

January 31, 2020  
City of Nanaimo  
Board of Variance

**Board of Variance Application**  
616 Victoria Road - Nanaimo  
LOT 9, BLOCK GA, SECTION 1, NANAIMO DISTRICT, PLAN 1396

Please accept this letter and the attached material as the basis for a Board of Variance request for a minor front yard variance on the above noted property. A survey by Chris Everett Land Surveying Ltd., dated January 8, 2008 was undertaken to identify the location of the existing home on the property, see Schedule 1. At that time, it was determined that the covered porch and front building face were 3.69m. and 4.62m. respectfully, from the property line. Our proposed addition doesn't meet the current 7.0m setback requirement of Bylaw 500. The purpose of this variance application is to seek a legal allowance for a 3.0m projection into the 7.0m. front yard setback to legalize the existing projections into the front yard setback and to support additions to the front and side of the home.

It is recognized that the original building was constructed many years ago (approx. 1920's), at a time that predated zoning setback requirements. The homeowners have put a lot of passion into restoring this classic home which include making it more energy efficient and functional. Over the years, it became apparent that the interior spaces were too tight for furniture and activities of this family and a series of additions were determined to be a solution to their spatial needs. The Photos below show the home in its current state. Photo 1 shows the portion of the covered porch that is 3.69m. from the front property line. Photo 2 is a better view of the front facing and shows the window that will be removed and where the addition is proposed. This portion of the building is currently 4.62m. from the front property line. The proposed 9'x2' addition as shown in Schedule 2 is where the variance of 3.0m. is required.

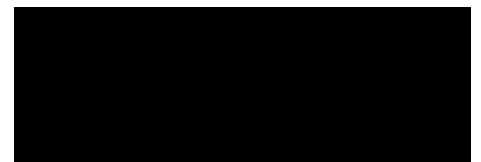
While the proposed addition doesn't add a lot of space, the owners are preparing to invest significantly in the extension to the front with the interest of retaining the classic character of the home while also retaining the existing parking while not exacerbating the problem of street parking on Victoria Road. The proposed 2' extension into the front setback will bear on structurally engineered knee braces designed to complement the knee braces that adorn the residence on multiple sides, see Schedule 3 for proposed elevational views.



*Photo 1 - view of South East corner of the residence*



*Photo 2 - view of North East corner of residence*



Significant time and effort has been taken to explore options and a small 2' extension towards the front property line, which is still less than the porch extension, would seem a reasonable design solution to their spatial problems inside the home. Unfortunately, due to the original construction of the home (prior to bylaws with setbacks), the front face of the home is legal non-conforming as it sits and a variance will be required to legalize those portions that extend beyond the extended front setback required due to Victoria Road being classified as a major road, Bylaw 500, Sec 7.5.4). The owners have also explored expansion of the room towards the side yard setback but as this will infringe on the off-street parking, the intent is to provide a closet expansion to the side under the eaves of the existing overhang. Again, in the interest of character, the owners are prepared to invest in a masonry finish around this closet so as to appear like a historic old fireplace on that side of the home. Fortunately, this small extension to the side will not interrupt the limited area for off street parking, see adjacent photo of vehicle in parking space beside the home to understand the limitation for sideways expansion. In fact, even this side extension for a closet requires a variance of the front yard setback given the extra setback distance associated with Bylaw 500, 7.5.4.



The undue hardship of this variance is created by the circumstance of the original house placement prior to bylaws and the inability to expand sufficiently to the side due to retaining off street parking space. More specifically the hardships are:

1. Residence was built in a time that predated zoning requirements so does not meet current setback requirements to a major road.
2. The lot size is smaller than average for this era, (1 chain by 2 chains – 66'x132' was a common lot size – 20.1m x 40.2m) but this lot is even smaller at only 16.15m x 36.58m. This limits the available building and parking area.
3. The need to retain the driveway access to the rear yard and the off-street parking for the home on the north side of the house.

We trust the information provided in this application is sufficient to allow the volunteers of the Board of Variance the insight to rule on this application and that if any further questions pertinent to this decision are required, we will be happy to respond on the date of the BOV review.

Regards

Keene Anderson,  
Anderson Greenplan Ltd.

