
6. Alternative solutions are available which would provide off-street parking within existing zoning regulations.
7. Two alternative solutions have been offered that would require zoning variance. In order to offset negative impacts on the use and value of 2060 Compton Court, certain conditions and restrictions have been specified. These conditions are realistic, inexpensive and cannot be considered onerous nor punitive. These compromises are offered in an effort to enable 2050 Compton Court to achieve their objectives while at the same time provide reasonable protection and assurance to 2060 Compton Court.

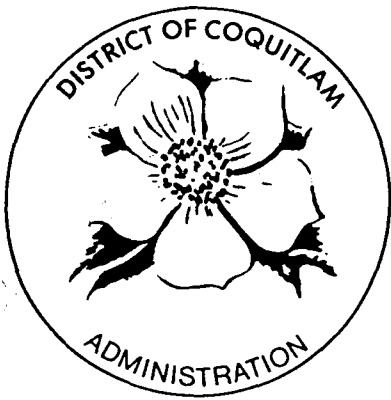
### RECOMMENDATIONS

1. That the application from 2050 Compton Court, as submitted, be disallowed.
2. That the Board of Variance appoint a representative to work out details regarding acceptance of either of the two compromise alternatives.

If, in spite of all the facts presented to support our objections, the Board allows the proposed 5 feet extension and 4 feet sideyard setback, we request that the

Board stipulate that the walls of the existing and proposed carports be enclosed with wooden siding and insulated to minimize vehicle noise from within. In addition, if the existing driveway is widened to the property line, necessitating a retaining wall, we request that the Board stipulate that a solid wooden fence, 6 feet high, be constructed along the top of the retaining wall, from the front of the property to the front of the carport extension, and that the height of this fence be increased to eight feet from the front of the carport extension to a point opposite the southwest corner of 2060 Compton court. All costs will be to 2050 Compton Court.

Under no circumstances should any portion of the structure be closer than 4 feet to the property line, and under no circumstances should vehicle parking be allowed between the houses unless the vehicles are totally contained within the enclosed structure of the carports.



# DISTRICT OF COQUITLAM

1111 BRUNETTE AVENUE, COQUITLAM, B.C. PHONE 526-3611

V3K 1E9

MAYOR J.L. TONN

January 8, 1982

Dear Sir/Madam:

This is to advise that the Board of Variance will meet on Tuesday, January 19, 1982 at 7:00 p.m. in the Council Chambers of the Municipal Hall, 1111 Brunette Avenue, Coquitlam, B.C. to hear certain applications for the alleviation of hardship under our zoning regulations.

The property in question is at 2050 Compton Court, requesting relaxation of front and side yard setback requirements.

As you have holdings near these properties, you may wish to attend the meeting of the Board of Variance and express your opinion.

Yours truly,

(Mrs.) Sandra Aikenhead,  
Deputy Municipal Clerk.

SA/pp

EMPT  
MUNICIPAL  
ACT

(6) In the event of the death, resignation or removal from office of a member of the board, his successor shall be appointed in the manner in which the member was appointed, and until the appointment of his successor the remaining members constitute the board.

(7) A council may remove its appointee at any time, the Lieutenant Governor in Council may remove the minister's appointee at any time and, on the recommendation of a council, the Lieutenant Governor in Council may remove the chairman at any time.

(8) In the event of the death, resignation or removal from office of a member of the board, other than the chairman, the chairman shall continue to act in that capacity, and the provisions of subsection (2) relating to the appointment of a chairman do not apply.

(9) In a bylaw adopted under subsection (1) there shall be set out the procedures to be followed by the board of variance, including the manner in which appeals are to be lodged with the board and the giving of notices required under section 727.

RS1960-255-708; 1968-33-170; 1977-57-17,29.

#### Duties of board

727. (1) The board of variance shall hear and determine an appeal

(a) by a person aggrieved by a decision of an official charged with the enforcement of a zoning bylaw or a mobile home park bylaw under section 734 (i) so far as the decision relates to an interpretation of the bylaw;

(b) on matters mentioned in section 722 (4);

\* (c) by a person who alleges that enforcement of a zoning bylaw on siting, shape or size of a building or structure, or siting in a mobile home park under a mobile home park bylaw, would cause him undue hardship; and

(d) on matters mentioned in sections 722 (3) and 729 (7).

(2) The board may, to the extent necessary to give effect to its determination under paragraph (c), authorize a minor variance from the applicable provisions of the bylaw that it believes is desirable for the appropriate development of the site, maintains the general intent and purpose of the bylaw, does not substantially affect adjoining sites, and does not vary permitted uses or densities of land use prescribed by the applicable bylaw. The variance applies to the person and subsequent owners of the building, structure or mobile home park.

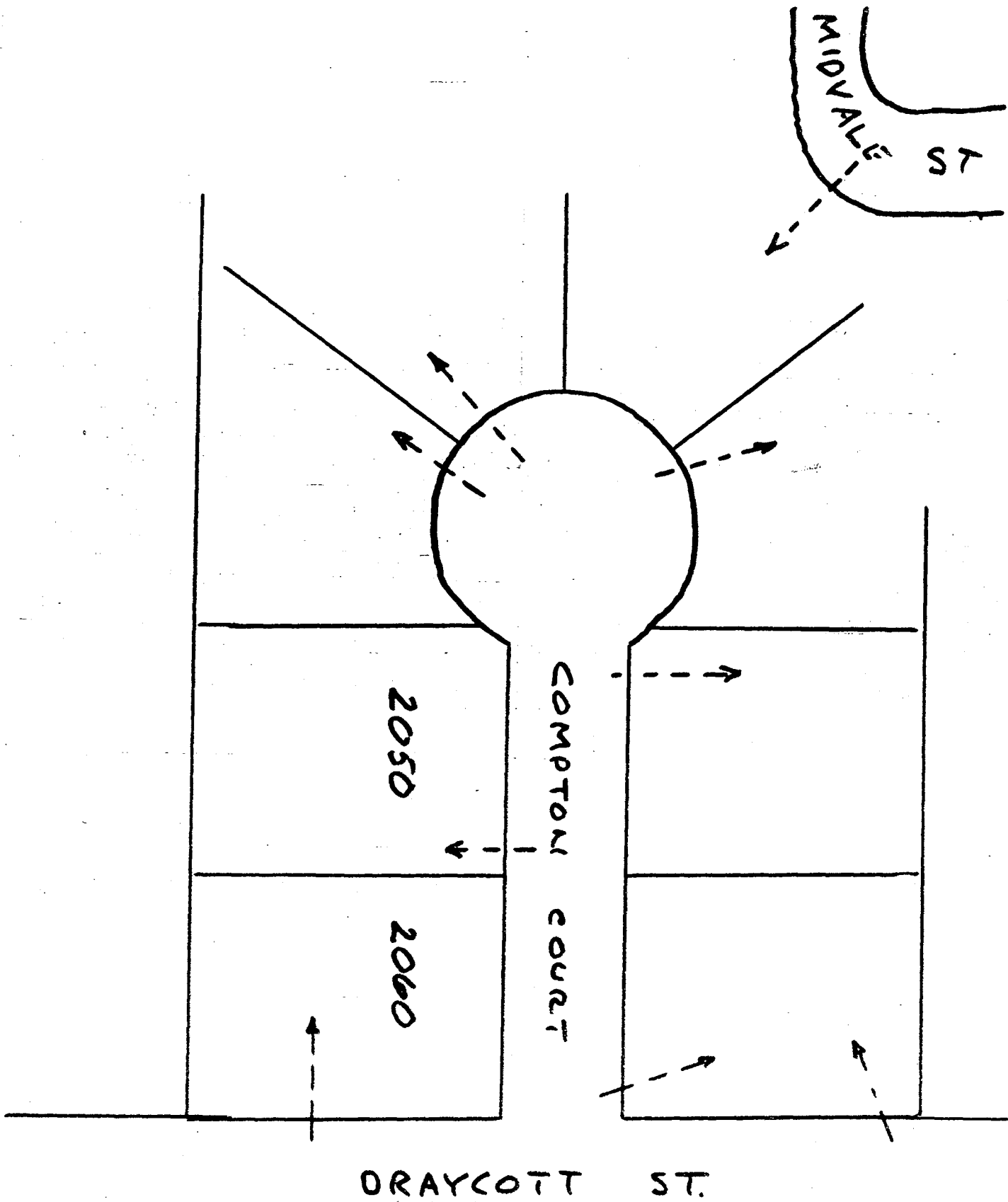
(3) Notification of the appeal shall be given by the board to the owners and occupiers of all real property located adjacent to the property about which the appeal is being heard, and public notice of the hearing shall be given if the matter is deemed by the board to be of sufficient importance.

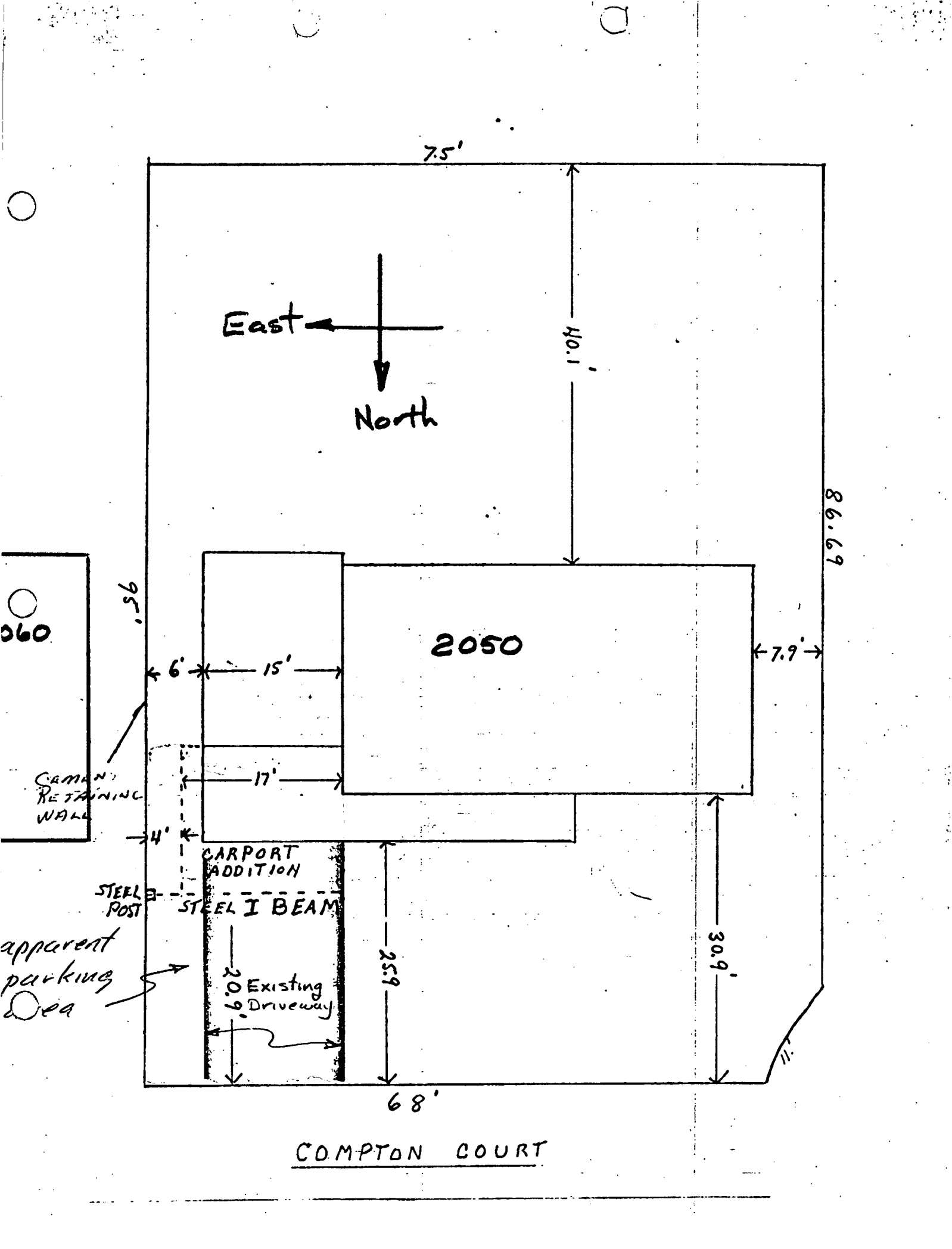
(4) The decision in writing of all or a majority of the board members is the decision of the board.

(5) Where the board of variance, after a hearing under subsection (1) (c), exempts a person from a provision in a zoning bylaw, or after a hearing under subsection (1) (d), allows an application made under section 722 (3), it may order that, unless the construction of the building, structure or mobile home park is completed within a time fixed in the order, the exemption or allowance, as the case may be, terminates and the relevant zoning bylaw applies.

(6) An appeal lies to the County Court from a decision of the board under subsection (1) (a) or (b), but all other decisions of the board are final and binding.

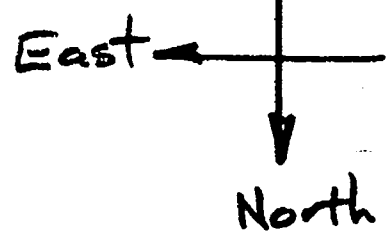
RS1960-255-709; 1961-43-44; 1962-41-30; 1968-33-171; 1974-56-24; 1977-57-18.





7.5'

110.1'



86.69'

2050

95'

6' 15'

7.9'

17'

CEMENT RETAINING WALL

4'

CARPORT ADDITION

STEEL POST

STEEL I BEAM

apparent parking area

20.9' Existing Driveway

25.9'

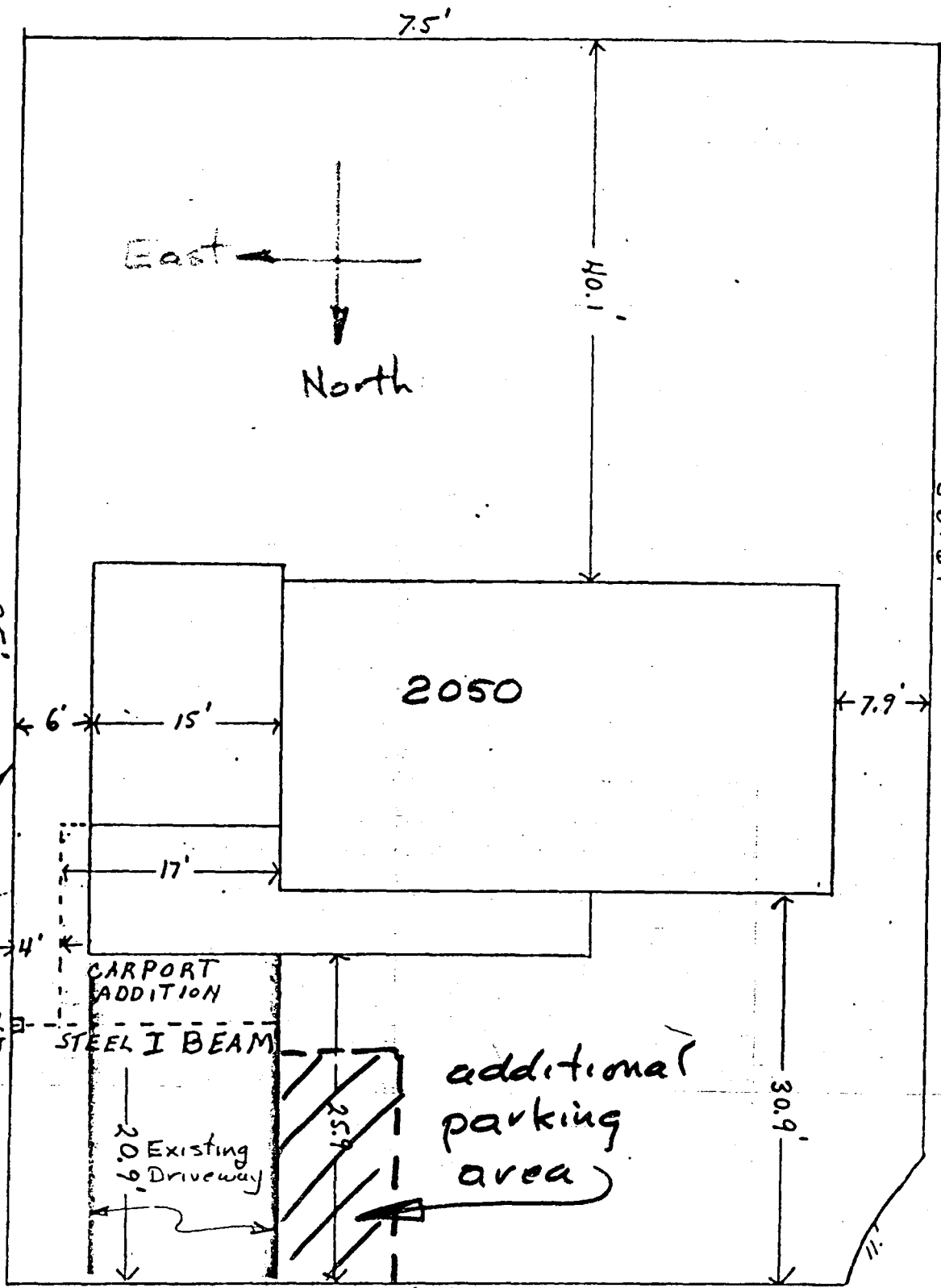
30.9'

68'

