

**CITY OF VICTORIA  
BOARD OF VARIANCE MINUTES  
FEBRUARY 8, 2018**

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

**Absent:** Jaime Hall

**Staff:** Nina Jokinen, Planning Technician  
Katie Lauriston, Secretary

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The meeting was called to order at 12:25 pm.

**1. Minutes**

Minutes from the meeting held January 11, 2018

**Moved:** Trevor Moat

**Seconded:** Rus Collins

That the minutes from January 11, 2018 be adopted as presented.

**Carried**

Minutes from the meeting held January 25, 2018

**Moved:** Margaret Eckenfelder

**Seconded:** Trevor Moat

That the minutes from January 25, 2018 be adopted as presented.

**Carried**

**2. Appeals**

**12:30 Board of Variance Appeal #00703  
Kin Fun Li, Applicant / Owner  
431 Powell Street**

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Present Zoning: R-2 – Two Family Dwelling District  
Present Use: Single Family Dwelling

This application is an amendment to the previously approved variance application, which proposes a larger front deck and steps.

The proposal is to raise the existing house 1.35m, rebuild the lower floor and new front deck and steps.

**Bylaw Requirements**

**Relaxations Requested**

Part 1.2.5 (a)

Decrease the front yard setback to the deck from 7.50m to 4.38m

- |                |  |
|----------------|--|
| Part 1.2.5 (c) | Decrease the side yard setback (south) to the deck from 1.50m to 0.60m<br><i>Note:</i> existing setback is 0.60m |
| Part 1.2.5 (c) | Decrease the side yard setback (north) to the deck from 3.00m to 1.10m<br><i>Note:</i> existing setback is 1.10m |
| Part 1.2.5 (d) | Decrease the combined side yard setbacks from 4.50m to 1.30m<br><i>Note:</i> existing is 1.30m                   |
| Part 1.2.6 (a) | Increase the site coverage from 40% to 56.53%  |

Kin Fun Li and Monika Lowe, Applicants / Owners, were present.

Owner

- After previous plans for the front porch were approved, the owners realized that the stairs would be too close to the sidewalk and would appear very long and out of proportion with the house.
- The owners have consulted their designer, architect and neighbours about changing the front porch structure. The owners agree with neighbours that the straight stair design should be changed.
- The proposal is to extend the front porch to the whole width of the house, as it was prior to being enclosed in the 1970s, which will be more in keeping with the other houses on the street.
- The porch will be deeper, the landing will be pushed forward, and the whole structure will be pushed closer to the house.
- The previously approved plans allowed the stairs to be 5m from sidewalk. The new plans propose about 30cm closer than previously approved, with the changed direction of the stairs.
- Whereas straight stairs give the impression of a high rise, the proposed changes will look better for the house and the neighbourhood. The wider porch and 90° angle will be an aesthetic, proportional and historical improvement.

Board

- Previous plans show the last stair at 3.7m from the corner of the property line, and the new plans show the stairs at 3.48m to the sidewalk. Are the stairs to be closer than indicated?
  - The numbers on the previous drawings are not consistent with what is on the property. The previous stair design was very high and steep.
  - After measuring with the contractor, the owners found that comfortable stairs end up 6' from the sidewalk.
- Is it proposed to add a deck to the front that didn't previously exist?
  - The landing was fixed about 7 years ago because it was poorly built and had a railing running in front of the windows.

- Because of the stairs going along the side of the house, the porch had to be extended to the full width of the house. This is consistent with how the house was originally built.
- Did the porch historically span the width of the house?
  - Yes, the portion that is now enclosed used to be open.
  - The right side of the house has to be about 8' deep to accommodate the stairs at the side, and the proposal extends the porch to make the front symmetrical.
- Is there now a garage?
  - Yes, it will be one big, open space for use as a workshop and storage.
- Was it considered to angle the stairs differently to require a lesser variance?
  - The owner and contractor discussed this, and found that turning the stairs would not lessen the variance.

*Nina Jokinen, Zoning Technician, clarified that the setback is measured to the face of the deck, not to the stairs.*

- The driveway on the left also cannot be blocked, which dictates the direction of the stairs.

