

**CITY OF VICTORIA
BOARD OF VARIANCE MINUTES
JUNE 22, 2023**

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

Absent: Joanne Thibault

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 June 8, 2023

Moved: Margaret Eckenfelder

Seconded: Rosa Munzer

That the minutes from June 8, 2023 be adopted as amended.

Carried Unanimously

2. Appeals

**12:30 Board of Variance Appeal #00983
Shannon Jamison, Applicant
1274 Centre Road**

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

The proposal is to construct accessory buildings in the side yard.

Bylaw Requirements

Relaxations Requested

Schedule F - Section 1

Location of accessory buildings varied from rear yard to side yard.

Schedule F - Section 4.d.

Separation space from main building relaxed from 2.4m to 1.17m.

Shannon Jamison, Applicant; was present.

Applicant

- Historic Fernwood home from 1914.

- As our family has grown the house has become too small.
- One of the applicants works from home.
- No storage space, garage or sheds.
- We would like one shed for storing bikes and strollers and the other would be general purpose space/office space or playroom for kids.
- We love the house and neighbourhood and we want to stay in this neighbourhood and home.

Board

- Did you consider making one large accessory building instead of two smaller ones?
 - We didn't, mainly because of the separate uses we are looking for. The other will hopefully be a space to accommodate an office or playroom.

Public portion of the meeting closed.

- Minor and reasonable request.
- Respect the preservation of the house.
- Preserving the rear yard for outdoor use is a wonderful idea.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rus Collins

That the following variances be approved.

Bylaw Requirements

Relaxations Requested

Schedule F - Section 1

Location of accessory buildings varied from rear yard to side yard.

Schedule F - Section 4.d.

Separation space from main building relaxed from 2.4m to 1.17m.

Carried Unanimously

**12:50 Board of Variance Appeal #00979
Marlon Heese & Lauren Fairweather, Applicants
543 Langford Street**

Present Zoning:

R1-B

Present Use:

Single Family Dwelling

The proposal is to reconstruct the front deck and stairs in a similar position to the existing one.

Bylaw Requirements

Relaxations Requested

Section 1.2.5.a

Front yard setback relaxed from 7.5m to 1.9m for deck/stair projection.

Section 1.2.5.c Side yard setback relaxed from 3.0m to 2.59m to match existing building alignment.

Marlon Heese & Lauren Fairweather; Applicants were present.

Applicant

- Looking to replace front deck which is rotten and structurally compromised.
- The current location works with the current landscaping and provides privacy.
- The plan proposes lowering the deck to improve connection to the street.
- Most houses on the street are older and do not conform to the current setback requirement so the deck will be consistent with those on neighbouring properties.
- Neighbours are all in favour.

Public portion of the meeting closed.

- Support as proposed.
- Minor request.
- Fits in the context and it supportable.

Motion:

Moved: Rus Collins

Seconded: Rosa Munzer

That the following variances be approved/declined:

Bylaw Requirements

Relaxations Requested

Section 1.2.5.a

Front yard setback relaxed from 7.5m to 1.9m for deck/stair projection.

Section 1.2.5.c

Side yard setback relaxed from 3.0m to 2.59m to match existing building alignment.

Carried Unanimously

**1:10 Board of Variance Appeal #00988
Corey Namura, Applicant
267 Richmond Avenue**

Present Zoning:

R1-B

Present Use:

Single Family Dwelling

The proposal is for renovations which include replacement of the rear deck.

Bylaw Requirements

Relaxations Requested

section 1.6.5.d.

Relaxation to south side yard setback from 2.75m to 1.88m to newly constructed deck.

section 1.6.5.e. Relaxation to combined side yard setbacks from 5.40m to 4.63m.

Corey Namura; Applicant was present.

Applicant

- The original deck built in 1948 rotted and was replaced in the same location. The setback requirements have since changed and a variance is required.
- Provides access to the patio and upper floor.

Neighbours

- Ron Gibson – neighbour at 261 Richardson – Is in support of the variance and relaxation of setback.

Public portion of the meeting closed.

- When the original deck was built it would have complied with the setbacks and now the zoning has changed.
- Reasonable request.
- Most affected neighbour is in full support.

Motion:

Moved: Rus Collins

Seconded: Margaret Eckenfelder

That the following variances be approved:

Bylaw Requirements

Relaxations Requested

section 1.6.5.d.

Relaxation to south side yard setback from 2.75m to 1.88m to newly constructed deck.

section 1.6.5.e.

Relaxation to combined side yard setbacks from 5.40m to 4.63m.

Carried Unanimously

**1:30 Board of Variance Appeal #00990
Matthew Smith, Applicant; Dorian Jeck, Owner
3133 Delta Street**

Present Zoning:

R1-B

Present Use:

Single Family Dwelling 1914

The proposal is to add to the rear of the existing building for a secondary suite.

Bylaw Requirements

Relaxations Requested

Section 1.2.4.a

Number of storeys relaxed from 2 to 2.5

Section 1.2.5.b

Rear yard setback relaxed from 7.5m to 3.51m

Section 1.2.5.c Side yard setback (west) relaxed from 1.5m to 1.08m to match existing.

Matthew Smith, Applicant & Dorian Jeck, Owner were present.

Applicant

- Zoning setback requirements have changed since the house was built in 1914, and the existing building location is now legal, non-conforming.
- The house is deemed 2.5 storeys under current zoning regulations, rather than the permitted 2.
- The first storey is uninhabitable because its ceiling height is too low
Propose to add a closet with laundry to the bedroom in the upper ½ storey.
- The angled rear yard lot line restricts the building envelope and a variance is requested to allow for the proposed secondary suite addition.
- Neighbours are in full support.

Public portion of the meeting closed.

- Support as requested.
- Unique piece of property.
- Improvements are all positive.
- Really nice benefit for the neighbourhood.
- Great for more housing in the neighbourhood.

Motion:

Moved: Rus Collins

Seconded: Margaret Eckenfelder

That the following variances be approved:

Bylaw Requirements

Section 1.2.4.a
Section 1.2.5.b
Section 1.2.5.c

Relaxations Requested

Number of storeys relaxed from 2 to 2.5
Rear yard setback relaxed from 7.5m to 3.51m
Side yard setback (west) relaxed from 1.5m to 1.08m to match existing.

Carried Unanimously

**1:50 Board of Variance Appeal #00989
Brian Mann, Applicant
1212 Haultain Street**

Present Zoning: R1-B
Present Use: Single Family Dwelling 1914

The proposal is to construct a garden suite in the rear yard.

Bylaw Requirements

Relaxations Requested

Schedule M Section 2.c.

Relaxation from 7.5m to 6.36m

Brian Mann, Applicant was present.

Applicant

- Garden suite and landscape plan have been approved by city staff subject to obtaining this variance.
- Relaxation of the side yard setback will allow for alignment of the garden suite with the other houses on the west side heading north up St. Stephen Street.
- Still lots of green space and yard space.

Public portion of the meeting closed.

- Makes sense.
- Will help preserve the streetscape.
- Housing is needed.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rus Collins

That the following variances be approved:

Bylaw Requirements

Relaxations Requested

Schedule M Section 2.c.

Relaxation from 7.5m to 6.36m

Carried Unanimously

Meeting Adjourned at 2:00 pm.