COMPTON COURT

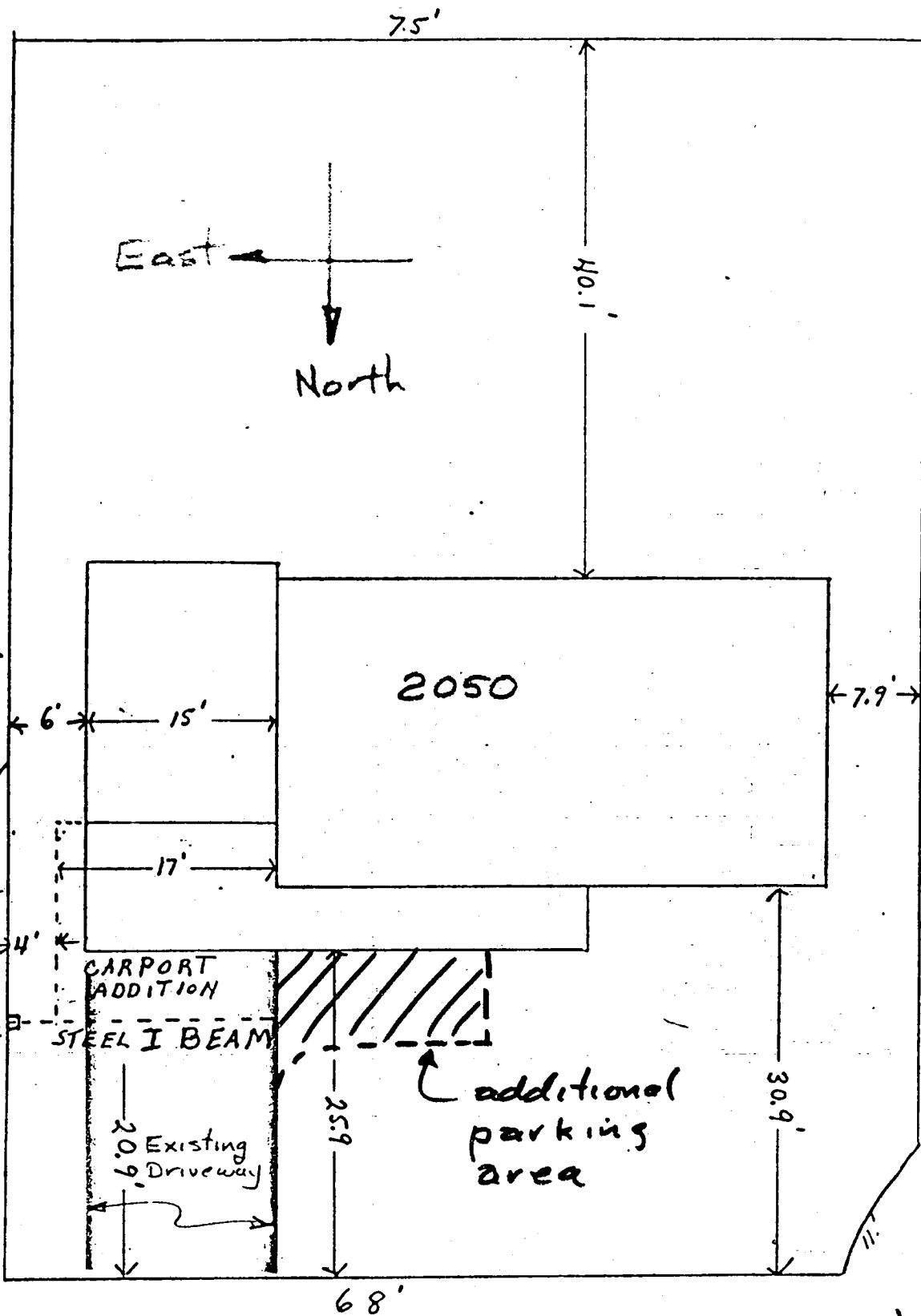
060





new culvert  
COMPTON COURT

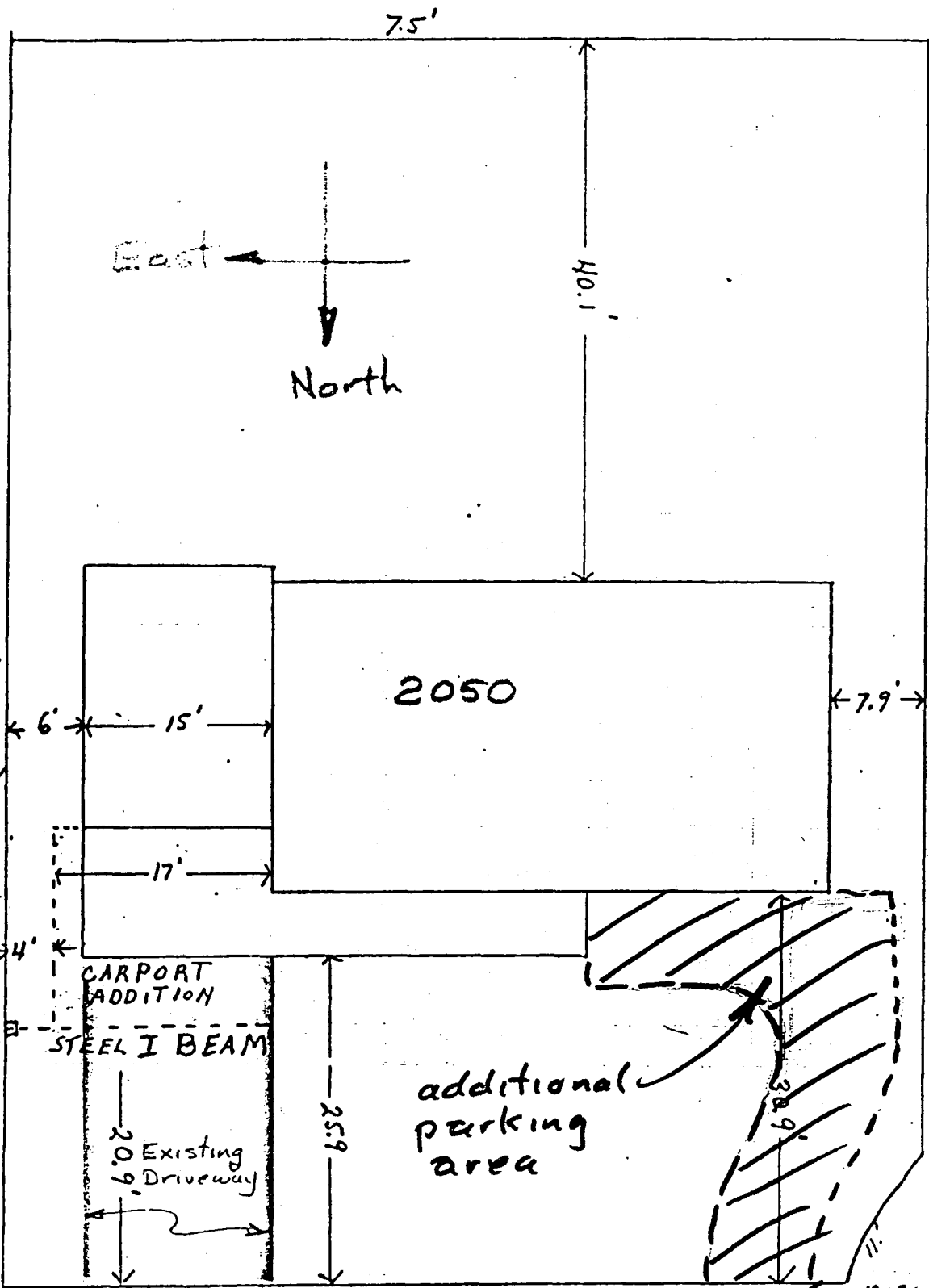
SKETCH 'A'



COMPTON COURT

SKETCH

'B'



COMPTON COURT

SKETCH 'C'

District of Coquitlam

1111 Bunnetta Avenue,

Coquitlam, B.C.

V3K 1E9

Item #3

Attention; Mrs. Sandra Aikenhead

Dear Sir/Madam;

We are in receipt of your letter advising us that our application to the Board of Variance will be heard on Tuesday 19, 1982 at 7:00pm in the Council Chambers of the Municipal Hall.

We would appreciate it if you would consider the following comments when considering if we will be caused undue hardship by the strict enforcement of said by-laws.

Background History.

My wife and I made the decision that we would like to move house and relocate early in 1981. Our objectives were to find a suitable lot in the area of our children's school and build the type of house we have been planning for several years. However due to market conditions at this time building lots in the area were only for sale to developers. As a result we modified our plans and made a deal with a developer to purchase a new house of similar style in the local area. We purchased in May 1981 but unfortunately

due to the unstable market conditions we were unable to sell our house and have since lost our \$10,000 deposit.

) The market conditions changed again and we were eventually able to purchase a lot in the area. We were now in a position to commence building the foundations, 'we thought' and then leave the remainder of the construction until we sold our house. This way we hoped to accomplish all in one move.

Unfortunately I understood the property set backs were 20ft at the front, and 5ft at each side and back. Because of the 20ft rear set back I had to make a request to the Board of Variance. My original enquiries were made in early November 1981, but were just too late to make the November meeting and as you know the December 81 Meeting was cancelled.

We have been held up now for over 2 months which was no problem only for the fact that in the meantime "Christmas Eve" we finally received an offer on our house and as it was the only one in seven months we felt obliged to accept. We have to move by April 1, 82 but we will now be unable to complete construction by then.

Summary

1. We have already lost our \$10,000 deposit

2. We lost another \$66,000 on the sale of our house due to the Market Slump.
3. We did recover an estimated \$30,000 on the purchase of the lot due to the Market Slump.
4. Construction has been delayed in that we have been unable to:
  - (a) Finalize a building plan
  - (b) Solicit construction prices.
  - (c) Start foundation construction
  - (d) Take advantage of the slump in the construction industry and recover some of our loss.
5. Due to these construction delays we will now have to make an interim move which will be expensive and very hard on the family.
6. A further delay will cause considerably more mental stress and financial loss, and entail the possible selling of our lot and starting over again.

We have discussed our plans with Jenish design staff and with some reduction in the garage size the two plans we have chosen will mean reducing the point of maximum protrusion to approximately  $9\frac{1}{2}$  ft. This will only entail a total of 105 sq ft beyond the 20 ft set back boundary.

Louis Truly  
Glenn Watson

ITEM # 5

Being irregular and pie shaped, the lot causes problems in both building and design. After a lengthy search through housing plans, we finally found a plan that fits the irregular shaped lot with adequate results. This building plan meets all suggestions and restrictions of the Prospectus and Design Guidelines. Such as it is designed to take maximum advantage of the natural characteristics of the lot (view, lot shape and slope), to meet minimum dwelling size, dwelling design, exterior finish, etc.

The Planning Department gave ruling on the designated setbacks for this lot. These setbacks are displayed on diagram 1. Planning's decision makes it impossible to build this stock house plan on lot number seventeen. The area in question is shaded with red on the diagram. This ruling will cause me to eliminate the use of a stock plan and hire an architect to draw new plans to fit the irregularity of this lot. Of course, this undue hardship will increase building costs considerably which will be at my expense. There will be additional costs for designing and building, since every turn and corner made in the foundation increase costs which also increases costs in the irregular shape <sup>ROOF</sup> to fit the extra corners in the foundation. Not only a hardship of higher building costs but the alteration will

eliminate some living space in the house which is an unmeasurable cost fallen upon myself. The setbacks disturb what would be a visually pleasing streetscape which would ensure a gradual transition from one type of home to another.

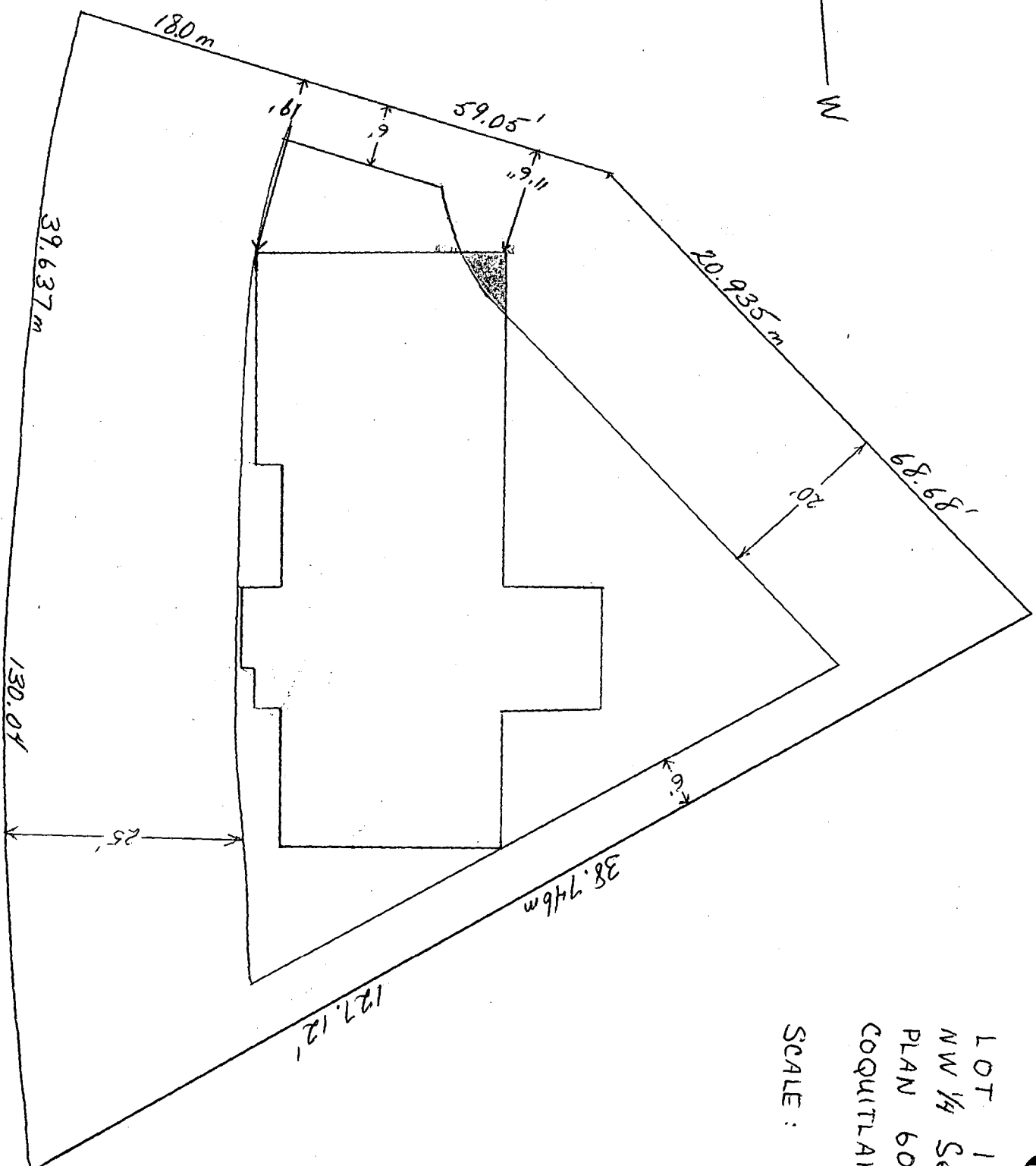
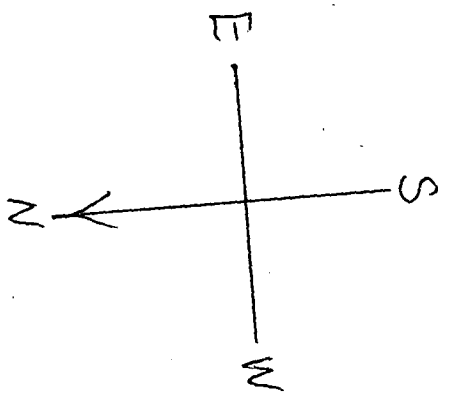
David McIntyre, Genstar's architect (see attachment number two) approved the proposed siting of this stock building plan for lot number seventeen, and agrees that the setbacks may restrict some of the general considerations made in the Prospective and Design Guidelines for Phase III.

I hope everything is both clear and understandable in this application, if not, please do not hesitate to contact me for clarification. Hopefully a fair and just alteration in the setbacks will be allowed by the Board of Variance.

Thank you

Brian Vojacic

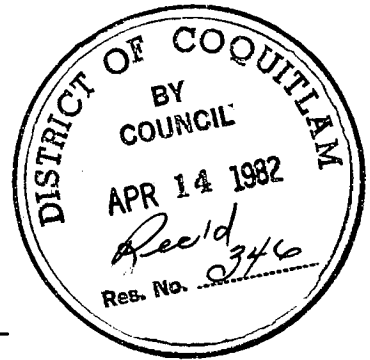




BRIARCLIFF DRIVE

LOT 17  
NW 1/4 Sec 10 TWP 39  
PLAN 60323 NWD  
COQUITLAM, B.C.  
SCALE: 1:200m

Board of Variance - 7:00 p.m.  
Tuesday, March 23, 1982



BOARD OF VARIANCE  
MINUTES

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A Meeting of the Board of Variance convened in the Council Chambers of the Municipal Hall, 1111 Brunette Avenue, Coquitlam, B.C. on Tuesday, March 23, 1982 at 7:00 p.m.

