

LGA Section 531 (1)

Note: existing is 1.20m

To allow for structural alterations and additions while non-conforming use continued.

Alexa and Cody Adams, Owners / Applicants; Wil Peereboom, Victoria Design Group, Designer; and neighbours Stephen Redpath and Lisa Reynolds of 2231 Shakespeare Street and Mark Loria of 2234 Shakespeare Street were present.

Correspondence in favour of the proposal from Mark Loria of 2234 Shakespeare Street was read aloud.

Correspondence opposing the proposal from Lisa Reynolds and Stephen Redpath of 2231 Shakespeare Street, Alice Austin of 2225 Shakespeare Street, David Maxwell of 2230 Shakespeare Street and Olivia M. Dam of 2239 Shakespeare Street was read aloud.

Designer

- An earlier application was submitted to the Board to raise the existing house, increase the height of the basement and add a secondary suite. Neighbours objected to the addition of a secondary suite as well as the proposed height. The application has been revised and the variances requested are existing non-conforming issues.
- The applicants have done everything possible to ensure privacy between neighbours, including lowering the main floor to bring the first floor windows to fence height.
- Windows have been added to the rear of the house. If neighbours' primary concern is in relation to the rear deck, the owners are willing to alter their plans to exclude the deck.
- The proposed height of the roof ridge is only about 1.2m higher than existing, and is well within the zoning bylaws.
- The project adds to the house to make it suitable for the family into the future. Only three bedrooms are proposed upstairs; this is not a large house.
- Instead of raising the main floor, the proposal lowers the floor to allow for posts in the crawlspace, which support the undersized main floor joists.

Board

- Was excavating deeper into the ground considered, to make the house a single storey with basement?
 - The proposal is already at the maximum depth to connect to the existing service connections. If the house were further lowered, pumping would be necessary.
- Should pumping be avoided?
 - Yes; pumping should be avoided and is never the best solution. Even if the house were dug deeper into the ground, there would only be about a 2ft. reduction in the ridge height.
- What is the existing slope of the roof?
 - 8/12, and 6/12 is proposed.
- What is the width of the house?
 - About 18ft wide.
- Because of the change in roof slope, will there also be an increased height at the eave?
 - Yes. There is also a large deck at the rear. By lowering the house, the deck will be brought to grade. This will increase privacy for neighbours by reducing the potential for overlook into adjacent yards.

- Was consideration given to making the main floor ceiling heights 8ft tall instead of 9ft?
 - The existing ceiling heights are 9ft tall, and the proposal uses the existing studs and plates.
- What was done to mitigate neighbours' concerns for shadowing?
 - The proposal will have a minimal effect on the neighbours to the south, and the addition will not block light into the adjacent yard.
 - The applicants have contacted the neighbours to the north; while the tenants are supportive of the proposal, the owner of the adjacent property has not been easily contacted. The applicants have not had the chance to meet the adjacent homeowner.
 - The addition is located at the centre of the house, so only the side yard and adjacent house wall would experience shadowing. The proposed addition will not affect the light into the yards of direct neighbours.

Neighbours

- The neighbours of 2231 Shakespeare Street noted that the addition wouldn't block direct sunlight, but that it would indirectly block the amount of light for the neighbors. While the neighbouring tenants may not be affected, but the owner will be affected through their property's value.

Owners

- The applicants were under the impression that the previous owners of 2231 Shakespeare Street had informed prospective buyers about the proposal. The applicants were contacted by two prospective buyers, and assumed that the new neighbours were aware of the proposal.

Neighbours

- The neighbour at 2234 Shakespeare Street noted their support for the proposal, as it increases density within the neighbourhood and creates space for families. The adjacent properties' values would not decrease as a result of this addition; if anything, it would be increased.

Board

- How would the owners feel if the neighbours to the south proposed a similar project?
 - The owners support urban densification and appreciate being able to walk to work downtown. Initially the house was purchased with the intention of moving, but there are no longer other affordable options within the city. The owners' plan to lift the house comes from necessity, and they would support a similar proposal from their adjacent neighbours.

Public portion of the meeting closed.

- While the Board understands the arguments against the proposed changes, the proposal is now more sensitive and appropriate for the neighbourhood.
- Unique lots can create unique hardships, and structures should be in proportion to the lot and the neighbourhood.
- The Board emphasizes the necessity to seek the most minimal variances possible.

Motion:

Moved: Margaret Eckenfelder

Seconded: Jaime Hall

That the following variance be approved as requested:

Section 1.2.5 (a)	Decrease the front yard setback from 7.50m to 4.08m
Section 1.2.5 (c)	Decrease the north side yard setback from 1.50m to 0.25m
Section 1.2.5 (c)	Decrease the south side yard setback from 3.00m to 1.11m
Section 1.2.5 (d)	Decrease the combined side yard setback from 4.50m to 1.36m
LGA Section 531 (1)	To allow for structural alterations and additions while non-conforming use continued.

Carried

(3 in favour; 1 opposed)

12:50 Board of Variance Appeal #00735

**Ryan Wyllie, Latitude 48 Design Ltd., Designer; James and Andrea Cole, Owners
1350 Slater Street**

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

The proposal is to construct a new garden suite.

Bylaw Requirements

Relaxation Requested

Schedule M Section 2 (e) Relaxation for the location of a garden suite from the rear yard to the front yard.

Ryan Wyllie, Latitude 48 Design Ltd., Designer; James and Andrea Cole, Owners were present.

Correspondence concerning the proposal from Norman Webster and Carolyn Williston of 4-1356 Slater Street and H. A. (Al) Kyle of 6-1356 Slater Street was acknowledged.

