



ADOPTED

North Pender Island Board of Variance Minutes of a Hearing

Date: September 13, 2023
Location: Electronic Meeting (Zoom Webinar)

Members Present: Andrew MacLean, BOV Member (Acting Chair)
Bert Hol, BOV Member

Staff Present: Brad Smith, Island Planner
Carly Bilney, Recorder
Emily Bryant, Staff

Applicants: Colleen Jones
Thomas Jones
Ken Rempel, Designer

1. CALL TO ORDER

Chair MacLean called the meeting to order at 10:02 a.m.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. MINUTES

3.1 North Pender Board of Variance Minutes Dated July 26, 2023

By general consent the North Pender Board of Variance meeting minutes of **July 26, 2023** were adopted as presented.

4. UPDATE FROM SECRETARY

5. APPLICATIONS

5.1 NP-BOV-2023.4 (Jones) - Staff Report

Island Planner Smith reviewed the Staff Report regarding NP-BOV-2023.4 (Jones). Discussion ensued and the following comments were made:

- It was up to the Board of Variance to decide whether the applicants face a hardship that warrants variance
- Hardship was difficult to ascertain in this application as there was space on the southeast side of the property where an extension can be added
- Applicants noted the current design plan allows access to the septic field
- Financial burden is not a hardship that warrants variance

- It was difficult to see a hardship in this application because there appeared to be alternative design options
- The property is not substantially different from neighbouring properties to warrant a variance from the rules
- Enclosing the deck would cause the applicants to lose their current nonconforming provision
- The applicants could seek a development variance permit through the Local Trust Committee

NP-BOV-2023-03

It was Moved and Seconded,

that having considered the matters set out in s.542(1)(c) of the *Local Government Act*, and having found that undue hardship would not be caused to the applicant if s. 5.2 (1)(b) of the North Pender Land use Bylaw No. 224, 2023 is complied with, the North Pender Island Board of Variance denies application NP-BOV-2023.4 (Jones).

CARRIED

6. ADJOURNMENT

By general consent the meeting was adjourned at 10:34 a.m.

Recorder

Date