

**CITY OF VICTORIA
BOARD OF VARIANCE MINUTES
SEPTEMBER 10, 2020**

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

Staff: Thom Pebernat, Zoning Administrator
Cathal Flynn, Zoning Technician
Alena Hickman, Secretary

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

1. **Appeals**

**12:30 Board of Variance Appeal #00853
Jack Luis & Hillary Luis, Applicants
2571 Blackwood Street**

Present Zoning: R-2
Present Use: Single Family Dwelling

The proposal is to reconstruct new stairs to the front of the existing building.

Bylaw Requirements

Relaxations Requested

Section 1.2.5.a

Stair projection into setback relaxed from 2.5m to 3.32m
and height of stairs from 1.7m maximum to 2.13m
maximum

Jack Luis, Owner was present.

Applicant

- The stairs are deteriorating rapidly with dry rot and are dangerous.
- The stairs haven't been redone since 1927 when they were first built.
- The homeowner has fixed up the runners on the stairs over the years but now the sides are about to collapse and the stairs need to be fully replaced.
- The previous owners of the house enclosed the porch with the sliding door and that puts the whole set of steps out of code as they are projecting into the front yard setback.
- The homeowner would like to keep the same footing as to not push them further into the setback.

Board

- The Board noticed a few spots on the plans that show a 9-inch run for the stairs, according to the building code minimum needs to be 10 inches. You may have to reconfigure the stairs and the amount of treads you have.
 - I can configure the stairs to meet that requirement.
- This question is directed to City staff. When a change is made at this stage it could affect the variance, should we give the applicant the chance to think this over?
 - The homeowner could make the change and reconfigure without making any changes to the requested variance.
- Are you using an existing foundation where that landing is?
 - Yes, the footprint of the steps the way they are now do not meet building, so it is just configuring the steps and construction to meet the minimum of 10 inches.

Public portion of the meeting closed.

Motion:

Moved: Rus Collins

Seconded: Jaime Hall

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 #00852
Daniel Robbins, Applicant
1886 Gonzales Avenue**

Present Zoning:
Present Use:

R1-G
Vacant

The proposal is to construct a new single-family dwelling with secondary suite.

Bylaw Requirement

Relaxation Requested

Section 1.6.4.a
Section 1.6.5.a

Number of storeys relaxed from 1.5 to 2 storeys
Front yard setback relaxed from 7.5m to 4.74m

Section 1.6.5.c Rear yard setback relaxed from 9.72m (30% lot depth) to 8.71m

Daniel Robbins, Applicant was present.

Applicant

- The applicant is building three homes in the Gonzales neighbourhood. The hardship is the required setback because of the lot shape and configuration.
- The three variances are the result of the way Gonzales Avenue runs and the lot configuration.
- Because the front yard is not rectangular it creates a situation in which the required setback creates the hardship.
- The rear yard setback variance is insignificant.
- The number of storeys is the hardship, we don't want to lose a bedroom, which would only make this a two-bedroom home.
- The applicant reached out to all, but one neighbour and they were all in support of this application.

Board

- Which neighbour were you not able to reach?
 - The neighbour at 1885 Gonzales Road. We had spoken to them in the past about this development but were not able to reach them within the last few weeks when I tried to reach out.
- Since the three houses have been planned, and this is the third house, didn't you run into the variances and issues with lot configuration beforehand as well?
 - We were aware this would be the most challenging home to design. In speaking with the neighbours, it was made clear that they wanted a single level house across from the panhandle at the back, and in order to satisfy that goal that lot is much larger than the other two.

Public portion of the meeting closed.

- We are finding that the irregular lot shapes are constantly an issue because of the amount of front yard homeowners have to give up and the difficult angles. I think it is a significant hardship and I support this appeal.

Motion:

Moved: Rus Collins

Seconded: Jaime Hall

That the following variances be approved.

Bylaw Requirements

Relaxations Requested

Section 1.6.4.a

Number of storeys relaxed from 1.5 to 2 storeys

Section 1.6.5.a
Section 1.6.5.c

Front yard setback relaxed from 7.5m to 4.74m
Rear yard setback relaxed from 9.72m (30% lot depth) to
8.71m

Carried Unanimously

Meeting Adjourned at 1:13 pm
