

**CITY OF VICTORIA
BOARD OF VARIANCE MINUTES
JUNE 11, 2020**

Present: Trevor Moat, Chair
Rus Collins
Margaret Eckenfelder
Jaime Hall

Staff: Thom Pebernat, Zoning Manager
Alena Hickman, Secretary

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

1. Minutes

Minutes from the meeting held March 12, 2020

Moved: Margaret Eckenfelder

Seconded: Rus Collins

That the minutes from March 12, 2020 be adopted as amended.

Carried Unanimously

Rus Collins recused himself from Appeal #00833

2. Appeals

12:30 Board of Variance Appeal #00833

**David Mlynarowich, Zebra Designs, Applicant; Cameron Turner & Heather Ferguson, Owners
1969 Fairfield Place**

Present Zoning: R1-G - SFD
Present Use: R1-G - SFD

The proposal is to enclose a balcony located at the rear.

Bylaw Requirements

Relaxations Requested

Section 1.6.3 (b)

Increase the maximum floor area for the first and second storeys combined from 240.00m² to 288.60 m².

Section 1.2.5 (a)

Decrease the minimum rear yard setback from 9.10m to 7.74m.
Note: existing is 7.74m.

David Mlynarowich, Zebra Designs, Applicant; Cameron Turner & Heather Ferguson, Owners; were present.

The correspondence submitted in favour of the application from Barbara and Philip Prendergast of 1971 Fairfield Place was acknowledged.

Applicant

- The owners purchased this house at the beginning of this year (2020) and would like to update.
- The owners would like to enclose the existing balcony as well as change out windows because they are rotted.
- It was determined upon a site evaluation there have been some zoning discrepancies over the years.
- The hardship is that the owners cannot update the house or make it safe according to the current zoning restrictions.
- The existing deck was allowable by the original zoning and is now existing nonconforming.
- The owners request is a modest addition to make the space more livable.

Board

- On my drawing I can only see the line of the rear yard, what I am not seeing is the parallel line to the right of that, as shown in your presentation. is that enclosed area showing the allowable build area?
 - Yes, correct.

Public portion of the meeting closed.

- Classic case of topography providing a hardship

Motion:

Moved: Jaime Hall

Seconded: Margaret Eckenfelder

That the proposed variances be approved as presented.

Carried Unanimously

**12:50 Board of Variance Appeal #00824
James Peacock & Anna Peacock, Applicants
1551 Clawthorpe Avenue**

Present Zoning:

R1-B - Single Family Dwelling

Present Use: R1-B - Single Family Dwelling

The proposal is to renovate the existing single-family dwelling which includes lifting the house to create additional usable area on the main level.

Bylaw Requirements

Relaxations Requested

Section 1.2.5 (c)

Decrease the minimum side yard setback for interior lots lines from 1.50m to 0.88m (east) and to 1.28m (west).
Note: existing is 0.88m (east) and 1.28m (west)

Section 1.2.5 (e)

Decrease the minimum combined side yard setback from 4.50m to 2.16m.
Note: existing is 2.16m

James Peacock & Anna Peacock, applicants; were present.

The correspondence submitted in favour of the application from Kara Johnson, neighbour was acknowledged.

Applicant

- The owners bought the property two years ago.
- The owners would like to replace foundation and drainage as the house is over 100 years old.
- The owners would also like to create more room for family members to possibly spending time living at the residence if necessary, down the road.
- The hardship is not being able to replace the foundation and drainage which needs work without the variance request.
- The owners would like the house to be safe and comfortable while keeping the integrity of the house.

Board

- Was it the intention to remove the heritage details and design in the proposed plan?
 - No, that detail has been left off the drawing. The intent is that the design elements of the current house are kept intact.
- Was there any consideration taken into digging down?
 - Yes, but the cost was a factor and it was important that we have a level entrance.
- Is there storm drainage in the road?
 - I assume so.
- Will everything above the existing main floor of the house will be preserved?
 - Yes, we will also have to properly preserve the deck while the work is being done.
- Did you speak with the immediate neighbours and what was their feedback?
 - Yes, we have overwhelming support.

Public portion of the meeting closed.

- Appreciation for the applicant taking measures to retain the heritage details of the existing house.

Motion:

Moved: Margaret Eckenfelder

Seconded: Jaime Hall

That the proposed variances be approved as presented.

Carried Unanimously

**1:10 Board of Variance Appeal #00830
Cameron Thorkelson & Barbara Thorkelson, Applicants
151 Linden Avenue**

Present Zoning: R1-B - Single Family Dwelling
Present Use: R1-B - Single Family Dwelling with new accessory building

The proposal is to construct a new accessory building.

Bylaw Requirement

Relaxation Requested

Schedule F, 2. (a)

Increase the maximum floor area of all levels combined to 53.42m² from 37.00m².

Cameron Thorkelson, applicant; Wil Peereboom, designer; were present.

The correspondence submitted opposing the application from Gail Reaney of 144 Wellington Avenue and Sarah Harper of 150 Wellington Ave was acknowledged. The correspondence submitted in favour of the application by Alan & Kursti Calder of 140 Wellington Avenue was also acknowledged.

Applicant

- The owners would like to construct a garage in the rear of the building.
- The hardship is personal and logistical, the owner has two collector vehicles that need to be stored away. As the house shares a driveway the neighbour limits access to this

space. The city has changed parking regulations, and it is very difficult to find parking on the street as there a lot of garden suites.

- The building complies with bylaws and is a significant distance off the property line.
- The owners have lived at the property since 1989.

Board

- Was there consideration with the design that would allow a simple conversation to a garden suite in the future?
 - Yes, we will have some roughed in plumbing for future use if necessary.
- With the proposed structure there will be more vehicles going in and out of the shared driveway, how do you reconcile that?
 - On a daily basis the cars will not being coming in and out. So the movement is very limited. I can now stage the cars properly and not move all the cars out of the current driveway.
- How do the garage doors open?
 - We are going to extend the garage doors up so they clear the vehicles.
- Are there trusses?
 - No

Public portion of the meeting closed.

- I see the fact this garage could possibly be converted into a garden suite down the road as an asset.

Motion 1:

Moved: Rus Collin

Seconded: N/A

That the following variances be approved as presented:

No seconder, motion declined.

Motion 2:

Moved: Jaime Hall

Seconded: Margaret Eckenfelder

That the following variances be declined:

Carried.

For: Jaime Hall, Margaret Eckenfelder

Opposed: Rus Collins

**1:30 Board of Variance Appeal #00831
Joyce & Nicholas Bantock, Applicants
1175 Chapman Street**

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

The proposal is to construct a larger front entry foyer in the same location as the existing entry foyer.

Bylaw Requirements

Relaxations Requested

Part 1.2.5 (a)	Decrease the minimum front yard setback from 7.50m to 4.30m. Note: existing is 4.80m.
Part 1.2.5 (c)	Decrease the minimum (east) side yard setback from 3.00m to 1.40m. Note: existing is 1.00m.

Joyce Bantock & Nicholas Bantock, Applicants; were present.

Applicant

- The current porch is very small and not useable space.
- The owners would like to add in a small closet.
- The hardship is the space is very cold and not in keeping with the way we have up kept the house.

Motion:

Moved: Margaret Eckenfelder

Seconded: Jaime Hall

That the proposed variances be approved as presented:

Carried Unanimously

Meeting Adjourned at 1:35 pm.
