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**Minutes of a Meeting of the Juan de Fuca Board of Variance  
Held Wednesday, July 23, 2025, at the Juan de Fuca Local Area Services Building,  
#3 – 7450 Butler Road, Otter Point, BC**

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**PRESENT:** Paul Clarkston (Chair), Ali Alamolhoda, Axel Joosting (EP)  
**Staff:** Iain Lawrence, Secretary to the Board of Variance;  
Regina Robinson, Planning Assistant; Wendy Miller, Recorder  
**PUBLIC:** 10 in-person; 1 EP

EP – Electronic Participation

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

**1. Approval of the Agenda**

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

**CARRIED**

**2. Adoption of the Minutes of April 2, 2025**

**MOVED** by Ali Alamolhoda, **SECONDED** by Axel Joosting that the minutes of April 2, 2025, be adopted.

**CARRIED**

**3. Planner's Report**

No report.

At this time, Ali Alamolhoda recused himself from the meeting prior to BOV consideration of Agenda Item 4. a), stating direct interest in the application.

**4. Applications**

**a) BV000504 - Lot 1, Section 44, Sooke District, Plan 14181 (7837 Manatu Road)**

Iain Lawrence outlined the staff report and advised that the applicant has requested a variance to reduce the required side yard setback from 6 m to 2.92 m for the purpose of replacing and covering a deck and adding an entrance foyer to an existing single-family dwelling.

The subject property, site plan, concept plans, and requested variance were highlighted.

Attention was directed 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/occupiers within 50 m of the subject property.

Staff confirmed that the applicant was present.

The BOV 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 2, Section 6.07(b) of Bylaw No. 2040 were complied with, a minor variance to reduce the required side yard setback on Lot 1, Section 44, Sooke District, Plan 14181, from 6 m to 2.92 m for the purpose of replacing and covering a deck and adding an entrance foyer to a single-family dwelling, is approved in accordance with Section 540 of the *Local Government Act*, and if construction is not substantially started within 2 years after the date of this order, the order shall terminate.

**CARRIED**

Ali Alamolhoda returned to the meeting.

**b) BV000505 - Lot 7, Section 97, Sooke District, Plan VIP14282 (51 Seagirt Road)**

Iain Lawrence outlined the staff report and advised that the applicant has requested a variance to reduce the required rear yard setback for a detached accessory suite in the RR-6 zone from 10 m to 1 m inclusive of projections, for the purpose of constructing an uncovered deck and stairs.

The subject property, building plans for the addition, and requested variance were highlighted.

Attention was directed to the applicant's hardship statement as included in the staff report.

Iain Lawrence responded to questions from the BOV advising that:

- egress to the proposed deck and stairs is preexisting, providing a second exit to the non-conforming detached accessory suite
- the stairs project into the rear yard setback
- the rear yard borders Sooke Basin

It was confirmed that one piece of correspondence was received in response to the notice of intent mailed to adjacent property owners/occupiers within 50 m of the subject property, and that the correspondence had been forwarded to the Board of Variance for their consideration.

Staff confirmed that the applicant was present.

The applicant responded to questions from the BOV advising that:

- the stairs cannot be reoriented due to the drop in slope
- a 1 m setback is not expected to be necessary, but has been requested to provide flexibility to accommodate the terrain and allow the project to proceed

The BOV considered the requested variance and passed the following resolution:

**MOVED** by Ali Alamolhoda, **SECONDED** by Axel Joosting 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 2, Section 10.09(d) of Bylaw No. 2040 were complied with, a minor variance to reduce the required rear yard setback on Lot 7, Section 97, Sooke District, Plan VIP14282 from 10 m to 1 m inclusive of projections, to authorize the construction of a 3.3 m<sup>2</sup> uncovered deck and stairs is approved in accordance with Section 540 of the *Local Government Act*, and that if construction is not substantially started within 2 years after the date of this order, the order shall terminate.

**CARRIED**

**c) BV000506 - Lot A, Section 17, Otter District, Plan VIP77374 (3500 Block Otter Point Road)**

Regina Robinson outlined the staff report and advised that the applicant has requested a variance to reduce the required front yard setback for accessory buildings and structures from 15 m to 1.53 m for the purpose of authorizing a utility shed.

The subject property, site plan, photo of the accessory building, and requested variance were highlighted.

Attention was directed 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/occupiers within 50 m of the subject property.

Staff confirmed that the applicant was present.

The BOV considered the requested variance and passed the following resolution:

**MOVED** by Axel Joosting, **SECONDED** by Ali Alamolhoda 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(1)(d) of Bylaw No. 2040 were complied with, a minor variance to reduce the required front yard setback on Lot A, Section 17, Otter District, Plan VIP77374 from 15 m to 1.53 m to authorize a 5.6 m<sup>2</sup> electrical utility shed is approved in accordance with Section 540 of the *Local Government Act*, and if construction is not substantially started within 2 years after the date of this order, the order shall terminate.

**CARRIED**

**d) BV000507- Lot A, District Lot 39, Malahat District, Plan EPP103577 (2727 Anderson Road)**

Regina Robinson outlined the staff report and advised that the applicant has requested a variance to increase the maximum floor area allowed for a detached accessory suite from 90 m<sup>2</sup> to 140 m<sup>2</sup> for the purpose of constructing a detached accessory suite.

The subject property, site plan, concept building plans, and requested variance were highlighted.

Attention was directed 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/occupiers within 50 m of the subject property.

Staff confirmed that the applicant was present.

The BOV considered the requested variance and passed the following resolution:

**MOVED** by Ali Alamolhoda, **SECONDED** by Axel Joosting 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 4.20(f) of Bylaw No. 2040 were complied with, a minor variance to increase the maximum floor area of a detached accessory suite on Lot A, District Lot 39, Malahat District, Plan EPP103577 from 90 m<sup>2</sup> to 140 m<sup>2</sup> to authorize construction of a detached accessory suite, be approved in accordance with Section 540 of the *Local Government Act*, and if construction is not substantially started within 2 years after the date of this order, the order shall terminate.

**CARRIED**

The Chair acknowledged recent applications requesting an increase to the maximum allowable floor area for a detached accessory suite. While the removal of a total floor area limit is not supported, the BOV discussed whether the existing 90 m<sup>2</sup> maximum is insufficient.

## 5. Adjournment

The meeting was adjourned at 6:31 pm.

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P. Clarkston, Chair