



**CITY OF VICTORIA
BOARD OF VARIANCE MINUTES
MARCH 27, 2025 12:00 P.M.**

The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation.

PRESENT: Margaret Eckenfelder (Chair)
Bernie Gaudet
Rosa Munzer

ABSENT: Peter Bretherton
Trevor Moat

STAFF: Kyla Tuttle, Senior Zoning Technician
Alicia Ferguson, Recording Secretary

Call to Order

The meeting was called to order at 12:00 p.m.

A. Minutes

Moved by: B. Gaudet
Seconded by: R. Munzer

That the Minutes of the February 13, 2025, Board of Variance meeting be adopted.

CARRIED UNANIMOUSLY

B. Board of Variance Appeal #01031

**Gary Streight, Studio Ink Design (Applicant); Jonathan Cox (Owner)
1901 Duchess Street**

Present Zoning: R1-B
Present Use: SFD

The proposal is to lift an existing house to add a secondary suite.

Bylaw Requirements	Relaxations Requested
Section 1.2.4.a	Height from 7.60m to 7.84m
Section 1.2.4.a	Number of storeys from 2 to 2.5
Section 1.2.4.c	Allow for a roof deck
Section 1.2.5.a	Front setback from 7.50m to 5.80m

Applicant

- *Detailed hardships associated with the requested variances:*

Height Variance: The hardship is primarily due to the need to connect to the sewer and storm mains in the street. Additionally, the height measurement is influenced by a small dormer on the roof, which raises the datum for the building height. When deciding to lift the house, the main point was that the existing basement height is currently 6 feet from the slab to the underside of the main floor joist. The goal was to split the difference by lowering the basement by 1 foot and raising it by 1 foot to achieve an 8-foot ceiling for the proposed suite. This adjustment also helps meet the main sewer connection in the road for the proposed washroom in the suite.

Number of Storeys: The house, built around 1910, originally included an upper floor. Since then, bylaws have changed, and the lower floor is no longer considered a basement but the first storey due to changes in zoning definitions. This reclassification results in the house being considered a 2.5-storey building.

Roof Deck: It is unclear if the roof deck was part of the original design, but it has existed for a long time. There is an identical house across the street with the same roof deck, so it is being considered as an existing non-conforming element.

Front Setback: Zoning bylaws and setbacks have changed since the house was built around 1910. Instead of repositioning the house, we are requesting a variance for the front yard setback to maintain the existing streetscape, keeping the building in line with neighboring houses and preserving the general nature of the street.

Board

- *Is there any record of when the rooftop deck was installed?*
 - *There is no record of the installation. However, a similar style is observed on a house across the street, suggesting it may be part of the original build.*
- *Was there any correspondence or consultation with the neighbors?*
 - *One neighbor to the south was consulted. No further correspondence or input from other neighbors has been received.*
- *Is there an existing bathroom on the upper floor?*
 - *Yes, there is an existing bathroom.*
- *Does the upper floor have a kitchenette and shower?*
 - *It is believed there is no shower, and the kitchen space will only have a fridge, in accordance with zoning regulations. The space is not intended to be used as a suite, and this is noted on the plans.*

Neighbours

- *No neighbors were present for this portion of the meeting.*

The public portion of the meeting was closed at 12:42 p.m.

Board

- *Appreciation was expressed for the efforts to minimize variances, such as moving the structure 0.5 meters to the south to reduce the setback variance on the north side. Additionally, there was an understanding of the height requirements, with efforts to minimize the variance by lowering the suite by 1 meter and raising the main floor by the same amount.*

Motion:

Moved By: R. Munzer

Seconded By: B. Gaudet

That the Board of Variance Appeal #01031 for 1901 Duchess Street, be approved as requested.

CARRIED UNANIMOUSLY

C. Board of Variance Appeal #01015

Nigel Banks (Applicant); Scott Calder & Brittany Reijeris (Owners)

1040 Craigdarroch Road

Present Zoning: R1-A

Present Use: SFD with secondary suite

The proposal is to replace existing landing and steps with a new deck at the rear of the property.

Bylaw Requirements Relaxation Requested

Section 1.1.5.d North side yard setback from 3.0m to 1.70m

Applicant

- *Highlighted that the construction setbacks from the 1920s are not relevant to the current lot, and the variance requested is not in excess of what pertains to the existing house. The hardship involves the removal of an existing stair and landing outside the main floor door to allow for the suite installation in the lower floor. Practically, there is not enough room in the landing for primary access to the backyard and vehicle parking in the shared driveway. Therefore, the landing area needs to be increased, the stairs relocated and reconfigured to move away from the lower suite. The suite has been installed but remains vacant, awaiting better access.*
- *The applicant confirmed that the owners have spoken with as many neighbors as possible, and the most impacted neighbor is supportive.*

Board

- *Is the landing needed for safety egress from the main floor?*
 - *Partially, but there was simply no room otherwise. The landing is necessary for family practicality, such as maneuvering with children and dogs, and providing a safe place to bring a child up the stairs from the car and open the door.*

Neighbours

- *No neighbors were present for this portion of the meeting.*

The public portion of the meeting was closed at 12:55 p.m.

