

DISTRICT OF
OAK BAY

REPORT TO: Board of Variance

FROM: Graeme Buffett, Planner

DATE: November 25, 2020

RE: Board of Variance Application (BOV00014)
1917 Hampshire Road
RS-5, One Family Residential Use Zone
Amended Lot 24 (DD 122698-I), Section 61, Victoria District, Plan 1266

SUMMARY

Variance(s) Requested

No variances are requested. The application is limited to structural alterations to a building for a legal nonconforming use.

Stated Hardship – The applicant has indicated that without being permitted to make structural alterations to the legal nonconforming duplex the owner is not able to make basic changes to the interior of the home associated with modest updates, and making minor changes to exterior openings that would otherwise be permitted.

BACKGROUND

An application to the Board of Variance has been received by the Oak Bay Building and Planning Department for a property located at 1917 Hampshire Road. This application is to permit structural alterations to both units of a horizontally divided legal nonconforming duplex. The property is zoned RS-5, which limits uses to single family dwellings only.

The approximately 904 m² (9734 ft²) subject property is located south of the intersection of Hampshire Road and Bowker Avenue. A duplex occupies the site and is bordered by single family homes on all sides.



The applicant is proposing to alter the existing duplex, constructed in 1912, by adding structural beams to allow for a kitchen expansion, bathroom expansion, and increased closet spaces. Exterior changes impacting the structure include replacing a single door with double French doors accessing a rear deck on the main floor unit, replacing a single door with a double French door accessing a balcony on the second floor unit, and the addition of skylights. Structural support will also be added at the basement level to support the works above.

Specific alterations include:

Structural Alterations Requested

Main Floor Unit

- *Add structural beam to accommodate addition of closet at entry;*
- *Replace single door accessing rear deck with double French doors;*

Second Floor Unit

- *Replace existing single balcony door with double French doors;*
 - *Expand closet (structural beam required);*
 - *Remove wall to expand kitchen internally (structural beam required);*
 - *Remove wall to expand existing bath and shower (structural beam required); and*
 - *Add skylights.*
-

ANALYSIS

The home was built in 1912 as a single family dwelling and converted into a horizontally divided duplex in 1940. The applicant is now proposing to modify the internal layout of the main floor by adding structural beams to allow for the internal expansion of living areas such as kitchens and bathrooms. Exterior changes are limited to the expansion of doors accessing a rear deck and a balcony. No additions or extensions of the legal nonconforming use are proposed.



The *Local Government Act* requires that structural alterations made to a building or structure containing a nonconforming use must be approved by the Board of Variance. The Board must consider the application in accordance with Section 542 (1) of the *Local Government Act*.

The proposed modifications do not alter the existing siting, size, or dimensions of the existing building and no variances are requested. While the duplex use does not conform to the RS-5 zone, legal nonconforming duplexes are present in this zone and the proposal is consistent with the range of dwelling types found within the neighbourhood.

The applicant has indicated hardship is the result of existing conditions, the legal nonconforming duplex use.

Plans showing the areas of proposed work are attached.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'G. Buffett', is written over a horizontal line.

Graeme Buffett
Planner

cc: Deborah Jensen, Secretary, Board of Variance

ZONING SUMMARY

Address: 1917 Hampshire Road, Victoria BC
Legal Description: Amended Lot 24 (DD 122698-I), Section 61, Victoria District, Plan 1266
P.I.D.: 007-727-089

Zoning: RS-5 - ONE-FAMILY RESIDENTIAL USE
Use: Duplex (Existing, Non-conforming)

