

JUAN DE FUCA BOARD OF VARIANCE

Notice of Meeting on Wednesday, **March 16, at 6:00 pm**

Juan de Fuca Local Area Planning Services Building, #3 – 7450 Butler Road, Otter Point, BC

SUPPLEMENTARY AGENDA

1. Correspondence received to be dealt with under the following agenda items:
 - a) Agenda Item 6 a) BV000487 - Lot D, Sections 7, 8, and 18, Otter District, Plan 49471 (4684/4686 Otter Point Place)
 - Heather Phillips, Otter Point

From: [REDACTED]
To: [Wendy Miller; jdf info;](#) [REDACTED]
Subject: JdF Board of Variance Meeting March 16 2022
Date: Monday, March 14, 2022 6:55:41 AM

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From Heather Phillips, [REDACTED] (Otter Point resident)

To JdF EA Board of Variance
by email

March 14, 2022

Re: Application a) BV000487 - Lot D, Sections 7, 8, and 18, Otter District, Plan 49471 (4684/4686
Otter Point Place

Quoting from the planners' report regarding this application:

"The proposal cannot be considered under the current configuration since ALC regulations specify a maximum of two dwellings on a parcel of this size. For construction of an additional dwelling to be considered under local government bylaws, the two-family dwelling requires conversion into a single family dwelling with secondary suite."

If the Board members review the definitions in the Juan de Fuca Land Use Bylaw, they will realize that any suite, accessory or secondary, is also a dwelling.

"DWELLING UNIT means a self-contained set of rooms capable of occupancy by one or more persons, including provisions for living, sleeping, cooking and sanitation; containing not more than one kitchen; and the principal use of such dwelling unit is or is capable of being a permanent residence; includes mobile homes, and modular homes or prefabricated dwellings meeting CSA-A277 standards or equivalent, but not recreation vehicles, tents, buses, travel trailers, or other vehicles;"

Quoting from the CRD site describing the powers of a Board of Variance:

"Boards of Variance have the power to grant minor variances in situations where compliance with a Zoning Bylaw respecting siting, dimension or size of a building or structure would cause a person undue hardship. A variance may not vary the density or use of land, and if granted, has an expiry date.'