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**Minutes of a Meeting of the Juan de Fuca Board of Variance
Held Tuesday, May 2, 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 (EP);
Darren Lucas, Planner; Wendy Miller, Recorder
ABSENT: Brad Fitchett
PUBLIC: 3

EP – Electronic Participation

The meeting was called to order at 6:05 pm.

1. Approval of the Agenda

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

CARRIED

2. Approval of the Supplementary Agenda

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

CARRIED

3. Adoption of the Minutes of March 1, 2023

MOVED by Axel Joosting, **SECONDED** by Paul Clarkson that the minutes of March 1, 2023, be adopted.

CARRIED

4. Planner's Report

No report.

5. Application

a) BV000493 - Lot 23, Section 42, Highland District, Plan VIP8166 Except Plan VIP78117 (7272 Mark Lane)

Darren Lucas outlined the staff report and advised that the applicant has requested a variance to reduce the required front yard setback for an accessory building from 6 m to 1.52 m for the purpose of constructing a 7 m² utility shed.

Darren Lucas highlighted the site plan and directed attention to the applicant's hardship statement as included in the staff report and to the supplementary information received from the applicant in response to an inquiry received by staff from an adjacent property owner regarding the wellhead location/housing.

The Chair confirmed that the applicants were present.

Darren Lucas responded to questions from the BOV advising that, although a building permit may not be required due to the size of the utility shed, the Willis Point Comprehensive Community Plan, Bylaw No. 3027, does not provide a setback exemption for utility sheds.

The applicant stated that the:

- property recently experienced vandalism
- utility shed will provide a secure location for well components
- wellhead will not be housed in the utility shed, but will be covered by a protective sleeve

A neighbouring property owner reviewed the site photos and stated no objection to the 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 Schedule 'B', Section 22.2(d) of Bylaw No. 3027 were complied with, that application BV000493 requesting permission from the Board of Variance in accordance with Section 540 of the *Local Government Act* to grant a minor variance to reduce the required front yard setback from 6 m to 1.52 m on Lot 23, Section 42, Highland District, Plan VIP8166 Except Plan VIP78117, for a proposed utility shed, be approved and that if construction is not substantially started within 2 years after the date of this order, the order shall terminate

CARRIED

6. Adjournment

The meeting was adjourned at 6:17 pm.

P. Clarkston, Chair