	PERMITTED/REQUIRED	EXISTING	PROPOSED
Lot Area:	558 sq.m. (6,006 sq.ft.) MINIMUM	904 sq.m. (9734 sq.ft.)	No Change
Lot Coverage:			No Change
Principal Building + Decks		152.8 sq.m. (1645 sq.ft.)	No Change
Accessory Building	7% MAXIMUM	40.9 sq.m. (440 sq.ft.) = 4.5%	No Change
TOTAL	30% MAXIMUM	193.7 sq.m. (2085 sq.ft.) = 21.4%	No Change
AREA SUMMARY			
Basement	-	1000 sq.ft.	No Change
Decks > 1.2m above grade	-	365 sq.ft.	No Change
Main Floor	-	1280 sq.ft.	No Change
Second Floor	-	1050 sq.ft.	No Change
Total Gross Floor Area	362 sq.m. (3894 sq.ft.) MAXIMUM	3695 sq.ft.	No Change
Floor Area Ratio	0.40 : 1	0.38 : 1	No Change
Grade:	(20.40+19.72+19.12+19.08) / 4 = 19.58 m geodetic		
Lot Breadth:	19.18 m (>18.29 m (60 ft.) and <21.3 m (70 ft.))		
Roof Height:	8.84 m (29.00 ft.)	8.63 m (28.33 ft.)	No Change
Building Height:	7.07 m (23.20 ft.)	7.23 m (23.67 ft.) Existing Non-conforming	No Change
Occupiable Height:	4.42 m (14.50 ft.)	5.09 m (16.67 ft.) Existing Non-conforming	No Change
Off-street Parking:	2 spaces	2 spaces	No Change
Covered:	-	2	No Change
Uncovered:	-	0	No Change
Setbacks:			
Front (Hampshire Road)	7.62 m (25.0 ft.)	7.62m (25.0 ft.)	No Change
Rear (Lane)	11.43 m (37.5 ft.) = 25% lot depth	> 11.43m (37.5 ft.)	No Change
Interior Side Yard (North)	1.52 m (5.0 ft.)	> 1.52 m (5.0 ft.)	No Change
Interior Side Yard (South)	1.52 m (5.0 ft.)	> 1.52 m (5.0 ft.)	No Change
Combined	4.57 m (15.0 ft.)	> 4.57 m (15.0 ft.)	No Change
Second Floor Side Yard	3.00 m (9.8 ft.)	2.16 m (7.1 ft.) Existing Non-conforming	No Change
Rear Yard Paving:	25%	0%	No Change

