

**DISTRICT OF METCHOSIN
BOARD OF VARIANCE**

Minutes
Council Chambers
Metchosin Municipal Hall
November 8, 2022 at 1:00 p.m.

Present: Gary Smirfitt, Chair
Johnny Carline
Lee Johnston
Katherine Lesyshen, Planner
Melissa Kirk, Recording Secretary

Also Present: Barbara Kennelly & Raymond Campbell (Applicants); Tamara Ballard (Public)

The meeting was called to order at 1:00 p.m.

1. Selection of Chair

The Committee selected Gary Smirfitt as Chair.

2. Review and approve agenda and minutes

Moved and Seconded by Johnny Carline and Lee Johnston that the agenda and minutes of January 29, 2020 be approved.

Carried

3. Application BV-22-01

**Barbara Kennelly & Raymond Campbell
4080 Dupree Drive, Victoria BC V9C 3Z6**

Legally described as:

Lot B, Section 74, Plan 16979, Metchosin Land District (PID 000-246-832)

(a) The Chair read the summary into the record:

The applicants are requesting two variances to construct an attached secondary suite for a family member who requires care (1) the first variance is to reduce the minimum dimensions within the definition of “Common Wall” which requires the common wall have a ‘minimum horizontal dimension of 6.25m (20.5ft.)’ to be reduced to 3.2m (10.5ft) and, (2) the second variance is to relax the rear yard setback from 10m to 3m. The property is located on a corner, and while the functional ‘frontage’ of the property is Dupree Drive, the Land Use bylaw defines Pears Road as the front lot line, necessitating a variance to the rear lot line setback.

- (b) Presentation by applicant – Barbara Kennelly
- Adult son was injured while struck by a car cycling home from UVic.
 - Accident happened ten years ago and has ongoing health issues.
 - Son lives with parents full-time since the start of COVID.
 - Son requires quiet spaces and requires relaxing downtime to heal.
- (c) Board member discussion:
- Ensure setback by a legal survey.
 - Gross floor area for an attached secondary suite is 90m².
 - The intent of the Board of Variance is to approve minor variances.
 - The 3m rear yard setback presented as a minor variance.
 - The common wall variance presented as a major variance.
- (d) Public Participation:
- No letters were received from the public.
 - Tamara Ballard – 552 Wootton Road, no objection to the application.

(e) **Decision:**

Board members discussed BV-22-01 to see whether this application was a minor or major variance and decided that the application presented was a major variance and; therefore, advised applicants that, as Council was the only body which could consider granting a major variance, their option would be to apply for a Development Variance Permit which would then be considered by Council.

Moved and Seconded by Johnny Carline and Lee Johnston that Application BV-22-01 be denied.

Carried

4. The meeting adjourned at 1:30 p.m.

CHAIRMAN

CORPORATE OFFICER