

**CITY OF VICTORIA
BOARD OF VARIANCE MINUTES
JULY 11, 2019**

Present: Andrew Rushforth, Chair
Trevor Moat
Margaret Eckenfelder

Absent for a Portion of the Meeting: Jaime Hall

Absent: Rus Collins

Staff: Nina Jokinen, Planning Technician
Katie Lauriston, Planning Secretary
Alena Hickman, Planning Secretary

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

1. Appeals

**12:30 Board of Variance Appeal #00787
Lindsay Baker, Applicant / Designer; Harold and Beverley Davis, Owners
64 Gorge Road East**

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

The proposal is for renovations which include a new deck and steps at the rear and front of the property.

Bylaw Requirements

Relaxation Requested

Schedule F, Section 4 (d)

Decrease the minimum separation space between the rear deck and the garage from 2.40m to 0.82m.

Lindsay Baker, Applicant / Designer, was present.

Designer

- This is a split-level home, and the proposal would provide the safest and easiest access to the rear of the dwelling.
- The detached garage at the rear would be very close to the main dwelling.
- No issue for fire transfer between the two – which was a main objective.
- The proposal will not visually impact the neighborhood.

Board

- Were the neighbours consulted?
 - Yes, the owners and designer spoke to neighbours.
 - Typically letters of support would be collected, but this was not seen as necessary as the hardship is obvious and the application is straightforward.
- Were the neighbours at 68 Gorge Road East consulted?
 - Yes; they had no objections and are good friends with the owners.

- Is there any intention to develop the garage?
 - No.

Public portion of the meeting closed.

Motion:

Moved: Margaret Eckenfelder

Seconded: Trevor Moat

That the following variance be approved as requested:

Schedule F, Section 4 (d) Decrease the minimum separation space between the rear deck and the garage from 2.40m to 0.82m.

Carried Unanimously

Jaime Hall entered the meeting 12:40pm

**12:50 Board of Variance Appeal #00782
Don Brown Architect AIBC, Applicant; Michael McBride, Owner
730 Bowlsby Place**

Present Zoning: R1-B – Single Family Dwelling District
Present Use: Duplex with illegal third suite

The proposal is to legalize construction completed without permits which include minor enclosures and new steps and landings located at the front and rear of the building, finished attic space and the existing garage located at the west side of the property. The proposal includes changing the use from a duplex conversion to a single family dwelling with secondary suite.

Bylaw Requirements

Relaxations Requested

Primary building:

Section 1.2.4 (a)	Increase the maximum number of storeys from 2 to 2.5
Section 1.2.5 (a)	Decrease the minimum front yard setback from 7.50m to 4.87m to the steps and landing and 7.23m to the front enclosure <i>Note:</i> Existing is 6.01m to deck
Section 1.2.5 (c)	Decrease the minimum east side yard setback from 1.54m to 0.95m to the north enclosure and 1.10m to the south enclosure <i>Note:</i> Existing is 0.50m to the cantilever.

Garage:

Schedule F, Section 1 To permit the location from the rear yard to the side yard

Schedule F, Section 4 (b) Decrease the minimum east side yard setback from 0.60m to 0.20m

Schedule F, Section 4 (d) Decrease the minimum separation space to the main building from 2.40m to 1.01m.

Don Brown Architect AIBC, Applicant; was present.

Architect

- The original house was built in 1913 as a single family dwelling, and in 1952 it was converted to a duplex. Since that time, there have been many renovations completed without permit.
- The main aim is to legalize the work completed since the '50s.
- Most alterations were completed before the owner bought the property in 1996.
- The proposal would recognize the attic level as a half story, which would allow the owner to use the space as a bedroom. Utilities for the illegal attic suite have been removed and it is no longer usable as a suite.
- The exterior stairs on the west side are proposed to be removed so that this cannot be used as a suite in the future.
- This process began after a fire on the back deck, which required building permits to remediate.
- Front and side yard setback relaxations are also being requested because the house does not comply with current zoning.
- Finally, the applicants are requesting for the basement suite to be called a secondary suite, due to ceiling height implications in the building code.

Board

- Was there any discussion with neighbors?
 - Yes, there was a letter sent to neighbours explaining the proposal, and all neighbors are aware.
 - The only visual difference for neighbours would be the removal of the stairs on the west side of the building; there are no other physical alterations proposed.
- What is the ceiling height in the basement suite?
 - Just over 2m.
- What was the cause of the fire?
 - The fire was caused by a barbeque, and was not too extensive.

Public portion of the meeting closed.

- The variances are reasonable given the configuration of the house on the lot.
- There is good evidence that the owner is working to bring the building into compliance.
- There are no objections from neighbours.

Motion:

Moved: Trevor Moat

Seconded: Jaime Hall

That the following variances be approved as requested:

Primary building:

Section 1.2.4 (a) Increase the maximum number of storeys from 2 to 2.5

Section 1.2.5 (a) Decrease the minimum front yard setback from 7.50m to 4.87m to the steps and landing and 7.23m to the front enclosure

Section 1.2.5 (c) Decrease the minimum east side yard setback from 1.54m to 0.95m to the north enclosure and 1.10m to the south enclosure

Garage:

Schedule F, Section 1 To permit the location from the rear yard to the side yard

Schedule F, Section 4 (b) Decrease the minimum east side yard setback from 0.60m to 0.20m

Schedule F, Section 4 (d) Decrease the minimum separation space to the main building from 2.40m to 1.01m.

Carried Unanimously

**1:10 Board of Variance Appeal #00788
Matthew Smith, Applicant; 1192779 BC Ltd., Owner
1163 View Street**

Present Zoning: R3-1 – Multiple Dwelling
Present Use: Multiple Dwelling

The proposal is to renovate the existing building which includes new front landing and steps, new exterior doors and interior renovations including new kitchens and bathrooms.

Bylaw Requirements Relaxation Requested

Section 3.3.4 1) Increase the maximum site coverage from 30.00% to 39.76%

Note: existing is 38.61%.

Matthew Smith Applicant / Designer; was present.

Correspondence supporting the application from Andrew Sund was read aloud.

Designer

- The proposal is to have an entry deck on the second floor with a new set of stairs.
- Currently the stairs are concrete and too small for the building.
- The proposal is driven by the need to expand the electrical room. This will separate the units on each floor, so the stairs will ensure separate doors for the upper and lower units.
- The new stairs will be made of steel, which will be safer.
- Because current building code requires a shallower rise and longer run, the stairs will be pushed out further towards the road.

