

MOVED by Vern McConnell, **SECONDED** by Sandy Sinclair that the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

That a statement of concurrence be provided to Rogers Communications for the proposed 45 m radio communication and broadcasting antenna system on Section 42, Otter District Except That Part Lying 50 feet on Each Side of the Centre Line of the Right of Way Shown on Plan 121 RW and Except That Part in Plan EPP63580.

CARRIED

7. Development Permit with Variance Applications

a) DV000077 – Lot 3, Sections 45-A and 46-A, Highland District, Plan 22641 (6606 Mark Lane)

Iain Lawrence spoke to the staff report for the application for a development permit with variance to address the Steep Slope development permit (DP) guidelines and to vary the front yard setback requirement for the purpose of constructing an accessory building in the Community Residential - One (CR-1) zone.

Iain Lawrence highlighted the subject property map and site plan with proposed garage location. It was advised that the staff recommendation should note that the request is to reduce the front setback from 6 m to 1.3 m.

Iain Lawrence directed attention to the submissions of support included in the supplementary agenda.

The Chair confirmed that the applicant was not present.

MOVED by Vern McConnell, **SECONDED** by Sandy Sinclair that the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

That Development Permit with Variance DV000077, for Lot 3, Sections 45-A and 46-A, Highland District, Plan 22641, to authorize construction in a Steep Slope Development Permit Area, and to vary the Comprehensive Community Plan for Willis Point, Bylaw No. 3027, Schedule B, Part III, Section 22(2)(d)(i) by reducing the front setback from 6 m to 1.3 m for construction of a carport be approved.

CARRIED

b) DV000079 – Lot 1, District Lot 155, Renfrew District, Plan 18813, Except that Part in Plans 31230 and VIP59413 (6402, 6410, and 6340 Cerantes Road)

Iain Lawrence spoke to the staff report for the application for a development permit with variance to address the Shoreline Protection development permit (DP) guidelines, to vary the maximum height of an accessory building, and to address the minimum required exterior side yard setback for the purpose of authorizing a two lot subdivision and construction of a garage.

Iain Lawrence highlighted the subject property map, proposed subdivision plan and site plan with variance. It was advised that the staff recommendation should state that the requested variance is to increase the maximum height of an accessory building from 4.8 m to 6.9 m, not 5.6 m as was noted in the staff report.

Iain Lawrence confirmed that no comments were received in response to the notice of intent mailed to adjacent property owners within 500 m of the subject property.

The Chair confirmed that the applicant was not present.

LUC comments included:

- Botanical Beach (Juan de Fuca Provincial Park) is adjacent to the subject property
- the applicant has submitted an Environmental Assessment report to address the creation of proposed Lot A relative to the Shoreline Protection DP guidelines
- adjacent property views will not be impacted by the proposal

MOVED by Roy McIntyre, **SECONDED** by Sandy Sinclair that the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

That Development Permit with Variance DV000079, for Lot 1, District Lot 155, Renfrew District, Plan 18813, Except that Part in Plans 31230 and VIP59413, to authorize a two lot subdivision and the construction of a garage within a Shoreline Protection Development Permit Area, and to vary the Comprehensive Community Development Plan for Port Renfrew, Bylaw No. 3109 as follows:

- a) Part IV, Section 22(2)(f) be varied by increasing the maximum height of an accessory building from 4.8 m to 6.9 m in accordance with the Garage Design Drawings; and
- b) Part IV, Section 22(2)(g)(iii) be varied by reducing the exterior side setback requirement from 4.6 m (4.1 m) to 0.9 m for the siting of the existing deck in accordance with the Dwelling and Deck Site Plan;

be approved.

CARRIED

c) DV000080 - Lot A, Section 7, Otter District, Plan VIP75055 (8709 West Coast Road)

Iain Lawrence spoke to the staff report for the application for a development permit with variance to address the Marine Shoreline Development Permit (DP) Area guidelines for a seawall and single-family dwelling, and to vary Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, by allowing height to be measured from finished grade, by allowing the elevation of the lot to be increased and by decreasing the front yard setback.

Iain Lawrence highlighted the subject property map, proposed strata plan, site plan and building drawings.

Iain Lawrence advised that:

- the property was rezoned to Gordon's Beach Recreation Residential 4 (R-4) in 2000 and would have allowed the property to be subdivided into 500 m² parcels, each with a single dwelling unit
- the property has not been subdivided and the R-4 zone allows existing dwellings shown on the proposed strata plan to be rebuilt in their present locations; however, the zone prohibits changes to the elevation of the lot and allows a maximum building height of 7.5 m as measured from average natural grade
- since the time that the bylaw introducing the R-4 zone was adopted, the Province has updated the flood hazard guidelines for coastal areas, which affects how flood construction level (FCL) is determined
- to meet flood construction elevation and maximum building height requirements, variances to permit an increase in the elevation of the lot is required
- since the final height of the building depends on the amount of fill required, it is not known with certainty what the final height of the building would be above natural grade.
- it is known, however, that the final height will be less than 7.5 m above final grade
- the applicant has submitted geotechnical reports which provide a FCL, address the Marine Shoreline DP Area guidelines and provide recommendations for the