

**CITY OF VICTORIA
BOARD OF VARIANCE MINUTES
MARCH 25, 2021**

Present: Trevor Moat, Chair
Rosa Munzer
Margaret Eckenfelder

Absent: Rus Collins, Jaime Hall

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

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

1. Minutes

Minutes from the meeting held March 11, 2021

Moved: Margaret Eckenfelder

Seconded: Rosa Munzer

That the minutes from March 11, 2021 be adopted as amended.

Carried Unanimously

2. Appeals

**12:30 Board of Variance Appeal #00889
Joan Athey, Applicant
44 Lewis Street**

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

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

Bylaw Requirement

Relaxation Requested

Section 1.2.5.a

Front yard setback relaxed from 7.5m to 4.82m

Joan Athey, Applicant; was present.

Correspondence submitted was acknowledged.

Applicant

- The applicant would like to age in place on this street.

March 25, 2021

- This house has large steps and plumbing issues which need to be addressed for the applicant’s quality of living moving forward.
- The applicant would like to build a house that fits into the streetscape and neighbourhood.

Neighbours

- Neighbour at 43 Lewis Street, is in favour of this application. One of the reasons the street is charming is the proximity to the street. This would be the only house on the street that is setback further than the rest if the variance is not granted.

Public portion of the meeting closed.

- Reasonable request and will keep the house inline with the streetscape.
- This is a charming and walkable street.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rosa Munzer

That the following variance be approved.

Carried Unanimously

Bylaw Requirement

Relaxation Requested

Section 1.2.5.a

Front yard setback relaxed from 7.5m to 4.82m

**1:00 Board of Variance Appeal #00888
 Brent Limbeek & Deanna Reid, Applicants
 2116 Cook Street**

Present Zoning:

R-2

Present Use:

Single Family Dwelling

The proposal is to construct a new up and down duplex on the existing building footings.

Bylaw Requirements

Relaxations Requested

Section 2.1.4.a

Height relaxed from 7.6m to 8.41m and number of storeys from 2 to 3

Section 2.1.4.c

Variance to permit a roof deck

Section 2.1.5.b

Rear yard setback relaxed from 12.83m to 9.9m

March 25, 2021

Section 2.1.5.c	Side yard setback (North) relaxed from 1.52m to 1.48m and Side yard setback (South) relaxed from 3.0m to 2.89m
Section 2.1.5.d	Combined side yard setbacks relaxed from 4.5m to 4.37m

Brent Limbeek & Deanna Reid, Applicants; were present.

Applicant

- We bought the property because we would like to start a family.
- The need for housing in the area is very great so we wanted to build a duplex instead of a single-family home.
- Current costs of building materials have escalated, a duplex is a better option economically for us.
- The property located next door is an 8-unit apartment building that has not seen any attention in a long time. We are looking to bring a nice space into this neighbourhood and street with this build.

Board

- Is the intent for the basement and main floor to be one unit and the top floor to be a separate unit?
 - Yes.
- Why do you need a roof deck?
 - Primarily for a fire escape. The way the elevation works in order to have a functional outdoor space it would have to be off the second or middle floor which is considered a roof deck.
- Can you explain why you need the rear yard setback?
 - The deck is subject to the setback for the primary building. Any deck 2ft off the ground is exempt to the setback and site coverage, but this one is well above that.
- On the site plan, the setback is marked as 9.9m. The requirement is 12.83m it's the stairway that comes down from the deck is that correct?
 - I believe it would be more than just the staircase. Since it is a duplex, two off-street parking stalls are required. We are trying to work with what is there as much as possible.
- Do you have any way to meet the parking requirement without going into the rear yard setback?
 - No.
- Are you required to provide a means of egress for the top suite?
 - Yes.
- What is the hardship that is forcing the side yard setbacks?
 - Those are currently existing.
- Are you building on the existing foundation?
 - Yes.

Public portion of the meeting closed.

March 25, 2021

- Several variances are because of the existing foundation.
- Rear yard variance was well explained.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rosa Munzer

That the following variances be approved.

Bylaw Requirements

Relaxations Requested

Section 2.1.4.a

Height relaxed from 7.6m to 8.41m and number of storeys from 2 to 3

Section 2.1.4.c

Variance to permit a roof deck

Section 2.1.5.b

Rear yard setback relaxed from 12.83m to 9.9m

Section 2.1.5.c

Side yard setback (North) relaxed from 1.52m to 1.48m and Side yard setback (South) relaxed from 3.0m to 2.89m

Section 2.1.5.d

Combined side yard setbacks relaxed from 4.5m to 4.37m

Carried Unanimously

Meeting Adjourned at 1:35 pm.
