

WHISTLER

MINUTES

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

Remote Meeting

Held via Zoom – Link available at:

[Board of Variance | Resort Municipality of Whistler](#)

PRESENT	Meetings attended since appointment
J. Charters, Chair	6/6
J. Cooper	5/5
R. Williamson	1/1
STAFF PRESENT	
Planning Analyst, L. Clarke	N/A
Manager, Development Planning, M. Laidlaw	N/A
Administrative Assistant, Planning Dept., M. Urbani	N/A
Recording Secretaries, M. Urbani and K. White	N/A
BOV00220 Owner, Kevin O'Brien	N/A
BOV00220 Applicant, Jason Mathies (partial attendance)	N/A

CALL TO ORDER

RMOW Planning Analyst, L. Clarke recognized The Resort Municipality of Whistler is grateful to be on the shared, unceded territory of the Lilwat People, known in their language as Lilwat7úl, 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: R. Williamson

That the Board of Variance Committee adopt the Agenda of November 28, 2022 as presented.

CARRIED

ADOPTION OF MINUTES

Moved by: J. Cooper
Seconded by: R. Williamson

That the Board of Variance Committee adopt the Committee Minutes of Monday, March 28, 2022 as presented.

CARRIED

Moved by: J. Cooper
Seconded by: R. Williamson

That the Board of Variance Committee adopted the Committee Minutes of Monday, May 30, 2022 as presented.

CARRIED

APPLICATION

BOV00220
3226 Juniper Place

The Owner of 3226 Juniper Place is requesting a variance to the Resort Municipality of Whistler "Zoning and Parking Bylaw 303, 2015" as described below:

1. Vary the east side setback from 3.0 metres to 2.0 metres for an auxiliary garage building meeting Part 5, section 4 of the Zoning Bylaw (maximum 5 metres in height).

RMOW Planning Analyst L. Clarke introduced the application and confirmed that no correspondence was received from the public related to this application before the deadline of 4:30pm on November 28, 2022.

The Owner, Kevin O'Brien, commented on the following hardship:

1. The hardship is the lack of parking on the property as the existing home and garage were built with plans containing elevation errors.
2. The existing garage is essentially unreachable so the current parking spots are partially in the easement between the road and the property.
3. The site is challenging with a steep 50% grade on the west side of the property and requires extensive excavation to bring the garage to a 5% or less grade for the driveway and the parking spaces in the driveway.
4. The eastside setback variance is to reduce the amount of excavation that has to be done so close to existing house and its foundation.
5. There are some financial limitations to the excavation work.
6. The west side of the property also contains an existing rock stack retaining wall that was part of a waterline replacement project in past and is not proposed to be altered.

The Board members J. Charters, J. Cooper and R. Williamson 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. Cooper
Seconded by: R. Williamson

That the following variance be approved:

1. Vary the east side setback from 3.0 metres to 2.0 metres for an auxiliary garage building meeting Part 5, section 4 of the Zoning Bylaw (maximum 5 metres in height)

as illustrated on the Architectural Plans A1 and A2 dated September 12, 2022, prepared by Mathies Design.

CARRIED

OTHER BUSINESS

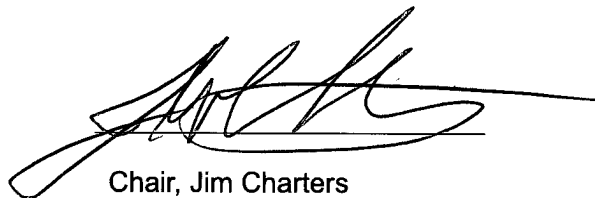
There were no items of Other Business.

TERMINATION

Moved by: J. Cooper
Seconded by: R. Williamson

That the Board of Variance Committee meeting of November 28, 2022 be terminated at 6:10 p.m.

CARRIED



Chair, Jim Charters

Kathy White

Recording Secretary, Kathy White