



**AMENDED AGENDA
PLANNING AND LAND USE COMMITTEE
MEETING OF APRIL 17, 2014, AT 9:00 A.M.
COUNCIL CHAMBERS
CITY HALL, 1 CENTENNIAL SQUARE**

Page

CALL TO ORDER

APPROVAL OF AGENDA

CONSENT AGENDA

ADOPTION OF MINUTES

1. Minutes from the meeting held April 3, 2014

DECISION REQUEST

2. Rezoning Application # 00380 and Development Permit with Variance
Application for 62 Cambridge Street - Update 3 - 138
--D. Day, Director of Sustainable Planning & Community Development

Neighbourhood: Fairfield Recommendation: Proceed to PH

LATE ITEM: Additional Correspondence

[Addenda]

3. Development Permit Application # 000347 for 845 Yates Street 139 - 151
--D. Day, Director of Sustainable Planning & Community Development

Neighbourhood: Harris Green Recommendation: Issue DP

4. Development Variance Permit # 00132 for 1637 Hollywood Crescent 153 - 169
--D. Day, Director of Sustainable Planning & Community Development

Neighbourhood: Gonzales Recommendation: Proceed to PH

LATE ITEM: Additional Correspondence

5. Interim Update on Garden Suites Policy for Detached Accessory Dwelling Units 171 - 179
--D. Day, Director of Sustainable Planning & Community Development

PROPERTY MAINTENANCE BYLAW HEARING - 10:30 AM

6. Work Without Permit for 1060 Queens Avenue 181 - 194
--R. Woodland, Director Legislative & Regulatory Services

Neighbourhood: North Park Recommendation: Place Notice on Title

ADJOURNMENT

Planning and Land Use Committee Report

Date: April 3, 2014 **From:** Helen Cain, Senior Planner

Subject: **Update on Rezoning Application #00380 and Development Permit with Variance Application for 62 Cambridge Street**
Application to rezone to permit retention of a single family dwelling with a secondary suite on a subdivided lot and a new small lot house with one variance for front yard setback

Executive Summary

The purpose of this report is to present Council with updated information, analysis and recommendations regarding a Rezoning Application and Development Permit with Variance Application for the property located at 62 Cambridge Street. The proposal is to rezone the property from the R1-B Zone (Single Family Dwelling District) to permit a single family dwelling with a secondary suite on a subdivided lot and construction of a new small lot house with one variance related to the front yard setback requirements. Given the existing single family dwelling on a newly created lot would have greater total floor area and higher density than the R1-B Zone, a custom zone would be required.

In an earlier report (attached) considered at Planning and Land Use Committee (PLUC) on January 23, 2014, staff advised that the proposal was consistent with land use policy and design guidelines. However, staff recommended that this application be declined because the applicant did not achieve a "satisfactory support" level (75%) of neighbours as identified in the Small Lot House Rezoning Policy. PLUC postponed a decision and directed the applicant to seek more support and to refine the small lot house design.

Subsequent to the PLUC meeting on January 23, the applicant has undertaken further neighbourhood consultation and has now achieved an increase in support to 79%. Additionally, the design is refined to break up the massing of the north side by stepping back the upper storey of the house. Given the proposal is now consistent with the Small Lot House Rezoning Policy with respect to neighbours' support, and the applicant has followed the direction of PLUC, staff recommend Committee support this application.

Recommendation

That Committee recommend to Council:

1. That Rezoning Application #00380 for 62 Cambridge Street proceed to a Public Hearing, subject to the preparation of the necessary *Zoning Regulation Bylaw* amendments for the existing single family dwelling with a secondary suite, restricting any further conversion, and for a small lot house.
2. Subject to adoption of the *Zoning Regulation Bylaw* amendments, that Council authorize the issuance of a Development Permit, in accordance with:
 - a. plans for Rezoning Application #00380, stamped February 7, 2014, and December 13, 2013, for the colour elevation and landscape plan;

- b. development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
Part 1.23, R1-S2 Zone, Restricted Small Lot Two Storey District
 - minimum front setback is relaxed from 6.0 m to 4.1 m;
- c. final plans to be in accordance with plans identified above.

Respectfully submitted,



Helen Cain
Senior Planner
Development Services Division



Deb Day
Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

April 6th, 2014

HC:lw

1.0 Purpose

The purpose of this report is to present Council with updated information, analysis and recommendations regarding a Rezoning Application and Development Permit with Variance for the property located at 62 Cambridge Street.

2.0 Background

2.1 Relevant History

This application was considered at Planning and Land Use Committee (PLUC) on January 23, 2014 (Minutes attached) where the PLUC passed the following motion:

That Committee authorize Council to postpone consideration of the motion until further refinements are completed in relation to setbacks, height and community support.

In response to direction from Committee, the applicant has submitted a new Small Lot House Rezoning Petition and refined the proposed house design as presented in the revised plans attached to this report.

2.2 Description of Proposal

This proposal is described in detail in an earlier staff report dated January 9, 2014 (attached). Subsequent changes to the proposed small lot house design include refinements to the north and Cambridge Street frontage. The second storey of the north wall is now stepped back an additional 0.6 m from the lower building face, resulting in an upper storey that would be set back 3 m from the north property line. This would reduce any shadow impacts of the new small lot house on the rear yard of the adjacent house at 1149 Woodstock Avenue. To accommodate this redistribution of the massing proportions, the façade of the front elevation above the built-in garage has been altered to have a hipped roof.

2.3 Land Use Context

The subject property is located at the corner of Woodstock Avenue and Cambridge Street. On both streets, the place character is low-density residential in the form of duplexes, single family dwellings, and small lot single family dwellings. Four blocks to the northwest is Cook Street Village where there is a cluster of community and commercial services. New infill that is low-scale, ground-oriented housing is well-suited to this area of south Fairfield.

2.4 Community Consultation

As described in the previous staff report, the applicant has consulted with the Fairfield Gonzales Community Association. The *Small Lot House Rezoning Petition* had also been completed twice but did not achieve a "satisfactory support" level (75%) from the immediate neighbours.

In response to direction from PLUC, the applicant has undertaken further consultation and has now achieved increased support to 79% in the petition responses.

2.5 Existing Site Development and Development Potential

The data table (below) compares the proposal with the R1-B Zone (Single Family Dwelling District) and R1-S2 Zone (Restricted Small Lot Two Storey District). The proposal is less stringent than the applicable zoning criteria where identified with an asterisk (*) as below. Dimensions marked with a double asterisk (**) are existing legally conforming conditions.

Zoning Criteria	Proposed Lot 1	Zone Standard R1-B	Proposed Lot 2	Zone Standard R1-S2
Site area (m ²) – minimum	471.9	460	299.47	260
Lot width (m) – minimum	18.26	15	16.39	10.00
Total floor area (m ²) – maximum	374.92**	190.00	148.78	190
Density (Floor Space Ratio) – maximum	0.79:1	n/a	0.5:1	0.6:1
Height (m) – maximum	7.82**	7.60	6.96	7.50
Storeys – maximum	3**	2	2	2
Site coverage (%) – maximum	37.5	40	32	40
Open site space (%) – minimum	57	n/a	58	n/a
Setbacks (m) – minimum				
Front	2.0**	7.50	4.10*	6.00
Rear	7.5	7.50	6.00	6.00
Side (west; north)	2.5	1.83	1.50	1.50
Side (Cambridge; south)	3.4**	3.50	2.40	2.40
Combined side yards	5.90	4.50	n/a	n/a
Vehicle Parking – minimum	1 space	1 space	1 space	1 space

3.0 Issues

Arising from the PLUC motion of January 23, 2014, the issues related to this application are:

- satisfactory level of support
- design revisions for height and setbacks.

4.0 Analysis

4.1 Satisfactory Level of Support

Since receiving direction from PLUC with respect to community support, the applicant has undertaken further consultation, and achieved an increase in neighbours' support to 79%. Given this outcome is higher than the standard for "satisfactory support" (75%) identified in the *Small Lot House Rezoning Policy*, the staff recommendation in this report is changed to recommending that Committee support the Rezoning Application and the Development Permit with Variance.

4.2 Design Revisions for Height and Setbacks

A third-party Solar Impact Analysis provided with this application (attached to January 9, 2014 PLUC report) states that the earlier version of the new small lot house proposal would have no direct shading over the rear yard of the house at 1149 Faithful Street. To further reduce any shading, the applicant has refined the north elevation of the house design through stepping back the upper storey. While the building height is not reduced, breaking up the massing in the way would lessen the perceived height as viewed from the property to the north, and as seen from public vantage points on Cambridge Street.

5.0 Resource Impacts

There are no anticipated resource impacts.

6.0 Options

Option One (Staff Recommendation)

That Committee recommend to Council:

1. That Rezoning Application #00380 for 62 Cambridge Street proceed to a Public Hearing, subject to the preparation of the necessary *Zoning Regulation Bylaw* amendments for the existing single family dwelling with a secondary suite, restricting any further conversion, and for a small lot house.
2. Subject to adoption of the *Zoning Regulation Bylaw* amendments, that Council authorize the issuance of a Development Permit, in accordance with:
 - a. plans for Rezoning Application #00380, stamped February 7, 2014, and December 13, 2013, for the colour elevation and landscape plan;
 - b. development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
Part 1.23, R1-S2 Zone, Restricted Small Lot Two Storey District
 - minimum front setback is relaxed from 6.0 m to 4.1 m;
 - c. final plans to be in accordance with plans identified above.

Option Two (Decline)

That Council decline Rezoning Application #00380 for 62 Cambridge Street.

7.0 Conclusions

This proposal is well-suited to the surrounding land use context and is consistent with design guidelines for infill in low-density residential areas with established place character. Given that further consultation efforts of the applicant have achieved the minimum level of "satisfactory support" from adjacent property owners and residents, staff recommend that Committee support this Rezoning Application and Development Permit with Variance.

