

**CITY OF VICTORIA  
BOARD OF VARIANCE MINUTES  
FOR THURSDAY, MARCH 9, 2017  
ESQUIMALT NATION MEETING ROOM**

**Present:** Andrew Rushforth, Chair  
Jaime Hall  
Rus Collins  
Margaret Eckenfelder  
Trevor Moat

**Staff:** Nina Jokinen, Planning Technician  
Quinn Anglin, Secretary

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The meeting was called to order at 12:34 pm.

1. **Minutes:** Meeting of February 23, 2017

**Moved:** Trevor Moat

**Seconded:** Margaret Eckenfelder

That the minutes of February 23, 2017 be adopted as presented

**CARRIED**

2. **Appeals**

**12:30 Board of Variance Appeal #00631  
James and Amy Jaarsma, Owner/Applicant  
1110 Topaz Avenue**

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Present Zoning: R1-B - Single Family Dwelling District  
Present Use: Single Family Dwelling

The proposal is to raise the existing single family dwelling by 0.45m, construct new additions to the rear and east side and enclose garage for a total addition of 25.6sq.m.

**Bylaw Requirements**

**Relaxation(s) Requested**

Part 1.2.5 a.

Relaxation for the front yard setback of 7.50m to 7.49m.

Part 1.2.5 b.

Relaxation for the rear yard setback of 7.50m to 4.84m

Jim and Amy Jaarsma, Owners/Applicants; were present.

Applicant

- The original application was only realized to be for the structure itself.

- Recently bought the house and went through quite an extensive design process with their designer and he felt they really needed some extra space due to attempting to have a kitchen, dining room and living room along the same plane on one side of the house
- The lot was subdivided some time ago and they share the same problem with their neighbour to the west as both of their properties are very shallow, which poses a hardship.
- Feel that they are asking for something very minimal
- Original plans have a mudroom and playroom off the back that they are taking off and the proposal is adding to that only about 1ft. 3”.
- Neighbours are supportive and extremely happy that they are renovating and not knocking it down.
- They plan to live in the home themselves.

Board

- Are front stairs allowed to project into the yard?
  - Yes they are
- The letter to the neighbors said that it is just 9” to the stairs, which is incorrect?
  - Yes, it was a mistake and the neighbors have seen the updated drawings – this number was taken from some of original drawings before they were updated. The notice to the neighbours from the City clearly identifies the variances requested correctly though.

*Public portion of the meeting closed*

Move to accept the proposal as presented, as it is a positive change that is sensitive to the landscape and neighbors. They are avoiding demolishing a perfectly good house that has identified reasonable hardship due to lot size, and although there was a slight error in the applicant letter to neighbours, it was with no intent to mislead and the Notice from the City to neighbours correctly outlined the variances that are requested as required.

**Moved:** Trevor Moat

**Seconded:** Margaret Eckenfelder

That the following variance be allowed;

**Bylaw Requirements**

**Relaxation Requested**

Part 1.2.5 a.

Relaxation for the front yard setback of 7.50m to 7.49m.

Part 1.2.5 b.

Relaxation for the rear yard setback of 7.50m to 4.84m.

**Carried (unanimous)**

**12:50 Board of Variance Appeal #00632  
KnotinaBox Design Inc, Applicant; John Beaumier, Owner  
68 Government Street**

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Present Zoning: R-2 - Two Family Dwelling District  
Present Use: Vacant

The proposal is for a new single family dwelling with secondary suite.

<b>Bylaw Requirements</b>	<b>Relaxation(s) Requested</b>
Part 1.2.5 a.	Relaxation for the front yard setback from 7.50m to 3.61m.
Part 1.2.5 b.	Relaxation for the rear yard setback from 7.50m to 5.30m.

John Branmier, Owner; Todd Martin, Designer; were present.

#### Applicant

- Small lot that had an existing house that was pushed 12 feet onto the neighbouring property
- Investigated relocating the house but it wasn't feasible.
- Designed a new home that could house the owner and his family as well as a suite that could potentially house his mother and father.
- With the existing setbacks they would only be able to house a 400 square feet footprint, which is very difficult to work within.
- Pushed the front yard setback and rear yard setback to allow for adequate space for the primary residence and the secondary suite with a deck in the rear for access to the suite.
- The proposal is for a small 500 sq. foot secondary suite in the basement, and maxes out at about 2000 sq. feet. for the house

#### Board

- Neighbors in support?
  - Yes have letter of support from the neighbors that would be most affected by the proposal, and the remaining neighbour that would be most affected was also in support. Most of the people they spoke to were very happy to see something being done with the corner and it being cleaned up.

*Secretary read letter of support from Jennifer Gunter of 581 Niagara Street, Niagara Grocery, in support of the application*

- The address is 68 Government but the front door seems to be on Niagara?
  - No, the frontage of the property is on Government and the front door to the main suite is there.
- Is there is a door on Niagara Street?
  - Yes, but it is for the secondary suite.
- Government street frontage is what is on Page 4 and described as the left elevation?
  - Yes
- How does the frontage of this property compare the homes southerly to it?
  - The house beside them is pushed into the front yard as is the grocery store and many of the homes in James Bay
- Front yard setbacks and side yard setbacks seem to be often pushed in this neighbourhood

- What is maximum sq. footage for a small lot?
  - 260 sq. meters
- What is the max house square footage for a small lot?
  - 190 sq. meters

*Public portion of the meeting closed*

They are meeting the minimum requirements for small lot standards without being a small lot, which make for a reasonable request for variances and hardship due to the irregular size of the lot and inability to build an adequately sized home within the setbacks that exist.

**Moved:** Rus Collins

**Seconded:** Trevor Moat

That the following variance be allowed;

**Bylaw Requirements**

**Relaxation Requested**

Part 1.2.5 a.

Relaxation for the front yard setback from 7.50m to 3.61m.

Part 1.2.5 b.

Relaxation for the rear yard setback from 7.50m to 5.30m.

**Carried (unanimous)**

Meeting Adjourned: 1:10 pm