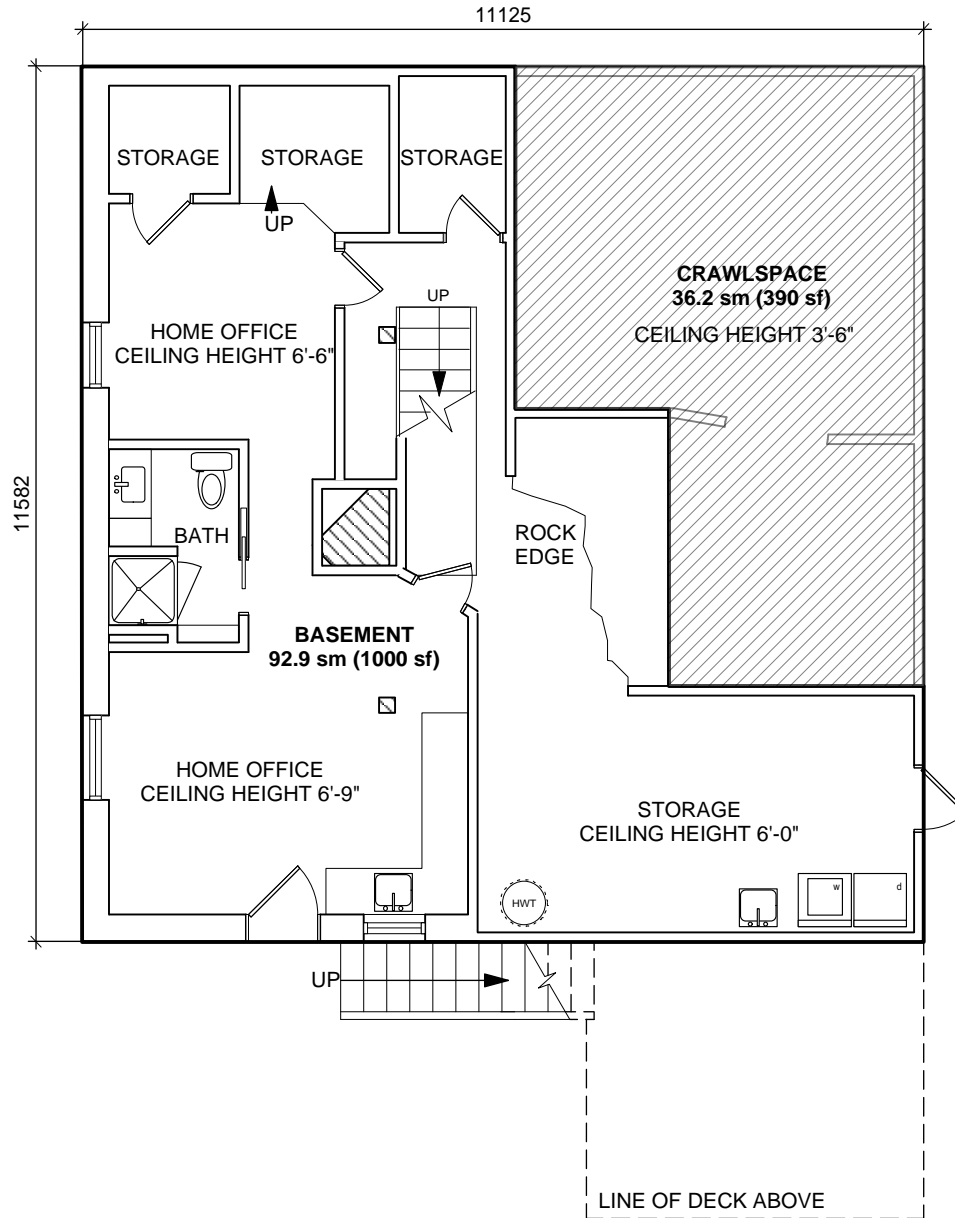
AUJLA Residence

CONTACT: Sheila Aujla

2570 Nottingham Rd
 Victoria BC
 V8R 6C5

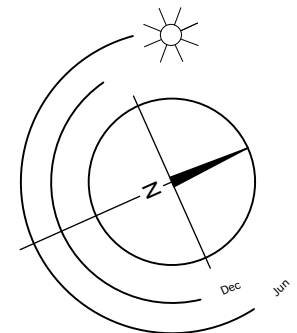
Tel 250•889•4771
 sheila@sheilaajla.com

title	Project Data
dwg.no.	A1.1
scale	NA
date	15 SEPT 2020
Project	1917 Hampshire Updates



BASEMENT SCOPE OF WORK:

- 1 PROVIDE STRUCTURAL SUPPORT TO CHANGES ABOVE.
(Structural work required)