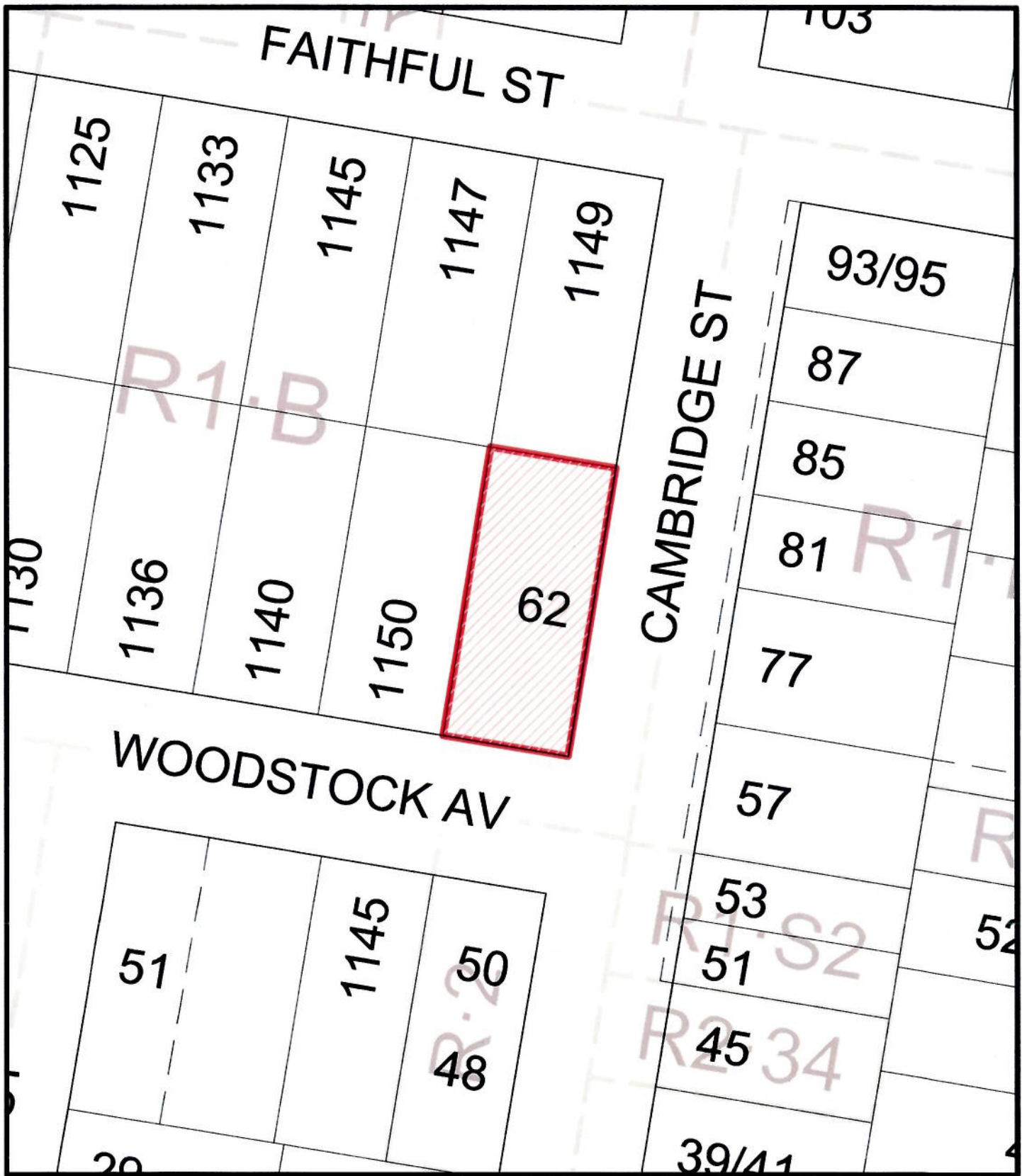
8. Recommendation

That Committee recommend to Council:

1. That Rezoning Application #00380 for 62 Cambridge Street proceed to a Public Hearing, subject to the preparation of the necessary *Zoning Regulation Bylaw* amendments for the existing single family dwelling with a secondary suite, restricting any further conversion, and for a small lot house.
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 - minimum front setback is relaxed from 6.0 m to 4.1 m;
 - c. final plans to be in accordance with plans identified above.

9. List of Attachments

- Zoning map
- Aerial photo
- Letter from owner, Peter Waldhuber, stamped April 1, 2014
- Plans for Rezoning Application #00380, stamped February 7, 2014
- Updated Summary and Responses to Small Lot House Rezoning Petition
 - Letter from Derek Reimer and Maxine Charlesworth, stamped February 20, 2014
- Minutes of Planning and Land Use Committee Meeting, January 23, 2014
- Planning and Land Use Committee report, dated January 9, 2014
 - Letter from owner, Peter Waldhuber, stamped December 16, 2013
 - Letters from Archie Willie on behalf of the owner, stamped March 15, 2013
 - Letter from Alfresco Living Design, stamped December 13, 2013
 - Plans for Rezoning Application #00380, stamped November 13, 2013 and stamped December 13, 2013 for colour elevation and Landscape Plan
 - Two Summaries and Responses to the Small Lot House Rezoning Petition.



62 Cambridge Street
Rezoning #00380
Bylaw #





62 Cambridge Street
Rezoning #00380
Bylaw #





April 1, 2014

Re: Update 62 Cambridge Small Lot Rezoning

To Mayor and Council,

On January 23rd 2014, my Small Lot Subdivision Application for 62 Cambridge Ave was reviewed by Council at the Planning and Land Use Committee Meeting. Council motioned to postpone the application based on the neighborhood support being less than the 75% set out in the Small Lot guidelines. At the time the neighborhood support was at 56%.

Immediately following this decision, myself and my Architect made a few very significant changes to the North side of the proposed house to lessen any shading to my neighboring property at 1149 Faithfull St. With these new changes I met with that neighbor, he was pleased to see the favorable changes and felt this would help in providing more sunlight. I have also met with a few of my other neighbors to inform them of these changes, all where in a favor of these changes.

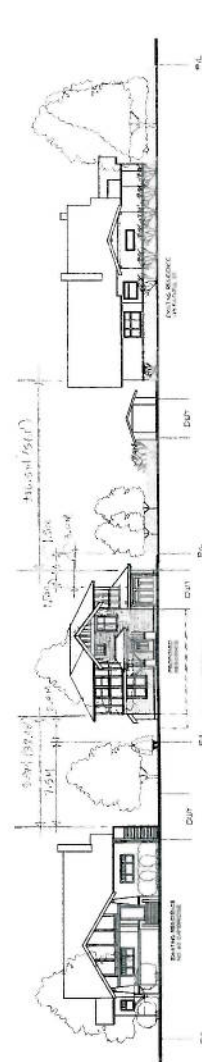
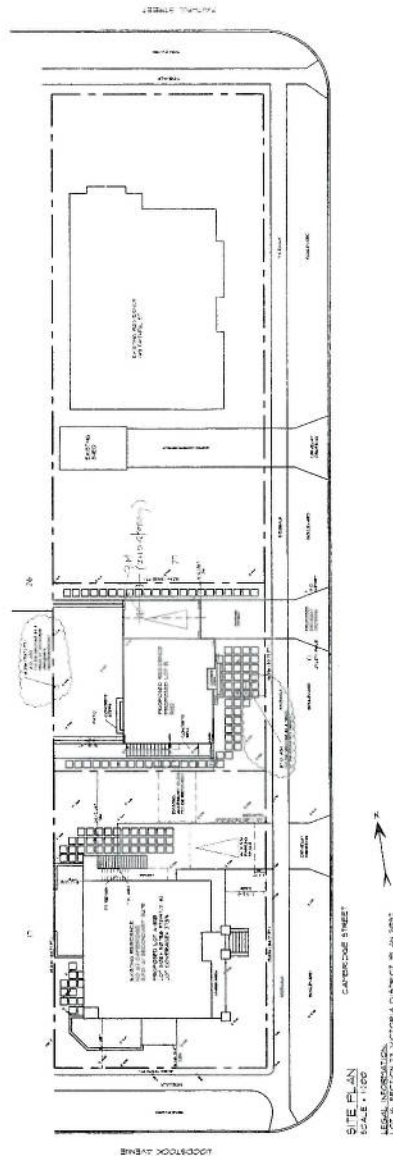
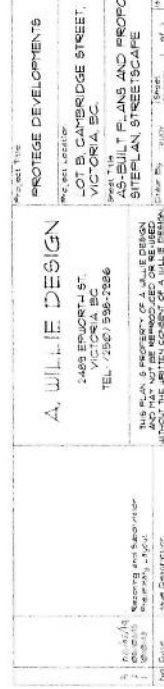
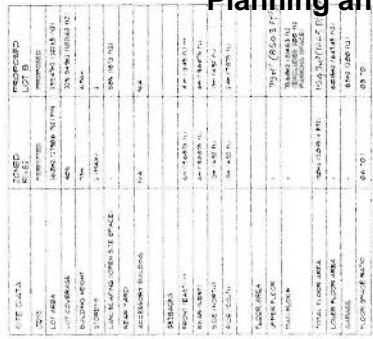
I have reached out to a few Councilors to get as much guidance and direction as possible. Councilor Madoff suggested that I should request to address council at the upcoming council meeting January 30th, which I did. I spoke to the changes that we made to the plans as well I informed council of my meetings with my neighbors.

Since meeting with neighbors and addressing council we have made another very significant change to the upper floor. We have brought back the upper northern exterior wall another .6 meters for a total upper floor setback of three meters to the north property line. We have also changed the front façade slightly and created a hip roof detail over the front entrance, reducing mass as well as tying into the roof detail that now breaks up the upper and lower floor on the northern exterior wall. All neighbors that I have met with are in favor of this change.

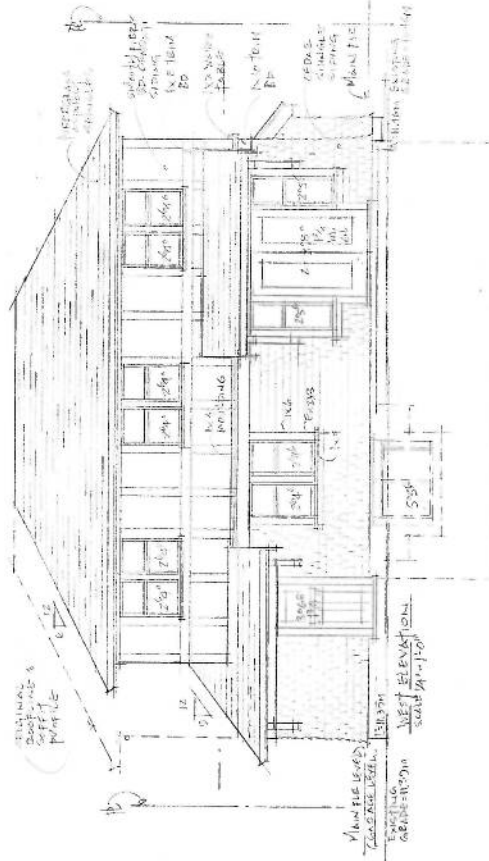
I have been able to increase neighborhood support to 79% since my first Planning and Land Use meeting January 23rd.

Sincerely,
Peter Walddhuber

A handwritten signature in blue ink, appearing to read "P. Walddhuber".



Received
City of Victoria
FEB 07 2014
Planning & Development Department
Development Services Division



Received
City of Baltimore
FEB 07 2014
Planning & Development Department
Development Services Division

**SUMMARY
SMALL LOT HOUSE REZONING PETITION**

I, Peter Waldhuber, have petitioned the adjacent neighbours* in compliance with
(applicant)

the *Small Lot House Rezoning Policies* for a small lot house to be located at 62 CAMBRIDGE ST.
(location of proposed house)

and the petitions submitted are those collected by April 1/14. **
(date)

	Address	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
1	1147 FAITHFUL ST.			✓
2	1149 FAITHFUL ST.		✓	
3	1145 WOODSTOCK AVE	✓		
4	1145 WOODSTOCK AVE	✓		
5	1145 WOODSTOCK AVE	✓		
6	1145 WOODSTOCK AVE	✓		
7	1145 WOODSTOCK AVE	✓		
8	48 CAMBRIDGE ST.			✓
9	50 CAMBRIDGE ST.	✓		
10	50 CAMBRIDGE ST.	✓		
11	57 CAMBRIDGE ST.	✓		
12	57 CAMBRIDGE ST.	✓	✓	
13	77 CAMBRIDGE ST.		✓	
14	81 CAMBRIDGE ST.			✓
15	85 CAMBRIDGE ST.	✓	✓	
16	85 CAMBRIDGE ST.	✓		
17	85 CAMBRIDGE ST.	✓		

SUMMARY	Number	%
IN FAVOUR	11	79%
OPPOSED	3	
TOTAL RESPONSES	14	100%

NEUTRAL/NO RESPONSE 3

*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

**Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchuker
(print name), am conducting the petition requirements for the

property located at 62 Cambridge St

to the following Small Lot Zone: B1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) Derek Reimer + Maxine Charlesworth

ADDRESS: 1149 Faithful St.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

- building is too large, too high + too close to our property line
- too much loss of light in our backyard
- short setback on proposed "side" yard very near our "back" yard

May 19, 2012
Date

March 2/13

XR

Derek Reimer + Maxine Charlesworth
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber (print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) Valerie Stanley-Jones

ADDRESS: 1145 Woodstock Ave

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application. see below

☐ I am opposed to the application.