*Public portion of the meeting closed.*

**Motion:**

**Moved:** Margaret Eckenfelder

**Seconded:** Rus Collins

That the following variances be allowed:

- |                |  |
|----------------|--|
| Part 1.2.5 (a) | Decrease the front yard setback to the deck from 7.50m to 4.38m        |
| Part 1.2.5 (c) | Decrease the side yard setback (south) to the deck from 1.50m to 0.60m |
| Part 1.2.5 (c) | Decrease the side yard setback (north) to the deck from 3.00m to 1.10m |
| Part 1.2.5 (d) | Decrease the combined side yard setbacks from 4.50m to 1.30m           |
| Part 1.2.6 (a) | Increase the site coverage from 40% to 56.53%.                         |

**Carried Unanimously**

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**12:50 Board of Variance Appeal #000704**  
**Jason Hodgins of School District 61, Project Manager / Applicant; School District 61, Owner**  
**1280 Fort Street (Central Middle School)**

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Present Zoning: R3-2 – Multiple Dwelling  
Present Use: School

The proposal is to construct two new portables (accessory buildings), one located on the south side and the other one located on the north side within the east side of the property.

<b>Bylaw Requirements</b>	<b>Relaxations Requested</b>
Schedule F Section 1	Relaxation for the location (north portable) from the rear yard to the side yard
Schedule F Section 2 (a)	Increase the combined floor area (north portable) from 37.0m <sup>2</sup> to 86.86m <sup>2</sup>
Schedule F Section 3 (a)	Increase the height (north portable) from 3.50m to 4.14m
Schedule F Section 1	Relaxation for the location (south portable) from the rear yard to the side yard
Schedule F Section 2 (a)	Increase the combined floor area (south portable) from 37.0m <sup>2</sup> to 106.83m <sup>2</sup>
Schedule F Section 3 (a)	Increase the height (south portable) from 3.50m to 4.70m

Jason Hodgins and David Loveridge of School District 61, Applicants, were present.

Applicant

- The required number of classrooms are dictated by new contract language with new class size and composition targets set by the government and Supreme Court.
- About 75 classroom requirements were met with excess capacity across schools in the district; another 15 classrooms have been implemented by moving existing portables from other schools in the region.
- Three new learning studios have been built, including the one at Central Middle School that was approved recently by the Board of Variance.
- Since the District's last application to the Board of Variance, enrollment at Central Middle has increased significantly. Even with the added studio, future classrooms are still required as the District adjusts catchment areas. Projections do not indicate any decrease in enrollment population for the next 20 years.
- In the short-term, a second classroom is needed at Central Middle. This portable will be raised to allow crawl space underneath, and requires a height variance of 1.5m.

Board

- Is the new space underneath the portables usable storage space?
  - It is a skirted crawlspace only for maintenance and repair.
- Is there concrete underneath the structures?
  - Compacted gravel backfill is put underneath, and on some sites concrete pads are installed.
- Are these structures intended to be permanent?
  - These 'moveables' are not permanent.
- Was adding on to the existing building considered?
  - Yes, but there is not a lot of room for additions at back of the school.
  - There are also other schools with higher priority for an addition, for example Oaklands Elementary has two portables and two additional spaces are already necessary for the next school year.
- Is the 'moveable' from Burnside the same style as the one previously allowed?
  - The Burnside unit has been selected specifically for its similar look and feel, although it is already 30 years old. It will be fully refurbished so that the two portables look relatively the same.

*Public portion of the meeting closed.*

Board

- The building is necessary.
- Hardship is evident.

**Motion:**

**Moved:** Trevor Moat

**Seconded:** Margaret Eckenfelder

That the following variances be allowed:

Schedule F Section 1	Relaxation for the location (north portable) from the rear yard to the side yard
Schedule F Section 2 (a)	Increase the combined floor area (north portable) from 37.0m <sup>2</sup> to 86.86m <sup>2</sup>
Schedule F Section 3 (a)	Increase the height (north portable) from 3.50m to 4.14m
Schedule F Section 1	Relaxation for the location (south portable) from the rear yard to the side yard
Schedule F Section 2 (a)	Increase the combined floor area (south portable) from 37.0m <sup>2</sup> to 106.83m <sup>2</sup>
Schedule F Section 3 (a)	Increase the height (south portable) from 3.50m to 4.70m.

**Carried Unanimously**

Meeting Adjourned at 1:13 pm.

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