

**CITY OF VICTORIA
BOARD OF VARIANCE MINUTES
MAY 11, 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 April 13, 2023

Moved: Rosa Munzer

Seconded: Margaret Eckenfelder

That the minutes from April 13, 2023 be adopted as amended.

Carried Unanimously

2. Appeals

12:30 Board of Variance Appeal #00981

**Lindsay Baker - Aspire Custom Designs, Applicant; Robert Budd; Owner
322 Irving Road**

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

The proposal is to add a new upper floor level to the existing single-family dwelling.

Bylaw Requirement

Relaxation Requested

Section 1.6.4.a

Height of building relaxed from 7.6m to 8.59m and
number of storeys relaxed from 2 to 2.5 storeys

Devon Anderson, Applicant; was present.

Applicant

- The owners and designer worked together 10 years ago to originally design this house.
- The applicants family has outgrown the space.

- There is large attic space, but the current trusses and floor joists do not meet the building code for living space.
- The applicants have been in touch with their neighbours and have full support.
- The owners feel the variance is minor and justified for the use of space.
- The hardship would be cost and family disruption if they had to dig down to create the extra space.
- Clients have a child who needs to be able to grow in place with the family over the next 15 years.

Board

- If you dug down, do you think you may hit bedrock?
 - We would hit clay right away.

Public portion of the meeting closed.

- Reasonable ask.
- Neighbours are in full support.
- Designed sensibly.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rus Collins

That the following variances be approved.

Bylaw Requirement

Relaxation Requested

Section 1.6.4.a

Height of building relaxed from 7.6m to 8.59m and number of storeys relaxed from 2 to 2.5 storeys

Carried Unanimously

**12:50 Board of Variance Appeal #00984
Steven Murray, Owner
2512 Wesley Place**

Present Zoning:

R1-B

Present Use:

Garden Suite

The proposal is for a height variance of a garden suite building.

Bylaw Requirement

Relaxation Requested

Schedule M Section 5.b.i

height relaxed from 4.2m to 4.84m

Applicant

- COVID has increased every cost for the owner while building this garden suite.
- Owner has tried to consider the neighbours' privacy while building this suite.
- Requirements for the drainage service increased the height of the building.
- The structure is still under the 4.9m which was the allowable height when the DP was approved. The bylaw has now changed and the maximum allowable height for a garden suite has been reduced and makes this project over height.
- The hardship would be to take down an already built building.

Board

- Is the window over the kitchen sink going to stay obscured?
 - Yes.
- Is the cedar hedge stated in the drawings still part of your proposed plan?
 - Yes, although it may not be cedar because of an ivy problem. I'm trying to see what may work better than cedar to accommodate the English ivy. I will be putting in more than a hedge to give privacy to my neighbours. The landscaping aspect will be a bit of project over time.
- Was consideration given to reducing the height of the crawl space?
 - With the cost increases, any modification would be prohibitive.
- Is the crawl space for storage?
 - Yes
- How do you access the storage?
 - There is a staircase at the back.

Neighbours

- Bruce Berg, 2500 Wesley Place - Has concerns about the height of the suite and accuracy of survey and plans.

Public portion of the meeting closed.

- As critical background to this application, the Board must rely on a third-party professional survey. The survey supports the facts set out in the variance request.
- The variance is minor and supportable, especially under the circumstances where a bylaw was changed during the course of construction.
- There may be some discrepancies between floor plans, but these are not related to the variance requested.

Motion:

Moved: Margaret Eckenfelder

Seconded: Rus Second

That the following variances be approved:

Bylaw Requirements

Schedule M Section 5.b.i

Relaxations Requested

height relaxed from 4.2m to 4.84m

Carried Unanimously

Meeting Adjourned at 1:20 pm
