

**CITY OF VICTORIA  
BOARD OF VARIANCE MINUTES  
JUNE 25, 2020**

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

**Absent for a Portion of  
the Meeting:**

**Absent:**

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

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

**1. Minutes**

Minutes from the meeting held June 11, 2020

**Moved:** Margaret Eckenfelder

**Seconded:** Rus Collins

That the minutes from June 11, 2020 be adopted as amended.

**Carried Unanimously**

**2. Appeals**

**12:30 Board of Variance Appeal #00834  
Kyle Porter, Applicant; Paul Diment, Owner  
456 Chester Avenue**

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Present Zoning: R1-K – Three self-contained dwelling units  
Present Use: Three self-contained dwelling units

The proposal is for approval of existing heat pumps and electrical room located in the side yard.

**Bylaw Requirement**

**Relaxation Requested**

Section 2.3.14(a)

Side yard setback (South) relaxed from 2.5m to 2.1m for heat pumps and 2.27m for electrical room.

Kyle Porter, Applicant; Paul Diment, Owner were present.

The correspondence submitted in favour of the application from David Kats, neighbour to the South was acknowledged.

Applicant

- The hydro enclosure was built for aesthetic reasons, particularly for the neighbours. The roof overhang is permitted but the structure with the doors is not.
- The hardship is that the space is tight and there was not the necessary room to put both the heat pumps and the hydro enclosure without moving into the setback.
- Originally it was designed to have baseboard heating and that was changed to heat pumps. The architect originally had not planned for these heat pumps so there is only one place for them to go.

Board

- What kind of correspondence did you have with neighbours?
  - I spoke to the neighbours most affected and they did not have an issue with it.
- Were the heat pumps added after the building permits were issued?
  - Yes.
- Was the utility cabinet part of the original design?
  - No.

Neighbour

David Kats, Neighbour to the South.

- I think they have done a wonderful job and we really like the look of the units and I am 100% supportive of the application.

*Public portion of the meeting closed.*

- Troubled that approval was given to a design and then something different was built after the fact.
- Supportive as it enhances the overall look of the building.

**Motion:**

**Moved:** Margaret Eckenfelder

**Seconded:** Rus Collins

That the following variances be approved.

**Bylaw Requirement**

**Relaxation Requested**

Section 2.3.14(a)

Side yard setback (South) relaxed from 2.5m to 2.1m for heat pumps and 2.27m for electrical room.

**Carried Unanimously**

*Jaime Hall recused himself from Board of Variance Appeal #00835*

**12:50 Board of Variance Appeal #00835**  
**James Agate, Aaron Yager Construction, Applicant; Alysia Warrington, Owner**  
**1325 Finlayson Street**

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

The proposal is to raise the existing building and create a secondary suite.

**Bylaw Requirement**

**Relaxation Requested**

Section 1.2.5.(a) Front yard setback relaxed from 7.5m to 7.04m  
(matching the existing setback)

James Agate, Aaron Yager Construction, Applicant; Alysia Warrington, Owner were present.

Applicant

- We would like to bring the whole family together. The owners mother has MS and can no longer negotiate stairs. Their family needs to be together to take care of her.
- The owners would like to lift the house to have living space upstairs and down.
- The house is existing in its current location which is the hardship as we need the front yard setback.

Board

- Have you thought about putting windows in the lower level?
  - Yes, the owner has to put a utility room in that space. The owner could look at putting another window in that space as long as they are not restricted.
- Was there any consideration to improve the look of the house from the street?
  - Yes, there will be a proper driveway and landscaping including in the renovation.
- Did you consider reconfiguring the main entrance to the house?
  - Based on where we wanted all the rooms to be, that configuration made the most sense for the house.

*Public portion of the meeting closed.*

- Minimal ask and I think it is a hardship to move the house.

Motion:

**Moved:** Rus Collins

**Seconded:** Margaret Eckenfelder

That the following variances be approved.

**Bylaw Requirement**

**Relaxation Requested**

Section 1.2.5.(a)

Front yard setback relaxed from 7.5m to 7.04m  
(matching the existing setback)

**Carried Unanimously**

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**1:10 Board of Variance Appeal #00839  
Deane Strongitharm, Applicant; Brad Martin, Owner  
2929 The Rise**

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Present Zoning:  
Present Use:

R1-B – Single Family Dwelling District  
Single Family Dwelling

The proposal is to construct a new single-family dwelling in place of the existing.

**Bylaw Requirement**

**Relaxation Requested**

Section 1.2.3.(b)

floor area maximum for 1st and 2nd floor area relaxed from  
280m<sup>2</sup> to 418m<sup>2</sup>  
(note: overall maximum floor area all floors will comply with  
bylaw)

Deane Strongitharm, Applicant; Brad Martin, Owner were present.

**Applicant**

- The existing home is very run down. The new building relative to the size of the lot fits very well.
- The proposal is a two-story very modern building.
- The hardship is that this growing family needs more square footage, and if the owner needed to comply and not ask for variances, they would have to build down and start blasting.
- Blasting could also have a negative effect on neighbours as well as some of the Gary Oaks near by.

*Public portion of the meeting closed.*

- Good design
- Hardships appear to be present in the form of creating more living space
- Digging down could have an impact upon the Gary Oaks and topography.

**Motion:**

**Moved:** Jaime Hall

**Seconded:** Margaret Eckenfelder

That the following variances be approved.

**Bylaw Requirement**

**Relaxation Requested**

Section 1.2.3.(b)

floor area maximum for 1st and 2nd floor area relaxed from 280m<sup>2</sup> to 418m<sup>2</sup>  
(note: overall maximum floor area all floors will comply with bylaw)

**Carried Unanimously**

Meeting Adjourned at 1:50 pm.

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