

**CITY OF VICTORIA  
BOARD OF VARIANCE MINUTES  
MAY 10, 2018**

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

**Absent:** Rus Collins

**Staff:** Nina Jokinen, Planning Technician  
Noraye Fjeldstad, Administrative Assistant

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The meeting was called to order at 12:30 pm.

**1. Appeals**

**12:30 Board of Variance Appeal #00714  
Chris Koziey, Applicant / Owner  
223 Moss Street**

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Present Zoning: R1-B – Single Family Dwelling District  
Present Use: Four-Suite Apartment

The proposal is to construct a deck over the existing porch.

**Bylaw Requirements**

**Relaxation Requested**

Section 1.2.5 (b) Decrease the rear yard setback from 7.50m to 3.09m.

Chris Koziey, Applicant / Owner was present.

The correspondence in favour of the application from Lawrence Horwitz of 1315 Bond Street was acknowledged, and additional correspondence submitted by the applicant in favour of the application from Bruce Meek of 1300 May Street was read aloud.

Owner

- The requested variance is to allow the construction of an upper deck off the attic suite of the fourplex building.
- Currently, the suite has small, narrow windows which do not allow for the infiltration of light or air throughout the suite. Additionally, there is no southern-facing view from the suite. Due to the current lack of air circulation throughout the space, the temperature in the suite gets very hot in the summer months.
- The construction of a deck will allow for French doors to be installed, which will provide substantial light and air infiltration into the suite.
- The hardship is that when the house was erected in 1921, the zoning requirements differed from current requirements; therefore, the setback requirements are no longer appropriate for the building/lot.

- The lot straddles a second lot, thus affecting the setback requirements. If the subject property was one consolidated lot, no variances would be required.

**Board**

- Is the railing on the front of the deck glass? Has a more traditional style been considered?
  - A more traditional style was considered; however, using glass will allow more light infiltration, enhanced views and wind protection. Additionally, many new developments in Fairfield are using glass railings in building designs.

*Public portion of the meeting closed.*

- The requested variance is reasonable as the property straddles two lots, thus affecting the setback requirements.

**Motion:**

**Moved:** Trevor Moat

**Seconded:** Margaret Eckenfelder

That the following variance be approved as requested:

Section 1.2.5 (b)

Decrease the rear yard setback from 7.50m to 3.09m.

**Carried Unanimously**

**12:50 Board of Variance Appeal #00715**

**Jason Hodgins of School District 61, Project Manager / Applicant; School District 61, Owner  
1280 Fort Street (Central Middle School)**

Present Zoning:

R3-2 – Multiple Dwelling

Present Use:

School

The proposal is to construct a new portable (learning studio) at the northeast side of the property.

**Bylaw Requirements**

**Relaxations Requested**

Schedule F Section 1

Relaxation for the location from the rear yard to the side yard

Schedule F Section 2 (a)

Increase the combined floor area from 37.00m<sup>2</sup> to 102.73m<sup>2</sup>

Schedule F Section 3 (a)

Increase the height from 3.50m to 4.30m.

Jason Hodgins of School District 61, Project Manager was present.

Applicant

- The variance affects the northeast corner of the lot.
- The new proposed portable is taller in height and allows for more floor space.
- The portable is required as the school is over capacity. Classes are currently being conducted in the staff room, music room, and outside learning has been incorporated as there is not enough space within the school to accommodate the number of students.

Board

- Does the new portable have room for more students?
  - No, class sizes are set. The reason for the increased portable size is due to design requirements, which the previous architect could not meet. Retaining a new architect for the project has offered more flexibility. The previous architect was not able to provide the minimum square footage required for standard classroom sizes.
- The school was recently seismically upgraded; was an expansion considered at this time to suit enrollment needs?
  - The applicant has no knowledge of plans to expand the current building.
  - The applicant is aware that they will have the same capacity issues next year, so preliminary planning is underway to address these issues.
- Is the reason for the portable due to a change in class size criteria creating an immediate need?
  - Yes, both class sizes and enrollment have increased.
- Does the school need to act quickly to address these issues?
  - Yes.

*Public portion of the meeting closed.*

**Motion:**

**Moved:** Jamie Hall

**Seconded:** Margaret Eckenfelder

That the following variances be approved as requested:

Schedule F Section 1	Relaxation for the location from the rear yard to the side yard
Schedule F Section 2 (a)	Increase the combined floor area from 37.00m <sup>2</sup> to 102.73m <sup>2</sup>
Schedule F Section 3 (a)	Increase the height from 3.50m to 4.30m.

**Carried Unanimously**

**1:10 Board of Variance Appeal #00713  
Brian and Anne Sikstrom, Applicants / Owners; Todd Martin, Knotinabox Design Inc., Designer  
1311 Minto Street**

Present Zoning:  
Present Use:

R1-B – Single Family Dwelling District  
Single Family Dwelling

The proposal is to construct an addition to the rear of the building and to extend the rear deck and steps.

**Bylaw Requirements**

**Relaxations Requested**

Section 1.2.5. (b)

Decrease the rear yard setback from 7.50m to 4.54m

Section 1.2.5. (c)

Decrease the east side yard setback from 1.50m to 0.70m

*Note:* existing is 0.70m

Section 1.2.6. (a)

Increase the site coverage from 40.00% to 46.10%.

Brian and Anne Sikstrom, Applicants / Owners and Todd Martin, Knotinabox Design Inc., Designer, were present.

The correspondence submitted by the applicant in favour of the application from Craig Park and Catherine Martin of 1315 Minto Street, Chris and Laura Jones of 1324 Minto Street, Jeaque Bariuan of 639 Moss Street, Michael and Emily Kennedy of 605 Moss Street, Margaret and Jansen Gibbs of 615 Moss Street, Erica Williams of 609 Moss Street, Katie Cummes of 639 Moss Street, Dayna Kasper and Kiel Morrall of 1315 Minto Street and Michael Helm of 1320 Minto Street was acknowledged.

Owners

- The primary motivation for the addition is to replace the stairs to the basement, as the current design is dangerous. The stairs are sandwiched in, resulting in a six inch step rather than the required nine inches. The owners do not feel safe with the existing stair design as they age. Additionally, the stairs are not safe for the owners' grandchildren.
- The owners are not able to build a new set of stairs to code without an addition to the kitchen. With the current design of the kitchen there is no space for a dishwasher. As the owners age, they are finding that they do not have the energy to keep up with the dishes. The new addition will allow for the installation of a dishwasher.
- The applicants wish to age in place and remain in their current home.
- The variances requested are small in scale, from a 7.5m to 4.54m setback. The house has an existing side yard setback variance, and the requested rear yard setback would allow for an extension to the building to accommodate rear exterior stairs.
- The requested variance is comparable to the neighbour's property to the west.
- The existing building is already above the allowed 40% site coverage, and the owners are requesting 46% site coverage.
- The project will have minimal impact to neighbours, all of whom have indicated their support for the project.
- Due to the current orientation of the lot, the addition and stairs will not be near the neighbours to the west or to the south. The neighbour to the east has a privacy screen on their deck and will not be impacted by the proposed kitchen addition and stairs. These neighbours are also in support of the proposal.

