



WHISTLER

MINUTES BOARD OF VARIANCE HEARING MONDAY, JULY 26, 2021, STARTING AT 5:30 P.M.

Remote Meeting held Via Zoom

In Attendance:

Board: J. Murl, Chair
C. Lamont
J. Charters

Staff: L. Clarke, Planning Analyst
R. Licko, Acting Manager of Development Planning
C. Thomas, Recording Secretary

Public: Christopher Ford (Owner), Rod Nadeau, Phil Dugas

NOMINATION OF CHAIR AND CO-CHAIR

Moved by: C. Lamont
Seconded: J Charters

That Jeff Murl be appointed as Chair for the Board and
That Jim Charters be appointed as Co-Chair for the Board

CARRIED

REVIEW OF MEETING PROCEDURES AND BOV MOTIONS

Ministerial Order No. M192 – Local Government Meetings & Bylaw Process
(COVID-19) – Resolution Required

Moved by J. Charters
Seconded by C. Lamont

That pursuant to Ministerial Order No. M192, the RMOW is excluding in-person public attendance at the open committee meetings of the Board of Variance on the basis that full public attendance in a manner consistent with public health orders and recommendations cannot be accommodated at this time and the RMOW is ensuring openness, transparency, accessibility and accountability at this meeting by the following means:

- Providing draft agendas and committee minutes on the RMOW's website;
- Providing clear communication to Council, staff and members of the public on the ways people can hear, or see and hear, committee meetings; and

- Including the Zoom meeting links for all regular committee meetings on the individual committee webpages and the committee meeting agendas.

CARRIED

ADOPTION OF AGENDA

Moved by C. Lamont
Seconded by J. Charters

That the Board of Variance agenda of July 26, 2021 be adopted as presented.

CARRIED

ADOPTION OF MINUTES

Moved by C. Lamont
Seconded by J. Murl

That adoption of the Board of Variance Meeting Minutes of January 27, 2020 be amended to include the board resolution for application BOV00207 – 9245 Lakeside Drive which was previously omitted from the draft January 27, 2020 minutes.

CARRIED

APPLICATION:

BOV00211
7293 Fitzsimmons Road
South

VARIANCES:

1. Vary the front setback from 7.6 meters to 5.6 meters for a roof and support posts;
2. Vary the front setback from 7.6 meters to 4.3 meters for roof eaves;
3. Vary the front setback from 7.6 meters to 5.2 meters for a deck.

APPLICANT: Rod Nadeau of Innovation Building Group commented on the following:

1. The drawings, as introduced in the original application, clearly illustrate the deck, railings and roof structure. There was never any attempt to conceal or try to hide anything and that this was simply an error made by all the professionals involved with this application.

2. This has caused the Applicant a hardship because in order to get an occupancy permit he requires the variances to be approved.

COMMENTS:

A Board member asked the following questions:

1. Why was the application process not done as a DVP?

The Developer said that the Building Department recommended that the application be taken to the Board of Variance for further discussion.

2. Have the surrounding neighbors been notified?

Staff also confirmed as per the *Local Government Act* s. 541 that all owners and tenants in occupation of the land that is the subject of the application, and the land that is adjacent to that land had been delivered the required notice.

3. A discussion about whether the RMOW is ultimately responsible for approval of drawings was held.

BOARD DECISION:

Moved by: J. Charters

Seconded by J. Murl

Opposed by: C. Lamont

That the following variances be approved:

1. Vary the front setback from 7.6 meters to 5.6 meters for a roof and support posts;
2. Vary the front setback from 7.6 meters to 4.3 meters for roof eaves;
3. Vary the front setback from 7.6 meters to 5.2 meters for a deck.

as illustrated on the Architectural Plans A002, A103, A002 and A104, dated 2021-02-23 Revision 3, prepared by GNAR Inc.

CARRIED

Moved by: J. Charters

Seconded by: C. Lamont

That the Board of Variance meeting be terminated at 6.10 PM.

CARRIED



Jeff Muri
Chair

Lindsay Clarke

Lindsay Clarke
Planning Analyst

Signing on behalf of
Claire Thomas
Recording Secretary