Members present were:

- Mr. G. Crews, Chairman
- Mr. J. Bennett
- Mr. R. Farion
- Mr. J. Petrie

Staff present were:

- Mr. C. E. Spooner, Building Inspector II;
- Mr. K. McLaren, Development Control Technician;
- Mrs. S. Aikenhead, Deputy Municipal Clerk who acted as Secretary to the Board.

The Chairman explained to those present that all appeals would be heard and the Board would rule on them later and that all applicants would then be informed by letter from the Clerk's office of the decision of the Board.

REPORT FROM THE PLANNING DEPARTMENT

Submitted to the Board for this meeting was a brief from the Planning Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

REPORT FROM THE BUILDING DEPARTMENT

Submitted to the Board for this meeting were comments from the Building Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

- Item #1 - J. Chung Nam  
574 Gatensbury Street  
Subject: Relaxation of side yard setback requirements.

Mr. John Chung Nam appeared before the Board of Variance to request relaxation of the side yard setback requirements to allow them to build five (5) feet from the side yard property line. Mr. Nam informed the Hearing that he wished to close in his carport and turn it into a family room. He stated this was a very small house with only two (2) bedrooms in it and he does have three (3) children.

On a question from the Board Mr. Nam conceded that he did not live at this home and it was presently rented out, but he was planning on moving to this location in the future, once the addition is added.

There was no opposition expressed to this application.

Continued...

Item #2 - A. Carlassara  
965 MacIntosh Street  
Subject: Relaxation of side yard and rear yard setback requirements.

Mr. Carlassara appeared before the Board of Variance to request relaxation of the side yard and rear yard setback requirements to allow him to extend his existing carport to within two (2) feet of the rear yard property line. His existing carport was built without a building permit and extends to one (1) foot from the side yard property line. The total length of the whole carport, existing and proposed sections will be sixty-two (62) feet. Mr. Carlassara presented to the Board of Variance a petition from neighbours in the area who stated they have absolutely no objections to this application. A copy of that petition is attached hereto and forms a part of these minutes.

At this time the Chairman read out to the meeting comments received from the Building Department stating that the existing carport was built without a building permit and the Building Department would request that the Board rule on both the addition and the existing carport. The Building Department would not recommend any construction, including roof, closer than two (2) feet to the property line.

The applicant stated that he would be willing to move the posts in to two (2) feet from the property line the whole length of the carport if this application is allowed.

Mr. John Parks, Solicitor, appeared before the Board of Variance on behalf of Mrs. Mary Olson, owner of property at 967 MacIntosh Street. Mrs. Olson is the neighbour directly next to Mr. Carlassara and the neighbour most affected by this application.

Mr. Parks cited Section 727 of the Municipal Act which sets out the duties and responsibilities of the Board of Variance and the fact that the applicant must prove hardship and must show that enforcement of the Zoning By-Law with respect to siting if the variance is not allowed will prove hardship. He continued by stating that he had heard the applicant say he wishes to park a trailer and two vehicles along the fenceline but he did not feel that constituted a hardship. Mr. Parks presented to the Board a photograph showing the existing carport and he says the posts are almost at the property line and the roof line runs right out to the property line.

Further, Mr. Parks stated his client had acquired the property at 967 MacIntosh Street approximately two (2) years ago and while it is presently rented out, she someday wishes to redevelop this property and build her retirement home there.

Mr. Parks continued by stating that the point he wished to stress was that the applicant must prove undue hardship. After reading out the definition of "hardship" and "undue" from the Oxford Dictionary, Mr. Parks submitted that Mr. Carlassara had not proven such hardship exists. For someone not to be able to continue parking their cars and trailer does not constitute a hardship. Mr. Parks went on to state that if Mr. Carlassara could show hardship the Board does have the authority to grant a minor variance from the applicable provisions of the by-law that it believes is desirable for the appropriate development of the site. A minor variance is not what this applicant is asking for, according to Mr. Parks, as the applicant wishes to have a carport which would stretch sixty-two (62) feet along the side yard property line to two (2) feet from the rear property line and which would be within one (1) foot of the side yard property line.

Continued...

Mr. Parks informed the Hearing that he felt the solution to this family's difficulties would be a two (2) car - carport located towards the front of their property and meeting the setback requirements.

Mr. Parks stated that if this application is allowed it would be totally contrary to the intentions of the Zoning By-Law and if you were on his clients property looking over at this property, you would be looking at the entire back one-half of their property walled in with carport posts and a roof.

Mr. Parks also stated that his client would request that the Board of Variance rule on the existing carport and request that it be removed as well as it is within one (1) foot of the property line. He stated that it would be a great travesty on the intent of the Zoning By-Laws of this Municipality if this application was allowed as there was certainly not sufficient hardship proven by the applicant.

Mr. Carlassara again appeared before the Board and stated that he did not wish to have a double carport at the front of his house as he wanted to keep the vehicles towards the back of the property so no-one could see the cars and he would avoid vandalism and harassment.

Mr. Carlassara was asked what the hardship would be to him if he was ordered by the Board to remove the existing carport. Mr. Carlassara replied that it would be a hardship to him financially as it would cost him over a thousand dollars (\$1,000.) in lumber and materials as well as labour to take it down.

There was no further opposition expressed to this application.

Item #3 - K. and V. Betnar  
205 - 201 Cayer Street  
Subject: Relaxation of side yard setback requirements.

Mr. K. Betnar appeared before the Board of Variance to request relaxation of the side yard setback requirements to allow him to build two (2) feet from the side yard property line. He stated he had already constructed a canopy over the side door to his mobile home to protect the entryway from the weather. He stated this had been done in 1979 and he was not aware that he required a permit to construct this roof. He stated it was brought to his attention a couple of months ago by our Building Department.

The Manager of the Wildwood Mobile Home Park appeared before the Board of Variance and stated that as far as the park management were concerned, they did not give permission to Mr. Betnar to build this canopy but as it is no hindrance to anyone and there is a buffer area next to Mr. Betnar's side yard property line they do not have any objections to this application.

There was no opposition expressed to this application.

Item #4 - J. and B. Price  
1379 Dansey Avenue  
Subject: Relaxation of front yard setback requirements.

Mr. Price appeared before the Board of Variance to request relaxation of the front yard setback requirements to eighteen (18) feet from the front property line.

Continued...

Mr. Price stated that they have two (2) children and the existing bedrooms are full now and they wish to increase their family in the near future. He stated he and his wife are both teachers and they also require a teacher preparation room. Their basement is a three-quarter basement and there is not enough room to put an additional bedroom downstairs. The present family room is located in the basement but this is also cramped as they are using this for a teacher preparation space at the present time. Mr. Price presented to the Board of Variance a letter from Mr. A. Hales of 1383 Dansey Avenue, in support of this application. A copy of that letter is attached hereto and forms a part of these minutes.

Mr. Price estimated that the cost of the proposed addition would be between fifty thousand (\$50,000.) dollars and seventy thousand (\$70,000.) dollars. He was asked by the Board why he could not build this addition at the rear of their house instead of coming out into the front yard setback and Mr. Price replied that to build to the rear of the home would create changes to the house that were too drastic and the costs would have been too much.

The Building Inspector pointed out to Mr. Price that if the columns were required as shown on his plans, he should be asking for relaxation of the front yard setback to fourteen (14) feet and not eighteen (18) feet as set out in his application. Mr. Price stated that he could get along without the columns if the Board did not wish to grant a fourteen (14) foot setback but would grant an eighteen (18) foot setback.

There was no opposition expressed to this application.

Item #5 - C. and V. Berg  
2097 Edgewood Avenue  
Subject: Relaxation of front yard setback requirements.

Mr. Berg appeared before the Board of Variance to request relaxation of the front yard setback requirements to allow him to build to nineteen (19) feet from the front property line.

Mr. Berg explained to the Board that he had already erected a carport and workshop on this location and if would be a financial hardship if he was required to tear it down and move it back the required six (6) feet. He stated there was a carport at this side of the house when they bought the property and he just built another one in front of it and did not realize he required a permit.

Mrs. Berg explained to the Board that their home is a small three (3) bedroom rancher and therefore they require the extra carport for vehicles, storage and a workshop.

There was no opposition expressed to this application.

Item #6 - B. and C. Lomenda  
623 Harrison Avenue  
Subject: Relaxation of side yard setback requirements.

Mr. Lomenda appeared before the Board of Variance and requested relaxation of the side yard setback requirements to allow him to build to four (4) feet from the side yard property line. He informed the Hearing that he presently has a carport in this location which he would like to close in and build a two (2) bedroom, one bathroom addition above the carport. He stated that they have a one thousand and sixty (1,060) square foot home and they have four (4) children, and require the extra bedrooms.

Mr. Lomenda informed the Hearing that if this application is not allowed he would have to build a second storey and this would be a financial hardship to him.

The Building Department comments were read out to Mr. Lomenda wherein they state that they have no objection to this appeal, however, the applicant should be made aware that he would be restricted to a maximum of seven (7) per cent openings in the east wall. Mr. Lomenda stated that he would not be placing any windows in this east wall.

Mr. Lomenda was asked if it would not be possible for him to build six (6) feet from the property line and still have enough room for the bedrooms and bathroom.

Mr. Lomenda stated it would not be feasible as the bedrooms would be too small and he wanted an ensuite bathroom to one of the bedrooms.

Mr. H. Niehof, 627 Harrison Avenue, appeared before the Board of Variance and stated that he was opposed to this application. He stated that he has a woodburning stove in his living room and he felt that by building this addition so close to his home it could interfere with the draft to his chimney and also cause a fire hazard from the flying sparks. He further stated that when he bought this home he bought it because of the privacy and he felt this would be an intrusion into his privacy. He further stated he did not see any undue hardship and thought that Mr. Lomenda could build quite easily at the rear of his house.

There was no further opposition expressed to this application

Item #7 - W. and L. Rudy  
3525 Baycrest Avenue  
Subject: Relaxation of height requirements for accessory buildings

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Mr. Rudy appeared before the Board of Variance to request relaxation of the height requirements for accessory buildings to allow him to build a garage twenty (20) feet in height.

Mr. Rudy stated that he and his wife had bought this property last year after looking for a long time for such a parcel of land. He stated his hobby was fixing up old cars and he had bought this property and gone ahead and bought a hoist to put in this garage. He then went ahead and applied for a building permit and took his plans in. The plans were approved as they drew them up but they had never gone back to pick them up and didn't know that the Building Department had written on them that the maximum height allowed for an accessory building was fifteen (15) feet. He stated the building is twenty (20) feet in height because of the hoist which he requires for the restoration of the automobiles. Mr. Rudy submitted to the Board letters from three (3) of his neighbours in the area who stated they had no objections to this application. Copies of these letters are attached hereto and form a part of these minutes.

Mr. Rudy stated the property is well treed and they spent a lot of time planning the location of the garage so it would be hidden amongst the trees and fit in with the general landscaping of the area. He stated the garage cost him a lot of money to build and it would be a financial hardship if he was required to tear it down.

Mr. Leck, owner of the property immediately to the west, appeared before the Board in regard to this application and requested information on same.

There was no opposition expressed to this application.

Item #8 - R. and T. Yu  
3106 Redonda Drive  
Subject: Relaxation of site coverage requirements.

This application was withdrawn by the applicant.

Item #9 - J. and E. Simpson  
606 Hillcrest Street  
Subject: Relaxation of front yard setback requirements.

Mr. Simpson appeared before the Board of Variance to request relaxation of the front yard setback requirements to allow him to build to within twenty (20) feet of the front yard property line. Mr. Simpson informed the Hearing that he had appeared before the Board of Variance last fall requesting permission to build an enclosed entry way at the front of his house. This application was denied by the Board of Variance. Since that time Mr. Simpson has revised his plans and again was requesting relaxation of the front yard setback requirements to allow him to build a front porch with a roof. He stated that at the present time the front door of his house is very weathered and he is continually refinishing it. As well, when they do have guests entering they are half in and half out of the house and there is no place to stand and they are at the mercy of the weather.

Mr. Simpson submitted to the Board of Variance a letter signed by some of his neighbours in the area who state they have no objections to this application. A copy of that letter is attached hereto and forms a part of these minutes.

There was no opposition expressed to this application.

Item #10 - H. and M. Hansen  
3221 Georgeson Avenue  
Subject: Relaxation of site coverage requirements.

Mr. Hansen appeared before the Board of Variance and requested relaxation of the site coverage requirements to allow him to build to thirty-seven point six per cent (37.6%) coverage of his lot.

Mr. Hansen stated that they have two (2) children and their present family room is too small and they wish to add another family room on at the rear of their house. This would also give them some space.

There was no opposition expressed to this application.

Item #11 - D. and D. Lauder  
1213 Parkland Drive  
Subject: Relaxation of exterior side yard setback and site coverage requirements.

Mr. Lauder appeared before the Board of Variance and requested relaxation of the side yard setback and site coverage requirements to allow him to build to four (4) feet from the side yard property line.

He stated that his house is presently one thousand three hundred and two (1,302) square feet, including carport, and he wishes to add an addition of approximately two hundred and eighty three (283) square feet. He informed the Hearing that his house is a two (2) bedroom home and with his wife and him and their one (1) daughter there was sufficient room but his twenty one (21) year old son is planning on moving back home to attend school and therefore they require an additional bedroom. He stated that he would like to add the one bedroom and a family room on in this addition.

Mr. Lauder submitted to the Board of Variance a letter from his neighbour W. Cooley at 1211 Parkland Drive and a letter from the Manager of River Springs Strata Corporation stating they had no objections to this application. Copies of these letters are attached hereto and form a part of these minutes.

Mr. H. Seward of 1217 Parkland Drive, appeared before the Hearing and stated he wished to inform the Hearing that he had absolutely no objections to this application and as former Chairman of the Strata Springs Council he could confirm the fact that the buffer laneway adjacent to Mr. Lauder's property would not be used by the Strata Corporation and in fact while not legally a part of Mr. Lauder's property had been fenced in and Mr. Lauder has been allowed to use it as part of his property.

Mr. Lauder informed the Hearing that he had requested relaxation of the side yard setback to allow him to come to four (4) feet from the side yard property line but if he could have it relaxed to two (2) feet from the property line he would prefer this as it would allow him to build a better designed addition to his home. On a question from the Building Inspector, Mr. Lauder confirmed that if a two (2) foot setback was allowed by the Board of Variance the two (2) foot setback would apply to his roof line as well.

There was no opposition expressed to this application.

Item #12 - L. and B. Lamontagne  
210 Warrick Street  
Subject: Relaxation of front yard and side yard setback requirements.

Mr. Watkins, father-in-law of Mr. Lamontagne, appeared before the Board to request relaxation of the front yard setback requirements to zero (0) feet from the front property line and relaxation of the side yard setback requirements to zero (0) from the side property line. He stated that his daughter and son-in-law had recently purchased this lot but because of the steepness of the lot they wish to build a reinforced concrete garage at street level at the front property line. This garage would have two (2) feet of earth covering the roof. From the house you would not be able to view the garage as the roof would be the front lawn. Mr. Watkins stated that the concrete face of the retaining walls and the garage that were above ground level could be textured and an ornamental railing provided along the front of the lawn for a pleasing appearance from the street.

He continued by stating that it would be hardship to his son-in-law if this application was not allowed. He would probably have to sell the lot as it would be impractical to build the driveway as steep as would be required.

There was no opposition expressed to this application.

#### CONCLUSIONS

##### 1. J. Chung Nam

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is,  
side yard setback relaxed to five (5) feet.

CARRIED UNANIMOUSLY

Continued...



CONCLUSIONS, continued...

22. A. Carlassara

MOVED BY MR. PETRIE  
SECONDED BY MR. FARION

That the existing carport be allowed to remain in its present location; and further that the proposed carport application be denied.

CARRIED UNANIMOUSLY

3. K. and V. Betnar

MOVED BY MR. FARION  
SECONDED BY MR. PETRIE

That this appeal be allowed as per application, that is, side yard setback relaxed to two (2) feet.

CARRIED UNANIMOUSLY

4. J. and B. Price

MOVED BY MR. PETRIE  
SECONDED BY MR. BENNETT

That this appeal be denied.

CARRIED UNANIMOUSLY

5. C. and V. Berg

MOVED BY MR. FARION  
SECONDED BY MR. PETRIE

That this appeal be allowed as per application, that is, front yard setback relaxed to nineteen (19) feet.

CARRIED UNANIMOUSLY

6. B. and C. Lomenda

MOVED BY MR. PETRIE  
SECONDED BY MR. FARION

That this appeal be denied.

CARRIED UNANIMOUSLY

7. W. and L. Rudy

MOVED BY MR. FARION  
SECONDED BY MR. PETRIE

That this appeal be allowed as per application, that is, garage height relaxed to twenty (20) feet.

CARRIED UNANIMOUSLY

Continued...

CONCLUSIONS, Continued...

8. R. and T. Yu

This item was withdrawn by the applicant.

9. J. and E. Simpson

MOVED BY MR. PETRIE  
SECONDED BY MR. FARION

That this appeal be allowed as per application, that is,  
front yard setback relaxed to twenty (20) feet.

CARRIED UNANIMOUSLY

10. H. and M. Hansen

MOVED BY MR. FARION  
SECONDED BY MR. PETRIE

That this appeal be allowed as per application, that is,  
site coverage requirements relaxed to thirty seven point  
six (37.6) per cent.

