



WHISTLER

MINUTES

BOARD OF VARIANCE MEETING
MONDAY, March 28, 2022, STARTING AT 5:30P.M.

Remote Meeting

Held via Zoom - Link available at www.whistler.ca/municipal-gov/committees/board-variance

PRESENT:	Meetings attended since appointed
J. Murl, Chair	7/7
J. Charters	4/4
J. Cooper	3/3
STAFF PRESENT:	
Planning Analyst, L. Clarke	N/A
Recording Secretary, V. Quach	N/A
PUBLIC PRESENT:	
BOV00217 Applicant, Steve Anderson	N/A
BOV00219 Applicant, Andrew MacDonald	N/A
BOV00219 Applicant, Fred Formosa, Falcon Homes	N/A
Member of the Public, Claire Thompson	N/A
Member of the Public, Matthew Benedet	N/A
Member of the Public, John Hemsworth	N/A
Member of the Public, Niall Jones	N/A
Member of the Public, Bruno Benedet	N/A

CALL TO ORDER

Chair J. Murl recognized The Resort Municipality of Whistler is grateful to be on the shared, unceded territory of the Lil'wat People, known in their language as Lil'wat7úl, and the Squamish People, known in their language as Skwxwú7mesh. We respect and commit to a deep consideration of their history, culture, stewardship and voice.

ADOPTION OF AGENDA

Moved by J. Cooper
Seconded by J. Charters

That the Board of Variance adopt the agenda of March 28, 2022 as presented.
CARRIED

ADOPTION OF MINUTES

Moved by J. Cooper
Seconded by J. Charters

That the Board of Variance adopt the Board of Variance Minutes of January 27, 2020 as presented.

CARRIED

APPLICATION

BOV00217
3377 Panorama
Ridge

The owner of 3377 Panorama Ridge is requesting a variance to the Resort Municipality of Whistler "Zoning and Parking Bylaw No.303, 2015" as described below:

1. Vary the maximum building height from 7.6 metres to 8.74 metres for a new detached dwelling.

The Applicant, Steve Anderson, commented on the following hardship:

1. The hardship is the steep site, rock outcrop on the property and difficulty designing around the rock on the site.
2. Tried to work with natural surroundings resulting in height variance.
3. Wanted to lower the building to be more in line with the road to address steep incline of the road to the parcel.
4. The design does not shadow or affect the neighbouring properties, but with the extra metre in height it allows us to have a lower garage entry.

The Board members J. Charters, J. Cooper and J. Murl found that, as per LGA S.542(1)(b), undue hardship would be caused to the applicant if the bylaw is complied with due to the physical site characteristics and physical characteristics of abutting sites. Further, they were of the opinion that the variance does not do any of the following listed in LGA S.524(1)(c)(i)-(vi). As such, the Board is in favour of approving this variance application.

Moved by J. Charters
Seconded by J. Cooper

That the following minor variance be approved:

1. Vary the maximum building height from 7.6 metres to 8.74 metres for a new detached dwelling as illustrated on the Architectural Plans A1.1, A2.2, A2.3, A2.4, A3.1, A3.2 and A4.1 dated March 7, 2022, prepared by C.S. Clark and Associates.

CARRIED

BOV00219
6435 Balsam
Way

The owner of 6435 Balsam Way is requesting a variance to the Resort Municipality of Whistler "Zoning and Parking Bylaw No.303, 2015" as described below:

1. Vary the maximum building height from 7.6 metres to 8.61 metres for a new detached dwelling.

The Applicants, Andrew Macdonald and Fred Formosa, commented on the following hardship:

1. Hardship is the entire property is below flood construction level and in order to comply with that the underside of the first floor joists need to be brought above it which brings height of building up above the max height of existing grade.
2. Design is two stories high and only a portion of the sloped roof is above what is allowed.
3. Most of the property is already 6 feet lower than what the flood plain level is.
4. A lot of the properties in the neighbourhood are 3 stories so I don't know if that was built prior to a different time. The neighbouring homes will be very equal to the height of this home when it is constructed.
5. The only other thing we could do is make a really flat roof.
6. Our lot is not uniquely going through an undue hardship, it's that all the homes in the neighbourhood are as they are all below the flood construction level.
7. In order to adhere to the flood construction level we need to raise grade and our understanding is that the measurement is from current grade. Wherever we have built before you cannot raise grade you have to use existing grade.

The Board members J. Charters, J. Cooper and J. Murl did not find that, as per LGA S.542(1)(b), undue hardship would be caused to the applicant if the bylaw is complied with. They found that building aesthetics, flood construction level, raising site grade and confusion with the bylaw were not undue hardship. Further, they were of the opinion that as per LGA S.524(1)(v) the variance would defeat the intent of the bylaw. As such, the Board is not in favour of approving this variance application.

Moved by J. Charters
Seconded by J. Cooper

That the following minor variance be denied:

1. Vary the maximum building height from 7.6 metres to 8.61 metres for a new detached dwelling as illustrated on the Architectural Plans A1.0, A2.2, A2.3, A2.4, A4.1, A5.1, A5.2 dated October 10, 2020, prepared by Vancouver Drafting.

CARRIED
Application denied.

OTHER BUSINESS

There were no items of Other Business.

TERMINATION

Moved by J. Charters
Seconded by J. Cooper

That the Board of Variance meeting of March 28, 2022 be terminated at 6:00 p.m.

CARRIED



Jim Charters

Signing on behalf of Chair,
Jeff Murl



Planning Analyst, Lindsay Clarke

Signing of behalf of Recording
Secretary, Vivian Quach