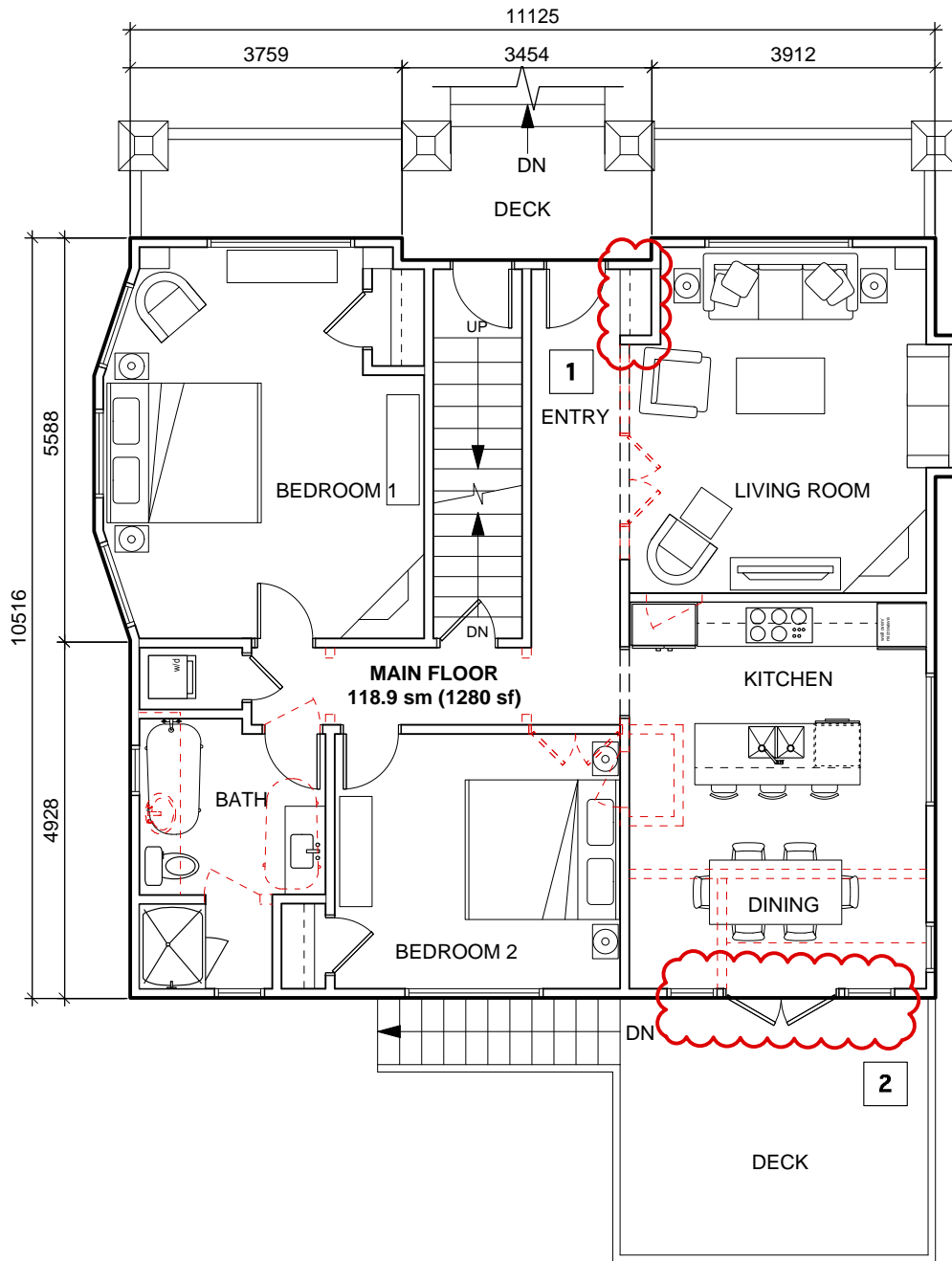
AUJLA Residence

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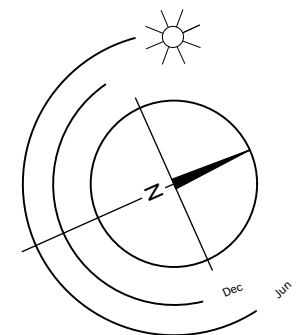
Tel 250•889•4771
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title **Basement Plan**
dwg.no. **A2.1**
scale **1:100**
date **9 NOV 2020**
Project 1917 Hampshire Updates



MAIN FLOOR SCOPE OF WORK:

- 1** ADD COAT CLOSET AT ENTRY. (Structural beam required)
- 2** REPLACE EXISTING SINGLE DOOR AND WINDOW WITH DOUBLE FRENCH DOORS & SIDE LITES. (Change to exterior & structural beam required)