Correspondence submitted by the applicant in favour of the proposal from Joy Biagioni of 1346 Slater Street, Toby Simpson of 1367 Slater Street, Diana Glover of 1359 Slater Street, Marlene Jeffries of 1375 Slater Street, and Garry Hermann and Sandy Nygaard of 1364 Slater Street was also acknowledged.

Designer

- The existing house is located at the rear of the lot, and many properties on the north side of Slater Street are similarly located. Because of this, the garden suite must be located in the front yard.

- The existing garage needs to be torn down and replaced to create storage space for the owners' home-based business. The house has limited storage in the crawlspace, which prompted the idea for a garden suite. The City will benefit from additional rental space.
- The owners and designer have worked with the City to refine the garden suite application and ensure that it is a good addition to the neighbourhood.
- The owners have consulted their neighbours and have received letters of support from all.

Board

- Will blasting or excavation be required?
 - Excavation will be necessary.
- What is the ceiling height in the garden suite?
 - A standard 8ft ceiling height is proposed, and the ceilings are vaulted.
- Is the lower level of the suite for storage?
 - Yes, a space larger than the existing garage is needed.
- What is the intended occupancy for the suite?
 - In time, the garden suite would house family, but for the time being it will be rented.
 - The proposed design works well because of the lot's slope. Because of the location, a tenant will have the advantage of being rather isolated, as they are surrounded by driveways and front yards. The tenants will have the use of the front yard for outdoor space.
- Was lifting the existing house to add storage space considered?
 - No; the owners appreciate the style of the house as a very well-maintained heritage building. The owners believe that the house should be maintained as-is.
 - The existing garage must be torn down due to its deteriorated condition. The owners have found rebuilding the garage to be a more complicated process than initially thought.

Public portion of the meeting closed.

- The proposal is supportable given the lot's unique attributes, which leave no space for a suite in the rear or side yards.
- The proposal's design is very sensitive to its surroundings, and takes advantage of the topography of the land. Despite the front yard location, the suite is as far away from neighbours as possible.

Motion:

Moved: Margaret Eckenfelder

Seconded: Trevor Moat

That the following variance be approved as requested:

Schedule M Section 2 (e)

Relaxation for the location of a garden suite from the rear yard to the front yard.

Carried Unanimously

**1:10 Board of Variance Appeal #00736
Daniel Boot, Studio DB3, Designer; Claire Grant and Stephane Leroy, Owners
1016 Bank Street**

Present Zoning: R1-G – Single Family Dwelling (Gonzales) District
Present Use: Single Family Dwelling

The proposal is to build a new garden suite.

Bylaw Requirements

Relaxation Requested

Schedule M Section 2 (e)

Relaxation to the required location in the rear yard to the side yard and partially in the front.

Daniel Boot, Studio DB3, Designer; Claire Grant and Stephane Leroy, Owners, and neighbour Terry Moen of 1007 Bank Street were present.

Correspondence opposing the proposal from Terry and Milaine Moen of 1007 Bank Street was read aloud.

Correspondence submitted by the applicant in favour of the proposal from Pauline Stynes of 1019 Richmond Avenue, Mary E. Leighton of 1019 Bank Street, Romaine and David Hill of 1018 Bank Street, Adam Wood-Gaines of 1800 Brighton Avenue, David Karp and Laura Marshall of 1015 Bank Street, and John DeMarco and Donna Heughan of 1009 Richmond Avenue was acknowledged.

Designer

A scale model was shown to the Board, illustrating the general concept for the garden suite.

- The owners were intrigued by the concept of garden suites, and wanted space for their parents to live nearby in due time. For the time being, the owners' teenage children will live in the suite.
- The suite will be located in the footprint of the existing carport, diminishing the impact of the suite on the site and on the existing trees at the rear. The suite's location will also provide open space between the suite and the existing home.
- The existing shed will be replaced and will align with the corner of the suite to minimize its visual impact from the street.
- For the last six months, the applicants have taken guidance from staff on the garden suite design. The applicants feel that the proposal has a very minimal impact on its surroundings in terms of form and character. The suite's materials and colour palette will be in harmony with what already exists. Landscaping and screening is proposed to further reduce the suite's visual impact, and there will be no impact on parking as the suite will use the existing parking stall.
- There is no room in the rear yard for a suite, and the guidelines require garden suites to be visible to the front street for emergency access.

Owners

- The children's bedroom is located downstairs, and the lower floor has never been used as a suite or as a rental. The garden suite will provide space for the owners' children.

- The neighbours directly across the street are renting the house and have provided information on the proposal to their landlord. All the other neighbours are supportive of the proposal.

Board

- What is on the lower floor of the existing dwelling?
 - There is a bedroom, a bathroom and an office.
- Does the existing dwelling have the features of a secondary suite?
 - No; there is no kitchen. The door simply provides an emergency exit.
- Will the existing shed be salvaged?
 - Yes, it will be moved to the proposed location.
- Was locating the shed elsewhere considered, so that the suite could be moved further to the rear of the lot?
 - The pond and the large surrounding trees do not leave room to accommodate a garden suite at the rear of the property.
 - The owners want to respect the City's guidelines, but after consulting their builder and designer it was determined that the rear lot location could not be achieved.

Board

- The lot and substantial trees impose hardship relating to the location of the garden suite. In this circumstance, the side yard location is warranted.
- The design seeks to minimize variances and the proposal aligns with the City's goal to increase density.

Public portion of the meeting closed.

Motion:

Moved: Margaret Eckenfelder

Seconded: Trevor Moat

That the following variance be approved as requested:

Schedule M Section 2 (e)

Relaxation to the required location in the rear yard to the side yard and partially in the front.

Carried Unanimously

Meeting Adjourned at 1:40 pm.