Comments:

My only 2 provisos for my approval/support are:
 # 1. that there is enough space to park a second standard sized car in the driveway of the garage (ie parking for 2 cars).
 # 2 If either or both of the trees have to come down, or die within the three years of the construction, that Peter Waldhuber (or a new owner) be required to replacement(s) in the form of similar oxygen producing tree(s), within less than one year of their demise.

2 pinkm tree

June 2, 2012
 Date

March 9, 2013

March 31 2014 VSD

[Signature]
 Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldbauer (print name), am conducting the petition requirements for the

property located at 62 Cambridge St

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Roger McKeown (see note above)

ADDRESS: 1145 Woodstock Ave Victoria

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Feb 03 / 14
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldbuer (print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Holly Enns (see note above)

ADDRESS: 1145 Woodstock Ave

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Feb 03/14
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Eric Waldhabe (print name), am conducting the petition requirements for the

property located at 62 Cambridge

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Arran Wilkin (see note above)

ADDRESS: 1145 Woodstock Ave

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Go for it!

Feb 1, 2014
Date

Arran Wilkin
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber
(print name), am conducting the petition requirements for the

property located at 62 Cambridge

to the following Small Lot Zone: R1S2.

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Aaron Glatky (see note above)

ADDRESS: 1145 Woodstock Ave.

Are you the registered owner? Yes ☐ No ☒


I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

1 Feb 2014
Date


Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchuk
(print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) Leslie HOGYA

ADDRESS: 50 Cambridge St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

June 2/2012
Date

March 4/2013

Les Hoya
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldbauer (print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R152

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) GILLES HOGAN (see note above)

ADDRESS: 50 CAMBRIDGE ST
VICTORIA, BC REV 4 A

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

9 Feb 2014
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber
(print name)

, am conducting the petition requirements for the

property located at 62 Cambridge St

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) LORIE GERRARD

ADDRESS: 57 Cambridge St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Apr 11/14
Date

L. Gerrard
Signature



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge

to the following Small Lot Zone: R152

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Ron Seward / Lorie Gerrard (see note above)

ADDRESS: 57 Cambridge St.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

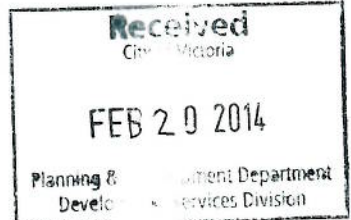
☐ I support the application.

☒ I am opposed to the application.

Comments:

Feb 20 / 14
Date

[Signature]
Signature



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber
(print name)

, am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Patricia Foster / Robert Boudreau (see note above)

ADDRESS: 77 Cambridge

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

2014-02-20
Date

Peter Waldhuber
Signature

Received
City of Victoria

FEB 20 2014

Planning & Development Department
Development Services Division

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walther
(print name), am conducting the petition requirements for theproperty located at 62 CAMBRIDGE STREETto the following Small Lot Zone: R152

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Penelope Earnshaw (see note above)ADDRESS: 85 CAMBRIDGE STREETAre you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

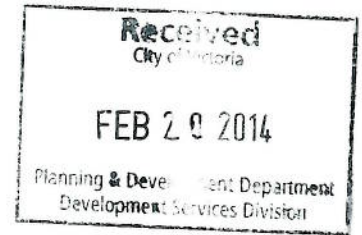
☐ I support the application.☒ I am opposed to the application.

Comments:

On March 2/2013 I signed a petition opposing the application. Approximately Oct 30/2013 I signed a petition in support of P. Walther's rezoning application as I felt that I was Bullied into signing in support. Please see Page 2. attached

Feb 19/2014
DateMrs. P. Earnshaw
Signature

Small Lot House Rezoning Petition 62 Cambridge Street.



1. In Support of Green Space.
2. The proposed house is too large for the proposed lot. It blocks all of the rear yard of 114a Faithful St. of sunlight. The home owner lives for gardening and has resided there for over 30 years.
3. Vehicle traffic - Cambridge Street is cluttered with vehicles travelling in both directions. And the Residents will cause more congestion on the street, as there are many, many vehicles parked roadside on both sides of the street, all hours of the day + night.
4. I DO NOT SUPPORT THIS SMALL LOT HOUSE Rezoning petition for 62 Cambridge St., R152.

~~XX~~

February 19 / 2014 Mrs P. Lashner

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchauer, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge St

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) PENELOPE D. EARNSHAW

ADDRESS: 85 CAMBRIDGE STREET

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

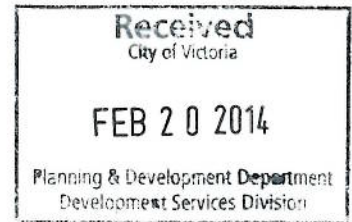
☐ I am opposed to the application.

Comments:

Oct 29/2013
Date

Mrs P Earnshaw
Signature

Derek Reimer
Maxine Charlesworth
1149 Faithful St.
Victoria, B.C.
Canada
V8V 2R5



email [REDACTED]

February 20, 2014

City of Victoria
Planning and Development
1 Centennial Square
Victoria, BC
V8W 1P8

Re: Proposed Small Lot Rezoning – 62 Cambridge St.

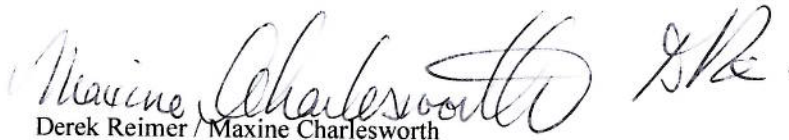
Attached are three Small Lot House Rezoning Petitions relating to this proposal. All are from the owners of properties that are “neighbouring lots” as defined in the Small Lot House Policy. All are opposed to the application and all have been signed within the past few days.

Two are from neighbours who previously supported the application but who no longer do.

One is from a neighbour who was recently listed by the applicant as “neutral” but who says she and her partner have always been opposed.

These petitions show that a substantial majority (64%) of the occupants of the “neighbouring lots” are opposed to the proposed rezoning.

The Small Lot Rezoning policy states that “substantial consensus” is a precondition of advancing to a public hearing. There clearly is no “substantial consensus” about this application and it should not go forward to a public hearing. This proposal does not have the satisfactory level of support as defined in the policy (36% vs. the required 75%) and no “substantial consensus” in the neighbouring community exists. The Small Lot Rezoning policy states this consensus is a precondition of advancing to a public hearing.


Derek Reimer / Maxine Charlesworth

4.2 Rezoning Application # 00380 and Development Permit with Variance for 62 Cambridge Street

Committee received a report dated January 9, 2014, regarding Rezoning Application # 00380 and Development Permit with Variance for 62 Cambridge Street. The proposal is to rezone from the R1-B Zone (Single Family Dwelling District) to permit a single family dwelling with a legal secondary suite on a subdivided lot and construction of a new small lot house with one variance related to the front setback requirements. Given the existing single family dwelling on a newly created lot would have a greater total floor area and higher density than permitted in the R1-B Zone, a custom zone would be required.

The subject site is designated as Traditional Residential in the *Official Community Plan*, 2012 (OCP). The rezoning proposal is generally consistent with the uses identified for this Urban Place Designation.

The proposal to rezone is compatible with the OCP objectives for sensitive infill and the proposed design will comply with applicable guidelines in Development Permit Area 15A, Intensive Residential Small Lot Development.

Current policy states that a "satisfactory level" of neighbourhood support for a small lot house rezoning is 75%. The applicant completed a Small Lot House Rezoning Petition in 2012 and 2013. Initially 33% of adjacent property owners and residents supported the proposal; this increased to 56% in 2013.

Action:

Councillor Madoff moved that Committee recommends that Council authorize:

1. That Rezoning Application # 00380 for 62 Cambridge Street proceed for consideration at a Public Hearing, subject to the preparation of the necessary *Zoning Regulation Bylaw* amendments for the existing single family dwelling with a secondary suite, restricting any further conversion, and for construction of a small lot house.
2. Subject to adoption of the *Zoning Regulation Bylaw* amendments, that Council authorize the issuance of a Development Permit, in accordance with:
 - a. Plans for Rezoning Application # 00380, stamped November 12, 2013, and December 13, 2013, for the colour elevation and landscape plan;
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
Part 1.23, R1-S2 Zone, Restricted Small Lot Two Storey District
 - Minimum front setback is relaxed from 6.0m to 4.1m
 - c. Final plans to be in accordance with plans identified above.

Committee discussed the motion:

- A "satisfactory level" of neighbourhood support for a small lot house rezoning is 75%. The applicant completed a Small Lot House Rezoning Petition twice in 2012 and 2013. Initially 33% of adjacent property owners and residents supported the proposal; this increased to 56% in 2013.



Planning and Land Use Committee Report

Date: January 9, 2014 **From:** Helen Cain, Senior Planner

Subject: **Rezoning Application #00380 and Development Permit with Variance Application for 62 Cambridge Street**
 Application to rezone to permit retention of a single family dwelling with a secondary suite on a subdivided lot and construction of a new small lot house with one variance for front setback

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit with Variance Application for the property located at 62 Cambridge Street. The proposal is to rezone from the R1-B Zone (Single Family Dwelling District) to permit a single family dwelling with a legal secondary suite on a subdivided lot and construction of a new small lot house with one variance related to the front setback requirements. Given the existing single family dwelling on a newly created lot would have a greater total floor area and higher density than permitted in the R1-B Zone, a custom zone would be required.

The following points were considered in assessing this application:

- The subject site is designated as Traditional Residential in the *Official Community Plan, 2012* (OCP). The rezoning proposal is generally consistent with the uses identified for this Urban Place Designation.
- The proposal to rezone is compatible with the OCP objectives for sensitive infill and the proposed design will comply with applicable guidelines in Development Permit Area 15A, Intensive Residential Small Lot Development.
- Current policy states that a "satisfactory level" of neighbourhood support for a small lot house rezoning is 75%. The applicant completed a Small Lot House Rezoning Petition twice in 2012 and 2013. Initially 33% of adjacent property owners and residents supported the proposal; this increased to 56% in 2013.

Although the proposal is consistent with OCP policy and applicable design guidelines, staff are recommending that the rezoning be declined because the applicant has not satisfied the Small Lot House Rezoning Policy with respect to the minimum level of neighbours' support. Should Council wish to advance the Rezoning Application and Development Permit with Variance to a Public Hearing, an alternate recommendation is provided in the Options Section of the report.

Recommendation

That Council decline Rezoning Application #00380 for 62 Cambridge Street.

Respectfully submitted,

Helen Cain
Senior Planner
Development Services Division


Deb Day
Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager: _____
Jocelyn Jenkyns

HC/ljm

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00380\PLUC REPORT_REZ_62CAMBRIDGESTREET_JAN9_2013.DOC.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit with Variance for the property at 62 Cambridge Street.

2.0 Background

2.1 Clean Hands Policy

At the time the applicant purchased the property at 62 Cambridge Street, the existing house had two suites that were created without the necessary City approvals. The current owner has worked with staff to address this situation, and a Building Permit to remove both illegal suites and to allow a new secondary suite was approved in July 2013. Given that the illegal suites were decommissioned in August 2013, there is no outstanding issue to be addressed prior to consideration of the proposed rezoning of the subject property.

