

**CITY OF VICTORIA
BOARD OF VARIANCE MINUTES
MAY 26, 2022**

Present: Trevor Moat, Chair
Margaret Eckenfelder
Rus Collins
Joanne Thibault
Rosa Munzer

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

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

1. Minutes

Minutes from the meeting held May 12, 2022

Moved: Margaret Eckenfelder

Seconded: Rosa Munzer

That the minutes from May 12, 2022 be adopted as amended.

Carried Unanimously

2. Appeals

**12:30 Board of Variance Appeal #00936
Vadim Melamed, Applicant
63 Dock Street**

Present Zoning: R-2
Present Use: SFD

The proposal is to construct an addition to the rear of the existing single-family dwelling to create a second dwelling unit.

Bylaw Requirements

Relaxations Requested

Section 2.1.5.b

Rear yard setback relaxed from 12.8m to 7.0m

Vadim Melamed, Applicant; neighbours Pat McGuire, John Eckfledt, Elaine Stewart and Twiny Smit were present.

Submitted correspondence was acknowledged.

Applicant

- Existing house on the property was built in the 1940's and is good shape.
- Proposal is to build a duplex while saving the existing house.
- Given its position on the existing houses location on the lot, relaxation of the setback is required.

- The 7m setback is not uncommon in the area.
- Would like to maintain the garden space.

Neighbours

- Elaine Stewart: Has doubts about the proposal as the house next door was quickly renovated and sold. Expressed concern that work in the existing house was done without permits. States the property has been unpleasant to live next to with parking issues, noise, and extra tenants. What is the plan going to be after the property is flipped?
 - Applicant: My son will be occupying the front duplex unit and the back duplex unit would be sold. The proposal meets met Bylaw requirements for parking. The hardship is wanting to keep the existing house intact. I could build without a variance, but it would require demolition of the existing house.
- Twiny Smit: Opposed to the variance. She has concerns with the overlook and that the property will be a boarding house because of the proposed floor plan and extra bathrooms.
 - Applicant: I can remove a bathroom upstairs if this is an issue.
- John Eckfeldt: Concerns with privacy and saving the Douglas Fir in the back yard. Appreciates the applicant wants to save the house but thinks that things would be better served if it was demolished and rebuilt.
 - Applicant: The Arborist has said there is no threat to any trees on the property. Building Permit will require Parks' sign off. Would like to keep the 7m setbacks as garden space.
- Pat Mcguire: Would like to see a smaller house and that the applicant upkeep the landscaping. Feels the proposed duplex is too large. Asked why another sewer line is needed along the existing driveway?
 - Applicant: Sewer needs to be connected separately for each duplex.

Board

- Can you please explain the odd floor plan?
 - The previous owner was renting out rooms. There were eight tenants in the house when I purchased it.
 - I have given the tenants notice and most of them have moved out. My older son will be occupying the house. I will then renovate it in accordance with the plans before you.
- If we didn't allow the variance requested, could you still build the duplex without a variance?
 - The layout we are asking for is about 1600sq feet which I do not think is generous. It would not be possible to add onto the back without the variance. I could reduce the variance if I asked for 3 stories. The issue with 3 stories would be a lack of access to the yard from the main level.
- The plans show the proposed sq footage of both units is only 2900sq feet. Is this correct?
 - Yes.
- Have you given consideration to moving the house or lifting it to accommodate the addition?
 - This house was built on a concrete slab and that option wouldn't be feasible.

Motion:

Meeting adjourned until 2:00pm

Moved: Margaret Eckenfelder

Seconded: Rosa Munzer

Public portion of the meeting closed.

