

**Municipality of North Cowichan  
Board of Variance  
MINUTES**

**February 5, 2020, 2:00 p.m.  
Municipal Hall - Maple Bay Meeting Room**

Members Present	Shannon Roome, Chair Don Bruniski Peter Ordynec
Members Absent	Daniel Robin David Wiebe
Staff Present	Rob Conway, Director of Planning and Building Anthony Price, Planning Technician Glenn Morris, Development Planning Coordinator Nelda Richardson, Deputy Corporate Officer

**1. CALL TO ORDER**

There being a quorum present, the Chair called the Board of Variance meeting to order at 2:00 p.m.

**2. APPROVAL OF AGENDA**

It was moved and seconded:

**That the Board of Variance approve the February 5, 2020 agenda as circulated.**

**CARRIED**

**3. ADOPTION OF MINUTES**

It was moved and seconded:

**That the Board of Variance adopt the minutes of the meeting held October 30, 2019.**

**CARRIED**

**4. BUSINESS**

**4.1 Application to Accommodate a Generator at 9910 Esplanade Street**

The Board received a presentation from Anthony Price, Planning Technician regarding the subject property and the proposed request to vary setbacks to accommodate a diesel generator for emergency power.

The Board had a question with regard to how power would be shared between the two facilities. The Board heard from the applicant, Mr. Lamont, Project Facilitator Ltd. that

patients would be relocated between facilities to the facility that had power. Not that power would be distributed between the facilities during a power outage.

Mr. Lamont stated that the proposed location is very easy and safe access for refueling the generator. It is the best place to locate the generator. The slope of the land allows for soundproofing. A fence would be incorporated around the area for security.

Board Member Ordynec raised concerns with size of the generator and the noise that would come from it. A question was asked if the generator would be tested. The Board heard that the generator is required to be tested once a month and would be done during working hours on business days only. A question was asked why the measurement is 7 meters for sound distance ratings. The Board heard staff did not know the rationale and that the closest neighbor is ten meters away and the residential dwelling is farther away.

Chair Roome asked staff if there had been any submissions from surrounding neighbours opposed to the application. The Board heard there were no submissions received regarding the application.

The Board asked what happens now when the power goes out. The Board heard that the resident's wheelchair bound or with accessibility issues cannot leave their rooms as there would be no elevator and staff would be required to bring their meals to them.

Board Member Bruniski noted he has concerns with noise from the generator but it would only be used during power outages and is in favour of the application based on the occupants.

Board Member Ordynec noted that he is in favour of the application due to the nature of the residents in the facility and the necessity for power.

Chair Roome, noted that there is well documented need and proven undue hardship to the applicant.

It was moved and seconded:

**That the Board approve application BOV00004 to vary Section 35 (3) of Zoning Bylaw No. 2950, reducing the required rear yard setback to 0 m instead of 4.5 m at 9910 Esplanade Street, in order to accommodate a diesel generator for emergency power.**

**CARRIED**

**5. NEW BUSINESS**

None.

**6. ADJOURNMENT**

The Board of Variance meeting ended at 2:34 p.m.

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Signed by Chair

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Certified by Recorder