



Making a difference...together

**Minutes of a Meeting of the Juan de Fuca Board of Variance
Held Monday, May 16, 2022, 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)
Wendy Miller, Recorder
ABSENT: Brad Fitchett
PUBLIC: 2

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

No supplementary items.

3. Adoption of the Minutes of March 16, 2022

MOVED by Axel Joosting, **SECONDED** by Paul Clarkston that the minutes of March 16, 2022, be adopted.

CARRIED

4. Planner's Report

Iain Lawrence reported that Darren Lucas will be starting on May 30, 2022, filling the Planner position that has been vacant since January.

5. Application

a) BV000488 - Lot 1, Section 110, Sooke District, Plan 24649 (1292 Covina Drive)

Iain Lawrence outlined the staff report and advised that the applicant has requested a variance to reduce the required front yard setback for a single-family dwelling from 7.5 m to 1.7 m to permit the conversion of an accessory building to a single-family dwelling.

Iain Lawrence highlighted the subject property, site plan and photo from a site visit attended by staff which shows the public access to the foreshore that runs parallel to the subject property. It was reported that applicant has applied to the Ministry of Transportation and Infrastructure for a setback permit since the building is proposed to be located within 4.5 m of Covina Place. It was further reported that future interests in the right-of-way by the CRD for public access to the foreshore are not anticipated to be affected by the reduced setback as the dwelling would be physically separated from the access by a row of large, mature trees located within the right-of way.

Iain Lawrence directed attention to the applicant's hardship statement as included in the staff report and 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.

Iain Lawrence confirmed that the applicant was present.

Iain Lawrence responded to a question from the BOV to advise that there is no building permit history for the two existing buildings.

MOVED by Axel Joosting, **SECONDED** by Paul Clarkston that having considered the matters set out in Section 542(1) of the *Local Government Act*, and having found that undue hardship would be caused to the applicant if Bylaw No. 2040 were complied with, the Board of Variance hereby orders that a minor variance to Bylaw No. 2040, Part 2, Section 4.10(a), by reducing the required front yard setback for a single-family dwelling from 7.5 m to 1.7 m on Lot 1, Section 110, Sooke District, Plan 24649, be permitted, 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 6:14 pm.

P. Clarkston, Chair