



ADOPTED

North Pender Island Board of Variance Minutes of a Hearing

Date: January 19, 2022
Location: Electronic Meeting (Zoom Webinar)

Members Present: Priscilla Zimmerman, BOV Chair
Andrew MacLean, BOV Member

Staff Present: Phil Testemale, Planner 2 – Secretary to the NPI Board of Variance
Robert Kojima, Regional Planning Manager
Shannon Brayford, Recorder
Robin Ellchuk, Planning Assistant (Host)

Applicant Representatives: Chelsea Grant (Applicant),
Charlie Keay (property owner)
Christian Flanagan (Ryzuk Geotechnical Engineering),
Lehna Malmkvist (Professional Biologist)

1. CALL TO ORDER

Chair Zimmerman called the meeting to order at 9:10 am. She acknowledged that the meeting was being held in traditional territory of the WSÁNEĆ people.

2. APPROVAL OF AGENDA

By general consensus the agenda was approved as presented.

4. MINUTES

4.1 August 19, 2021

By general consent the Board of Variance meeting minutes of August 19, 2021 were adopted as presented.

5. UPDATE FROM SCERETARY

Planner Testemale provided brief updates on board business. He reported that Michael Symons had resigned from the Board in December 2021. Planner Testemale also reported that current Board members will be invited to continue for another term, and a call for submissions from those interested in joining the board will be released early in the calendar year.

6. APPLICATIONS

5.1 NP-BOV-2021.2 (Grant) – Staff Report

Planner Testemale provided an overview of the application including the applicant's rationale for requesting the variance and the supporting professional reports. Planner Testemale also outlined letters of support from members of the community and reviewed the legislative requirements for granting the variance.

Chelsea Grant (applicant) provided an overview of the application, its rationale, and the project's compliance with the Green Shores principles. The applicant's presentation included input from the consulting geotechnical engineer and professional biologist, also present.

The Board requested and received information on the following points:

- Events leading to identification of foreshore concern.
- Rationale for applying for a variance.
- Rationale for identifying hardship.

Chair Zimmerman noted that no members of the public were in attendance to make comment.

A discussion was held regarding the height of the south portion of the shoreline protection and alternative options should the application be denied.

NP BOV-2022-001

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 be caused to the applicant if s.531 (1) of the *Local Government Act* is complied with, the North Pender Island Board of Variance approve application NP-BOV-2021.2 (Grant) as presented in Schedules 'A', 'B', 'C' and 'D' of the NP-BOV-2021.1 Notice of Hearing, with the exception that the boulder wall height as shown in 'Section A-A' on Schedule 'C' will be no higher than the neighbour's wall to the south.

CARRIED

6. ADJOURNMENT

By general consent the meeting was adjourned at 10:45 a.m.

Recorder

Date