

ARMITAGE ARCHITECT

1251 Victoria Avenue, Victoria, B.C. Canada, V8S 4P3

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The City of Victoria,
1 Centennial Square,
Victoria, BC. V8W 1P6.

To: The Mayor and Council,

Re: 2747 Asquith Street, Lot 22, Block 16, Section 48, Victoria District, Plan 835.

Request for Variance:

Front Yard Setback – Parking: 5.97m existing versus 6.1m bylaw

On behalf of the Owners of this property, we wish to outline the rationale for this variance request.

This Arts and Crafts cottage was built in about 1913 and is very representative of the form and character of its time. This includes a close and direct relationship to the street that contributes significantly to the pedestrian-friendly character of this inner suburb. It is the owners' intention to preserve the appearance and character of this house as much as possible.

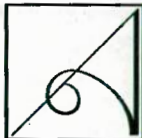
The new owners purchased the property in 2016 and are proposing to upgrade the below-standard basement to expand living space for their growing family and create a secondary suite. An earlier (2017) proposal to lift the house and rebuild the basement, with related variances, was abandoned due to cost and other factors.

A subsequent bylaw change now permits on-site parking to be located in the front yard only, rather than behind the line of the house front. This is a crucial innovation to encourage the development of secondary suites (and help address our housing crisis) and was a deciding factor in the choice of renovation strategy in this case.

The setback requirement (per Zoning Bylaw, Schedule C) is 6.1m total: 5.1m for the parking space plus an additional 1.0m to a street, commonly referred to as a "landscape strip". The existing setback for this house is 5.97m so it is non-conforming by 130mm (approximately 5") sometimes referred to as "less than a cellphone". On this and neighbouring streets, there is an additional 4.4m of municipal boulevard, between the property line and the back of the sidewalk, that provides a substantial buffer for residential parking. It seems a remote possibility that the City might one day choose to widen this street to such an extent that the length of this driveway would ever become an issue physically or practically. Also, the concept of the 1.0m "landscape strip" is more appropriately applied to "hammerhead" driveway configurations and large commercial parking lots, whereas it is somewhat moot in this case being an essential part of the driveway itself.

To bring the house into conformance would not be impossible but would require cutting back half of the front face of the house. This would require some structural contortions and would compromise the integrity of its appearance and structure. Similarly, a conforming "hammerhead" driveway configuration is theoretically possible but would result in paving almost the entire front yard. This would be out of step with the form and character of the streetscape and would potentially compromise a municipal street tree. Either solution would impose a degree of hardship without achieving any community benefit.

In summary, the variance condition represents a trivial historical anomaly, a "paper" discrepancy between an arbitrary bylaw requirement and an existing physical condition that is neither functionally deficient nor materially improved by bringing into literal conformance.



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Subject property with driveway and front property line marked.

We trust you will find the proposed variance request to be modest in scope and entirely due to pre-existing conditions, and to be consistent with the form and character of this house within its established neighbourhood.

Respectfully submitted,

John Armitage, Architect AIBC.