Board

- *Appreciation for the consultation with neighbors and understanding of the hardship related to the needed egress.*
- *Recognition of the benefit of the usable suite and understanding of the need based on the house's siting on the lot, given its legacy and situation.*

Motion:

Moved By: R. Munzer

Seconded By: B. Gaudet

That the Board of Variance Appeal #01015 for 1040 Craigdarroch Road, be approved as requested.

CARRIED UNANIMOUSLY

D. Board of Variance Appeal #01033

Julie Brown (Applicant); Julie Brown & Timothy Judge (Owners)

1739 Lee Avenue

Present Zoning: R1-B

Present Use: SFD

The proposal is for renovations to the existing single family dwelling which includes lifting the building and construction of a deck at the rear of the building.

Bylaw Requirements	Relaxation Requested
Section 1.2.5.a	Front yard setback from 7.50m to 6.85m
Section 1.2.5.a	Step projection into the front yard setback that are greater than 1.70 m in height from 2.50m to 3.69m
Section 1.2.5.c	North side yard setback from 1.50m to 0.89m
Section 1.2.5.d	Combined side yard setback from 4.50m to 3.91m

Applicant

- *The house, originally built in 1912, has had minimal updates over the years. It contains around 900 square feet of usable space on the main level, while the lower level is unfinished. The plan includes lifting the house to increase the ceiling height, reconstructing the lower level, improving seismic resilience, adding exterior insulation, and installing proper drainage to provide usable space on the lower level. On the upper level, the plan is to enclose the small front entrance porch, which has been prone to water leakage, move the front entry to face the street, and reconstruct the exterior entrance stair.*
- *The requested variances are mildly impacted by the renovations and address existing non-conforming issues.*
- *The existing house projects slightly into the front yard setback, an existing non-conforming condition that will remain as is. However, further projection is requested to accommodate the proposed exterior insulation.*
- *The existing stair is non-compliant. The proposed stair needs to accommodate an additional 17 inches in height to reach the new main floor level. The new stair landing is no longer recessed due to the enclosure of the existing recessed front porch, resulting in the new stair projecting about 1 meter further into the front setback.*
- *The existing house projects into the north side yard setback, an existing non-conforming condition that will remain as is. Further projection is requested to accommodate the proposed*

exterior insulation. The property line is angled, causing the setback to vary from 1.3 meters at the front corner to 0.89 meters at the rear corner.

- Due to the angled property lines, the southern setback varies from 3 meters at the front southern corner to 3.8 meters at the rear southern corner. The northern front corner setback is 1.3 meters and 0.89 meters at the rear northern corner. The combined side yard setback is 4.3 meters at the front corners and 4.7 meters at the rear corners.

Board

- The cover letter mentions that lowering the main floor would make the project unfeasible. Could you elaborate on this, as we're considering hardships in our decision?
 - Lowering the floor is difficult due to high site services in the adjacent road. We aim to use gravity for drainage to ensure sustainability, avoiding the need for a pump. This would be an unnecessary hardship given the building's configuration and height allowance.
- You're trying to balance gravity drainage with minimizing height, correct?
 - Yes, the house and neighboring buildings were constructed at the same time with similar floor plans. We want to maintain the streetscape without being more prominent. To minimize the front projection setback, the front landing for the stairs is lowered by one riser, reducing the projection into the front setback.
- Have you consulted your neighbors?
 - Yes, we've spoken to the owners of the south property. For the north property, there are two suites, and while we haven't spoken to the tenants, we've informed the owners. We've also notified a few other neighbors of our plans.

Neighbours

- No neighbors were present for this portion of the meeting.

The public portion of the meeting was closed at 1:18 p.m.

Board

- Expressed pleasure at the inclusion of sustainability elements such as increased insulation, future-proofing for a secondary suite, and provisions for aging in place. Additionally, highlighted the minimization of mechanical requirements to feed into the sewage system, as mentioned by the owners.

Motion:

Moved By: B. Gaudet

Seconded By: R. Munzer

That the Board of Variance Appeal #01033 for 1739 Lee Avenue, be approved as requested.

CARRIED UNANIMOUSLY

Adjournment

The Board of Variance meeting held March 27, 2025, was adjourned at 1:19 p.m. by unanimous consent.