



**CORPORATION OF THE  
TOWNSHIP OF ESQUIMALT**  
**Minutes - Final**  
**Board of Variance**

Municipal Hall  
1229 Esquimalt Road  
Esquimalt, B.C. V9A 3P1

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Thursday, October 28, 2021

4:45 PM

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**Present:** 2 - Chair Doug Crowder  
Member Nathanael Jones

Staff: Bill Brown, Director of Development Services and Secretary,  
Board of Variance  
Alex Tang, Planner  
Benjamin Lee, Recording Secretary

1 Neighbour was present.

**1. CALL TO ORDER**

Bill Brown, Director of Development Services called the meeting on site at 452 Constance Ave to order at 4:45PM. Bill introduced members of the Board of Variance and Staff.

**2. NOMINATION OF CHAIR FOR THE MEETING**

The Director of Development Services noted this was the first meeting of the year for the Board and it was necessary to call an election to elect a Chair.

Doug Crowder was nominated and elected Chair of the Board of Variance.

**3. LATE ITEMS**

There were no late items.

**4. APPROVAL OF THE AGENDA**

Moved by Member Jones, seconded by Chair Crowder: That the agenda be approved as circulated. Carried Unanimously.

**5. MINUTES**

[21-518](#) Minutes of the Board of Variance Meeting, November 23, 2020

Discussion on the Minutes were deferred until the next Board meeting.

**6. STAFF REPORTS**

[21-505](#) Board of Variance Application - 452 Constance Avenue,  
Staff Report No. BOV-21-001

Alex Tang, Planner introduced the application and responded to questions from the Board.

Marian Fortner and Stephen Fortner, Owner of the property at 452 Constance Ave, and Pat Megson, Applicant, Tranquility Homes presented the application and responded to questions from the Board.

1 Neighbour in attendance had no objection with the application.

Board comments (Staff and *Applicant* response in italics):

\* Consideration to the awkward and non-conforming siting of the existing structures combined with the topography and sewer right of way. Any addition to the rear of the building would not conform to the Zoning Bylaw.

\* No viable alternative to the deck design.

\* *No objection to application received from neighbours.*

Moved by Chair Crowder, seconded by Member Jones: That the Board of Variance approves the relaxation of Section 37.2 (9)(a)(iii) of Zoning Bylaw, 1992, No. 2050, for the exemption from the requirement that no principal building shall be located within 1.59 metres (5.91 metres decrease from the currently allowed 7.5 metres) of a Rear Lot Line, based on the following reasons:

\* Deck design and build is reasonable given the site layout and challenging topography, with no viable alternatives.

\* No objection to the application from neighbours. Any possible impact to an adjacent neighbour is mitigated by their ample property line and vegetation. Carried Unanimously.

## 7. ADJOURNMENT

The Board of Variance meeting adjourned at 5:01 PM.

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DOUG CROWDER, CHAIR  
BOARD OF VARIANCE  
THIS 4TH DAY OF NOVEMBER, 2021

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BILL BROWN, SECRETARY,  
BOARD OF VARIANCE  
CERTIFIED CORRECT