CARRIED UNANIMOUSLY

11. D. and D. Lauder

MOVED BY MR. BENNETT  
SECONDED BY MR. FARION

That Mrs. Lauder's appeal for relaxation of side yard  
setback and site coverage requirements at 1213 Parkland  
Drive be allowed with side yard setback relaxed to two  
(2) feet and site coverage requirements relaxed to  
forty point five (40.5) per cent.

CARRIED UNANIMOUSLY

12. L. and B. Lamontagne

MOVED BY MR. FARION  
SECONDED BY MR. PETRIE

That this appeal be denied.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY MR. BENNETT  
SECONDED BY MR. PETRIE

That the Board of Variance meeting adjourn. 10:30 p.m.

CARRIED UNANIMOUSLY

  
C H A I R M A N

**DISTRICT OF COQUITLAM**

Inter-Office Communication

TO: SANDRA AIKENHEAD

DEPARTMENT: ADMINISTRATION

DATE: 82-03-23

FROM: C.E. SPOONER

DEPARTMENT: BUILDING

YOUR FILE:

SUBJECT: BUILDING DEPARTMENT COMMENTS TO THE MARCH 23/82 BOARD OF  
VARIANCE MEETING

OUR FILE:

- Item # 1 The Building Department has no objections to this appeal as the Building Bylaw does not appear to be involved.
- Item # 2 As the existing carport was built without a permit the Building Department would request that the board rule on both the addition and existing carport. The Building Department would not recommend any construction, including roof closer than 2'0" from property line.
- Item # 3,  
4, & 5 The Building Department has no objection to these appeals as the Building Bylaw does not appear to be involved.
- Item # 6 The Building Department has no objection to this appeal however the applicant should be made aware that he would be restricted to a maximum of 7% openings in the east wall.
- Items # 7  
to 12 The Building Department has no objection to these appeals as the Building bylaw does not appear to be involved.



C.E. Spooner  
Building Inspector

PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE MEETING  
TUESDAY, MARCH 23, 1982

ITEMS #1 TO #7

The Planning Department has no objection to these appeals as they would appear to be local issues.

ITEM #8

The lot coverage provisions in the RS-4 zone were established after careful consideration of open space and livability factors on these small lots and were mainly introduced to benefit property owners in RS-4 and RS-5 subdivisions. Therefore, the Planning Department will not object to this appeal since we feel the best measure of public acceptance would be in the reaction to this appeal from neighbouring residences.

ITEM #9

The Planning Department has no objection to this appeal as it appears to be a local issue.

ITEM #10

The lot coverage provisions in the RS-4 zone were established after careful consideration of open space and livability factors on these small lots and were mainly introduced to benefit property owners in RS-4 and RS-5 subdivisions. Therefore, the Planning Department will not object to this appeal since we feel the best measure of public acceptance would be in the reaction to this appeal from neighbouring residences.

ITEM #11

This lot is within Phase I of the River Springs development (previously Oxbow Lake Estates). Board members may recall that this development originally began as a mobile home park and all the original buildings in Phase I were constructed in accordance with the mobile home park regulations, with a maximum allowable lot coverage of 32%. As mentioned above, the Planning Department is concerned with the lot coverage relaxations, however, again we feel that the best measure of acceptance by the neighbourhood would be by the reaction of neighbours to this appeal.

PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE con't

ITEM #12

This subdivision is located on a fairly steep slope between Dawes Hill Road and Cape Horn Avenue. When the Subdivision Committee was giving consideration to the lot layout in this area, they were cognizant of the grade and the potential problems with access driveways. Therefore, restrictive covenants were placed against the lands to set maximum floor elevations in order to minimize driveway grades. Furthermore, no building permit application has been made on this single-family dwelling and therefore redesign is certainly a viable alternative.

The Planning Department is objecting to this appeal since resulting turning maneuvers to and from the proposed garage, in the opinion of our Traffic Section, would be hazardous to the travelling public on Warrick Street in that insufficient site distance would be available. Going beyond the undesirable maneuvering aspect, the Planning Department would object to the appeal on the basis that there may be liability on the part of the Municipality should we encourage this garage and an accident occur.

Respectfully submitted,



Ken McLaren  
Development Control Technician

KM/ci

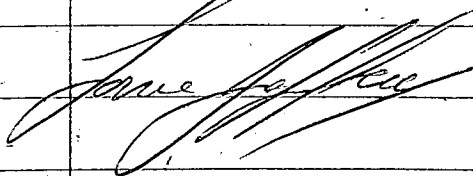
Item #2

Board of Variance

- To whom it may concern -

Our property on Jarvis st is directly behind the property at 965 MacGillivray. We are aware of the proposed building and have absolutely no objections.

Jeffrey



968 JARVIS ST.  
COQUITLAM BC  
937-5942.

March 17, 1982

Item #2

Board of Variance  
To whom it may concern-

We are aware of the proposed building at 965 MacIntosh.

We have absolutely NO objections.

NAME

ADDRESS

Gayle Connolly	1010 Spring Ave Cog.
Steve Connolly	1010 Spring Ave Cog.
Eunice Orason	1009 Spring Ave. Cog.
MJ Orason	1009 Spring Ave. Cog.
Angela Horak	938 MacIntosh St Cog
Martin Horak	978 MacIntosh St Cog
Bon Woo	976 Mac Intosh St Cog
Pat Ho	976 MacIntosh St Cog
Don and Barbara	972 MacIntosh St Coquitlam
A. Jim	960 Mac Intosh
Jack Jim	960 Mac Intosh
Christine Scheffer	955 MacIntosh St. Coquitlam
George Schuff	955 MacIntosh St. Coquitlam
Shirley Boyd	954 MacIntosh St. Coquitlam
A Garden	1017 Spring Ave. Coquitlam
J. Garden	1017 Spring Ave. Coquitlam
Art Hunter	1020 Spring Ave. Cog.
Gene Hunter	1020 Spring Ave. Cog.
Duffy	968 JARVIS ST, COG.
Tommy Jeffery	" " " "
Niki Shamtanis	970 MacIntosh St
William Reed	963 MacINTOSH ST.

To whom it may concern, 17Em 244

Re: Board of Variance - March 23, 1922

I am writing this letter in regards to the property at 1379 Dansey Avenue requesting relaxation of the front yard setback requirements.

As I am unable to attend the meeting I would like it to be known that I am in favour of Mr. Pices request and it will not abstract the view or effect our property.

Thank you.

Mr. A. Hales  
1383 Dansey Ave.  
Sequitlam, B.C.



March 22, 1982

To The Board Of Variance

Re: Overheight Building Located At  
3525 Baycrest Avenue, Coquitlam, B.C.

We live at 3535 Baycrest Avenue and have no objection to the overheight building as it presently stands.

Yours truly,

Edward K. Lock

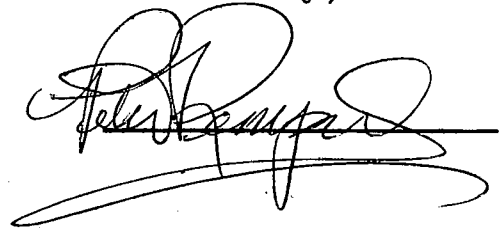
March 22, 1982

To The Board Of Variance

Re: Overheight Building Located At  
3525 Baycrest Avenue, Coquitlam, B.C.

We live at 3540 Baycrest Avenue and have no objection  
to the overheight building as it presently stands.

Yours truly,

A handwritten signature in black ink, appearing to be "John [unclear]", written over a horizontal line. The signature is stylized and cursive.

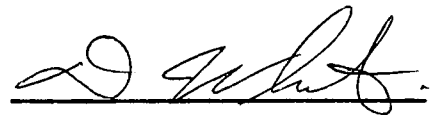
March 22, 1982

To The Board Of Variance

Re: Overheight Building Located At  
3525 Baycrest Avenue, Coquitlam, B.C.

We live at 3520 Baycrest Avenue and have no objection  
to the overheight building as it presently stands.

Yours truly,



March 22, 1982

I, the undersigned, do not oppose the attached plan for the building addition to the front of the residence at 606 Hillcrest Street, Esquitham, B.C. owned by James and Erma Simpson

Yellin Kamlock - 610 Hillcrest St  
Jane Kamlock - 610 Hillcrest St  
Hedy Philippot - 602 Hillcrest St  
Patricia Lynch - 616 Hillcrest St

M. Meyer - 598 Hillcrest  
Donald Curbin - 587 HILLCREST  
Hedy Dunsmuir - 588 Hillcrest St

TAM #10



PHONE: 438-7146

March 21, 1982

To Whom It May Concern:

Re: Crown Land Adjacent to 1213 Parkland Drive, Coquitlam, B.C.

We are writing to you today at the request of Mr. Doug Lauder, a Strata Lot Owner at N.W. 939, River Springs, for whom we act as Property Managers.

Mr. Lauder resides at 1213 Parkland Drive and adjacent to his home is a 10' section of common property originally designed to provide pedestrian access to a bridge over the man-made lake on the common property.

An earlier Strata Council, under the direction of the Owners, agreed not to proceed with the installation of the foot bridge and pedestrian access to the south of 1213 Parkland Drive will therefore not be required now or in the future.

Yours sincerely,

CONSE-C ENTERPRISES LTD.

R.A. Howlett  
Property Manager

RAH:gs

PROFESSIONALLY MANAGED BY



**CONSE-C ENTERPRISES LTD.**  
240 - 4299 Canada Way, Burnaby, B.C. V5G 1H3

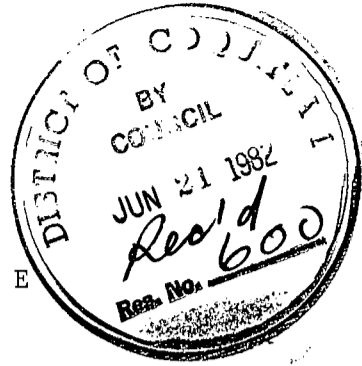
W. Cooley Item #2  
1211 Parklands  
Lat 7 River Spr

To Whom it may concern,

Mr. Lauder informed me, to accommodate his family, he would like to add an additional room to his house. I cannot see any reason why this addition would interfere with the enjoyment of our property.

W. Cooley.

Board of Variance - 7:00 p.m.  
Tuesday, June 8, 1982



BOARD OF VARIANCE  
MINUTES

A meeting of the Board of Variance of the District of Coquitlam convened in the Council Chambers of the Municipal Hall, 1111 Brunette Avenue, Coquitlam, B.C. on Tuesday, June 8, 1982 at 7:00 p.m.

Members present were:

- Mr. G. Crews, Chairman
- Mr. J. Bennett
- Mrs. J. Hill
- Mr. J. Petrie

Staff present were:

- Mr. J. Henderson, Building Inspector I;
- Mr. K. McLaren, Development Control Technician;
- Mrs. S. Aikenhead, Deputy Municipal Clerk, who acted as Secretary to the Board.

The Chairman explained to those present that all appeals would be heard and the Board would rule on them later and that all applicants would then be informed by letter from the Clerk's Office of the decision of the Board.

REPORT FROM THE PLANNING DEPARTMENT.

Submitted to the Board for this meeting was a brief from the Planning Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

REPORT FROM THE BUILDING INSPECTOR.

Submitted to the Board for this meeting were comments from the Building Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

ITEM #1 - H. Tullis  
2465 King Albert Avenue  
Subject: Relaxation of side yard setback requirements.

Mr. Tullis appeared before the Board of Variance to request relaxation of the side yard setback requirements on one side of his property to 4 feet. He stated he purchased a plan for this lot and the house is 38 feet in width with an additional 1 foot in the dining area to allow for an alcove. He stated his lot is 49 feet wide and would only permit a 37 foot wide house.

There was no opposition expressed to this application.

ITEM #2 - L. and B. Hansen  
613 Tyndall Street  
Subject: Relaxation of side yard setback requirements.

Mr. Hansen appeared before the Board of Variance to request relaxation of the side yard setback requirements to allow him to build a carport beside his home. This carport would be 12 feet in width which would bring him to 3 feet from the property line at one corner of the carport. Mr. Hansen submitted a letter from Mr. and Mrs. Avis of 617 Tyndall Street who stated they had no objections to this application. A copy of that letter is attached hereto and forms a part of these minutes.

On a question from the Board, Mr. Hansen stated that he had recently purchased a new car and he wished to protect it from the weather and the proposed location of the carport is the only suitable spot in his yard for same. He stated it would be very expensive for him to build a separate garage at the rear of his property.

There was no opposition expressed to this application.

ITEM #3 - G. Weisbeck  
2994 Pasture Circle  
Subject: Relaxation of side yard setback requirements.

This applicant was not in attendance to speak to his application and it was therefore not dealt with.

ITEM #4 - S. B. Henshall  
2971 Reece Avenue  
Subject: Relaxation of front yard setback requirements.

Mr. and Mrs. Henshall appeared before the Board of Variance to request relaxation of the front yard setback requirements to allow them to extend their living room 6 feet into the front yard setback.

Mr. Henshall stated that their living room is presently very small and this would allow them to distribute the furniture in the living room a little bit better.

There was no opposition expressed to this application.

ITEM #5 - V. E. Rube  
1025 James Avenue  
Subject: Relaxation of side yard setback requirements.

Mrs. Rube appeared before the Board of Variance to request relaxation of the the side yard setback requirements to 1 foot 9 inches on the east side of the property and 0 feet on the west side of the property. Mrs. Rube had originally asked for relaxation of the side yard setback requirements to 1 foot 9 inches on the east side of her property and 4 foot 9 inches on the west side. She stated she had applied through the R.R.A.P. programme to remodel her home. After receiving the necessary funds from C.M.H.C. she had hired a contractor who unfortunately did not obtain a building permit. When the Building Department eventually noticed the house was being remodelled and no permit had been taken out, they put a stop work order on same. In the meantime a major portion of the work had been completed and Mrs. Rube had paid the contractor in full. The Building Department then asked if the Board of Variance could give verbal approval to Mrs. Rube's application as it was felt that the contractor might not return to complete the jobs remaining to be done on her house if the matter was not followed up expeditiously.



ITEM #5 - Continued...

The Board members then inspected the property and all agreed to allow relaxation of the side yard setback requirements to 1 foot 9 inches on the east side and 4 foot 9 inches on the west side of the property. This verbal approval was conveyed to the Building Department in late May.

On June 4th the Clerk's Department received an amended sketch from the Building Department showing a 0 foot setback on the west property line. The memo from Building Department stated that the porch on the west side of the property had been replaced and sited at 0 setback.

Mr. Henderson informed the Board that the original porch had been torn down and then rebuilt but the dimensions were the same.

Mrs. Rube informed the Board that her house has the same foundation it always had, the only enlargement that took place was to close in the front porch and add it to the livingroom area.

At this time the comments from the Planning Department were read out to Mrs. Rube and she was informed she will also require approval of the Ministry of Environment for relaxation of the siting requirements as she is within 15 meters of a natural water course.

There was no opposition expressed to this application

ITEM #6 - T. and J. Osbourne  
1275 Hornby Street  
Subject: Relaxation of rear yard setback requirements.

Mr. Osbourne appeared before the Board of Variance and requested relaxation of the rear yard setback requirements to 8 feet to allow him to build a carport to protect his van.

Mr. Osbourne stated he lives on a corner lot and what he has always considered his side yard the municipality considers his rear yard and therefore requires a 20 foot setback. He stated he has an existing pad to park his vehicle on at this location and he would like to construct a carport to protect the van from the inclement weather.

Mr. McKechnie of 3212 Chrome Crescent stated that he lived across the street from Mr. Osbourne and he thought it would be a benefit to him if this application was allowed as Mr. Osbourne would then be able to park his vehicle on his property instead of on the street. He stated that there are too many vehicles parked on the street in this area and any provision for parking off street is a benefit to the area.

There was no opposition expressed to this application.

ITEM #7 - T. A. and C. Wilson  
3219 Georgeson Avenue  
Subject: Relaxation of site coverage requirements.

Mr. Wilson appeared before the Board of Variance and stated that he would like the site coverage requirements relaxed to allow him to build to within 37.3% of the total site coverage.

Continued...

ITEM #7 - Continued...

He stated he wished to build an addition at the rear of his home that would be 3.6 meters deep the full length of the house and this would add an additional 336 square feet of living space to his home. This would be used for storage and as well a hobby room as he does upholstery work for a hobby. On a question from the Board, Mr. Wilson stated that the total square footage of his house is 1,584 square feet with 836 square feet on the main floor at the present time.

On a question from the Board, Mr. Wilson stated that the upholstery work he does is not full time but strictly a hobby.

There was no opposition expressed to this application.

ITEM #8 - R. A. MacKillóp  
1942 Wiltshire Avenue  
Subject: Relaxation of side yard setback requirements.

Mr. MacKillóp appeared before the Board of Variance and requested relaxation of the side yard setback requirements to 4 feet 4 inches from the side property line.

Mr. MacKillop stated that the plan of house they wish to build has a dining room alcove that intrudes 1 foot 8 inches into the side yard setback. He stated that when he phoned the municipality, they had told him that he was allowed to cantilever 2 feet into the side yard setback and after the plans were drawn up he found out that the dining room alcove would not be allowed.

There was no opposition expressed to this application.

ITEM #9 - K. Epp  
3155 Plimsoll Street  
Subject: Relaxation of side yard setback requirements.

Mr. Epp appeared before the Board of Variance to request relaxation of the side yard setback requirements to allow him to close in his carport which is located 4.4 feet from the side property line. He stated he wishes the carport closed in to provide secure storage for the cars and bicycles as well as a work shop for himself.