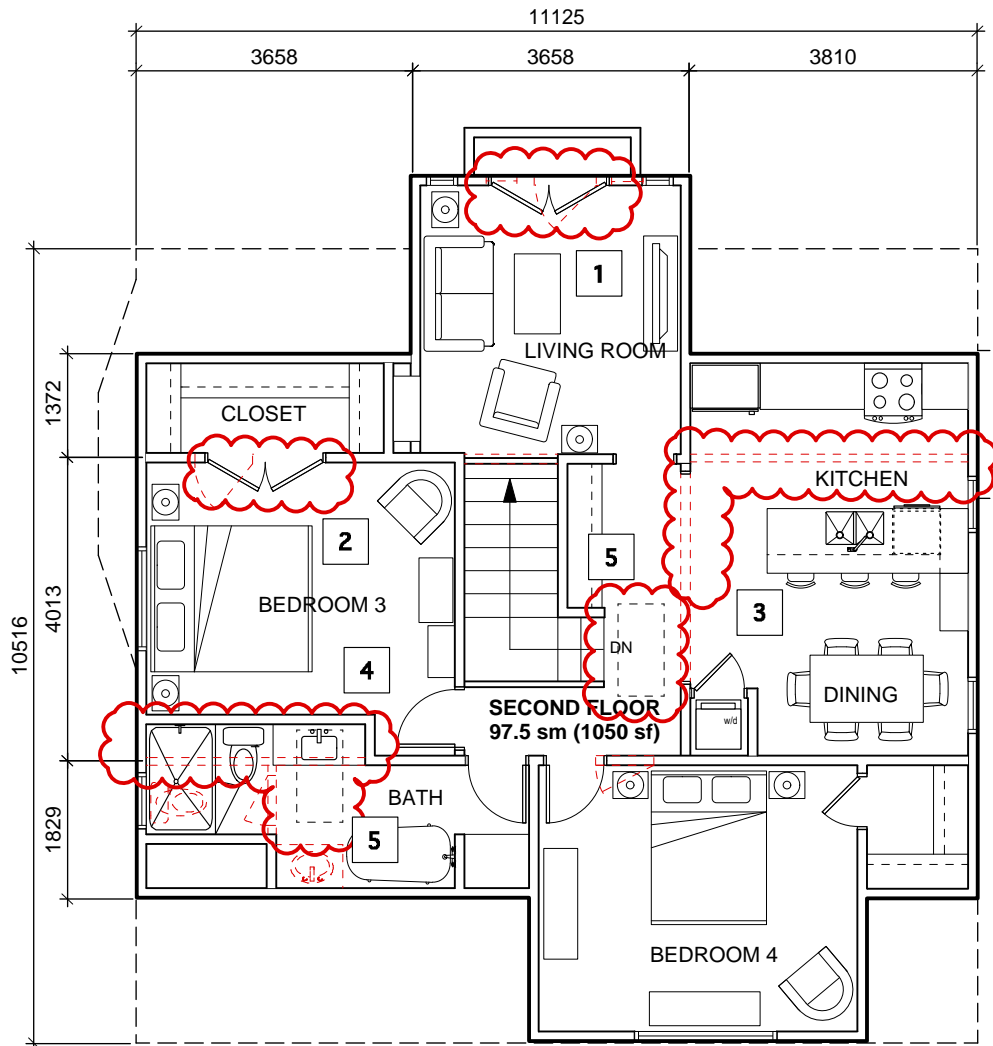


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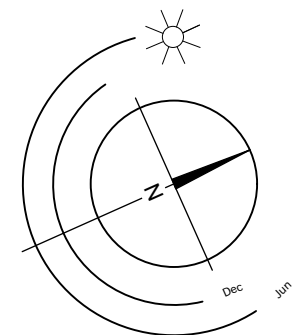
Tel 250•889•4771
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title **Main Floor Plan**
dwg.no. **A2.2**
scale **1:100**
date **9 NOV 2020**
Project 1917 Hampshire Updates



SECOND FLOOR SCOPE OF WORK:

- 1** REPLACE EXISTING SINGLE BALCONY DOOR WITH DOUBLE FRENCH DOOR. (Change to exterior)
- 2** REPLACE EXISTING SINGLE DOOR TO CLOSET WITH DOUBLE DOOR. (Structural beam required)
- 3** REMOVE WALL TO EXPAND EXISTING KITCHEN INTO STORAGE CLOSET. (Structural beam required)
- 4** REMOVE WALL TO EXPAND EXISTING BATH AND ADD SHOWER. (Structural beam required)
- 5** ADD SKYLIGHT