2.2 Description of Proposal

The subject site is a corner lot at Cambridge Street and Woodstock Avenue. The applicant proposes to rezone the property from the R1-B Zone (Single Family Dwelling District) to permit subdivision into two parcels, retention of the existing house on Lot 1 and construction of a small lot house on Lot 2. The latter will comply with the R1-S2 Zone (Restricted Small Lot Two Storey District) criteria except for the front setback which will be relaxed from 6 m to 4.1 m. However, the Lot 1 house has existing conditions that are not permitted in the R1-B Zone. Firstly, this house has a total floor area (374.92 m²) exceeding the maximum (300 m²) allowed, indirectly resulting in a greater floor space ratio (i.e. density). Secondly, the height of the existing house is 7.82 m and three storeys which exceed the standards of 7.6 m and two storeys. Lastly, it has two existing non-conforming setbacks: the front setback is 2.0 m and its east side (Cambridge Street) setback is 3.4 m, whereas the standard requirements are 7.5 m and 3.4 m, respectively.

The proposed site plan, house design and landscaping include the following:

- Siding and details: cedar shingles (painted "putty") on bottom and upper facade with fibre cement board with HardiePlank panels on second storey.
- Windows and entrances: vinyl windows (painted charcoal) with HardiePlank trim, fir door for main entrance with HardiePlank gable roof feature and twin columns on granite rock piers, and a built-in recessed garage with metal door (painted "putty").
- Driveway, paths and patios: The Lot 1 house driveway will remain in its existing location and new patio areas will be introduced at the rear and in the east side yard. On Lot 2, a new driveway will cross over Cambridge Street, two pathways will flank the proposed small lot house along its north and south property lines, a patio will be placed at the rear, and pavers in the front yard will be combined with soft landscape.
- Trees and plantings: extensive new plantings are proposed for Lots 1 and 2 in the front and south side yards and a lawn will separate the existing house from

the small lot house, while a hedge along the latter's south side yard will also provide privacy. A new row of maple trees along the rear property line of Lots 1 and 2 will screen the two houses from adjacent properties to the west and north.

2.3 Land Use Context

The subject property is located at the corner of Woodstock Avenue and Cambridge Street. On both streets, the place character is low-density residential in the form of duplexes, single family dwellings, and small lot single family dwellings. Four blocks to the northwest is Cook Street Village where there is a cluster of community and commercial services. New infill that is low-scale, ground-oriented housing is well-suited to the context of this area of south Fairfield.

The immediate land use context includes:

- to the north on Faithful Street, one parcel is R1-B Zone, Single Family Dwelling District
- to the east on Cambridge Street, six parcels are R1-B Zone, Single Family Dwelling District, and one parcel is R-2 Zone, Two Family Dwelling District
- to the south and west on Woodstock Avenue, one parcel is R-2 Zone, Two Family Dwelling District, and five parcels are R1-B Zone, Single Family Dwelling District.

2.4 Community Consultation

The applicant consulted with the Fairfield Gonzales Community Association Land Use Committee (CALUC) on September 17, 2012. No comments had been received from the CALUC prior to writing of this staff report.

With respect to the *Small Lot House Rezoning Petition*, the required poll of neighbours was initially completed in early 2013, but yielded low support (33%) for the proposal. In efforts to achieve greater support, the applicant conducted a second petition in late 2013 that indicates a relative increase (56%), but less than a "satisfactory support" level (75%). Land use-related concerns expressed in the petition are the size and height of the new small lot house, potential shadow and privacy impacts, availability of street parking, and higher traffic volumes.

2.5 Existing Site Development and Development Potential

The data table (below) compares the proposal with the R1-B Zone (Single Family Dwelling District) and R1-S2 Zone (Restricted Small Lot Two Storey District). The proposal is less stringent than the applicable zoning criteria where identified with an asterisk (*) as below. Dimensions marked with a double asterisk (**) are existing legally conforming conditions.

Zoning Criteria	Proposed Lot 1	Zone Standard R1-B	Proposed Lot 2	Zone Standard R1-S2
Site area (m ²) – minimum	471.9	460	299.47	260
Lot width (m) – minimum	18.26	15	16.39	10.00
Total floor area (m ²) – maximum	374.92**	190.00	217.82	190

Density (Floor Space Ratio) – maximum	0.79:1	n/a	0.53:1	0.6:1
Height (m) – maximum	7.82**	7.60	6.96	7.50
Storeys – maximum	3**	2	2	2
Site coverage (%) – maximum	37.5	40	32	40
Open site space (%) – minimum	57	n/a	58	n/a
Setbacks (m) – minimum				
Front	2.0**	7.50	4.10*	6.00
Rear	7.5	7.50	6.00	6.00
Side (west; north)	2.5	1.83	1.50	1.50
Side (Cambridge; south)	3.4**	3.50	2.40	2.40
Combined side yards	5.90	4.50	n/a	n/a
Vehicle Parking – minimum	1 space	1 space	1 space	1 space

2.6 Legal Description

Lot 18, Fairfield Farm Estate, Victoria City, Plan 960.

2.7 Consistency with City Policy

2.7.1 Regional Growth Strategy

The proposal contributes to the *Regional Growth Strategy* goal of adding to the supply of housing within the boundaries of the City.

2.7.2 Official Community Plan, 2012

The proposed development is consistent with the relevant land use policies of the *Official Community Plan 2012* (OCP). The property at 62 Cambridge Street is designated as Traditional Residential in the OCP, where ground-oriented housing, such as small lot single family dwellings, are enabled as appropriate forms of new infill.

In accordance with the OCP, the new small lot dwellings are subject to DPA 15A, Intensive Residential Small Lot. The objectives of DPA 15A are:

4. (a) To accommodate 10% of Victoria's anticipated population growth and associated housing growth in Small Urban Villages and residential area to encourage and support future and existing commercial and community services.
- (b) To accommodate housing growth in Traditional Residential areas in a manner that is gradual, of a small scale and adaptive to the local contexts.
- (c) To integrate more intensive residential development in the form of single family dwellings on relatively small lots within existing Traditional Residential areas in a manner that respects the established character of neighbourhoods.
- (d) To achieve a high quality of architecture, landscape and urban design to enhance neighbourhoods.

- (e) *To integrate infill development in Traditional Residential areas that is compatible with existing neighbourhoods through considerations for privacy, landscaping and parking.*

The proposal for 62 Cambridge Street is consistent with DPA 15A objectives to achieve infill that is of high-quality design and that respects the established character in residential areas.

2.8 Consistency with Design Guidelines

The proposal is subject to review under DPA 15A, Intensive Residential Small Lot Development. Building form, character, exterior finishes and landscaping details are controlled and regulated in relation to the *Design Guidelines for Small Lot Houses, 2002*. Staff assessment of this small lot house proposal for compliance with applicable guidelines is summarized as below.

2.8.1 Siting, Location and Topography

The subject property is a corner lot with an older single family dwelling that has its front yard on Woodstock Avenue, east side yard on Cambridge Street, and a north rear yard, which would be subdivided with a new small lot house. The proposed new dwelling on Lot 2 would have a frontage along Cambridge Street with a west rear yard. Its side setbacks would be narrow, but would have landscaping strips to visually separate the Lot 1 and 2 houses on the latter's south side, and to provide privacy for the Lot 2 house in relation to the house at 1149 Faithful Street. Because the small lot house would be two storeys and sited near (1.83 m) the north property line, the building would have a minor shadowing impact on the rear yard of the adjacent house.

2.8.2 Architectural Envelope

No exterior changes to the Lot 1 house are part of the proposal. With respect to the small lot house, the proposed form and massing are compatible with the block of Cambridge Street between Faithful Street and Woodstock Avenue where houses are varied in scale and size. The house design is a contemporary interpretation of Arts and Crafts architectural styles as evident in gable roof elements, wood trim siding details, and twin entrance columns on rock piers. Given the prevalence of Arts and Crafts houses on this particular section of Cambridge Street, the proposed design would enhance and reinforce existing place character.

2.8.3 Openings

The main entrance of the small lot house would be the prominent feature of its front elevation, central to the façade with a gable roof and flanked by columns on piers. While this frontage would have a built-in garage, this entrance would be set back from building face and painted in a colour that blends with the lower facade. On the west (rear) elevation there would be two doors, one opening to a patio area. Upper windows would face the rear yard of the property to the west, but outward views would be screened by a row of new trees on the subject site and a large existing tree on the neighbouring property. Similarly, views from a small window on the upper north elevation would be limited due to a tree near the property line on the adjacent lot.

2.8.4 Textures and Detail

The colour palette for the small lot house would be neutral with a mix of materials and textures. Finishes include: light grey smooth fibre cement board siding with HardiePlank detailing on the upper façade and grey-brown cedar shingles at grade; black vinyl windows; metal garage door painted in grey-brown; fir main entrance door; and wooden entry columns on granite rock piers.

2.8.5 Landscaping

New landscape design is proposed for Lots 1 and 2. A new hedge and shrubbery planted along both frontages of the Lot 1 house would contribute to a positive street presence. Other hedges at the south and north edges of Lot 2 would visually separate the small lot house from the Lot 1 house, and place a buffer between the small lot house and the adjacent house to the north. While there would be hard surfaces in the front yard of the small lot house, these would be softened with new plantings along the east property line and building face. Additionally, new trees and plantings along the west property line would help to provide privacy for neighbours.

3.0 Issues

The issues related to this application are:

- satisfactory level of support
- shadowing impact
- house conversion.

4.0 Analysis

4.1 Satisfactory Level of Support

Although this proposal is consistent with land use policy and design guidelines, a number of adjacent neighbours are not supportive. While the applicant's efforts have increased support from 33% to 56%, this level is less than the threshold of 75% for "satisfactory support" identified in the *Small Lot House Rezoning Policy*. Given the latter standard, staff are recommending that Council decline this rezoning. Should Council wish to advance the application for consideration at a Public Hearing, an alternate recommendation is provided in "Options – Section 6.2", below.

4.2 Shadowing Impact

Impact of new development on access to sunlight for adjacent residents is an important design consideration. Because the small lot house would be two storeys and sited relatively close (1.5 m) to the north property line, the applicant has submitted a third-party Solar Impact Analysis, attached to this report. This study states that there would be no direct shading over the rear yard of the house at 1149 Faithful Street.

4.3 House Conversion

Currently, the single family dwelling on Lot 1 has a legal secondary suite, but this house has potential for conversion into additional self-contained dwelling units. Staff have no concerns about retention of the secondary suite, but future house conversion should be restricted to

maintain an appropriate intensity of development. Should Council advance the rezoning for consideration at a Public Hearing, Option Two (below) provides direction to ensure the existing house is restricted to a single family dwelling with a secondary suite that cannot be converted into additional suites.

5.0 Resource Impacts

There are no anticipated resource impacts that are associated with this development.

6.0 Options

Option One (Staff Recommendation)

That Council decline Rezoning Application #00380 for 62 Cambridge Street.

Option Two (Proceed to a Public Hearing)

1. That Rezoning Application #00380 for 62 Cambridge Street proceed for consideration at a Public Hearing, subject to the preparation of the necessary *Zoning Regulation Bylaw* amendments for the existing single family dwelling with a secondary suite, restricting any further conversion, and for construction of a small lot house.
2. Subject to adoption of the *Zoning Regulation Bylaw* amendments, that Council authorize the issuance of a Development Permit, in accordance with:
 - a. plans for Rezoning Application #00380, stamped November 12, 2013, and December 13, 2013, for the colour elevation and landscape plan;
 - b. development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
Part 1.23, R1-S2 Zone, Restricted Small Lot Two Storey District
 - minimum front setback is relaxed from 6.0 m to 4.1 m;
 - c. final plans to be in accordance with plans identified above.

