

**CITY OF VICTORIA  
BOARD OF VARIANCE MINUTES  
AUGUST 13, 2020**

**Present:** Trevor Moat, Chair, Rus Collins,  
Margaret Eckenfelder, Rosa Munzer

**Absent:** Jaime Hall

**Staff:** Thom Pebernat, Zoning Administrator  
Alena Hickman, BOV Secretary

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

**1. Appeals**

**12:30 Board of Variance Appeal #00848  
Ron Malzon, Applicant; Ida & Hugo Thauberger, Owners  
1020 Terrace Avenue**

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Present Zoning: R1-A  
Present Use: Single Family Dwelling

The proposal is to construct an addition to the side yard south of the existing building.

***Bylaw Requirement***

***Relaxation Requested***

Section 1.1.5.b

Rear yard setback (west) relaxed from 14.93m to 3.1m

Ron Malzon, Applicant was present.

*Rus Collins recused himself from appeal #00848*

The correspondence submitted in favour of the application from Kenneth Edwards neighbour of Unit #1 at 1012 Terrace; Reg Neale neighbour of unit #2 at 1012 Terrace Avenue; Arden Rose neighbour of Unit #4 at 1012 Terrace Avenue and Sally Stone owner of #3 at 1012 Terrace was acknowledged.

Applicant

- In November 2019 the applicant met with the City to discuss the owner's options for this lot.
- The hardship is that this is large irregular shaped triangular lot with two road frontages
- It was my understanding that McGregor Street could be used as a street front and the West side property line would be our side setback on the South side. This is why the plans were draw up as they were.

- The South side is the largest and the owners have been using it as their backyard for years.
- When the building permit was applied for the owners were surprised to see that Terrace Avenue would be the street front
- We have reduced building height to please neighbours
- We have contacted neighbours and have support

Neighbours

Angus Henderson of 1020 McGregor Avenue:

- I have not been spoken to and have concerns about the potential of lack of light and what foliage might be removed and replaced.

Applicant

- The owners would like to keep the foliage to have that buffer. They are not wanting to remove very much. There will only be a bit taken out in the easement space.

*Public portion of the meeting closed.*

**Motion:**

**Moved:** Margaret Eckenfelder

**Seconded:** Rosa Munzer

That the following variance be approved

**Bylaw Requirement**

**Relaxation Requested**

Section 1.1.5.b

Rear yard setback (west) relaxed from 14.93m to 3.1m

**Carried Unanimously**

*Rus Collins rejoined the meeting for appeal #00849*

**1:00 Board of Variance Appeal #00849  
Denise Kors, Applicant; Michael Miniocla, Owner  
48 San Jose Avenue**

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Present Zoning:

R-2

Present Use:

Single Family Dwelling

The proposal is for approval of dormer additions to create living area, finish basement storage and washroom/laundry areas.

<b>Bylaw Requirement</b>	<b>Relaxation Requested</b>
Section 1.2.4.a	Number of storeys relaxed from 2 to 2.5
Section 1.2.5.a	Front yard setback relaxed from 7.5m to 4.38m (matching the existing building setback)

Denise Kors, Applicant; Mike Minicola, Owner, were present.

Applicant

- The building permit application has already been made to do an addition to the attic.
- The first variance request is for the storeys to go from two to two and a half storeys.
- The second being the existing front wall of the house that is there now is at 4.83m and keeping that the same, instead of the required 7.5m setback.
- The hardships lay in the alternatives to either demolish the whole house or to push back the upper floor to the required setback which would not look appropriate for this addition.

Board

- What is the plan for where the dormer is at the top of the stairs?
  - The dormer was put in to create ceiling clearance.

*Public portion of the meeting closed.*

- Grateful the house isn't being demolished
- Thoughtful design

**Motion:**

**Moved:** Margaret Eckenfelder

**Seconded:** Rus Collins

That the following variances be approved

<b>Bylaw Requirement</b>	<b>Relaxation Requested</b>
Section 1.2.4.a	Number of storeys relaxed from 2 to 2.5
Section 1.2.5.a	Front yard setback relaxed from 7.5m to 4.38m (matching the existing building setback)

**Carried Unanimously**

Meeting Adjourned at 1:12 pm.

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