

**DISTRICT OF METCHOSIN
BOARD OF VARIANCE**

Minutes
Council Chambers
Metchosin Municipal Hall
December 14, 2022 at 1:00 p.m.

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

Also Present: Bill Smith (Applicant); Public (7)

The meeting was called to order at 1:08 p.m.

1. Selection of Chair

The Committee selected Gary Smirfitt as Chair for the three-year term.

2. Review and approve agenda and minutes

Moved and Seconded by Johnny Carline and Lee Johnston that the agenda and minutes of November 8, 2022 be approved.

Carried

3. Application BV-22-02

Bill Smith
4252 Metchosin Road, Victoria BC V9C 3Z5
Legally described as:
Lot 2, Section 1, Plan 8455, Metchosin Land District (PID 000-041-131)

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

The applicants are requesting to bring an existing accessory structure into compliance with the Land Use Bylaw. The variance request is to enable an existing accessory structure to remain where it was constructed, at a distance of 1.3 metres from the side lot line, rather than the required 3.0 metre, which will have the effect of varying the District of Metchosin Land Use Bylaw No. 259, Section 51(7)(b).

(b) Presentation by applicant – Bill Smith

- Asking the Board for a relaxation from 3 metres to 1.3 metres for the pre-existing accessory structure.
- Existing trailer and dwelling were removed off the property.
- Building permit was issued for the new dwelling.
- Would like to keep the pre-existing accessory structure and have the the accessory structure conform to the current Land Use Bylaw.
- Accessory structure is well maintained.

(c) Board member discussion:

- Two Board members attended a site visit this morning at 11 a.m.
- The intent of the Board of Variance is to approve minor variances.
- The Board considered this application meets the criteria for granting a minor variance.
- The Board asked if there were letters of support for the application from the public or neighbours.

(d) Public Participation:

- Two letters of support were received from the public.

Mike Hornick – 5600 Rocky Point Road

- In support of the Board of Variance application.
- The owners would have to consider large equipment on their property, realignment of driveway, demolition, and relocation of the existing structure.
- Not approving this application for the pre-existing accessory structure would have negative impacts on the carbon footprint of the property as well as financial and logistical aspects for the property owner.

(e) **Decision:**

Board members discussed BV-22-02 to see whether this application was a minor or major variance and decided that the application presented was a minor variance and; therefore, the Board decided to grant the variance to reduce the minimum side yard setback of 3 metres to 1.3 metres, under Section 51(7)(b) of the Land Use Bylaw No. 259. Property legally described as being Lot 2, Section 1, Plan 8455, Metchosin Land District (PID 000-041-131)

Moved and Seconded by Johnny Carline and Lee Johnston that Application BV-22-02 be approved.

Carried Unanimously

4. The meeting adjourned at 1:20 p.m.

CHAIRMAN

CORPORATE OFFICER