There was no opposition expressed to this application.

ITEM #10 - K. Salsbury  
580 Harrison Avenue  
Subject: Relaxation of side yard and rear yard setback requirements for accessory buildings.

Mr. Salsbury appeared before the Board of Variance to request relaxation of the side yard setback requirements to 3 feet and the rear yard setback requirements to 2 feet. He stated he wished this relaxation to allow him to build a carport at the rear of his property. In order to gain access to the carport he will have to back his trailer and vehicles down his driveway, past the house and into the carport and therefore because of the location of the house, he must have the carport located no further than 3 feet from the side property line. Mr. Salsbury also stated he wished to amend the plan he had submitted. The Plan showed a 22 foot by 22 foot garage and Mr. Salsbury stated that he wished to enlarge this garage to 22 feet in depth by 24 feet in width.

On a question from the Board members, Mr. Salsbury stated that it was not possible to build this garage on the other side of his property due to the topography of the land which slopes back quite steeply.

There was no opposition expressed to this application.

Continued...

ITEM #11 - M and C. Burton  
3109 Redonda Drive  
Subject: Relaxation of rear yard and site coverage requirements.

Mr. Burton and his father appeared before the Board of Variance to request relaxation of the rear yard setback requirements to allow him to build to 6 feet from the rear yard property line and the site coverage requirements to allow him to build to 43% of the total site area.

Mr. Burton stated that he had purchased this lot in the fall of 1981 and his father had designed a home for him and his wife and had not realized that they were in the RS-4 Zone and there were site coverage and setback restrictions.

A letter was tabled with the Board of Variance from A. and T. Lee, 3236 Georgeson Avenue, owners of the property at 3108 Redonda Drive, directly across the street from Mr. Burton's property. They state that they are in opposition to this application, and a copy of that letter is attached hereto and forms a part of these minutes.

Mr. W. Johnson of 222 Balmoral Place in Port Moody appeared before the Board of Variance and stated he was the owner of 3126 Redonda Drive, the property directly behind Mr. Burton's property. He stated that when he purchased his lot he did not know about the site coverage requirements either and he wished an opportunity to look at Mr. Burton's plans.

After looking over Mr. Burton's plans, Mr. Johnson stated that he was not sure if he opposed the plans but he was hesitant to go on record as approving same as he was not sure he would like this high brick wall so close to his property line.

There was no further opposition expressed to this application.

#### C O N C L U S I O N S

ITEM #1 - H. Tullis.

MOVED BY MR. PETRIE  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is, side yard setback relaxed to 4 feet.

CARRIED UNANIMOUSLY

ITEM #2 - L. and B. Hansen.

MOVED BY MR. BENNETT  
SECONDED BY MRS. HILL

That this appeal allowed as per application, that is, side yard setback relaxed to 3 feet.

CARRIED UNANIMOUSLY

ITEM #3 - G. Weisbeck.

Mrs. Hill reported that she had been out to inspect this property and had spoken to the applicant. The applicant had stated that they might not be going ahead with this application. In view of this and the fact that the applicant was not in attendance this evening, this item was not dealt with.

Continued...

Conclusions - Continued...

ITEM #4 - S. B. Henshall.

MOVED BY MR. PETRIE  
SECONDED BY MRS. HILL

That this appeal be denied.

CARRIED UNANIMOUSLY

ITEM #5 - V. E. Rube.

MOVED BY MR. PETRIE  
SECONDED BY MR. BENNETT

That this appeal be allowed with side yard setback relaxed to 1 foot 9 inches on the east side of the property and 0 feet on the west side of the property.

CARRIED UNANIMOUSLY

ITEM #6 - T. and J. Osbourne.

MOVED BY MR. BENNETT  
SECONDED BY MRS. HILL

That this appeal be allowed as per application, that is, rear yard setback relaxed to 2.34 meters.

CARRIED UNANIMOUSLY

ITEM #7 - T. and C. Wilson.

MOVED BY MR. PETRIE  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is, site coverage relaxed to 37.6%.

CARRIED UNANIMOUSLY

ITEM #8 - R. A. MacKillop.

MOVED BY MR. PETRIE  
SECONDED BY MRS. HILL

That this appeal be allowed as per application, that is, side yard setback relaxed to 4 feet 4 inches.

CARRIED UNANIMOUSLY

ITEM #9 - K. Epp.

MOVED BY MR. BENNETT  
SECONDED BY MRS. HILL

That this appeal be allowed as per application, that is, side yard setback relaxed to 4.4 feet.

CARRIED UNANIMOUSLY

Continued...

Conclusions - Continued...

ITEM #10 - K. Salsbury.

MOVED BY MR. PETRIE  
SECONDED BY MRS. HILL

That this appeal be allowed with side yard setback relaxed  
to 3 feet and rear yard setback relaxed to 2 feet.

CARRIED UNANIMOUSLY

ITEM #11 - M. and C. Burton.

MOVED BY MR. PETRIE  
SECONDED BY MRS. HILL

That this appeal be denied.

CARRIED UNANIMOUSLY

A D J O U R N M E N T

MOVED BY MR. BENNETT  
SECONDED BY MR. PETRIE

That the Board of Variance meeting adjourn. 9:40 p.m.

CARRIED UNANIMOUSLY

  
\_\_\_\_\_  
C H A I R M A N

/pp

PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE MEETING, TUESDAY, JUNE 8, 1982

ITEMS #1 TO #4

The Planning Department has no objection to these applications as they appear to be local issues.

ITEM #5

The Planning Department has no objection to the siting relaxation requested by the applicant. We do note, however, that another By-law comes into play on this application. This is By-law No. 886, which regulates siting of buildings and structures, including extensions and additions to any part thereof, from natural watercourses. By-law No. 886 requires a 15-metre setback from the creek which lies to the east of this site, whereas from the plans submitted, it would appear that the building lies within the 15-metre distance from the natural boundary of the creek. By-law No. 886 was enacted at the request of the Provincial Government, and therefore any appeal with regard to the siting of buildings and extensions thereto lies with the Province of British Columbia. If this applicant's building lies within 15 metres of the natural boundary of the watercourse directly to the east, then if the Board of Variance approves a relaxation, it would best be subject to approval under By-law No. 886 by the Ministry of Environment.

A further note I should make in relation to By-law No. 886 is that it is presently being amended to incorporate it into the Zoning By-law. This will mean that if and when the floodplain and watercourse regulations are introduced into the Zoning By-law, the Board of Variance will have jurisdiction as to siting matters, similar to the one under this application. I am attaching a report to Council from the Planning Director which will provide more information in this regard. I am providing this in order that the Board of Variance members can read this material over in the next several weeks, in anticipation of a change in the Zoning By-law which will expand their jurisdiction with regard to siting in relation to floodplain and watercourses.

In conclusion, the Planning Department has no objection to the appeal under this application, but would suggest that if approved it be subject to the approval of the Ministry of Environment with regard to the siting requirements of By-law No. 886 if necessary.

ITEM #6

The Planning Department has no objection to this appeal as it would appear to be a local issue.

PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE MEETING, TUESDAY, JUNE 8, 1982

ITEM #7

The lot coverage provisions in the RS-4 zone were established after careful consideration of open space and livability factors on the small lots and were introduced mainly to benefit property owners in RS-4 and RS-5 subdivisions. As mentioned before, the Planning Department is concerned with relaxation of lot coverage provisions, however, we feel that the best measure of public acceptance would be in the reaction to this appeal from the neighbouring residences.

ITEMS #8 & #9

The Planning Department has no objection to these appeals.

ITEM #10

The Planning Department has no objection to this appeal, however, would clarify that the minimum required rear yard setback would be four feet in this particular instance since the garage lies more than five feet away from the principal building.

ITEM #11

The lot coverage provisions in the RS-4 zone were established after careful consideration of open space and livability factors on the small lots and were introduced mainly to benefit property owners in RS-4 and RS-5 subdivisions. As mentioned before, the Planning Department is concerned with relaxation of lot coverage provisions, however, we feel that the best measure of public acceptance would be in the reaction to this appeal from the neighbouring residences.

Respectfully submitted,



Ken McLaren  
Development Control Technician

KM/ci  
Encl.

**DISTRICT OF COQUITLAM**

Inter-Office Communication

431

TO: R.A. LeClair "For Council"

DEPARTMENT:

DATE: Feb. 23, 1982

FROM: D.M. Buchanan

DEPARTMENT: Planning

YOUR FILE:

SUBJECT: Introduction of Floodplain and Watercourse  
Building Regulations Into Zoning By-law

OUR FILE: Z-11-82

During 1981 we became aware of the Building Safety Standards Act which will result in an amendment to the Municipal Act under Section 734 and the regulation of the construction of buildings. As I understand it, the Municipal Act section will still allow the regulation of structures other than buildings, such as swimming pools, retaining walls, etc. When this Act is proclaimed, it will also invalidate the existing By-law No. 886, 1978, which has been in force since January 15, 1979. Many of the requirements of that by-law are, in fact, in force regardless at the time of subdivision approval since any subdivision in flood susceptible lands must be approved by the Provincial Ministry of Environment.

In drafting the attached Section 405, we did have the opportunity to review the details of the regulations with the Ministry of Environment and to make several adjustments. One important one is that the requirement for a restrictive covenant to be registered even when the building has been raised structurally or with land fill will no longer be required. Secondly, the floor elevation for industrial buildings has been relaxed by 0.6 metres (approximately 2 feet), which is the "freeboard" above the 200-year flood level. Furthermore, heavy industry which is behind 1:200-year standard dykes approved by the Minister no longer has to be at the flood level elevation or 0.6 metres above it. Subsection (5) lists the various other exceptions to the minimum elevation of floor systems.

Another portion of this proposed by-law which I should draw attention to relates to the definition of crest and toe and is seen under Subsection (iii) of (2)(a). This provides a setback of eight metres from the crest and ten metres from the toe of certain slopes between 20 to 30 degrees, and 15 metres where the slope exceeds 30 degrees. This section is based on recommendations from Golder Associates in relation to the Chines area, but will affect parcels on other ravines as well. These changes are to be complemented by an updating of the Conservation By-law, which is currently under discussion by the Building, Engineering, Legal and Planning Departments.

I note that the Board of Variance will now have jurisdiction as to siting matters since these regulations will be within the Zoning By-law. I have discussed this matter with the Ministry of Environment and they would request that the Board of Variance not take action on such appeals until they have had an opportunity to review the particular situation. As far as (2)(a)(iii) and the setbacks from the crest and toe of sloping lands, we would feel that a report from a geotechnical consultant should be required before any reduction in setback was considered. We suggest that a copy of this report be supplied to the Board of Variance at a future meeting if the by-law is given three readings by Council after a Public Hearing.



R.A. LeClair "For Council"

Feb. 23, 1982  
Our File: Z-11-82

I recommend that the proposed Section 405 to the Zoning By-law be referred to the March Public Hearing.

DMB/ci  
Encl.

*DMB*  

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D.M. Buchanan  
Planning Director

405 BUILDING ADJACENT TO STEEP SLOPING LANDS AND WATERCOURSES AND IN AREAS SUBJECT TO FLOODING

(1) In this Section 405, unless the context otherwise requires:

CREST means the obvious change in grade which defines the top of a slope.

HABITABLE AREA means a room or space within a building or structure which is or can be utilized for human occupancy, furnaces and other fixed equipment, or storage of personal goods or possessions (including commercial sales areas for the storage of goods) subject to damage by flood waters.

MINISTER means the Minister of Environment of the Province of British Columbia, or his designate.

NATURAL BOUNDARY means the visible high water mark of any lake or watercourse, where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake or watercourse a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself.

REGISTERED OWNER means the person or persons registered in books of the Land Titles Office as entitled to an estate in fee simple in the real property concerned.

SLOPE means a stretch of rising or falling ground or a portion of land surface marked by an ascent or descent.

TOE means the obvious change in grade which defines the foot of a slope.

WATERCOURSE means a natural or artificial channel having defined banks and serving to give direction to a current of water either continuously or intermittently, and

- (a) having a bed at least 0.6 metres below the surrounding land, and
- (b) having a drainage area of 2.0 square kilometres or more.

(2) (a) No building or any part thereof shall be constructed, reconstructed, moved or extended, nor shall any mobile home or unit, modular home or structure be located:

(i) within:

- 30 metres of the natural boundary of the DeBoville Slough or the Fraser, Coquitlam, Pitt or Brunette Rivers; or
- 7.5 metres of the inboard toe of a dyke adjacent to the DeBoville Slough or the Fraser, Coquitlam, Pitt or Brunette Rivers; or
- 15 metres of the natural boundary of any other watercourse; or
- 7.5 metres of the natural boundary of any lake;

(ii) with the underside of the floor system of any habitable area or business area, damageable by flood waters or, in the case of a mobile home or unit, the ground level or top of concrete or asphalt pad on which it is located

- lower than 0.6 metres above the 200-year flood level of the Fraser, Coquitlam and Pitt Rivers, Scott Creek and DeBoville Slough, as determined by the Minister; or
- lower than the 3.0 metres above the natural boundary of the Brunette River; or
- lower than 1.5 metres above the natural boundary of any other watercourse or lake;

405 (2) (a) (iii) within:

- 8.0 metres of the crest and 10 metres of the toe of a slope of an angle of 20 to 30 degrees; or
  - 15 metres of the crest and 15 metres of the toe of a slope of greater than 30 degrees;
- the crest or toe to be established by a British Columbia Land Surveyor and delineated on the ground by fencing, posting or survey markers;

- (b) Where a lot is of such a size, shape or condition, or is so located that because of Subsection (2)(a)(i) or (ii) of this By-law, it is impracticable for a building or structure otherwise allowed to be built thereon by all other By-laws, enactments of the Province of British Columbia, and all other rules of law, the building or structure may be built or placed on the lot at a site approved by the Minister who may reduce one or more of these requirements; no building permit shall be issued by the District until notice of such approval or reduction is received in writing by the District.
- (3) The elevation required by Subsection (2)(a) may be achieved by landfill, thereby raising the ground level on which the building or structure is to be constructed, reconstructed, moved or extended, or mobile home or unit placed, or by structurally elevating the habitable area, business area, or storage area, or by a combination of both landfill and structurally elevating.
- (4) (a) The landfill referred to in Section (3) shall not be placed closer to the natural boundary of a watercourse or lake than the distance established in Subsection (2)(a)(i).
- (b) The face of a landfill slope referred to in Section (3) shall be adequately protected, in the opinion of the Municipal Engineer, against erosion from flood waters.
- (5) Clause (ii) of Section (2)(a) shall not apply to:
- (a) renovation of an existing building or structure occupied as a residence that does not involve an addition thereto;
  - (b) an addition to a building or structure occupied as a residence that would increase the size of the building or structure by less than 25% of the floor area existing at the date of adoption of this By-law;
  - (c) that portion of a building or structure designed or intended for residential use that is comprised of essentially non-habitable areas such as carport or garage, storage areas, utility areas or workshops;
  - (d) that portion of building for apartment use designed or intended for accessory off-street parking use;
  - (e) an addition to an existing building or structure occupied as a residence to be created by raising the existing residence and creating non-habitable areas underneath;
  - (f) the total replacement of an existing building which is owned by the same registered owner, or spouse thereof, as at the date of adoption of this By-law, provided that the floor area of the replacement building does not exceed the floor area of the existing building at the date of adoption of this By-law by more than 25%, or does not exceed 110 m<sup>2</sup>, whichever is the greater;
  - (g) farm buildings other than dwelling units and closed-sided livestock housing; farm dwelling units on parcel sizes greater than 8.0 hectares and within the Agricultural Land Reserve are exempted from the requirements of (2)(a)(ii) but in a floodable area shall be elevated 1.0 metre above the natural ground elevation; closed-sided livestock housing behind 1 in 200 year standard dykes approved by the Minister is exempted from the requirement to floodproof, but if not behind 1 in 200 year standard dykes shall be elevated 1.0 metre above the natural ground elevation;

405 (5) (h) buildings for industrial use which have the underside of the floor system at the 200-year flood level of the Fraser River as determined by the Minister;

(i) heavy industry behind 1 in 200-year standard dykes approved by the Minister; heavy industry includes such uses as manufacturing or processing of wood and paper products, metal, heavy electrical, non-metallic mineral products, petroleum and coal products, industrial chemicals and by-products and allied products.

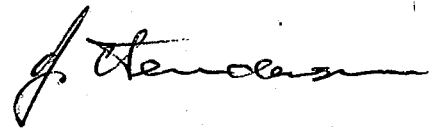
**DISTRICT OF COQUITLAM**

Inter-Office Communication

TO: SANDRA AIKENHEAD DEPARTMENT: ADMINISTRATION DATE: 82-05-08  
FROM: J. HENDERSON DEPARTMENT: BUILDING YOUR FILE:  
SUBJECT: BUILDING DEPARTMENT COMMENTS TO THE JUNE, 1982 BOARD OF OUR FILE:  
VARIANCE MEETING

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Items # 1 -11 The Building Department has no objection to these appeals as the Building By-Law does not appear to be involved.



J. Henderson  
Building Inspector

Item #2

617 Tyndale St.

Coguitlam, B.C.

June 8/1982

side yard setback  
requirements.

Yours truly,

F.A. Avis & M.B. Avis

District of Coguitlam,  
1111 Brunette Ave.

Coguitlam, B.C.