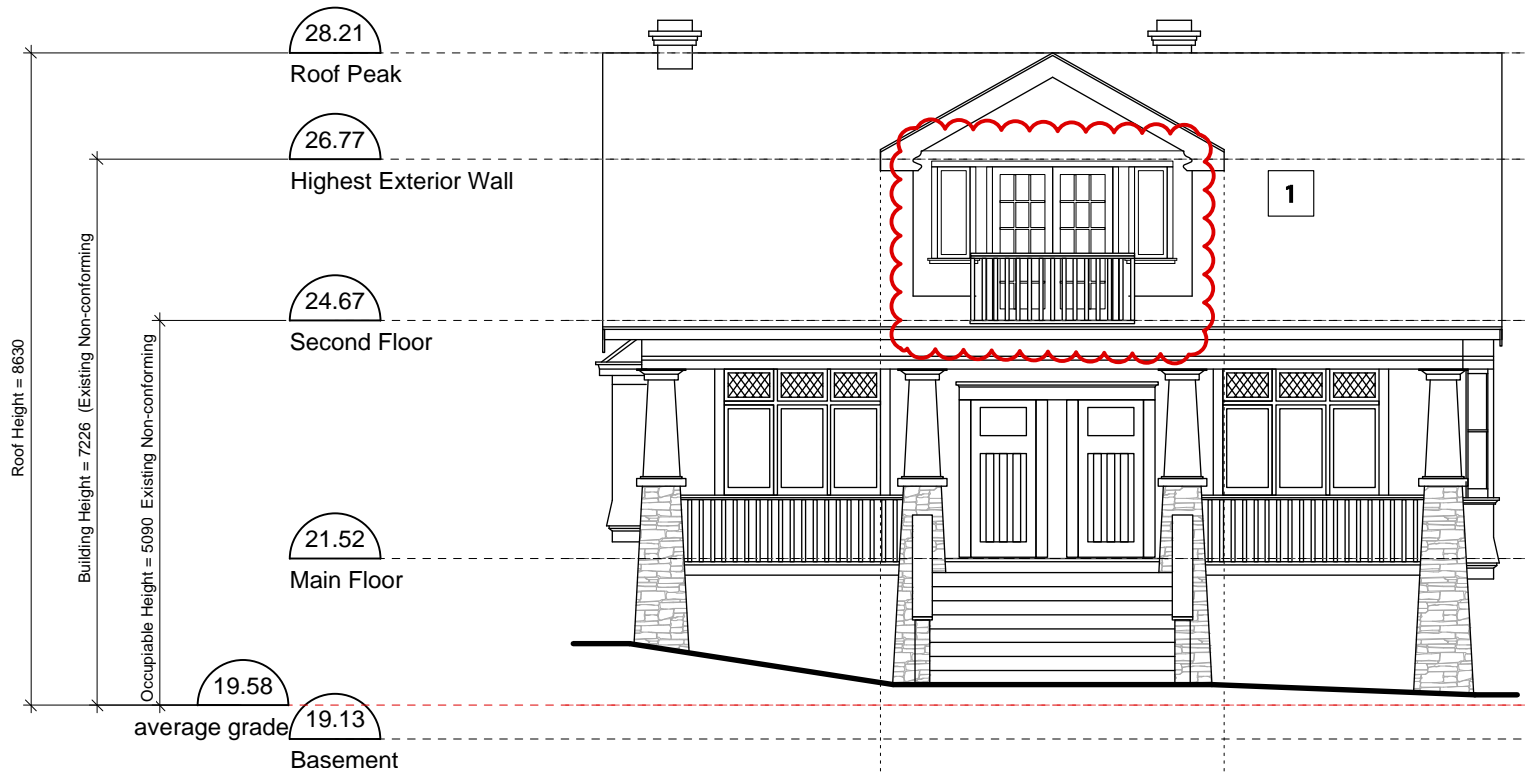


AUJLA Residence

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title **Second Floor Plan**
 dwg.no. **A2.3**
 scale **1:100**
 date **9 NOV 2020**
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EXTERIOR SCOPE OF WORK:

- 1** REPLACE EXISTING SINGLE BALCONY DOOR & SIDE LITES WITH DOUBLE FRENCH DOOR & SIDE LITES. (Change to exterior)



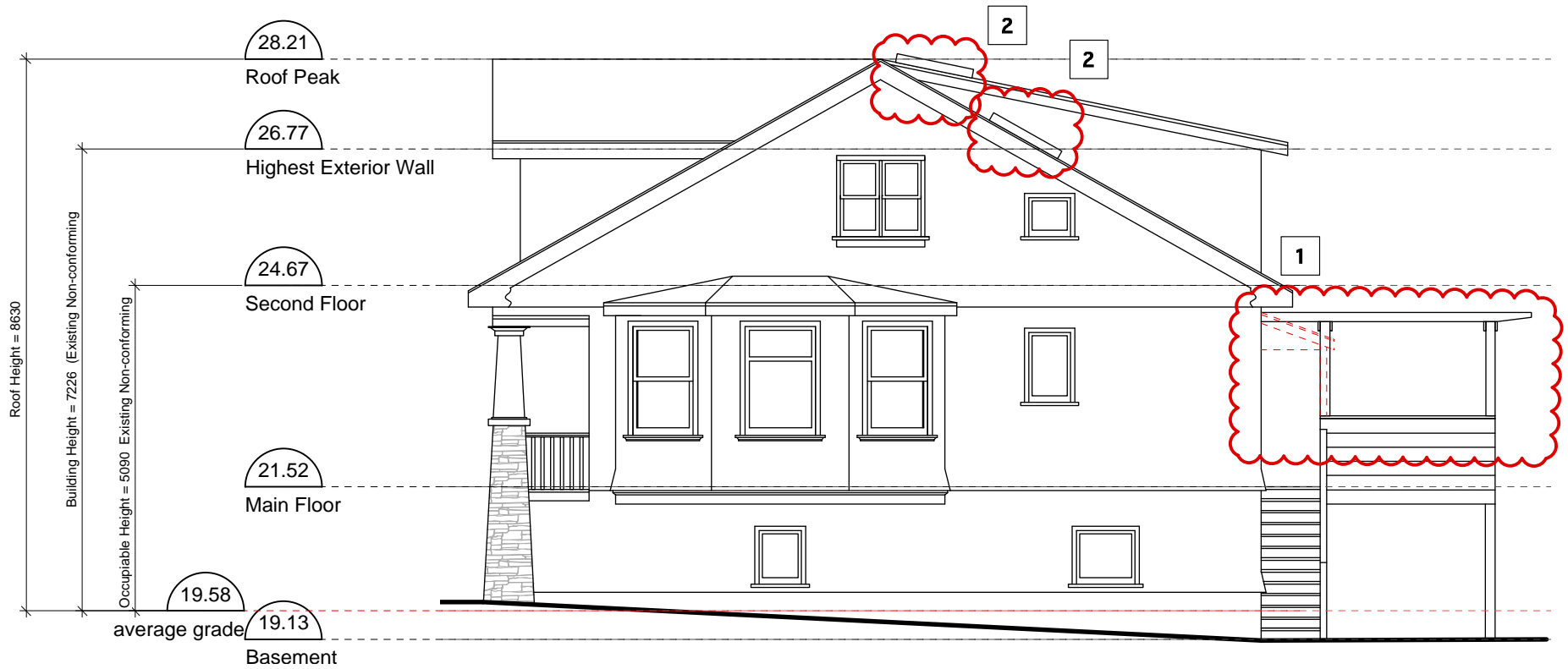
EXISTING DOOR & SIDE LITES

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title **West Elevation**
 dwg.no. **A3.1**
 scale **1:100**
 date **15 SEPT 2020**
 Project 1917 Hampshire Updates