7.0 Conclusions

This proposal to create two lots with retention of a single family dwelling with a secondary suite on one lot and one new small lot house is well-suited to the surrounding land use context. It is also consistent with design guidelines for infill in low-density residential areas with established place character. However, the application is not supportable based on the applicable policy for achieving a minimum level of "satisfactory support" from adjacent property owners and residents.

8. Recommendation

That Council decline Rezoning Application #00380 for 62 Cambridge Street.

9. List of Attachments

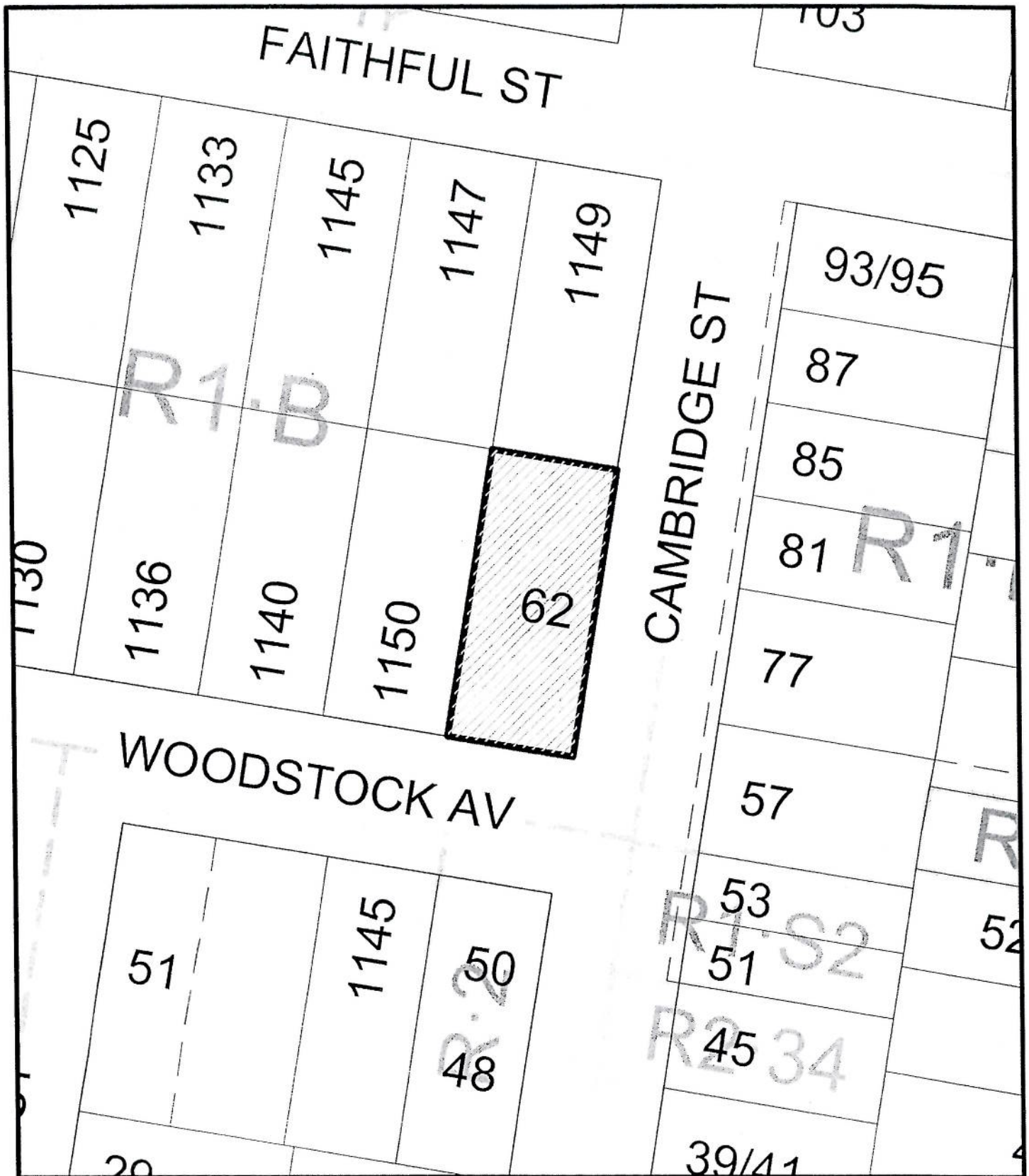
- Zoning map
- Aerial photo

Planning and Land Use Committee
Rezoning Application #00380 and Development Permit
with Variance Application for 62 Cambridge Street

January 9, 2014

Page 9 of 9

- Letter from owner, Peter Waldhuber, stamped December 16, 2013
- Letters from Archie Willie on behalf of the owner, stamped March 15, 2013
- Letter from Alfresco Living Design, stamped December 13, 2013
- Plans for Rezoning Application #00380, stamped November 13, 2013 and stamped December 13, 2013 for colour elevation and Landscape Plan
- Two Summaries and Responses to the Small Lot House Rezoning Petition.



62 Cambridge Street
Rezoning #00380
Bylaw #





December 10, 2013

Re: 62 Cambridge St.
Small Lot Subdivision Rezoning

My name is Peter Waldhuber, I am the homeowner of 62 Cambridge St. I purchased the house in 2010, at that time there was a Bylaw Contravention registered on title for two unauthorized suites. I purchased the home to rezone and subdivide the north portion of the property. I spoke with City of Victoria planning department several times to get proper instruction and guidance as to how to proceed with the Bylaw Contravention and my plans to rezone. I was told by the planning department that I could put in my application for the Small Lot subdivision but it could not go to council until I cleared the title.

I started to meet with neighbours to discuss my plans for the property. At the time I had a preliminary plan for the proposed house design, initial feedback was generally positive, although the size and height were an issue with some. All along I recognized my direct neighbours to the north and west would be the most impacted by the new proposed house. I changed my house design based on some initial feedback, in fact I changed architects altogether and hired Archie Willie Designs. Archie has successfully completed several Small Lot Subdivisions in the Fairfield Gonzales area and I knew he would be very sensitive to the house design fitting into the neighborhood. He came up with a great house plan that complemented the neighbourhood very well and addressed initial concerns from neighbors.

In September 2012 Archie Willie and I went in front of the Fairfield Gonzales Community Association. Some feedback from neighbors was that the proposed house design was too large and shaded out my neighbor's garden directly to the north of the property. Along with an extensive landscaping plan for the proposed house and the existing house, I had a shading analysis done. The shading analysis shows there is no direct shading being impacted on the garden of 1149 Faithfull St. I also spoke of the fact that the proposed house is under the maximum allowable size for the proposed property size, as well as being under height. The zoning bylaw allows for a maximum house floor area of 180 square meters (1,937 sqft), the proposed house is 158 square meters (1,700 sq ft) which is 88 percent of the maximum allowable floor area. The overall roof height also conforms to the city bylaw in fact we are under the maximum height 0.54 meter (1.8 feet). Some other feedback was the existing house had unauthorized suites. I informed my neighbors that I had spoken with City Planning department and that I was working on a Clean Hands Policy and putting a building permit in place to convert the house back to a single family dwelling

with a legal secondary suite in the basement. That building permit application was submitted in December 2012 and approved.

In March of 2012 I put in the application for a Small Lot Subdivision. At the time the percentage of support on my petitions was under fifty percent. I continued to meet with neighbours to address their concerns and managed to get the support petition percentage up to fifty six percent.

Throughout this process I had received my building permit for the existing house that allowed me to start the process of clearing the Bylaw Contravention that was still registered on title. I worked with the City inspectors to deal with the issues of the unauthorized suites and was able to clear the title in November of 2013 of the Bylaw Contravention.

This has been a very long process from the start and one that I felt needed time to address the issues with the existing house as well as to address issues my neighbors have to my rezoning proposal. It has been very important to me to not only to design a house that I felt would be the right fit for the neighborhood but to work with my neighbors on their concerns. I am a neighbor myself and have lived at 20 Marlborough St for the past seventeen years.

Sincerely,
Peter Waldhuber

A handwritten signature in dark ink, appearing to read 'P. Waldhuber', written in a cursive style.



March 15, 2013

The Mayor and Council
Corporation of the City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6



RE: Rezoning and Subdivision of 62 Cambridge Street (existing zone R1-B)
Legal Description: Lot 16, Section 23, Victoria district, Plan 2097

We hereby request subdivision and rezoning of an existing R1-B zoned lot (Single Family Dwelling District) into two lots as follows:

Lot A - existing residence with one secondary suite (site specific zoning)

Lot B - new single family dwelling residence (R1-S2 zoning) Restricted Small
Lot (Two Storey) facing Cambridge Street

This proposal has been reviewed by the Fairfield Community Association. The neighbours were concerned over parking, but all city parking requirements conform with one onsite parking space to each lot. Another concern has been the illegal use of the existing single family dwelling with two illegal units, but the owner is removing both illegal units and constructing a new legal permitted secondary suite. The primary concern has been privacy and shading on the adjacent lots, but we have addressed this concern with an extensive landscape design (by Larry Myers, Alfresco Living Design) to both proposed lots.

A minor development variance is also requested to the front setback of the proposed R1-S2 zoned lot (Lot B) from the required 6.0 metre setback to a 4.1 metre setback for alignment with the adjacent Cambridge Street residences. All other zoning requirements conform.

There would be a significant benefit for this development to provide additional housing on an under-utilized property. In addition, it will create an attractive streetscape for all the adjacent properties in the form of an architecturally designed home while maintaining and enhancing the established character in this area as recommended by the Official Community Plan. . We will also be providing substantial attractive landscaping to both proposed lots which will complement and improve existing conditions in the neighbourhood and the adjacent properties.

Green Building Features:

- Energy audit with an on-site consultant
- Energy efficient windows and construction
- Pre-fabricated wall panels, floor and roof structure for less waste and noise
- Recycled aggregate for concrete
- Hardscaping with permeable seams and application
- Substantial increase in plant material
- Drip irrigation
- Reduced turf

Thank you for your consideration of this request.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Archie Willie". The signature is written in a cursive, flowing style.

Archie Willie, A Willie Design

A. WILLIE
DESIGN

2489 Epworth Street

Victoria, B.C.

598-2986

V8R 5L3

Wednesday, 06 March 2013

The Mayor and Council
Corporation of the City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6



RE: Development Variance Permit (DVP) for 62 Cambridge Street
Legal Description: Lot 16, Section 23, Victoria district, Plan 2097

The existing lot is being subdivided into two lots as follows:

- Lot A - existing residence with one secondary suite (site specific zoning)
- Lot B - new single family dwelling residence (R1-S2 zoning)

We hereby request a development variance to a proposed R1-S2 zoned lot facing Cambridge Street (Lot B) for the following reasons:

- To comply with small lot guidelines that suggest we maintain the front setback in line with the adjacent houses.
- To maintain compliance with rear and side setbacks so adjacent properties will not be affected.
- To provide adequate room sizes for comfortable living space

Zoning Criteria (R1-S2)	Required	Proposed	Relaxation
Front Setback	6.0m	4.1m	1.9m

There would be a significant benefit for this development to provide additional housing on an under-utilized property. In addition, it will create an attractive streetscape for all the adjacent properties in the form of an architecturally designed home while maintaining and enhancing the established character in this area as recommended by the Official Community Plan. . We will also be providing substantial attractive landscaping to both proposed lots which will complement and improve existing conditions in the neighbourhood.

