

Oct 5, 2018

The City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

Attention: Mayor and Council of the City of Victoria

Re: Development Permit Application  
1137 Dominion Rd, Victoria BC

Enclosed is our Development Permit application for the above noted property.

The Development Permit application is to build a new small lot single family dwelling where there used to be a corner store.

The plans for the small lot single family dwelling includes maintaining the same design as the old grocery store and adding a small addition to the northeast corner of the dwelling, which allows for large windows and a glass door, in order to open up the living area of the house and have access to the yard.

In our initial consultations with the immediate neighbours, there was a strong desire to upgrade the store as it had become rundown due to lack of maintenance over the years. We have endeavored to design a home that uses materials in line with those of the neighbouring homes.

On Feb 22, 2018 Victoria mayor and council unanimously approved the development permit #00597 that we submitted for the property at 1137 Dominion / 737 Belton.

In September 2018 our building permit was approved and our builder began construction of what was set to be our home at 1137 Dominion Road. Our intention has always been to retain as much of the existing structure as possible. However, once our contractor opened up the building they realized that the building was unsound. The majority of the building wasn't actually on a foundation and was built on dirt. Our General Contractor used his judgement and maintained as much of the building as was structurally fit to retain.

Because of this though, the planning department has let us know that our previous Development Permit is void and hence we are submitting a new one in order to proceed. They cited section 532(1) of the Local Government Act. as to the reason why:

*If a building or other structure, the use of which does not conform to the provisions of a land use regulation bylaw, is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the building inspector, the structure must not be repaired or reconstructed except for a conforming use in accordance with the bylaw.*

We appreciate that it's our responsibility to fully understand all the rules that may apply to our project. Throughout this process, we have done everything we can to follow the rules, to follow suggestions of city staff and neighbours and to design and build a structure that will fit in Victoria for many years to come. All neighbours supported our application as did all Councilors at the previous council meeting.

We still wish to build the same structure as was in our plans and it's incumbent on us and our builder to do so with integrity. If we're going to maintain this iconic building it must be built in a way that is safe for those inside and around it and so it will last for many years to come.

Our proposal now includes the following variances in order to maintain the previously approved building:

| <b>PROPOSED VARIANCES</b> | <b>REQUIRED</b> | <b>PROPOSED</b> | <b>VARIANCE</b> |
|---------------------------|-----------------|-----------------|-----------------|
| FRONT YARD SETBACK        | 6.00 m          | 0.90 m          | 5.10 m          |
| SIDE YARD SETBACK (WEST)  | 2.40 m          | 0.42 m          | 1.98 m          |

The proposed setbacks are to recreate the look and feel and location of the previous store that was on the property while also maintaining the option to revert back to commercial use in the future.

The proposed development does not significantly add to original building mass on the site. The design is the same as the old store, with an addition to the northeast corner of the dwelling. The materials will be an improvement on what was there before with wood siding, aluminum clad windows and a metal roof. The construction of the new home will be constructed to high standards. This includes a variety of energy, water, and other resource saving construction features. Sustainable, durable materials will be used whenever possible, and high indoor air quality will be maintained. There will be off-street parking with access from Dominion Road and the driveway will have a permeable surface. Landscaping will incorporate planting materials that are drought tolerant. City Engineering has reviewed the project and payment has been made to install new infrastructure to support a single family home.

The proposal still contributes to Victoria's commitment to improving housing affordability in the city by building a small home on a small lot.

We hope that you are able to support our application again. If you require further information, or have any questions, please contact Aki Kaltenbach at 604-906-2788 or Rene Gauthier at 250-885-7873.

Sincerely,

Aki Kaltenbach & Rene Gauthier