EXTERIOR SCOPE OF WORK:

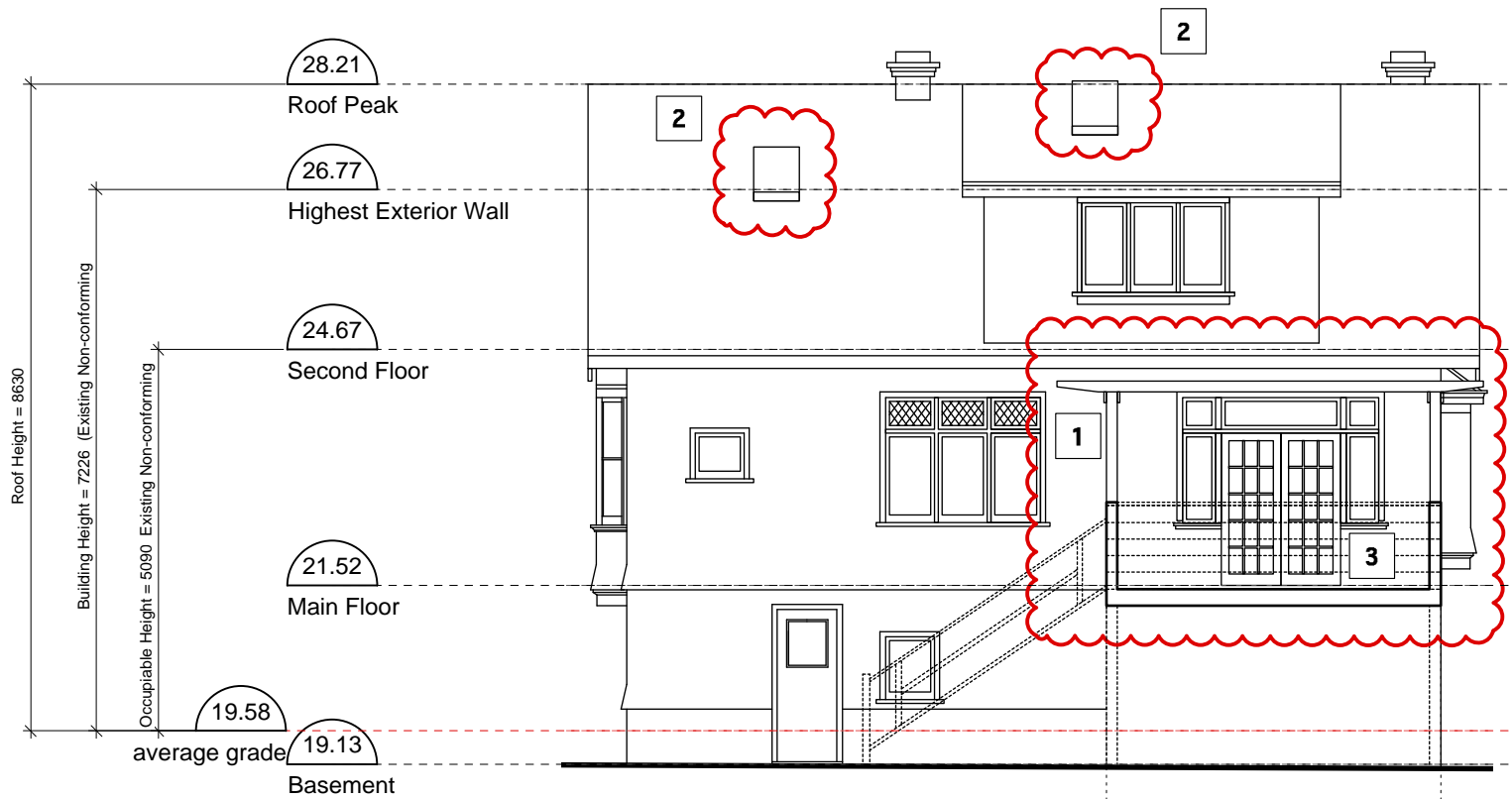
- 1** REMOVE SHED ROOF OVER KITCHEN DOOR & REPLACE WITH PERGOLA OVER DECK
- 2** ADD SKYLIGHT