Re: Board of Variance:

With reference to the  
property at 613 Tyndale Street,  
we have no objections  
regarding the relaxation of

F.A. AVIS & M.B. AVIS

617 Tyndale St.

Cog. B.C.

178m #5

FROM L. POOL DEPARTMENT BUILDING

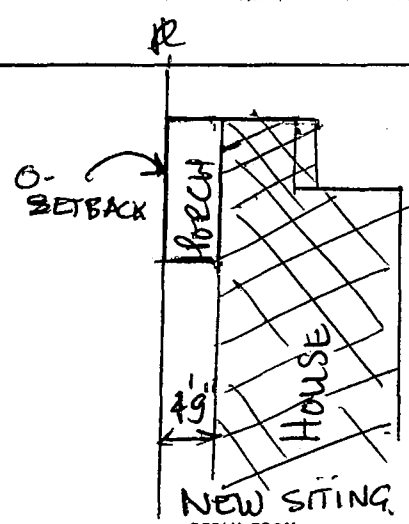
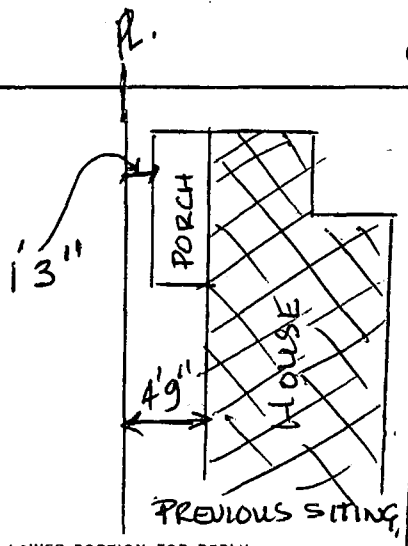
ASST. MUN. CLERK.  
(BOARD OF VARIANCE)

DATE JUNE 3, 1982  
SUBJECT 102 S JAMES ST.  
V.E. RUBE

MESSAGE RE: APPENDUM TO ITEM # 5

THE PLOT PLAN SHOWS AN EXISTING NON-CONFORMING PORCH PLACED 1'3" FROM THE SIDE PROPERTY LINE. THIS STRUCTURE HAS BEEN REPLACED AND SITED AT ZERO SETBACK.

APPROVAL IS HEREBY REQUESTED FOR APPROVAL FOR THE PORCH AT ZERO SETBACK.



USE LOWER PORTION FOR REPLY

REPLY FROM

DATE

To: Mrs. Sandra Aikenhead,  
Deputy Municipal Clerk,  
District of Coquitlam.

175M #11

From: ANDREW LEE & TINA LEE  
3236 GEORGESON AVE,  
COQ. V3E 1H2.

Subject: Re: Board of Variance - June 8, 1982.

Date: 31 May 1982.

Dear madam.

We are unable to attend the meeting on June 8, 1982.

We are opposed to the relaxation of by-law requested by owner of 3109 Redonda Drive for the following reasons:-

- By-law is made to ensure enough spacing between houses which are already quite close already.

- By-law is made for everybody to follow. Exception should not be allowed.

- When a person purchased a lot, he should already know the size of the house he can build on that lot.

- A house that is not proportion to the size of the lot would degrade our neighbourhood.

With the above reasons, we firmly opposed to relaxation of rear yard and site coverage requirements requested by 3109 Redonda Drive.

Please convey our intention to the board on that night. Thank you for your cooperation.

ADMINISTRATIVE  
DISTRICT OF COQUITLAM  
704-8125  
MAY 31 1982  
Tina Lee



**RECEIVED**

JUN - 8 1982

District of Coquitlam  
Administration

Board of Variance - 7:00 p.m.  
Tuesday, July 6, 1982



BOARD OF VARIANCE  
MINUTES

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A Meeting of the Board of Variance of the District of Coquitlam convened in the Council Chambers of the Municipal Hall, 1111 Brunette Avenue, Coquitlam, B.C. on Tuesday, July 6, 1982 at 7:00 p.m.

Members present were:

- Mr. G. Crews, Chairman
- Mr. J. Bennett
- Mr. R. Farion

Staff present were:

- Mr. A. Taylor, Building Inspector I;
- Mr. K. McLaren, Development Control Technician;
- Mrs. S. Aikenhead, Deputy Municipal Clerk, who acted as Secretary to the Board.

The Chairman explained to those present that all appeals would be heard and the Board would rule on them later and that all applicants would then be informed by letter from the Clerk's office of the decision of the Board.

REPORT FROM THE PLANNING DEPARTMENT

Submitted to the Board for this meeting was a brief from the Planning Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

REPORT FROM THE BUILDING DEPARTMENT

Submitted to the Board for this meeting were comments from the Building Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

ITEM #1 - D. and M. van der Gracht  
832 Dogwood Street  
Subject: Relaxation of rear yard setback requirements.

Mr. and Mrs. van der Gracht appeared before the Board of Variance to request relaxation of the rear yard setback requirements to 7 feet in order that they could build a sundeck at the rear of their house. Mr. van der Gracht informed the Hearing that as this house is situated quite far back on the lot there is only 15 feet between the rear property line and the one corner of the house. He stated that the small backyard that they do have is very rocky and hard soil and is quite useless for a lawn area. If he is allowed to build a deck along the rear of his house it would be much more useful to them.

ITEM #1 Continued...

There were no objections to this application.

ITEM #2 - J. and A. Lehto  
2349 Oneida Drive  
Subject: Relaxation of rear yard setback requirements.

Mr. Lehto appeared before the Board of Variance to request relaxation of the rear yard setback requirements to allow him to build a shed to 3 feet from the rear yard property line. Mr. Lehto informed the Board of Variance that there was an easement running through his rear yard and he wished to build the shed on the other side of this easement. He stated he could build the shed up against the easement which would give him the required 4 foot rear yard setback but if he does this the Engineering Department have informed him that the building would have to be at least 10 feet in height to allow for the 1 foot over-hang he wished to have on the roof. He requested the Board of Variance to relax the height of the building to allow him to build the building against the easement with a 1 foot over-hang into the easement but only 8 feet in height.

It was explained to Mr. Lehto that the Board of Variance could not rule on any request for relaxation when it intrudes into an easement. Mr. Lehto was informed he would have to move the building back from the easement and he agreed to do this.

Mr. Lehto then stated that he would revise his request to have a building 3 feet from the property line, 8 feet in height and a 1 foot over-hang. This over-hang would come up to the easement but not encroach upon same.

Mr. Lehto said that due to the topography of his yard and other buildings on same, this is the only location practical for his shed.

At this time comments from the Planning Department were read out to Mr. Lehto wherein they state they cannot recommend in favour of any reduction which would allow the building to be sited any further east than the zoning by-law presently permits. In fact, the report states, they recommend that Mr. Lehto not build within 8 meters of the crest of the slope as indicated in draft by-law no. 1244. If the applicant chooses to construct a building in this location, whether or not the reduction is approved by the Board of Variance, the report continues, they take the position that he would be doing so at his own risk.

Mr. Lehto stated that he understood this and he would be willing to sign a release absolving the municipality of any responsibility.

There was no opposition expressed to this application.

ITEM #3 - R. S Desai  
3340 Hazel Drive  
Subject: Relaxation of fence height requirements.

This item was withdrawn from the agenda.

Continued...

ITEM #4 - K. Petersen  
1111 Madore Avenue  
Subject: Relaxation of side yard setback requirements.

Mr. Petersen appeared before the Board of Variance to request relaxation of the side yard setback requirements to allow him to build to 5 feet from the side yard property line.

Mr. Petersen stated that they have a sundeck over their carport they now wish to close in. He stated that they have lived in this house for 16 years and now feel they can afford to add a family room which would give them the required extra room they now need with a growing family.

Mr. Petersen stated that his carport is 5 feet from the property line and if he is required to conform to the by-law he will have to build 6 feet from the property line and this will leave a 1 foot lip on top of his carport which would not be aesthetically appealing.

There was no opposition expressed to this application.

ITEM #5 - L. Matiets and A. Kruger  
909 A & 909 B Roderick Avenue  
Subject: Relaxation of accessory building area requirements.

Mr. Kruger of 909 A Roderick Avenue appeared before the Board of Variance to request relaxation of the accessory building area requirements to allow him to build 5 carports in his rear yard which would cover a total area of 1,296 square feet.

Mr. Kruger stated that he would be building two of the carports for his neighbour and three for himself. He further informed the Hearing it would be a hardship if this was not allowed as they do not have carports on this duplex property and they require covered parking for their vehicles.

Mrs. S. Holt of 911 Roderick Avenue appeared before the Hearing and stated that she did not object to this application but had attended the meeting to find out what it was about.

The Building Department comments were read out to Mr. Kruger wherein they state that the applicant should be made aware that he will be restricted to a maximum of 15 feet in height. Mr. Kruger stated that he understood this.

There was no opposition expressed to this application.

ITEM #6 - A. T. Mynott  
1414 Rochester Avenue  
Subject: Relaxation of front yard setback and fence height requirements.

Mr. R. Molstad appeared on behalf of Mr. Paul Levy, Counsel for Mr. and Mrs. Mynott.

Mr. Morley, Counsel for the District of Coquitlam insurers, was also present.

Continued...

ITEM #6 Continued...

Mr. Molstad stated that the applicants are requesting relaxation of the front yard setback requirements to allow them to re-site their existing home on this lot 6 feet from the front property line and, as well, to erect a fence 8 feet in height along the front of their property and also for a further 50 feet west on to District of Coquitlam lands.

He stated that the house had been built in 1973 and was purchased by the Mynott's in April of 1974. Over the years problems have developed with the lot and the eastern and south-eastern portions of the lot have been gradually falling away and threaten the stability of the building where it is presently situated.

He stated the most acceptable solution to the Mynott's problem appears to be relocating the building onto the north-westerly corner of the lot where soil tests have been done and the land appears to be stable.

Mr. Molstad presented to the Board a letter received from Hardy Associates Ltd. with regard to soil stability tests done at 1414 Rochester Avenue. A copy of that letter is attached hereto and forms a part of these minutes.

Mr. Molstad stated that the reason for asking for the 8 foot high fence is that as the house will be located only 6 feet from Rochester Avenue if this appeal is allowed, they request this high a fence in order to shield them from the noise and traffic that goes along Rochester Avenue.

Mr. Lehto of Oneida Drive stated that he would like to see a living hedge along the front of this property rather than a wooden fence.

There was no opposition expressed to this application.

CONCLUSIONS.

1. D. and M. van der Gracht.

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is, rear yard setback relaxed to 7 feet.

CARRIED UNANIMOUSLY

2. J. and A. Lehto.

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed with rear yard setback relaxed to 3 feet from rear property line with a 1 foot roof over-hang and 8 foot high walls, and further, that Mr. Lehto sign a waiver absolving the municipality of any responsibility because of this building being sited within the recommended 8 meter setback of the crest of a slope as set out in draft by-law no. 1244, 1982.

CARRIED UNANIMOUSLY

Continued...

Conclusions Continued...

4. K. Petersen.

MOVED BY MR. BENNETT  
SECONDED BY MR. FARION

That this appeal be allowed as per application, that is,  
side yard setback relaxed to 5 feet.

CARRIED UNANIMOUSLY

5. L. Matiets & A. Kruger.

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is,  
accessory building maximum area relaxed to 1,296 square  
feet.

CARRIED UNANIMOUSLY

The Board suggested that Mr. Kruger consider building  
4 larger carports in this 1,296 square feet rather than 5 smaller  
ones.

6. B. and A. Mynott.

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is,  
front yard setback relaxed to 6 feet and fence height  
requirements relaxed to 8 feet high which would run  
along the front of their property and continued 50 feet  
into District of Coquitlam lands to the west, this part  
subject to settlement of their claim with the District.

CARRIED UNANIMOUSLY

ADJOURNMENT.

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That the Board of Variance meeting adjourn. 8:45 p.m.

CARRIED UNANIMOUSLY

  
\_\_\_\_\_  
CHAIRMAN

PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE MEETING  
JULY 6TH, 1982

---

ITEM #1

The Planning Department has no objection to this appeal as it would appear to be a local issue.

ITEM #2

At the last Board of Variance meeting, the Planning Department distributed copies of By-law No. 1244, 1982, a draft by-law with regard to building adjacent to steep sloping lands and watercourses and in areas subject to flooding. This by-law has been given three readings by Council and is awaiting Ministry of Municipal Affairs approval prior to being considered for final adoption by Council. I would also note that the applicant has received a building permit for construction of this facility at the four-foot required setback under the Zoning By-law.

Although I realize the applicant could build to within four feet of the rear property line, I would point out that By-law No. 1244, when approved, would prohibit the construction of any buildings within eight metres of the crest of the slope at the rear of this property. The crest of the slope is to be determined by a B.C. Land Surveyor under By-law No. 1244, however, it is generally indicated on the attached sketch in relation to the location of the proposed storage shed as the applicant now proposes it. This by-law was based on recommendations made in a report prepared for the District of Coquitlam by their consulting geotechnical and mining engineers.

The Planning Department cannot recommend in favour of any reduction which would allow the building to be sited any further east than the Zoning By-law presently permits. In fact, we would recommend to the applicant that he not build within eight metres of the crest of the slope as indicated in draft By-law No. 1244. However, if the applicant chooses to construct the building in this location, whether or not the reduction is approved by the Board of Variance, we would take the position that he is doing so at his own risk.

ITEM #3

I understand this application has been withdrawn.

ITEMS #4 & #5

The Planning Department has no objection to these appeals as they would appear to be local issues.

PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE MEETING  
JULY 6TH, 1982.

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ITEM #6


Firstly, in relation to this application, I would point out that the District of Coquitlam is a party to a legal action in regard to the dwelling on this property, and a court case is possibly set for some time in September. Therefore, our comments on this application must be kept to a minimum since this application to the Board of Variance directly pertains to the matter of the court case.

We would point out, however, the following:

1. The Planning Department feels that this appeal is a local issue.
2. The lands directly to the west and south of the subject property are dedicated municipal park and therefore the construction of any future single-family dwellings adjacent to this site is precluded.
3. The applicants appear to be indicating a proposal for the construction of a fence on municipal property and should this be approved by the Board as to height, the applicants would have to secure the necessary approvals of the District of Coquitlam in order to carry this out.
4. The Planning Department has no knowledge of the technical background as to the basis for this particular location for the house.

I understand that a solicitor representing the District of Coquitlam's insurance agent will be in attendance at the meeting to outline the background in more detail on this matter.

Respectfully submitted,



Ken McLaren  
Development Control Technician

KM/ci  
Enc.



105  
106

78 77 76 75 74 73 72 71  
CABLE CRT

80 81 82 83 84 85 86 87 88 89 90 91 92 93 94  
CABLE CRT

638 604 605  
CORONA CRES

622 579 580 581 637  
SITE REM 402  
OFFICE DR

APPROXIMATE  
CREST

556 555 546 517  
ONEIDA DR.

PROPOSED  
STORAGE SHED

363 362 361  
MORRIS

380 381 382 383 384 385 386 387 388 389 390  
AC PT

334 335 336 337 338 339 340  
D.L. 371  
BAKER DRIVE

Probably  
Fill

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D.L. 371

PT 106

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REM 12

REM 13

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C

C

A

218

P 49304

P 41850

REM 402

PROPOSED STORAGE SHED

REM 1584

P 10041

PT 106

**DISTRICT OF COQUITLAM**

Inter-Office Communication

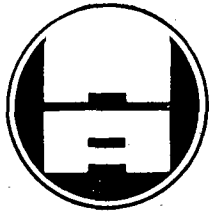
TO: Sandra Aikenhead                      DEPARTMENT: Administration              DATE: July 5, 1982  
FROM: Al Taylor                              DEPARTMENT: Building                      YOUR FILE:  
SUBJECT: Building Department comments to the July 1982 Board of              OUR FILE:  
                 Variance Meeting

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- # 1 The Building Department has no objection to these appeals as the Building By-law does not appear to be involved.
- # 2 The Building Department has no objection to these appeals as the Building By-law does not appear to be involved.
- # 3 I understand this application has been withdrawn.
- # 4 Same comment as for Item # 1.
- # 5 Same comment as for Item # 1, however, the applicant should be made aware that he would be restricted to a maximum of 15 feet in height.
- # 6 I understand there is legal action against this property, so we have no comment, although we have no objection to the location of the proposed foundation.

*A. Taylor*  
A. Taylor  
Building Inspector

AT/lm



# HARDY ASSOCIATES (1978) LTD.

CONSULTING ENGINEERING & PROFESSIONAL SERVICES

File No.

VG-02897

June 29, 1982.

McQuarrie Hunter,  
Barristers & Solicitors,  
10619 King George Highway,  
SURREY, B. C.  
V3T 2X6

Attention: Mr. Paul E. Levy

Dear Sirs:

Re: Mynott Residence,  
1414 Rochester Avenue,  
COQUITLAM, B. C.

Further to our report dated November 27, 1981, further alternatives to re-establishing a stable and safe house foundation system have been discussed. This letter briefly considers an alternative involving repositioning of the house on a new foundation system rotated 90° counterclockwise and located to the north and west of the present foundation.

Plate A attached shows the recommended new position of the dwelling. We believe the building, situated as shown, and including an excavated basement level approximated as noted, can be founded on standard footings and foundation walls. The only possible local exception to this would be the new south-easterly corner of the basement where native dense soil has not been proven at anticipated foundation level about 9 feet below existing floor level. Based on available data, we believe the native competent bearing soil will be near this depth but foundation construction could entail local deepening of the footing.