- Supportive of saving the house
- If it was movable, that might be a solution however that is probably not the case
- Size isn't an issue
- Parking is outside the Board's realm of consideration
- Proposal is not out of step with the surrounding properties
- If the existing house was demolished, the replacement could possibly be a meter higher.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rus Collins

That the following variances be approved:

Bylaw Requirements

Relaxation Requested

Section 2.1.5.b

Rear yard setback relaxed from 12.8m to 7.0m

Carried Unanimously

12:50 Board of Variance Appeal #00939

**Sameer Hasham, Applicant; Valentin Schiffer & Anita Goodfellow, Owners
1555 Richmond Avenue**

Present Zoning:

R3-2

Present Use:

45 suite apartment building

The proposal is to construct an entrance canopy to the existing apartment building.

Bylaw Requirements

Relaxations Requested

Section 3.3.4

Site coverage relaxed from 30% maximum to 36.4% (note: 0.2% difference from existing)

Section 3.3.6(1)

Open site space relaxed from 30% to 25.7% (note: 0.2% difference from existing)

Section 3.3.10

Front setback relaxed from 9.0m to 8.93m

Sameer Hasham, Applicant; was present.

Submitted correspondence was acknowledged.

Applicant

- Currently have an active BP for rehabilitation of the balconies.
- We would like to enhance the façade and make it more modern. New guard rails, water issues and water run off will be addressed.
- The new canopy at the front would be made of steel and glass and would provide some shelter from the rain.
- The change to the pre-existing condition on the site coverage and open site space is about .2% so the impact of the variance is minor.

Board

- Can you please explain the calculations for the relaxations?
 - The existing buildings and site coverage values are 36.2% and 26.9% and were above the zoning requirements.
- Can you explain the hardship?
 - The owners would like to provide a more pleasant area for the renters. It would be a covered area from the rain. The owners thought it would be a nice shelter to wait for the bus as well.
- What is the proposed finish on the bottom of the building?
 - It was brick which was not structurally sound, and it has been removed and replaced with hardie plank siding.
- Is there a reason for the roof slope with the catchment in the centre of the roof?
 - We engaged an architect to do this design. The owners may not have an issue the design was different, but this is just the architectural input. We have a drainage system that it will be linked to and the canopy is not attached to the building.

Public portion of the meeting closed.

- Happy to see the upgrade and appreciate the space for residence to stay out of the rain
- Minor variance request.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rus Collins

That the following variances be approved:

Bylaw Requirements

Relaxation Requested

Section 3.3.4

Site coverage relaxed from 30% maximum to 36.4% (note: 0.2% difference from existing)

Section 3.3.6(1)

Open site space relaxed from 30% to 25.7% (note: 0.2% difference from existing)

Section 3.3.10

Front setback relaxed from 9.0m to 8.93m

Carried Unanimously

**1:10 Board of Variance Appeal #00941
Sameer Hasham, Applicant; Valentin Schiffer & Anita Goodfellow, Owners**

1625 Richmond Avenue

Present Zoning: R3-2
Present Use: 45 suite apartment building

The proposal is to construct an entrance canopy to the existing apartment building.

Bylaw Requirements

Relaxations Requested

Section 3.3.4	Site coverage relaxed from 30% maximum to 36.4% (note: 0.2% difference from existing)
Section 3.3.6(1)	Open site space relaxed from 30% to 25.7% (note: 0.2% difference from existing)
Section 3.3.10	Front setback relaxed from 9.0m to 8.93m

Sameer Hasham, Applicant; was present.

Submitted correspondence was acknowledged.

Applicant

- Identical in terms of footprint.
- There is one driveway to the back parking lot which is the only difference.

Public portion of the meeting closed.

- Exactly the same considerations as 1555 Richmond Avenue

Motion:

Moved: Joanne Thibault

Seconded: Rosa Munzer

That the following variances be approved:

Bylaw Requirements

Relaxation Requested

Section 3.3.4	Site coverage relaxed from 30% maximum to 36.4% (note: 0.2% difference from existing)
Section 3.3.6(1)	Open site space relaxed from 30% to 25.7% (note: 0.2% difference from existing)
Section 3.3.10	Front setback relaxed from 9.0m to 8.93m

Carried Unanimously

Meeting Adjourned at 2:50 pm.