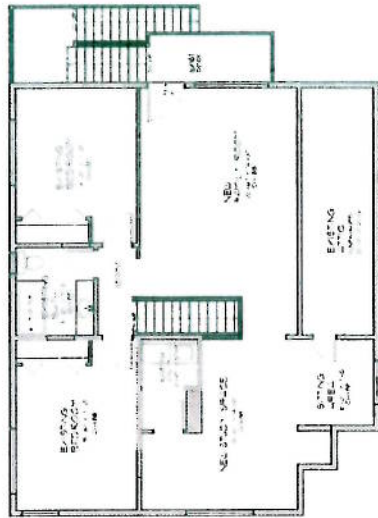
Green Building Features:

- Energy audit with an on-site consultant
- Energy efficient windows and construction
- Pre-fabricated wall panels, floor and roof structure for less waste and noise
- Recycled aggregate for concrete
- Hardscaping with permeable seams and application
- Substantial increase in plant material
- Drip irrigation
- Reduced turf

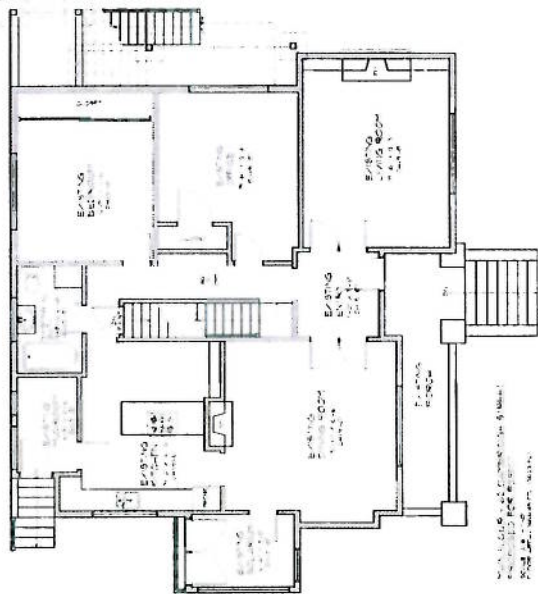
Thank you for your consideration of this request.

Respectfully submitted

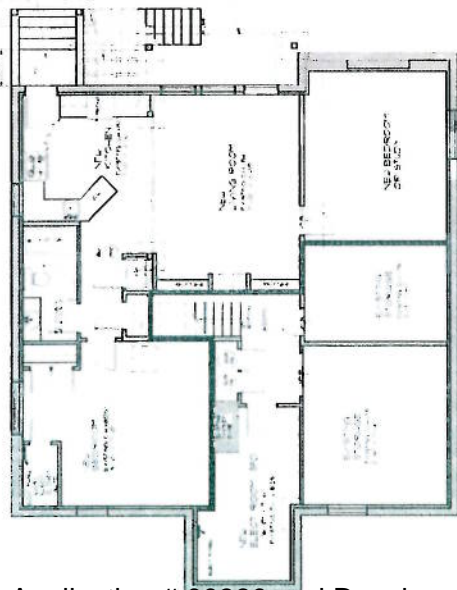
Archie Willie, A. Willie Design



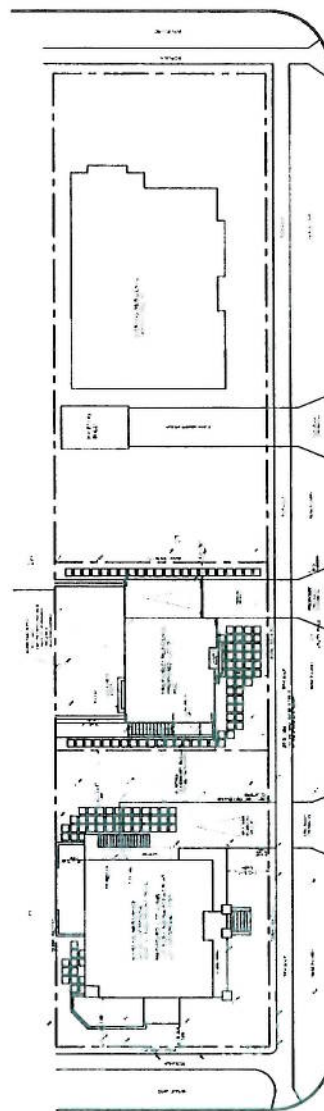
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1. The first step is to identify the problem or question that needs to be answered.



1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.



1944

1	John Doe	123 Main St	Anytown	CA	90210	(555) 123-4567	john.doe@anytown.com			John Doe is a member of the board of directors.
2	Jane Smith	456 Elm St	Anytown	CA	90210	(555) 234-5678	jane.smith@anytown.com			Jane Smith is a member of the board of directors.
3	Bob Johnson	789 Oak St	Anytown	CA	90210	(555) 345-6789	bob.johnson@anytown.com			Bob Johnson is a member of the board of directors.
4	Alice Brown	101 Pine St	Anytown	CA	90210	(555) 456-7890	alice.brown@anytown.com			Alice Brown is a member of the board of directors.
5	Charlie White	202 Pine St	Anytown	CA	90210	(555) 567-8901	charlie.white@anytown.com			Charlie White is a member of the board of directors.
6	Diana Green	303 Pine St	Anytown	CA	90210	(555) 678-9012	diana.green@anytown.com			Diana Green is a member of the board of directors.
7	Frank Black	404 Pine St	Anytown	CA	90210	(555) 789-0123	frank.black@anytown.com			Frank Black is a member of the board of directors.
8	Grace King	505 Pine St	Anytown	CA	90210	(555) 890-1234	grace.king@anytown.com			Grace King is a member of the board of directors.
9	Henry Lee	606 Pine St	Anytown	CA	90210	(555) 901-2345	henry.lee@anytown.com			Henry Lee is a member of the board of directors.
10	Ivy Hall	707 Pine St	Anytown	CA	90210	(555) 012-3456	ivy.hall@anytown.com			Ivy Hall is a member of the board of directors.
11	Jack Adams	808 Pine St	Anytown	CA	90210	(555) 123-4567	jack.adams@anytown.com			Jack Adams is a member of the board of directors.
12	Karen Baker	909 Pine St	Anytown	CA	90210	(555) 234-5678	karen.baker@anytown.com			Karen Baker is a member of the board of directors.
13	Leo Clark	1010 Pine St	Anytown	CA	90210	(555) 345-6789	leo.clark@anytown.com			Leo Clark is a member of the board of directors.
14	Mia Evans	1111 Pine St	Anytown	CA	90210	(555) 456-7890	mia.evans@anytown.com			Mia Evans is a member of the board of directors.
15	Noah Foster	1212 Pine St	Anytown	CA	90210	(555) 567-8901	noah.foster@anytown.com			Noah Foster is a member of the board of directors.
16	Olivia Gibson	1313 Pine St	Anytown	CA	90210	(555) 678-9012	olivia.gibson@anytown.com			Olivia Gibson is a member of the board of directors.
17	Peter Harris	1414 Pine St	Anytown	CA	90210	(555) 789-0123	peter.harris@anytown.com			Peter Harris is a member of the board of directors.
18	Quinn Ives	1515 Pine St	Anytown	CA	90210	(555) 890-1234	quinn.ives@anytown.com			Quinn Ives is a member of the board of directors.
19	Rachel Jones	1616 Pine St	Anytown	CA	90210	(555) 901-2345	rachel.jones@anytown.com			Rachel Jones is a member of the board of directors.
20	Samuel King	1717 Pine St	Anytown	CA	90210	(555) 012-3456	samuel.king@anytown.com			Samuel King is a member of the board of directors.
21	Tina Lee	1818 Pine St	Anytown	CA	90210	(555) 123-4567	tina.lee@anytown.com			Tina Lee is a member of the board of directors.
22	Uma Miller	1919 Pine St	Anytown	CA	90210	(555) 234-5678	uma.miller@anytown.com			Uma Miller is a member of the board of directors.
23	Victor Nelson	2020 Pine St	Anytown	CA	90210	(555) 345-6789	victor.nelson@anytown.com			Victor Nelson is a member of the board of directors.
24	Wendy Owen	2121 Pine St	Anytown	CA	90210	(555) 456-7890	wendy.owen@anytown.com			Wendy Owen is a member of the board of directors.
25	Xavier Parker	2222 Pine St	Anytown	CA	90210	(555) 567-8901	xavier.parker@anytown.com			Xavier Parker is a member of the board of directors.
26	Yara Quinn	2323 Pine St	Anytown	CA	90210	(555) 678-9012	yara.quinn@anytown.com			Yara Quinn is a member of the board of directors.
27	Zoe Reed	2424 Pine St	Anytown	CA	90210	(555) 789-0123	zoe.reed@anytown.com			Zoe Reed is a member of the board of directors.
28	Adam Scott	2525 Pine St	Anytown	CA	90210	(555) 890-1234	adam.scott@anytown.com			Adam Scott is a member of the board of directors.
29	Bella Taylor	2626 Pine St	Anytown	CA	90210	(555) 901-2345	bella.taylor@anytown.com			Bella Taylor is a member of the board of directors.
30	Chris White	2727 Pine St	Anytown	CA	90210	(555) 012-3456	chris.white@anytown.com			Chris White is a member of the board of directors.
31	Diana Young	2828 Pine St	Anytown	CA	90210	(555) 123-4567	diana.young@anytown.com			Diana Young is a member of the board of directors.
32	Ethan Hall	2929 Pine St	Anytown	CA	90210	(555) 234-5678	ethan.hall@anytown.com			Ethan Hall is a member of the board of directors.
33	Fiona King	3030 Pine St	Anytown	CA	90					

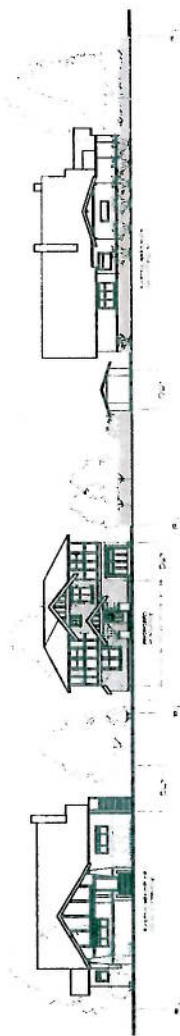
PROTEGE DEVELOPMENTS

A. WILLIE DESIGN

LOT B, CAMBRIDGE STREET,
VICTORIA, B.C.