We believe this alternative will yield a safe and acceptable foundation system for the building. The basement excavation will reduce overall loading on the slope in this area and site grading after construction should be undertaken to produce a net decrease in grade to the south and east of the new building position.

.... 2

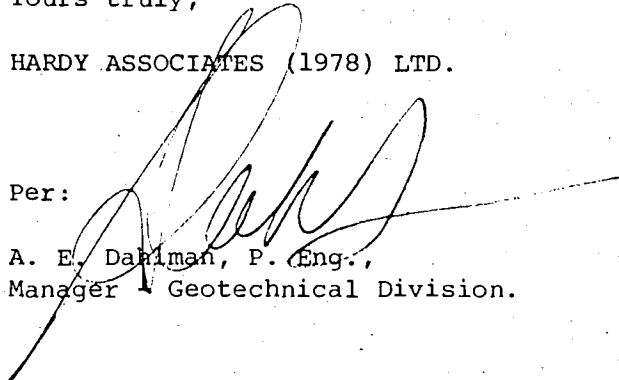


Other recommendations regarding site and perimeter drainage outlined in the previous report are still applicable. If you have any further questions, please call.

Yours truly,

HARDY ASSOCIATES (1978) LTD.

Per:

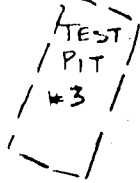
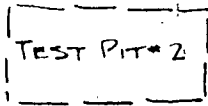
  
A. E. Dahman, P. Eng.,  
Manager - Geotechnical Division.

AED:cm

Enclosure

TEST PIT # 2

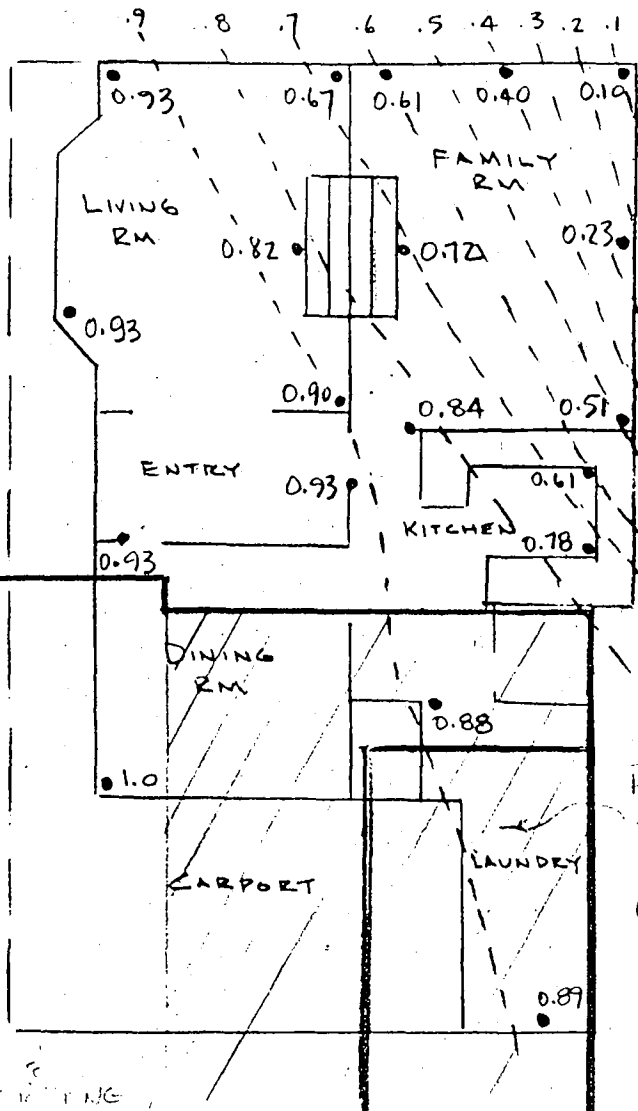
0-10' FILL  
Sandy SILT with stones,  
pieces of concrete, pipe,  
plaster, metal, asphalt  
shingles etc. Occasional  
boulder and wood piece.  
End @ 10' due to caving.



TEST PIT # 3

0-2 1/2' FILL  
Silty SAND with  
boulders  
2 1/2' to (3 1/2'-4')  
Sandy silt - brown  
3 1/2'-4' - SAND TILL  
Dense, grey  
(Till surface slopes  
down to the east)

ROCHESTER AVE.



NOTE: 0.90 DENOTES FLOOR ELEVATION IN FEET RELATIVE TO NW CORNER DINING AREA ASSUMED 1.0'

NOTE: PORTION OF DWG Q-2897-1 FROM HARDY REPORT DATED NOV 27, 1981

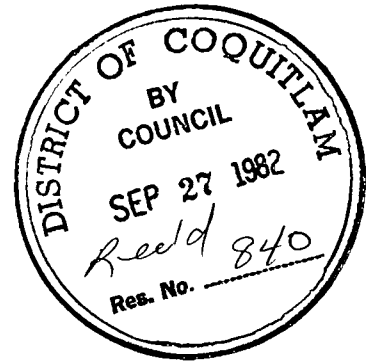


**HARDY ASSOCIATES (1978) LTD.**  
CONSULTING ENGINEERING & PROFESSIONAL SERVICES

PROPOSED RELOCATION  
MYNOTT RESIDENCE 1414 ROCHESTER  
COUNTY, N.Y.

SCALE 1"=10' DATE JUNE/82 MADE AED CHKD. JOB: Y602251 PLATE A

Board of Variance - 7:00 p.m.  
 Tuesday, September 21, 1982



B O A R D   O F   V A R I A N C E  
 M I N U T E S

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A meeting of the Board of Variance convened in the Council Chambers of the Municipal Hall, 11111 Brunette Avenue, Coquitlam, B.C. on Tuesday, September 21, 1982 at 7:00 p.m.

Members present were:

Mr. G. Crews, Chairman  
 Mr. J. Bennett  
 Mr. R. Farion  
 Mr. J. Petrie

Staff present were:

Mr. Richard White, Chief Building Inspector;  
 Mr. C. E. Spooner, Building Inspector II;  
 Mr. T. Klassen, Municipal Clerk, who acted as Secretary to the Board.

The Chairman explained to those present that all appeals would be heard and the Board would rule on them later and that all applicants would then be informed by letter from the Clerk's Office of the decisions of the Board.

REPORT FROM THE PLANNING DEPARTMENT.

Submitted to the Board for this meeting was a brief from the Planning Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

REPORT FROM THE BUILDING DEPARTMENT.

Submitted to the Board for this meeting were comments from the Building Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

ITEM #1 - I Brunac  
 1971 Kaptey Avenue  
Subject: Relaxation of the side yard setback requirements.

Mr. Brunac addressed the Board and advised that he wishes to build a storage shed at the back of his property having dimensions of 20 feet by 12 feet, he wished to use the concrete retaining wall on his property line as one wall of the shed. This would mean that he would have no side yard setback whatsoever, whereas the required setback under the Zoning By-law is 4 feet.

Continued...

Mr. Brunac stated that if he were required to construct in accordance with the Municipal By-laws he would lose the use of a portion of his back yard and as well the cost would be greater in that he would be required to construct an extra wall.

There was no opposition expressed to this application.

ITEM #2 - D. MacKinnon  
1617 Balmoral Drive  
Subject: Relaxation of side yard setback requirements.

Mr. MacKinnon addressed the Board and stated that he had had an existing carport in the location in which he proposed to construct a new garage. He further stated that he had removed the existing carport when the cement foundation had begun to crumble.

The Board was advised by Mr. MacKinnon that the enclosed garage being contemplated at this time would have a storage area at the back and a garage would provide security for his possessions. He further stated that to construct the garage in the rear yard would mean that he would have to remove a tree and planter and that he has no lane and the storm sewer serving his property runs at the back of his house, which would mean that he would have to build over top of his drain tiles.

In answer to a question from a Member of the Board, Mr. MacKinnon advised that the roof line of the garage would be the same as the roof line on the existing house and that the garage would have a 1 foot roof overhang.

There was no opposition expressed to this application.

ITEM #3 - K. and Y. Goller  
909 Merritt Street  
Subject: Relaxation of side yard setback requirements.

Mr. Goller addressed the Board and advised that he is constructing a new dwelling and as a part of the construction would like to build a buffet which would extend approximately 18 inches into the side yard setback. He stated that they already own a dining room suite that would not fit into the dining room if they were not allowed to have the projecting buffet.

Mr. Goller left with the Board a petition signed by neighbours in the vicinity of his property which indicated that they had no objections to the proposal.

There was no opposition expressed to this application.

ITEM #4 - M. and M. Kosolowsky  
1969 Como Lake Avenue  
Subject: Relaxation of rear and side yard setback requirements.

Mr. Kosolowsky addressed the Board and stated that he wishes to construct a carport and shed combined at the rear of his property with the carport/shed measuring 21.8 feet by 18 feet.

In answer to a question from a Member of the Board, Mr. Kosolowsky advised that the present carport on the duplex is used by his tenants and he has no place to park his own car and as well he has no storage available on site.

A Member of the Board inquired of Mr. Kosolowsky as to how many families were living in the duplex and was advised that there are four families living at this location.

The question was asked as to whether the owner could construct a storage shed and conform to Municipal By-laws, and it was indicated that such a building could be erected on the site in conformance with required setbacks.

In answer to a question from a Member of the Board, Mr. Kosolowsky advised that he is attempting to provide three covered parking spaces and that presently between the tenants and himself there are four cars which require parking space at this address. Mr. Kosolowsky further informed the Board that there is problems with parking on this street and the neighbours have complained about the number of cars parking in the vicinity of the duplex.

Mr. Walker of 1991 Custer Court addressed the Board and stated that while the plans show the proposed building to be 11 inches from the property line, he felt that this would not in fact be the case if measurement was taken from the fence because the fence is fully constructed on his property. He stated that he felt the proposed building could be a detriment to his property should he decide to sell at some time in the future. Mr. Walker stated that if the building could be located at least two feet from his property line he would have less objections to the proposal.

In answer to a question from Mr. Spooner, Mr. Kosolowsky advised that the east wall of the garage could be moved two feet from the back property line, however, this would make the garage fairly short.

There was no further opposition expressed to this application.

ITEM #5 - K. Jaenicke  
1905 Regan Avenue  
Subject: Relaxation of rear yard setback requirements.

Mr. Jaenicke addressed the Board and advised that he wishes to construct a second carport on the east side of his dwelling to allow for a shelter for a camperized van which he has just recently purchased. The proposed carport would come within 18 feet of the side property line which is just two feet short of the required setback.

Mr. Jaenicke had submitted letters from several of his neighbours in which they advise that they have no objection to the proposal as submitted.

There was no opposition expressed to this application.

ITEM #6 - P. and K. Dhaliwal  
691 Blue Mountain Street  
Subject: Relaxation of front yard setback requirements.

Mr. Dhaliwal addressed the Board and stated that he wishes to add to the front of his dwelling to increase the area of his living room which presently is only 13 feet by 13 feet. Mr. Dhaliwal advised that with the increased size of the living room he would be able to as well, construct a fire place in the living room area.

There was no opposition expressed to this application.

Continued...



ITEM #7 - F. B. Klapwijk,  
235 Montgomery Street  
Subject: Relaxation of side yard setback requirements.

Mr. Fitzgerald of 236 Montgomery Street addressed the Board on behalf of Mr. Klapwijk who was out of town at the present time, and advised that Mr. and Mrs. Klapwijk wish to construct an enclosed garage in the same area on which a garage had previously existed.

Mr. Fitzgerald advised that the applicant had two cars with only one space in the new garage and it would be quite expensive to tear down the existing cement foundation and move the seven inches to meet by-law setback requirements.

Mr. Fitzgerald stated that from an appearance point of view, constructing an enclosed garage would be a much better alternative than a carport and as a neighbour across the street from Mr. Klapwijk, would much rather see such an enclosed garage constructed.

There was no opposition expressed to this application.

ITEM #8 - C. Ellard  
749 Adiron Avenue  
Subject: Relaxation of accessory building square footage requirements.

Mr. Ellard addressed the Board and stated that he wished an addition to his existing garage measuring 10 feet by 32 feet which would mean that he would exceed the site coverage for accessory buildings by 288 square feet.

Mr. Ellard stated that his original plan showed an extension of 15 feet, 6 inches and this had been reduced to the 10 foot addition that he was now seeking approval for.

Mr. Ellard stated that the purpose of the carport was to provide shelter for his vehicle.

There was no opposition expressed to this application.

ITEM #9 - H. Lange  
1825 Haversley Avenue  
Subject: Relaxation of the side yard setback requirements.

Mrs. Lange addressed the Board and stated that they wish to construct a buffet as part of their dining room and that this would extend into the side yard setback by approximately 2 feet. She stated that this would allow for more room in their dining room as the china cabinet would be out of the way of the rest of the furniture.

A Mr. Tyler of 1815 Haversley Avenue stated that he proposed to construct a dwelling at that address and has already had his plans drawn up in accordance with Municipal Setback Requirements and felt that other dwellings in the area should also comply.

There was no further opposition expressed to this application.

Continued...

CONCLUSIONS

ITEM #1 - I. Brunac.

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That the appeal of Mr. I. Brunac of 1971 Kaptey Avenue be denied.

CARRIED UNANIMOUSLY

ITEM #2 - D. MacKinnon.

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That the appeal of Mr. D. MacKinnon of 1617 Balmoral Drive to construct the garage having a maximum width of 12 feet and an additional one foot overhang be allowed.

CARRIED

Mr. Petrie registered opposition.

ITEM #3 - K. and Y. Goller.

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That the appeal of Mr. and Mrs. Goller of 912 Grant Street be allowed in accordance with their application and they be allowed to construct a buffet coming to within 4 feet, 6 inches of the side yard setback.

CARRIED

Mr. Petrie abstained from voting.

ITEM #4 - M. and M. Kosolowsky.

MOVED BY MR. BENNETT  
SECONDED BY MR. PETRIE

That the appeal of M. and M. Kosolowsky of 1969 Como Lake Avenue be denied.

CARRIED UNANIMOUSLY

ITEM #5 - K. Jaenicke.

MOVED BY MR. BENNETT  
SECONDED BY MR. PETRIE

That the appeal of Mr. K. Jaenicke of 1905 Regan Avenue be allowed in accordance with his submission to the Board, that is, a rear yard setback of 18 feet to the wall of the proposed carport.

CARRIED UNANIMOUSLY

ITEM #6 - P. and K. Dhaliwal.

MOVED BY MR. PETRIE  
SECONDED BY MR. FARION

That the appeal of P. and K. Dhaliwal of 691 Blue Mountain Street be allowed in accordance with their submission to the Board and they be allowed to construct the addition coming to within 28 feet of the front property line.

CARRIED UNANIMOUSLY

Continued...

ITEM #7 - F. B. Klapwijk.

MOVED BY MR. FARION  
SECONDED BY MR. PETRIE

That the appeal of Mr. F. B. Klapwijk of 235 Montgomery Street be allowed in accordance with his submission to the Board and he be allowed to construct a new garage coming to within 5.31 feet of the side property line.

CARRIED UNANIMOUSLY

ITEM #8 - C. Ellard.

MOVED BY MR. PETRIE  
SECONDED BY MR. FARION

That the appeal of Mr. Ellard of 749 Adiron Avenue be allowed in accordance with his submission to the Board, that is, he be allowed maximum coverage of 1,088 square feet for the accessory structure, which means a 10 foot by 32 foot extension to the existing structure.

CARRIED UNANIMOUSLY

ITEM #9 - H. Lange.

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That the appeal of H. Lange of 1825 Haversley Avenue, to construct a buffet extending two feet into the side yard setback in accordance with their submission to the Board, be allowed.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That the Board of Variance meeting adjourn. 8:38 p.m.

CARRIED UNANIMOUSLY

  
CHAIRMAN

## DISTRICT OF COQUITLAM

### Inter-Office Communication

TO: SANDRA AIKENHEAD                      DEPARTMENT: ADMINISTRATION                      DATE: 82-09-20  
FROM: RICHARD WHITE                      DEPARTMENT: BUILDING                      YOUR FILE:  
SUBJECT: Building Department comments to the Sept. 21, 1982 Board of                      OUR FILE:  
                    Variance Meeting

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- Item # 1 The Building Department has no objection to this appeal as the building code does not appear to be involved. However the entire North & East property lines are presently cut up to 2.1 to 2.5 metres and therefor the shed wall represents only a small fraction of the retaining wall that is required.
- Item # 2 The Building Department has no objection to this appeal as the building code does not appear to be involved. However the proposed 1.2 metres setback is adequate for a carport addition. The addition is already under construction as a carport.
- Item # 3 The Building Department has no objection to this appeal as the Building code does not appear to be involved.
- Item # 4 The Building Department has no objection to this appeal as the building code does not appear to be involved. However we would not recommend reducing the setback to less than 610 mm, the addition is already started.
- Item # 5 The Building Department has no objection to this appeal as the building code does not appear to be involved.
- Item # 6 The Building Department has no objection to this appeal as the building code does not appear to be involved.
- Item # 7 The Building Department has no objection to this appeal as the building code does not appear to be involved.
- Item # 8 - Addition is already completed.  
- If appeal is allowed it should be conditional to:  
    -Double permit fee  
    -Review of structural design incorporated into addition, by this department.
- Item # 9 The Building Department has no objection to this appeal as the building code does not appear to be involved.



