

**Minutes of a Meeting of the Juan de Fuca Board of Variance
Held Wednesday, March 1, 2023, at the Juan de Fuca Local Area Services Building,
#3 – 7450 Butler Road, Otter Point, BC**

PRESENT: Paul Clarkston (Chair), Axel Joosting (EP)
Staff: Iain Lawrence, Senior Manager, JdF Local Area Services;
Wendy Miller, Recorder
ABSENT: Brad Fitchett
PUBLIC: 4

EP – Electronic Participation

The meeting was called to order at 6:00 pm.

1. Election of Chair

Noting that two members were present and that the person presiding at the meeting cannot attend electronically, Paul Clarkston agreed to be Chair of the Juan de Fuca Board of Variance for 2023.

2. Approval of the Agenda

MOVED by Paul Clarkston, **SECONDED** by Alex Joosting that the agenda be approved.

CARRIED

3. Approval of the Supplementary Agenda

No supplementary items.

4. Adoption of the Minutes of November 14, 2022

MOVED by Axel Joosting, **SECONDED** by Paul Clarkston that the minutes of November 14, 2022, be adopted.

CARRIED

5. Planner's Report

No report.

6. Applications

a) BV000491 - Lot B, Section 8, Otter District, Plan VIP25212 (8970 West Coast Road)

Iain Lawrence outlined the staff report and advised that the applicant has requested a variance to increase the maximum allowable height for accessory buildings and structures from 6 m to 6.4 m and increase the combined total floor area allowance for accessory buildings and structures from 250 m² to 296 m² on a lot with an area of more than 5,000 m² for the purpose of constructing a two-story accessory building.

Iain Lawrence highlighted the site plan and proposed building plans and directed attention to the applicant's hardship statement as included in the staff report. It was confirmed that no comments were received in response to the notice of intent mailed to adjacent property owners within 50 m of the subject property.

Staff confirmed that the applicants were present.

An applicant stated that:

- the property has seen increased extended family use
- the garage will be used for storage by multiple family members
- an older storage building will be demolished and tarped storage will be removed, should the variance be supported

The Board of Variance considered the requested variance and passed the following resolution:

MOVED by Axel Joosting, **SECONDED** by Paul Clarkston that having considered matters set out in Section 542(1)(c) of the *Local Government Act*, and having found that undue hardship would be caused to the applicant if Part 1, Section 4.01 of Bylaw No. 2040 were complied with, that application BV000491 requesting permission from the Board of Variance in accordance with Section 540 of the *Local Government Act* to grant a minor variance to Bylaw No. 2040, Part 1, Section 4.01 (2)(a) by increasing the maximum height permitted for accessory buildings and structures from 6 m to 6.4 m and Section 4.01 (2)(c) by increasing the maximum combined total floor area allowance for accessory buildings and structures on a lot with an area of more than 5,000 m² from 250 m² to 296 m² on Lot B, Section 8, Otter District, Plan VIP25212, to permit construction of a two-storey garage, be approved, and that if construction is not substantially started within 2 years after the date of this order, the order shall terminate.

CARRIED

b) BV000492 - Lot 3, Section 46, Otter District, Plan 14160 (2960 Robinson Road)

Iain Lawrence outlined the staff report and advised that the applicant has requested a variance to increase the maximum combined total floor area allowance for accessory buildings and structures from 250 m² to 350 m² on a lot with an area of more than 5,000 m², for the purpose of constructing a detached accessory suite.

Iain Lawrence highlighted the subject property and site plan and directed attention to the applicant's hardship statement as included in the staff report. It was confirmed that no comments were received in response to the notice of intent mailed to adjacent property owners within 50 m of the subject property.

Staff confirmed that the applicant was present.

The applicant stated that:

- the intent is to keep the property under one title at this time
- the parcel is large enough to plot existing structures and the proposed detached accessory suite, should subdivision be pursued in future

Kevin Trim, Otter Point

- is an adjacent property owner
- supports the variance request

The Board of Variance considered the requested variance and passed the following resolution:

MOVED by Axel Joosting, **SECONDED** by Paul Clarkston that having considered the matters set out in Section 542(1)(c) of the *Local Government Act*, and having found that undue hardship would be caused to the applicant if Part 1, Section 4.01 of Bylaw No. 2040 were complied with, that application BV000492 requesting permission from the Board of Variance in accordance with Section 540 of the *Local Government Act* to grant a minor variance to Bylaw No. 2040, Part 1, Section 4.01 2(c) by increasing the maximum combined total floor area allowance for accessory buildings and structures on a lot with an area of more than 5,000 m² from 250 m² to 350 m² on Lot 3, Section 46, Otter District, Plan 14160, for a proposed detached accessory suite, be approved and that if construction is not substantially started within 2 years after the date of this order, the order shall terminate.

CARRIED

7. Adjournment

The meeting was adjourned at 6:12 pm.

P. Clarkston, Chair