CITY OF VICTORIA BOARD OF VARIANCE MINUTES OCTOBER 24, 2019

Present: Andrew Rushforth, Chair

Rus Collins

Margaret Eckenfelder

Trevor Moat

Absent: Jaime Hall

Staff: Nina Jokinen, Planning Technician

Alena Hickman, Secretary

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

1. Minutes

Minutes from the meeting held August 22, 2019

Moved: Margaret Eckenfelder Seconded: Trevor Moat

That the minutes from August 22, 2019 be adopted as amended.

Carried Unanimously

Minutes from the meeting held September 12, 2019

Moved: Margaret Eckenfelder Seconded: Trevor Moat

That the minutes from September 12, 2019 be adopted.

Carried Unanimously

2. Appeals

12:30 Board of Variance Appeal #00805

Oswald Dias, Owner 1073 Davie Street

Present Zoning: R1-G - Single Family Dwelling District

Present Use: Duplex

The proposal is for relaxation of the *Local Government Act* to allow for structural alterations and additions while continuing a non-conforming use (duplex), as well as relaxation of the *Zoning Regulation Bylaw* relating to the combined floor areas for the first and second storeys.

The proposal is to renovate the legal non-conforming duplex, which includes interior alterations and the addition of floor area by enclosing the garage for living area. The enclosure of the garage increases the floor area, as internal parking areas are exempt up to 18.6m².

Bylaw Requirements	Relaxations Requested
Section 1.6.3 (b)	Increase the maximum floor area, for the first and second storeys combined from 240.00m² to 286.64m²
	<i>Note</i> : existing is 268.04m ² .
Section 531 (1)	To allow for structural alterations while continuing the non-conforming duplex use.

Oswald Dias, Owner, was present.

Applicant

- The owner bought the house as a duplex.
- The living area is too small for the owner's family's needs.
- The owner needs this variance because the house is non-conforming.
- The owner would like to repurpose the garage, add living space and be able to use the basement. This will mean replacing the current garage door with a wall and entry door.
- To make this space more liveable the owner desires to make the floor plan flow. Adding an egress window would be useful to bring in more light.
- The owner would like to add an ensuite to the existing bedroom and another two-piece bathroom upstairs.
- Lastly, the owner intends to add a window to the upper level. The space is very dark because of shading from trees.

Board

- Will the new window be where the garage door currently exists?
 - o The garage door with be replaced with a wall and a door with a glass window.
- Are any neighbours opposed to your application?
 - o No, the owner knocked on doors, spoke with neighbours and they are supportive.
- How long have you lived at this residence?
 - o 2 years.

Public portion of the meeting closed.

- A variance is requested because of the nonconforming use of the property as a duplex.
- There is no additional space being sought and this is a supportable upgrade.

Motion:

Moved: Margaret Eckenfelder Seconded: Rus Collins

That the following variances be approved as requested:

Relaxations Requested
Increase the maximum floor area, for the first and second storeys combined from 240.00m² to 286.64m²
To allow for structural alterations while continuing the non-conforming duplex use.
<u>Carried Unanimously</u>