

LUC comments included:

- the subject property is 0.4 ha
- if the property was 0.5 ha, the permitted total floor area would be 250 m²
- concern that approval of the variance is precedent setting

Iain Lawrence advised that variance applications are reviewed on an individual basis and that the subject property is located in the Sheringham Estates subdivision, which includes lots of various sizes which are permitted a total floor area of either 100 m² or 250 m².

MOVED by Dale Risvold, **SECONDED** by Sandy Sinclair that the Land Use Committee recommends to the CRD Board that Development Variance Permit VA000150 for Lot 105, Section 95, Renfrew District, Plan 26054, to vary Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040, Part 1, Section 4.01 (2)(c), by increasing the maximum combined total floor area of all accessory buildings and structures on a lot 2,000 m² or greater and less than 5,000 m² from 100 m² to 160.53 m², for the purpose of constructing a garage with vaulted finished space on a second floor, be approved.

CARRIED

7. Development Permit with Variance Applications

a) DV000065 - Lot 1, Section 128, Sooke District, Plan VIP58851 (5480, 5488, 5494 Mt. Matheson Road)

Iain Lawrence spoke to the staff report and the requested development permit with variance to address the Steep Slopes, Riparian and Sensitive Ecosystem Development Permit (DP) guidelines, and to decrease the front yard setback requirement for an accessory building for a proposed three-lot subdivision in the Rural Residential 6A (RR-6A) zone. It was confirmed that the applicant has submitted a geotechnical report and an environmental report to support the proposed development permit for subdivision.

Iain Lawrence directed attention to the letter of support received from Martin Humphries, East Sooke, as included in the supplementary agenda.

The Chair confirmed that the applicant was present.

The applicant responded to questions from the LUC advising that:

- the accessory building subject to the variance was built approximately two years ago
- the remaining buildings and driveway were built approximately 20 years ago
- when he built the accessory building two years ago he was not aware that a variance would be required to permit subdivision
- the accessory building subject to the variance request was sited to fit the natural layout of the property

MOVED by Stan Jensen, **SECONDED** by Dale Risvold that the Land Use Committee recommends to the CRD Board that Development Permit with Variance DV000065, for Lot 1, Section 128, Sooke District, Plan VIP58851, to authorize a three-lot subdivision and to vary the Juan de Fuca Land Use Bylaw No. 2040, Part 1, Section 4.01(d) by reducing the front yard setback for an existing accessory building on proposed Strata Lot 3 from 15 m to 2.76 m, be approved.

CARRIED