

2. Appeals

12:30 Board of Variance Appeal #00868 Sean Katz, Krown Enterprises Inc; Applicant 1915 Fairfield Road

Present Zoning: R1-G
Present Use: Vacant

The proposal is for a new single-family dwelling and a garden suite.

Bylaw Requirements

Relaxations Requested

Section 1.6.5.a	Front yard setback (Shotbolt Road) relaxed from 7.5m to 4.75m (largest rectangle line)
Section 1.6.5.b	Rear yard setback (West) relaxed from 9.07m (35% of lot depth) to 7.81m to building and 6.18m to deck
Schedule M Section 2.e.	Placement of the garden suite from the rear yard to partly within the side yard.

Sean Katz, Krown Enterprises Inc; Applicant was present.

Correspondence submitted by Judith and Glen Hill of 1917 Shotbolt Road, Paul Gubbels of 1906 Shotbolt Road and Ruth Brain of 1923 Fairfield Rd was acknowledged.

Applicant

- The hardship is due to how the front lot line is determined in an irregular lot shape.
- If the front lot line was on Fairfield Road there would be no variances required. Because the front lot line must be on Shotbolt Road due to the irregular lot shape, it creates a restrictive building envelope.
- Because of the building envelope and the above-mentioned lot lines the garden suite sits partially into the side-yard setback.
- We have done everything we can to create a design that will fit within the neighbourhood as well as minimise the impact on the trees.

Board

- The first time the BOV saw this application wasn't it for two separate homes?
 - Yes. It was going to be a subdivision. There ended up being some critical issues with some of the Garry Oak trees. We decided not to go ahead with that proposal and changed course.
- Is it correct that you cannot have the driveway coming off of Fairfield Rd because of the City regulations?
 - Yes, that was taken into consideration as part of the designs. The City doesn't want the driveway coming off the collector road.
- What species of trees are being removed in the north west corner?
 - One large Cedar and two smaller trees. I can't recall what species the small ones are.

- Can you tell me if any of the Garry Oaks will be removed?
 - No Garry Oaks are going to be removed.
- What portion of the garden suite isn't in the rear yard?
 - At the back of the house there is a deck portion that projects beyond the face of the garden suite, that's why it is technically pushed into the side yard.

Neighbours

- The neighbour at 1907 Fairfield Rd asked if there are any plans for creating privacy between the residences and will the garden suite entrance be off Shotbolt Road?
 - We would be happy to work with you to put in landscaping. The plan is to also include some fencing. Yes, the entrance to the garden suite will be off Shotbolt.
- The neighbour expressed concern for the large cedar tree that is coming down in the front yard and felt the value of this tree had been overlooked.

Public portion of the meeting closed.

- Appreciation for what the developer has done to protect trees
- The design is well done. It has been a challenging lot.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rus Collins

That the following variance be approved.

Bylaw Requirements

Relaxations Requested

Section 1.6.5.a

Front yard setback (Shotbolt Road) relaxed from 7.5m to 4.75m (largest rectangle line)

Section 1.6.5.b

Rear yard setback (West) relaxed from 9.07m (35% of lot depth) to 7.81m to building and 6.18m to deck

Schedule M Section 2.e.

Placement of the garden suite from the rear yard to partly within the side yard.

Carried Unanimously

1:00 Board of Variance Appeal #00862

**Tim Schauerte, Applicant; Cindy Holder & Patrick Rysiew, Owners
648 Moss Street**

Present Zoning:

R1-B

Present Use:

SFD

The proposal is for a 6.03m² (65 sq. ft.) main floor addition to the rear of the existing building.

Bylaw Requirements

Section 1.2.5.b
Section 1.2.5.c
Section 1.2.5.d
Section 1.2.6.a
Schedule F - Section 4.d

Relaxations Requested

Rear yard setback relaxed from 7.5m to 7.37m
Side yard (north) relaxed from 3.0m to 2.2m
Combined side yards relaxed from 4.5m to 2.6m
Site coverage relaxed from 40% to 47.77%
Separation space between accessory and principal building relaxed from 2.4m to 1.44m

Tim Schauerte, Applicant; Cindy Holder & Patrick Rysiew, Owners were present

Correspondence submitted by LillAnne Jackson & Claudio Costi of 645 Moss Street was acknowledged.

Applicant

- The hardships are lack of space and functionality for a growing family and setback issues from past subdivisions of the property.
- The owners would like to stay and grow in this house instead of moving.

Public portion of the meeting closed.

- The applicant has a very thoughtful design and the Board appreciates that the owners have consulted neighbours.
- Appreciation for the sensitive renovation.

Motion:

Moved: Rosa Munzer

Seconded: Margaret Eckenfelder

That the following variances be approved.

Bylaw Requirements

Section 1.2.5.b
Section 1.2.5.c
Section 1.2.5.d
Section 1.2.6.a
Schedule F - Section 4.d

Relaxations Requested

Rear yard setback relaxed from 7.5m to 7.37m
Side yard (north) relaxed from 3.0m to 2.2m
Combined side yards relaxed from 4.5m to 2.6m
Site coverage relaxed from 40% to 47.77%
Separation space between accessory and principal building relaxed from 2.4m to 1.44m

Carried Unanimously

**1:30 Board of Variance Appeal #00876
Keith Baker Design Inc, Applicant; Brendan Mcgrath & Regan Mcavoy, Owners
321 Linden Avenue**

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

The proposal is for renovations which include an addition at the rear and a new dormer.

Bylaw Requirements

Relaxations Requested

Section 1.2.4.a
Schedule F - Section 1

Maximum number of storeys relaxed from 2 to 3
Location of accessory building relaxed from rear
yard to the side yard

Schedule F - Section 4.b

Side yard setback(south) relaxed from 0.6m to 0.3

Keith Baker Design Inc, Applicant; Brendan McGrath, Owner; were present.

Correspondence submitted by neighbours Lena & Jarren, Andrew and Jill of 316 Linden Avenue, Aaron Dalgleish and Heather Lougher-Goodey of 325 Linden Ave was acknowledged.

Applicant

- The hardship has to do with the original construction of the house. The ground floor does not meet the definition of basement, so it then becomes the first storey.
- The owners need more space as they grow into this house with their family.
- The house became existing nonconforming and we would like to amend that issue.
- The deck that was added and the existing accessory garage that was there when the house was purchased have become nonconforming in relation to the south property line.

Board

- In drawing A2.2 of the plans where the existing small dormer is, is that an eyebrow dormer or triangular.
 - It is a narrow lookout window from the upper floor, not eyebrow in form.
- In drawing A4.3, how does the drawing differ from what is there today?
 - There are no changes from what is there. There are no changes to the front at all.
- The basement 6ft 6inches in height correct?
 - Yes.
- Are there plans to put a suite at any time?
 - No.
- Did you consult with your neighbour to the north?
 - Yes, we did.

Public portion of the meeting closed.

- Modest variance requested

Motion:

Moved: Margaret Eckenfelder

Seconded: Rus Collins

That the following variance be approved.

Bylaw Requirements

Section 1.2.4.a

Schedule F - Section 1

Schedule F - Section 4.b

Relaxations Requested

Maximum number of storeys relaxed from 2 to 3

Location of accessory building relaxed from rear
yard to the side yard

Side yard setback(south) relaxed from 0.6m to 0.3

Carried Unanimously

Meeting Adjourned at 2:10 pm.
