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**Minutes of a Meeting of the Juan de Fuca Board of Variance  
Held Monday, July 27, 2020, at the Juan de Fuca Local Area Services Building,  
#3 – 7450 Butler Road, Otter Point, BC**

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**PRESENT:** Paul Clarkston (Chair) (EP), Brad Fitchett, Axel Joosting (EP)  
**Staff:** Iain Lawrence, Manager, Juan de Fuca Community Planning;  
Regina Robinson, Planning Assistant (EP); Wendy Miller, Recorder (EP)  
**PUBLIC:** 1 EP

The meeting was called to order at 6:11 pm.

At this time, Iain Lawrence reported that the past Chair, Greg Whincup, has stepped down from his position. On behalf of staff and Regional Director Hicks, Iain Lawrence acknowledged Greg Whincup's fourteen years of service volunteering as a member of the BOV.

Iain Lawrence welcomed Brad Fitchett to the membership. Brad Fitchett was appointed to the BOV by the CRD Board on July 8, 2020.

**1. Elections**

Iain Lawrence called for nominations for the position of Chair of the Juan de Fuca Board of Variance (BOV) for 2020 and Brad Fitchett's name was put forward. Brad Fitchett declined the nomination.

Iain Lawrence called a second time for nominations for the position of Chair and Paul Clarkston's name was put forward. Paul Clarkston stated that he would stand for the position. Iain Lawrence called a third time for nominations and, as there was none, Paul Clarkston was acclaimed Chair.

In accordance with the BOV's bylaw, an Acting Chair will be determined at such time that the Chair is unable to attend a meeting.

**2. Approval of the Agenda**

**MOVED** by Brad Fitchett, **SECONDED** by Axel Joosting that the agenda be approved.

**CARRIED**

**3. Approval of the Supplementary Agenda**

**MOVED** by Axel Joosting, **SECONDED** by Brad Fitchett that the supplementary agenda be approved.

**CARRIED**

**4. Adoption of the Minutes of December 2, 2019**

**MOVED** by Axel Joosting, **SECONDED** by Paul Clarkson that the minutes of December 2, 2019, be adopted.

**CARRIED**

**5. Planner's Report**

No report.

## 6. Application

### a) BV000470 – Strata Lot 10, Section 130, Sooke District, Plan VIS2006 (695 Cains Way)

Regina Robinson outlined the staff report and advised that the applicant is requesting relief from the Board of Variance (BOV) by increasing the maximum floor area allowance from 418 m<sup>2</sup> to 653.9 m<sup>2</sup>, and increasing the maximum permitted height from 9 m to 9.18 m for the purpose of constructing an addition to an existing dwelling in the Rural Residential 3 (RR-3) zone.

Regina Robinson highlighted the proposed addition on the building plans as included in the staff report.

Regina Robinson confirmed that:

- the height of the dwelling is not changing
- the height variance is requested to satisfy the outstanding RR-3 zone requirement, which was not addressed at the time that the dwelling was constructed in 2005
- a letter from the owners of Strata Plan VIS2006 states that the strata has no concerns with the proposal
- a letter of support was submitted by a neighbouring property owner in response to the notice of intent
- the application agent was present

The agent for the application stated that:

- the second storey of the dwelling is currently accessed from a spiral staircase in the master bedroom
- the staircase addition is proposed to provide a safer access to the bedrooms on the second storey
- the bedrooms on the second storey are for the family's younger children
- the addition is just large enough to accommodate the staircase

BOV comments included:

- the dwelling already exceeds the maximum floor area allowance and the requested variance seems minor in relation to the size of the dwelling
- the height will not be increased
- no objections have been received from the neighbours

**MOVED** by Axel Joosting , **SECONDED** by Brad Fitchett that having considered the matters set out in Section 542(1)(c) of the *Local Government Act*, and having found that undue hardship would not be caused to the applicant if Part 2, Section 7.04 and Section 7.06(a) of Bylaw No. 2040 were complied with, that application BV000470 requesting permission from the Board of Variance in accordance with Section 540 of the *Local Government Act* to vary Bylaw No. 2040, Part 2, Section 7.04 by increasing the maximum height from 9 m to 9.18 m; and Section 7.06(a) by increasing the maximum total floor area on a lot less than 1 ha from 418 m<sup>2</sup> to 653.9 m<sup>2</sup> on Strata Lot 10, Section 130, Sooke District, Plan VIS2006, for a proposed addition, 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 6:26 pm.

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P. Clarkston, Chair