AS-BUILT PLANS AND PROPOSED
SITEPLAN, STREETSCAPE

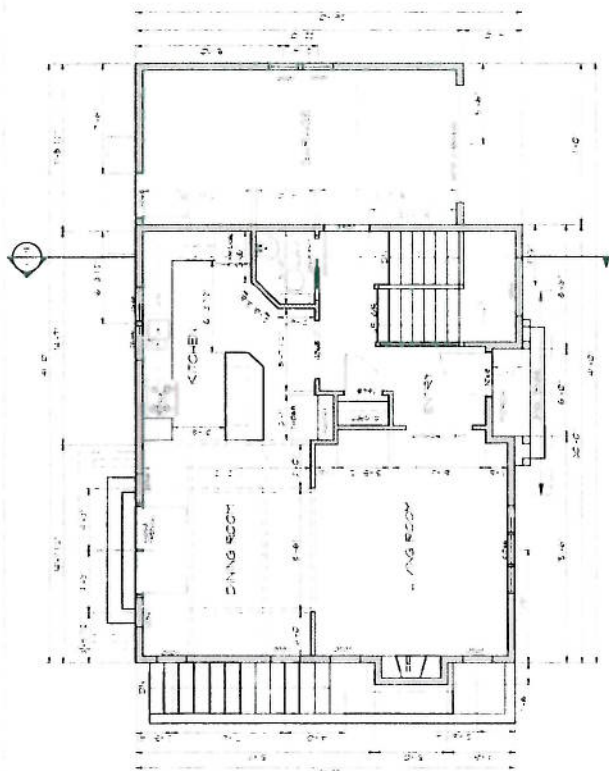
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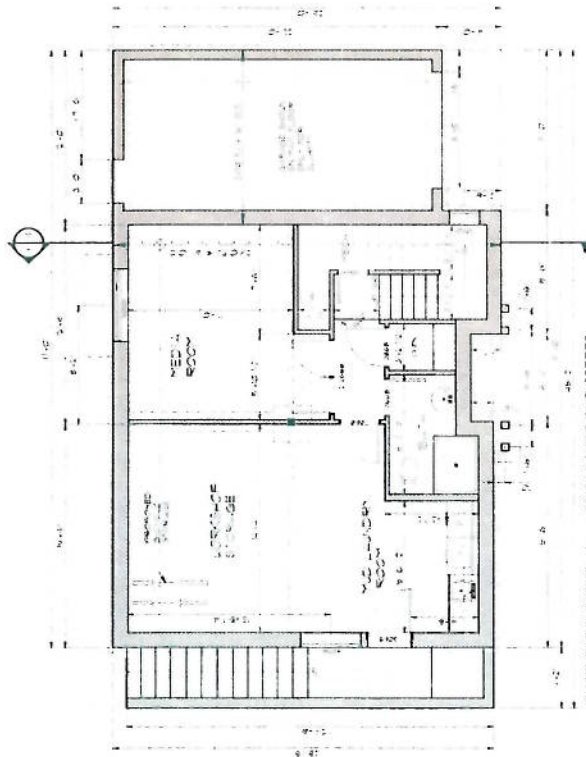
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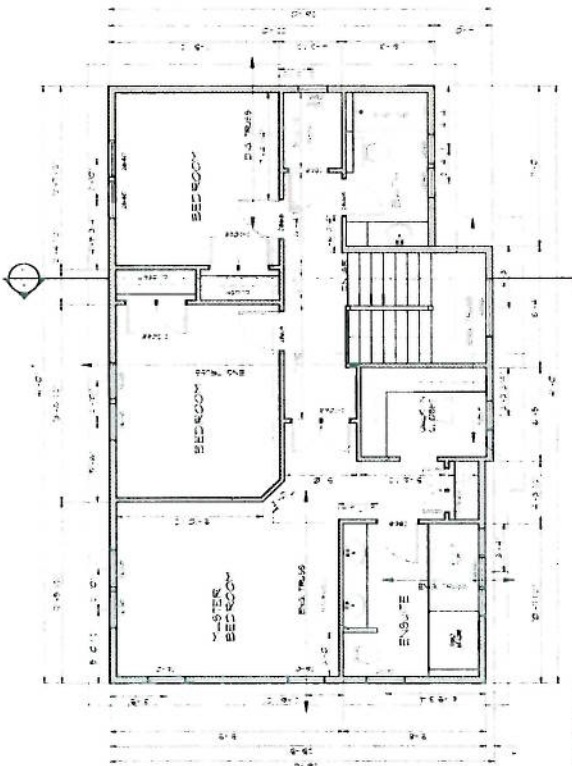
Planning & Development Department
Development Source Office



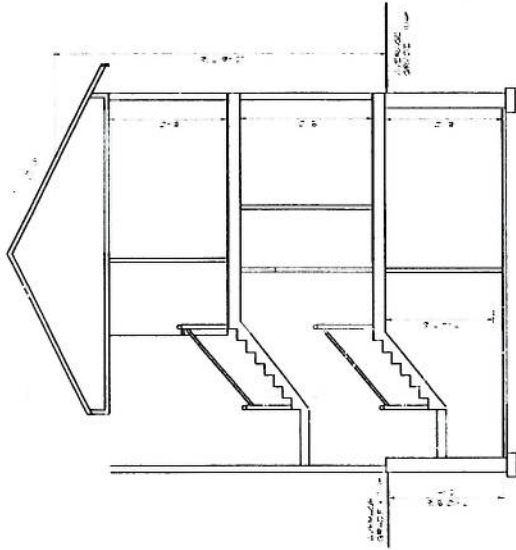
FIRST FLOOR PLAN - LOT B, CAMBRIDGE STREET



SECOND FLOOR PLAN - LOT B, CAMBRIDGE STREET



THIRD FLOOR PLAN - LOT B, CAMBRIDGE STREET



SECTION - 1

NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	FOUNDATION	1	SQ. FT.	10.00	10.00
2	FLOORING	1	SQ. FT.	10.00	10.00
3	CEILING	1	SQ. FT.	10.00	10.00
4	WALLS	1	SQ. FT.	10.00	10.00
5	ROOFING	1	SQ. FT.	10.00	10.00
6	STAIRS	1	SQ. FT.	10.00	10.00
7	BATHROOM	1	SQ. FT.	10.00	10.00
8	KITCHEN	1	SQ. FT.	10.00	10.00
9	LIVING ROOM	1	SQ. FT.	10.00	10.00
10	BEDROOM	1	SQ. FT.	10.00	10.00
11	HALLWAY	1	SQ. FT.	10.00	10.00
12	CLOSET	1	SQ. FT.	10.00	10.00
13	STAIRS	1	SQ. FT.	10.00	10.00
14	BATHROOM	1	SQ. FT.	10.00	10.00
15	KITCHEN	1	SQ. FT.	10.00	10.00
16	LIVING ROOM	1	SQ. FT.	10.00	10.00
17	BEDROOM	1	SQ. FT.	10.00	10.00
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19	CLOSET	1	SQ. FT.	10.00	10.00
20	STAIRS	1	SQ. FT.	10.00	10.00

UNIT COSTS

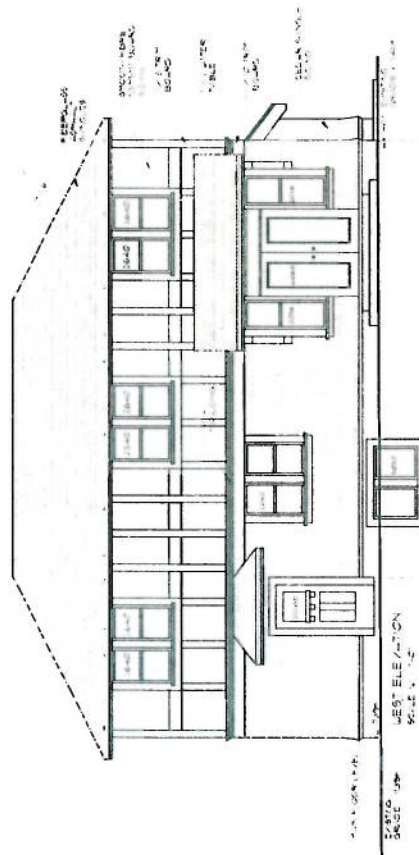
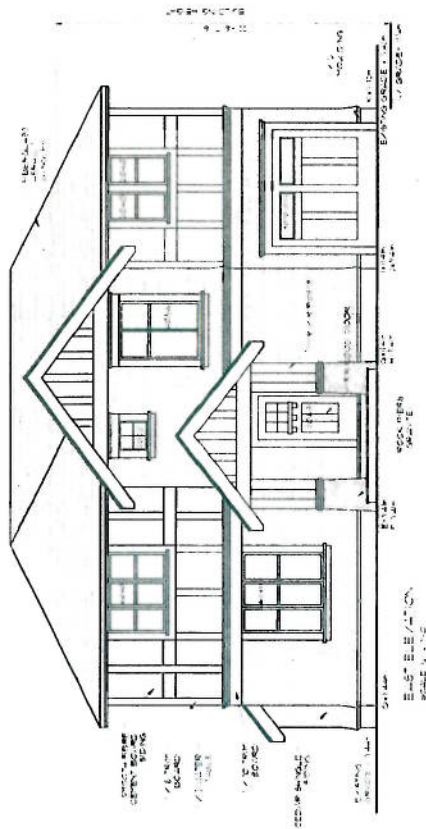
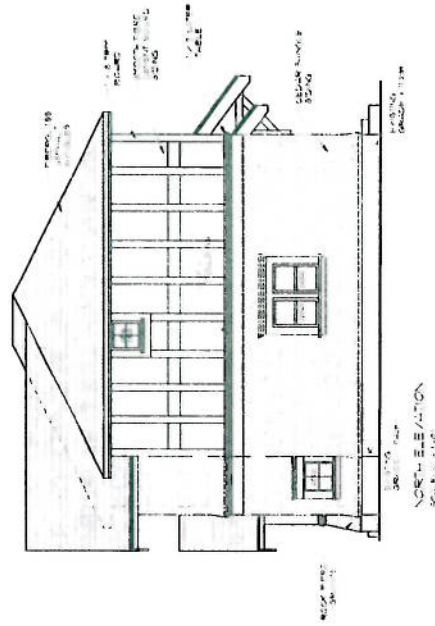
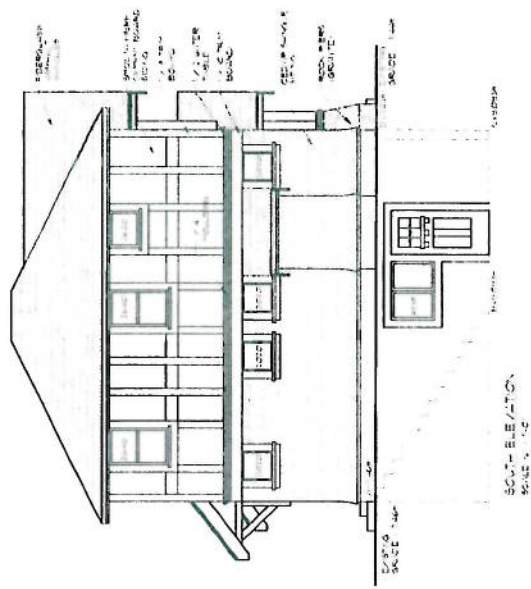
PROTEGE DEVELOPMENTS
2469 BRIMCOMB ST.
VICTORIA, BC
TEL: (250) 958-1586

