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**Minutes of a Meeting of the Juan de Fuca Board of Variance  
Held Monday, April 12, 2021, at the Juan de Fuca Local Area Services Building,  
#3 – 7450 Butler Road, Otter Point, BC**

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**PRESENT:** Paul Clarkston (Chair), Brad Fitchett, Axel Joosting (EP)  
**Staff:** Iain Lawrence, Manager, Juan de Fuca Community Planning (EP);  
Wendy Miller, Recorder (EP)  
**PUBLIC:** Approximately 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. Approval of the Supplementary Agenda**

No supplementary items.

**3. Adoption of the Minutes of March 8, 2021**

**MOVED** by Axel Joosting, **SECONDED** by Brad Fitchett that the minutes of March 8, 2021, be adopted.

**CARRIED**

**4. Planner's Report**

No report.

**5. Application**

**a) BV000475 - Lot B, Sections 7 and 118, Otter District, Plan VIP51493 (4527 Otter Point Road)**

Iain Lawrence outlined the staff report and advised that the applicant is requesting relief from the Board of Variance (BOV) by reducing the front yard setback requirement for accessory buildings from 15 m to 8.43 m for the purpose of constructing a studio.

Iain Lawrence highlighted the subject property and site plan. Attention was directed to the letter of hardship received from the applicant as included in the staff report. The hardship letter states that the proposed site will have the least impact on the farm operation.

Iain Lawrence 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. It was further confirmed that the applicant was present.

The applicant stated that:

- he has owned the property for thirty years and hopes to remain on the property for as long as possible
- the accessory structure will be an arts and crafts studio
- the farm operation has been expanded to include pigs, sheep, horses and chickens

- the animals required pasture
- the proposed structure location is rocky
- the septic field required substantially more room than anticipated due to the rocky terrain

A BOV member stated he viewed the property from the road. The proposed structure will be sited adjacent to the road and will be shielded by a hedge.

The applicant responded to a question from the BOV advising that an additional septic field for the studio is required as the septic field for the house is at capacity.

**MOVED** by Brad Fitchett, **SECONDED** by Axel Joosting that having considered the 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 BV000475 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 4.01(d) by reducing the required front yard setback for accessory buildings from 15 m to 8.43 m on Lot B, Sections 7 and 118, Otter District, Plan VIP51493, for a proposed studio, 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 6:09 pm.

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P. Clarkston, Chair