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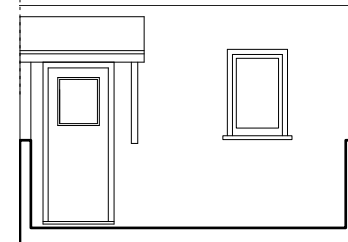
Tel 250•889•4771
 sheila@sheilaaujla.com

title **South Elevation**
 dwg.no. **A3.2**
 scale **1:100**
 date **15 SEPT 2020**
 Project 1917 Hampshire Updates



EXTERIOR SCOPE OF WORK:

- 1** REMOVE SHED ROOF OVER KITCHEN DOOR & REPLACE WITH PERGOLA OVER DECK
- 2** ADD SKYLIGHT
- 3** REPLACE SINGLE DOOR & WINDOW WITH DOUBLE FRENCH DOORS C/W SIDE LITES & TRANSOM



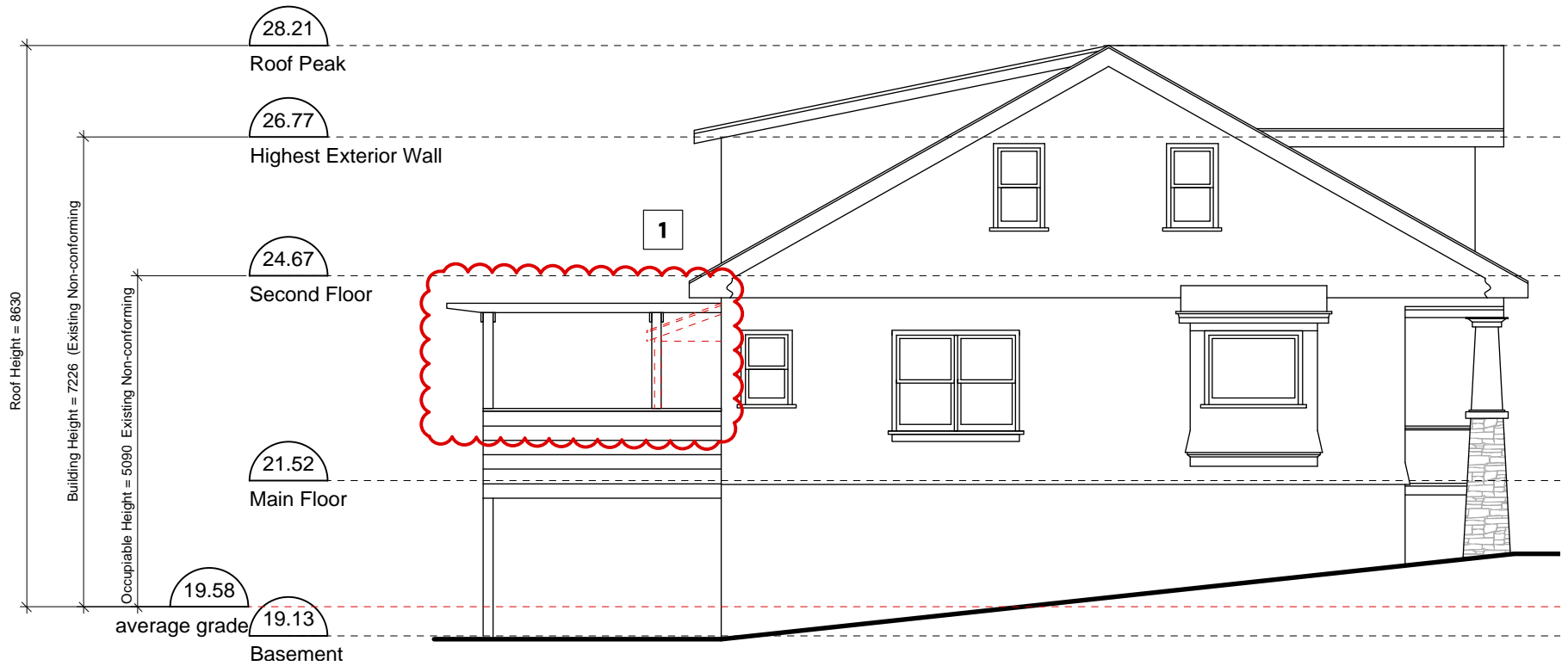
EXISTING BACK DOOR WINDOW

AUJLA Residence

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title **East Elevation**
 dwg.no. **A3.3**
 scale **1:100**
 date **15 SEPT 2020**
 Project 1917 Hampshire Updates



EXTERIOR SCOPE OF WORK:

- 1** REMOVE SHED ROOF OVER KITCHEN DOOR & REPLACE WITH PERGOLA OVER DECK

AUJLA Residence

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title **North Elevation**
 dwg.no. **A3.4**
 scale **1:100**
 date **15 SEPT 2020**
 Project 1917 Hampshire Updates