Richard White  
Chief Building Inspector

PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE MEETING  
SEPTEMBER 21, 1982

ITEMS #1 THROUGH #5

The Planning Department have no objection to these appeals since they would appear to be local issues.

ITEM #6

The Planning Department has no objection to this appeal, however, for the Committee's information would point out that the additional setback is required under the zoning bylaw in the event that widening of arterial streets take place in the future. The additional setback is to allow the Municipality to acquire up to 12 feet of land without making the buildings non conforming as to the normally required 25-foot setback. The intent was also to provide an environmental buffer with an additional setback from the heavily travelled arterial streets. In this particular case, Blue Mountain Street is already constructed to a four-lane standard and it is unlikely that additional land will be required for further widening for some years to come.

ITEMS #7 THROUGH #9

The Planning Department has no objection to these appeals as they would appear to be local issues.

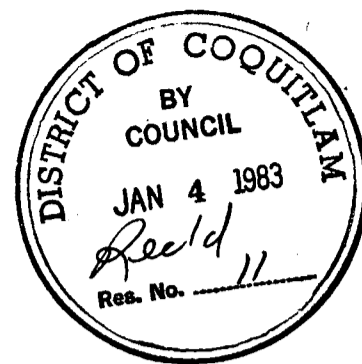
Respectfully submitted,



Ken McLaren  
Development Control Technician

KM/pin

Board of Variance - 7:00 p.m.  
 Tuesday, December 14, 1982



BOARD OF VARIANCE  
 MINUTES

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A meeting of the Board of Variance convened in the Council Chambers of the Municipal Hall, 1111 Brunette Avenue, Coquitlam, B.C. on Tuesday, December 14, 1982 at 7:00 p.m.

Members present were:

Mr. G. Crews, Chairman  
 Mr. J. Bennett  
 Mr. R. Farion  
 Mr. J. Petrie

Staff present were:

Mr. C. E. Spooner, Building Inspector II;  
 Mr. K. McLaren, Development Control Technician;  
 Mrs. S. Aikenhead, Deputy Municipal Clerk, who acted as Secretary to the Board.

The Chairman explained to those present that all appeals would be heard and the Board would rule on them later and that all applicants would then be informed by letter from the Clerk's Office of the decision of the Board.

REPORT FROM THE PLANNING DEPARTMENT

Submitted to the Board for this meeting was a brief from the Planning Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

REPORT FROM THE BUILDING DEPARTMENT

Submitted to the Board for this meeting were comments from the Building Department dealing with each of the applications before the Board, a copy of which is attached hereto and forms a part of these minutes.

ITEM #1 - G. and J. Trasolini  
 2385 Haversley Avenue  
Subject: Relaxation of side yard setback requirements.

Mr. Trasolini appeared before the Board of Variance requesting relaxation of the side yard setback requirements to 4 feet, 6 inches from the side yard property line. He stated that they have an extremely small kitchen, including the eating area. There are four of them in the family and when one of them leaves the dinner table the others have to get up from the table as well because the kitchen is so small. As well, he stated that the walls behind the chairs in the dining area are constantly being bashed by the chairs.

Continued...

Board of Variance - 7:00 p.m.  
Tuesday, December 14, 1982

ITEM #1 - Continued...

He stated he wishes to enlarge this dining area 2 feet on the east and 2 feet on the north and it would still be covered by the existing roofline. This addition would have a 4 foot.6 inch setback for a length of 7 feet along the side of the house.

Mr. Dave Carlsen of 2395 Haversley Avenue, appeared before the Board and requested information as to required distances from property lines and an explanation of this application.

Setback requirements were explained to Mr. Carlsen and the reason for the application. He stated he had no objections to this matter.

There was no opposition expressed to this application.

ITEM #2 - L. and C. Graham  
1047 Walls Avenue  
Subject: Relaxation of side yard setback requirements.

Mrs. Graham and Mr. A. Graham of 2290 Dawes Hill Road, brother of Mr. Graham, appeared before the Board of Variance with regard to this application. Mr. Graham stated that his brother wishes to build a carport adjacent to his house and it would go from the side of his house to the property line.

He informed the Hearing that the driveway is already in and it is below grade level with concrete retaining walls along the side of the property. The only thing that would be required to convert it into a carport would be a short stud wall and the roof from the house over to the wall.

Letters of support were received from Mr. and Mrs. W. Holinaty of 1041 Walls Avenue & Mr. and Mrs. Musselman of 1040 Walls Avenue. Copies of these letters are attached hereto and form a part of these minutes.

On a question from the Board, Mr. Graham stated that his brother did not wish to build a carport on the other side of the house as the services were in on that side of the house and they would have to be dug up and relocated which would be a great deal of trouble. He further stated that they did not wish to put a garage in the back yard as the lane was very narrow with ditches along the side and it would be extremely difficult to get in and out of the property.

There was no opposition expressed to this application.

ITEM #3 - B. Pagnotta  
1138 Lansdowne Street  
Subject: Relaxation of rear yard setback requirements.

Mr. V. Sapanato appeared before the Board of Variance on behalf of his son-in-law, to request relaxation of the rear yard setback requirements to 3 feet from the rear property line. Mr. Sapanato explained that his son-in-law had built a tool shed of concrete blocks without obtaining a building permit. He stated that he was unaware that you required a building permit just to build a tool shed and it would be a hardship to them if this shed had to be dismantled and moved 1 foot.

Continued...

Board of Variance - 7:00 p.m.  
Tuesday, December 14, 1982

ITEM #3, Continued...

Mr. Pagnotta tabled with the Board of Variance a letter received from his next door neighbour Mrs. Carol Boyle of 1136 Lansdowne Street. Mrs. Boyle stated she had no objections to Mr. Pagnotta's request to build in his rear yard. A copy of that letter is attached hereto and forms a part of these minutes.

There was no opposition expressed to this application.

ITEM #4 - D. B. Green  
206 Warrick Avenue  
Subject: Relaxation of side yard setback requirements.

Mr. J. Richmond appeared before the Board of Variance on behalf of Mrs. Green. He stated that she wished to have a built-in buffet in the dining room as the dining area is quite small and will barely accommodate her present dining room suite. The buffet would cantilever into the side yard 18 inches in depth by 5 feet in length. Mr. Richmond stated that they felt it was important that this relaxation be allowed as the dining room will be the eating area as there is no eating area available in the kitchen.

There was no opposition expressed to this application.

ITEM #5 & ITEM #6  
Avan Development Company Limited  
1149 & 1500 Gabriola Drive  
Subject: Relaxation of major arterial setback requirements. (Side yard)

Mr. Alex Franciosi, of Avan Development Company Limited appeared before the Board of Variance to request relaxation of the exterior side yard setback requirements at 1149 Gabriola and 1500 Gabriola to allow them to build to 3.5 meters from the side yard property line.

Mr. Franciosi informed the Hearing that as these lots are situated adjacent to Pipeline Road they are required to set back an additional 3.5 meters as Pipeline Road is a major arterial street. Mr. Franciosi stated that when he developed these lots he was not aware that this would be a requirement and if he is required to build to our setback requirements the houses that could be built on these lots would only be approximately 18 feet in width. A house of this width would not fit into this neighbourhood and would be extremely difficult to sell.

There was no opposition expressed to these applications.

ITEM #7 - R. Rubin  
2370 Dawes Hill Road  
Subject: Relaxation of front yard setback requirements.

Mr. Rubin appeared before the Board of Variance to request relaxation of the front yard setback requirements to allow him to build 6.43 feet from the front property line.

Mr. Rubin stated that this was the first house he had built and was building it for himself. He had inquired at the Municipal Hall about setback requirements and upon being given the requirements he stated he had measured from the back of the sidewalk 25 feet in and that was where he had started his foundation. He informed the Hearing that he was quite sure that he had been told to measure from the back of the sidewalk to find where the front line of his house should be. He stated this information was received from our Building Department.

Continued...



Board of Variance - 7:00 p.m.  
Tuesday, December 14, 1982

ITEM #7 - Continued...

He had then dug for the footings and called for a footings inspection, at which time the Building Inspector had asked him if was sure he was in the right location, and he had replied, yes, he had measured it. The Inspector had then okayed the footings subject to survey and they were then poured and the forms were erected. After the forms were constructed and ready for pouring, he had called for a survey and was told by the surveyor that he was 18 feet too close to the front property line.

On a question from the Board, Mr. Rubin stated that the footings alone cost him over a thousand dollars and the walls would be extremely difficult to move as they have been engineered and some of them are 15½ feet in height with steel in them. He stated that if he was required to move them he would have to start over and disassemble them and as well untie all of the steel.

There was no opposition expressed to this application.

ITEM #9 - Cressey Development Corporation  
807 Lighthouse Court  
Subject: Relaxation of rear yard setback requirements.

Mr. D. Chekaluk, representing the Builder and Cressey Developments, requested relaxation of the rear yard setback requirements to 13 feet. He stated because of the shape of the lot and the extra setback required because Mariner Way is a major arterial street they requested to be allowed to build 13 feet from the rear property line.

He went on to state that unless this relaxation is allowed they would not be able to use a stock plan and would have to go to an architecturally drawn plan for the home.

The Planner's comments were read out to Mr. Chekaluk at this time wherein they state that "There is more than adequate building area to build a comparable size house to those in the rest of the subdivision. It appears that the applicants are proposing to place a stock plan on a lot which requires more unique consideration."

There was no opposition expressed to this application.

C O N C L U S I O N S

ITEM #1 - G. and J. Trasolini

MOVED BY MR. PETRIE  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is, side yard setback relaxed to 4 feet, 6 inches.

CARRIED UNANIMOUSLY

ITEM #2 - L. and C. Graham

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is, side yard setback relaxed to 0 feet.

MOTION LOST

Mr. Petrie & Mr. Crews registered opposition.

Continued...

Board of Variance - 7:00 p.m.  
Tuesday, December 14, 1982

CONCLUSIONS, Continued...

ITEM #3 - B. Pagnotta

MOVED BY MR. PETRIE  
SECONDED BY MR. FARION

That this appeal be allowed as per application, that is,  
rear yard setback relaxed to 3 feet.

CARRIED UNANIMOUSLY

ITEM #4 - D. B. Green

MOVED BY MR. BENNETT  
SECONDED BY MR. PETRIE

That this appeal be allowed as per application, that is,  
side yard setback relaxed to 1.46 meters.

CARRIED UNANIMOUSLY

ITEM #5 - Avan Development Company Limited

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is,  
exterior side yard setback relaxed to 3.5 meters.

CARRIED

Mr. Petrie registered opposition.

ITEM #6 - Avan Development Company Limited

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is,  
exterior side yard setback relaxed to 3.5 meters.

CARRIED UNANIMOUSLY

ITEM #7 - R. Rubin

MOVED BY MR. PETRIE  
SECONDED BY MR. BENNETT

That this appeal be allowed as per application, that is,  
front yard setback relaxed to 1.96 meters. (6.43 feet)

CARRIED UNANIMOUSLY

ITEM #8 - F. and E. Malchuk

This Item was dealt with in October by the members  
of the Board who were asked at that time to do a "drive by"  
as the applicant was anxious to complete his project before  
the inclement weather sets in. Mr. Malchuk requested relaxation  
of exterior side yard setback requirements to allow him to  
construct a gazebo and hot tub beside his house which would  
be 9 feet from the exterior side yard property line.

Mr. Malchuk hand delivered letters from the Clerk's  
Department to the neighbours as designated by the Clerk's  
Department and all neighbours signified in writing that they  
had no objections to this application.

Continued...

Board of Variance - 7:00 p.m.  
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Conclusions - Item #8 - Continued...

All members of the Board, after inspecting this property, advised the Clerk's Department that they were in favour of the application. At that time verbal approval was given to Mr. Malchuk to proceed.

MOVED BY MR. PETRIE  
SECONDED BY MR. FARION

That thesactions taken by the Board of Variance with regard to this application be ratified, that is, that the exterior side yard setback be relaxed to 9 feet.

CARRIED UNANIMOUSLY

ITEM #9 - Cressey Development Corporation

Mr. Crews removed himself from the discussion and vote on this matter.

MOVED BY MR. PETRIE  
SECONDED BY MR. FARION

That this appeal be denied.

CARRIED UNANIMOUSLY

A D J O U R N M E N T

MOVED BY MR. FARION  
SECONDED BY MR. BENNETT

That the Board of Variance meeting adjourn. 9:05 p.m.

CARRIED UNANIMOUSLY

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C H A I R M A N

PLANNING DEPARTMENT BRIEF TO BOARD OF VARIANCE - DECEMBER 14, 1982

ITEMS #1 TO #4

The Planning Department has no objection to these appeals as they would appear to be local issues.

ITEMS #5 & #6

Since this appeal relates to future widening adjacent an arterial street, the Planning Department has reviewed this matter with the Supervisor of Traffic & Transportation in the Engineering Department. We are advised by him that additional widening from the subject properties of this appeal would only be required if a left-hand turn bay was needed at this intersection in the future. There has been no design done for the road and therefore it is difficult to tell what the long-term needs will be. Therefore, in view of this, and in view of the fact the Crown Provincial owns the land directly to the west, the Engineering representative has expressed no objection to this appeal since it is reasonable to assume a small amount of additional widening may be acquired from the Crown Provincial lands to facilitate a left-hand turn bay if it is needed.

ITEMS #7 & #8

The Planning Department has no objection to these appeals as they would appear to be local issues.

ITEM #9

The Planning Department has no objection to this appeal, however, I should point out that even with the additional setback from Mariner Way, there is more than adequate building area to build a comparable size house to those in the rest of the subdivision. It appears that the applicants are proposing to place a stock plan on a lot which requires more unique consideration.

Respectfully submitted,



Ken McLaren  
Development Control Technician

KM/ci

**DISTRICT OF COQUITLAM**

Inter-Office Communication

TO: SANDRA AIKENHEAD

DEPARTMENT: ADMINISTRATION

DATE: 82-12-13

FROM: TED SPOONER

DEPARTMENT: BUILDING

YOUR FILE:

SUBJECT: BUILDING DEPARTMENT COMMENTS TO THE DEC. 14/82 BOARD OF  
VARIANCE MEETING

OUR FILE:

Item #1-- The Building Department has no objection to this appeal as the Building By-Law does not appear to be involved.

Item #2-- The Building Department would have no objection to this appeal provided the west wall of the carport is enclosed and the exterior cladding is non-combustible. As approximately 2/3 of the west side of the proposed carport is existing concrete retaining wall, the Building Department would recommend the use of concrete block on top of the retaining wall.

Item #3,4,5,6,  
7,8,& 9 --The Building Department has no objection to these appeals as the Building By-Law does not appear to be involved.



C.E. (Ted) Spooner  
Building Inspector

Item #2

Wm. & Alice Holinsky  
1041 Walls Ave.  
Coquitlam B.C. V3K 2T8  
Dec. 13, 1982

District of Coquitlam  
1111 Brunette Ave.  
Coquitlam B.C. V3K 1E9

Dear Sirs/ Madam:

Re: Board of Variance - Tuesday Dec. 14/82

Please be advised that I, Wm. and Alice Holinsky have no objection whatsoever to Mr. L. GRAHAM'S carport being built right up to our property line. In fact the carport roof will be to our advantage to maintain our wide shrubbery, being as we are, senior citizens.

So we hope you grant him a permit.

Yours truly

Wm. Holinsky  
Alice Holinsky

P.S. This is an answer to your letter of Dec. 1/82

Oct 15/82

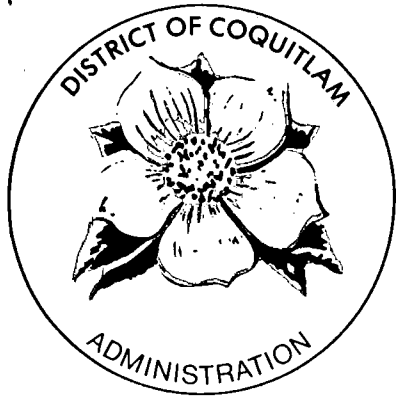
17th #2

To whom it may concern:-

We are residents at 1040 Wall  
Ave Coquitlam, and understand  
that Mr. L. Graham who lives at  
1047 Wall Ave. wishes to build  
a carport on his house ~~that~~ to  
which we have no objection.

Yours truly,  
A. Musselman  
Carl W. Musselman

Item #3



# DISTRICT OF COQUITLAM

1111 BRUNETTE AVENUE, COQUITLAM, B.C. PHONE 526-3611

V3K 1E9

MAYOR J.L. TONN

December 1, 1982

Dear Sir/Madam:

Re: Board of Variance - December 14, 1982.

This is to advise that the Board of Variance will meet on Tuesday, December 14th, 1982 at 7:00 p.m. in the Council Chambers of the Municipal Hall, 1111 Brunette Avenue, Coquitlam, B.C. to hear certain applications for the alleviation of hardship under our zoning regulations.

The property in question is at 1138 Lansdowne Street, requesting relaxation of rear yard setback requirements.

As you have holdings near this property, you may wish to attend the meeting of the Board of Variance and express your opinion.

Carol Bayle  
1138 Lansdowne St.

Yours truly

(Mrs.) Sandra Aikenhead,  
Deputy Municipal Clerk

9/27 have no objections  
to Mr Ragnotta's building  
in his rear yard.

SA/pam