

**CITY OF VICTORIA
BOARD OF VARIANCE MINUTES
NOVEMBER 12, 2020**

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

Staff: Thom Pebernat, Zoning Administrator
Katie Lauriston, Administrative Assistant

The meeting was called to order at 12:28pm.

1. Minutes

Minutes from the meeting held September 22, 2020

Moved: Margaret Eckenfelder

Seconded: Jaime Hall

That the adoption of minutes from September 22, 2020 be postponed to a future meeting.

Carried

Rus Collins joined the meeting at 12:30pm.

2. Appeals

**12:30 Board of Variance Appeal #00864
Kerry Couvelier & Graham Gilbert, Applicants
1785 Adanac Street**

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

The proposal is for the approval of the placement of the existing accessory building.

Bylaw Requirements

Relaxation Requested

Schedule F Section 4.1.b Side yard setback (west) relaxed from 0.6m to 0.45m

Kerry Couvelier, Owner, and Alan Bisson of AJB Designs, designer, were present. Neighbour Kirsty Sewell was present.

Trevor Moat noted that he was acquainted with the applicant that there is no conflict of interest.

Applicant

- There was a shed on the property when the owners purchased the home. The owners found the shed to be unusable for storage due to a rodent infestation.
- The owners hired a contractor, who recommended building a new shed.

- The new shed siting is shifted only slightly from the previous shed's location.
- Compared to the old shed, the new shed requires less of a bylaw relaxation as it is now further from the property line.
- The new shed works well for storage.

Board

- Is the intent to sell the property?
 - Yes, the property is listed and the owners are looking to sell the property.
- Was the new shed built by the current owners after purchase?
 - Yes.
- Was a building permit issued for the construction of the shed?
 - The owners are in the process of obtaining the building permit. The contractor was initially under the impression that a building permit would not be required.
- Is there any plumbing to the shed?
 - No.

Public portion of the meeting closed.

Board

- Concern for allowing a variance after construction.
- Considering the circumstances, the Board is prepared to accept the information provided by the applicant.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rus Collins

That the following variance be approved:

Bylaw Requirement

Relaxation Requested

Section 3.7 (10)

Decrease the minimum setback requirement from 6.00m to 0.10m

Carried Unanimously

**1:00 Board of Variance Appeal #00865
Alan Bisson, AJB Home Design, Applicant; Kyla Decker & Shawn Seiersen,
Owners
1244 Oscar Street**

Present Zoning:

R1-B

Present Use:

Single Family Dwelling with Secondary Suite

The proposal is to modify the existing upper floor area and construct an addition to the rear for new bedrooms, to renovate the main floor level and renovate front entry.

Bylaw Requirement	Relaxations Requested
Section 1.2.4.a	Relaxation to the number of storeys from 2 to 2.5
Section 1.2.5.a	Relaxation of front setback for front stairs and landing higher than 1.7m from 7.5m to 5.25m

Alan Bisson of AJB Home Design, Applicant, and Shawn Seiersen, Owner, were present.

Applicant

- The upper floor is being rebuilt and renovated to expand the house. The house would technically become 2.5 storeys.
- The front stairs of the house are also being moved to the side, while still being located within the front yard setback. A variance is required for the front yard setback.
- The owners are looking to create a more liveable space upstairs, as it is poorly insulated. As well, the two bedrooms would benefit from having a bathroom on the same floor.
- There is a suite in the basement, so there is no room to expand the family home downstairs.
- The roof height is legally non-conforming today, and the renovations will lower it so that no height variance is required.

Owner

- The front stairs will still be within the front yard setback, but nonconformity will be lessened. Only a couple of steps will be in the front setback, instead of the entire staircase.
- The renovations upstairs will provide better headspace and improved liveability.

Board

- Has there been any feedback from neighbours?
 - The applicants have not received any written feedback, and neighbours' responses have been positive so far.
- Is there a window or egress upstairs?
 - There is an operable skylight.
- Why is the door to the verandah being replaced with a window? Won't this eliminate access to the verandah?
 - There is not much space on the verandah, so making it accessible isn't an improvement.
 - It is an expense to remove and rebuild the verandah, and the owners are happy with having a window at that location.

Public portion of the meeting closed.

- The modest addition to the upper floor is reasonable. Relocating the front stairs to the side of the house is an improvement. The variances are supportable.
- This is a bold renovation with a good design.

- Appreciation for retaining older housing stock.

Motion:

Moved: Rus Collins

Seconded: Jaime Hall

That the following variances be approved:

Bylaw Requirements

Relaxations Requested

Section 1.2.4.a

Relaxation to the number of storeys from 2 to 2.5

Section 1.2.5.a

Relaxation of front setback for front stairs and landing higher than 1.7m from 7.5m to 5.25m

Carried Unanimously

**1:30 Board of Variance Appeal #00860
Qian Yue & Benjamin Stein, Applicants
1898 Quamichan Street**

Present Zoning:

R1-G

Present Use:

Single Family Dwelling

The proposal is for a new garden suite.

Bylaw Requirements

Relaxation Requested

Schedule M Section 2 (c)

Flanking street setback (Quamichan Street) relaxed from 7.5m to 3.5m

Daryl Stein, Applicant, and Tim Rodier of Outline Home Design, Designer, were present.

Applicant

- The proposal to build a garden suite will meet all the Garden Suite design guidelines and building codes. However, the flanking street setback does not meet the zoning requirement.
- The proposed location maintains the rhythm of setbacks along Quamichan Street and allows for the suite to be located in the rear yard.
- The property has a large frontage and narrow rear yard. Given unique configuration of the site, there would be no other way to construct the garden suite.

Board

- Will the existing garage be removed?
 - Yes.
- Will there be a driveway?
 - Yes, there will be a driveway.

- Is the apple tree bylaw-protected?
 - No, it is not a protected tree.
 - The apple tree is very old and no longer producing fruit due to years of neglect. The owner has planted about a dozen trees since moving in and will be planting three or four more new trees.
- How long have the owners owned the property?
 - Just over two years.

Applicant

- When the project first began, the applicants showed plans to all surrounding neighbours and all were supportive of the proposal.
-

Public portion of the meeting closed.

- The variance is reasonable.
- Appreciation for the applicants' consultation with neighbours.
- The site is challenging and the proposal will be a nice addition to the street.

Motion:

Moved: Margaret Eckenfelder

Seconded: Jaime Hall

That the following variances be approved.

Bylaw Requirements

Relaxation Requested

Schedule M Section 2 (c)

Flanking street setback (Quamichan Street) relaxed from 7.5m to 3.5m.

Meeting Adjourned at 1:42 pm