A. WILLIE DESIGN
2469 BRIMCOMB ST.
VICTORIA, BC
TEL: (250) 958-1586

PROPOSED FLOORPLANS
SECTION NOTES

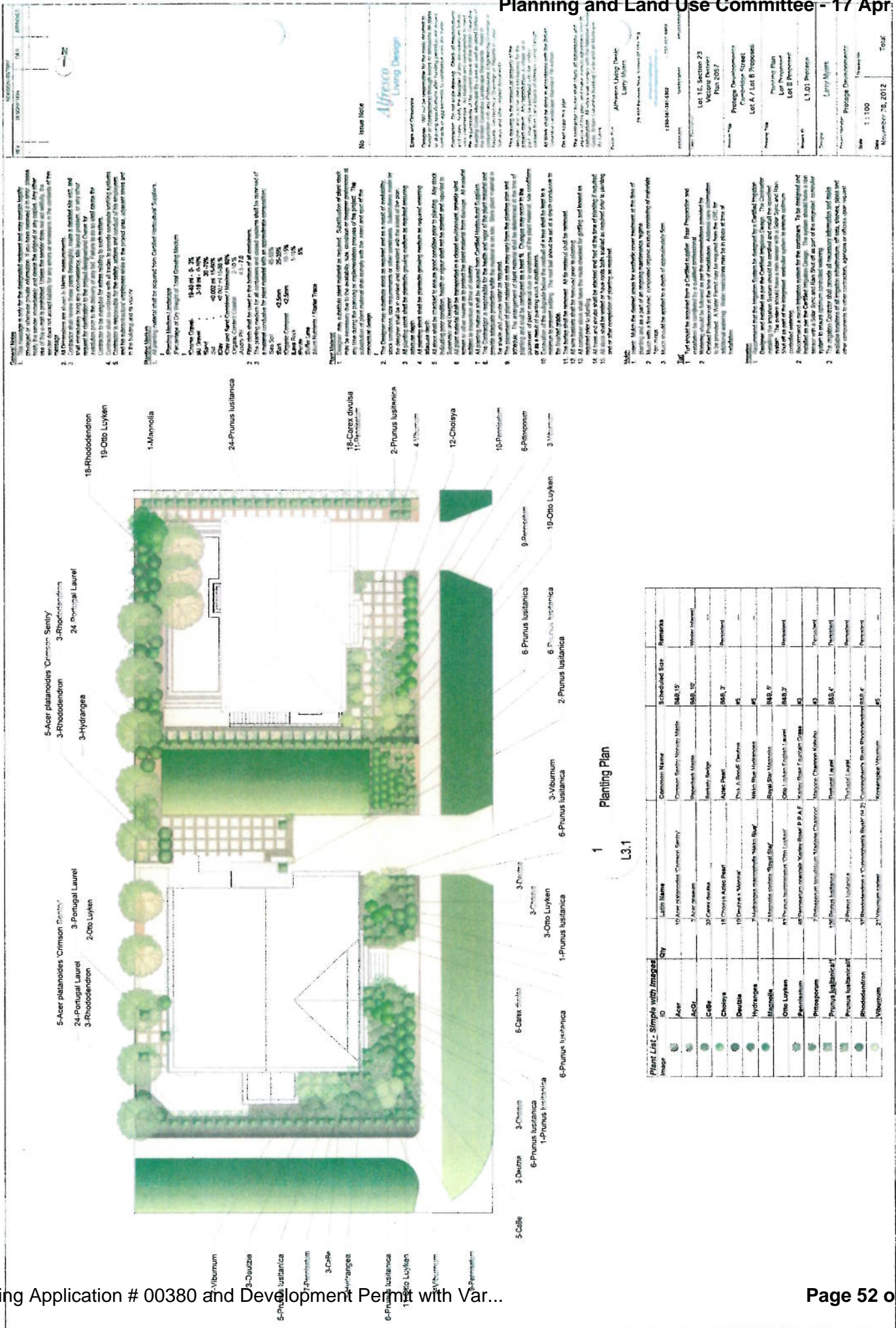
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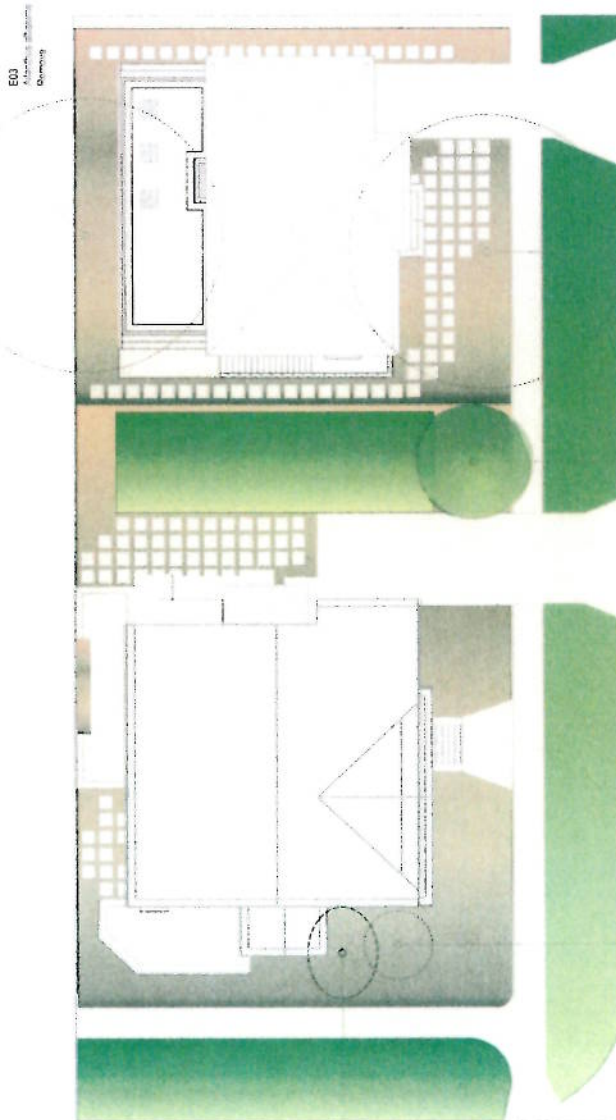
Received
City of Victoria
NOV 12 2013
Planning & Development Department
Development Services Division



PROTEGE DEVELOPMENTS
 2409 B. CAMERIDGE STREET
 VICTORIA, BC
 TEL: (250) 758-2965
 PROPOSED ELEVATIONS
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803 Cedrus deodora
Cedrus

Discussion

E05
Tilia americana
Botanic Arboretum Action

E02
Adaptation
Remove

E03
A. L. ...
D. ...

Landscape Plan

1 L1.1

1. **Document in Question**
A. **Whole Document** (if Applicable) **Where the Document Was Found**
No Issue Note

Alfresco
Living Design

Notes and References

Discharge will be responsible for the client's safety, as well as education of the family and community in the use of blood-clotting agents, the timing of surgery, and making necessary arrangements for adequate post-operative care.

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Design Firm
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Lynn, MA

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[View all posts by](#) [David M. Hughes](#)

150-381-8877

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 391–397

Lot 16, Section 23

Victoria Stappert

2007-08

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Agonizing Struggle

Let A / Lo: 0 (unpaired)

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Wiley-Blackwell

(0° Response)

Lot 3 PENDING

11.57 Proteins

[illegible]

Larry Myers

100

Project Director, Inc.

Wiley InterScience®

8:00

[illegible]

2162, 67, 2012



NO. 00380-120	DATE	APPROVAL
1	2012-07-10	
2	2012-07-10	
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Alfresco Living Design

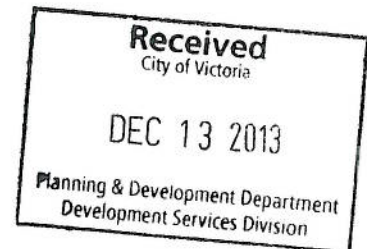
79-850 Paridands Drive
Victoria, BC V9A 7L9
Phone: 250-381-5802
E-Mail: alfrescolivingdesign@shaw.ca
Web: www.alfrescolivingdesign.ca

Protégé Developments
Peter Walhuber
20 Marlborough Street
Victoria BC V8V 4A5

December 10, 2013

Re: Landscape Plan 62 Cambridge
Lot 16, Section 23, Victoria District,
Plan 2097 Lot A / Lot B

City of Victoria
Planning Department



Dear Sir or Madam:

This Letter is a Document Attachment to the Landscape Plan referenced and supports Project L1.01Protege dated November 28, 2012 and is an Integral Part of Landscape Plan L1.1, Perspective L2.1 and Planting Plan L3.1.

The Landscape Plan is intended to address Site conditions with respect to the Existing Vegetation, Lighting and Drainage concerns.

Lot A

The Landscape Plan for Lot A is a proposal to replace the non-conforming wooden deck structures and concrete pads with Permeable Hardscape Structures. The Plan also was developed with respect for privacy, as well as address light quality and shading concerns for both the above-mentioned lot and adjacent properties.

- All Hardscape surfaces shall be placed on compacted lifts of aggregate utilizing French Drains and Drain Curtains for both structural integrity as well as site drainage capacity.
- Hardscapes shall be constructed with permeable surfaces, or sufficient breaks in contiguous surfaces, allowing surface water to filter and drain.
- Hydra Press Heavy Pavers and Aggregate is proposed for walkways spaced on a grid pattern to facilitate site drainage.
- Cast in Place Concrete and Aggregate is proposed for patios and Entrances in such a manner to facilitate site drainage.

Lot B

The Proposed landscape Plan is intended to utilize the site, balancing both Hardscape and Softscape components. Drainage capacity, privacy and light quality primarily shading were addressed in all aspects of the planning process. Hardscapes shall be constructed and configured to prevent surface water from migrating. Permeable Hardscape structures are proposed.

- All Hardscape surfaces shall be placed on compacted lifts of aggregate utilizing French Drains and Drain Curtains for both structural integrity as well as site drainage capacity.
- Hardscapes shall be constructed with permeable surfaces, or sufficient breaks in contiguous surfaces allowing surface water to filter and drain.
- Hydra Press Heavy Pavers and Aggregate is proposed for Walkways spaced on a grid pattern to facilitate site drainage.
- Cast in Place Concrete and Aggregate is proposed for Patios and Entrances to facilitate site drainage.

Sincerely,

Larry Myers
Alfresco Living Design

**SUMMARY
SMALL LOT HOUSE REZONING PETITION**

I, Peter Waldburger
(applicant), have petitioned the adjacent neighbours in compliance with

the *Small Lot House Rezoning Policies* for a small lot house to be located at 62 Cambridge
(location of proposed house)

and the petitions submitted are those collected by _____
(date)

Address	Total of Voting Age Renters and Owners	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
57 Cambridge St		✓		
81 Cambridge St			✓	
50 Woodstock Ave		✓		
1150 Woodstock Ave			✓	
1149 Faithful St			✓	
1147 Faithful St			✓	
85 Cambridge St			✓	
1145 Woodstock St		✓		
77 Cambridge St			✓	

SUMMARY	Number	%
IN FAVOUR	3	33%
OPPOSED	56	67%
TOTAL RESPONSES	9	100%

*Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Wildhaber
(print name), am conducting the petition requirements for the

property located at 62 Cambridge St

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) RON SEWARD - LORIE GERRARD

ADDRESS: 57 CAMBRIDGE ST

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

APR 28, 2012
Date

Peter Wildhaber
Signature

L.R. March 2/2012-2013

p 1073



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber
(print name)

, am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R152

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) HOME OWNER (see addendum)

ADDRESS: CAMBRIDGE ST. VICTORIA BC

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

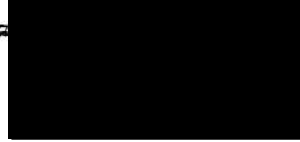
- The proposed house is way too big for the lot because it goes over the rear yard of 1149 Faithful Street to the point of the Suni. That house has been an old garden at that location for 30+ years.*
- There is way too much vehicle traffic on this short, narrow street another home (residence) will clutter the already clutter road. There are too many vehicles parked roadside on this street with vehicles coming going throughout the day and night.*
- There are up to 5x vehicles associated with houses on this st. which has better way out of hand because they all park on the street allowing for only single lane traffic.*

2013-03-02
Date

Signature

(OVER)

- The current property owner of 62 Cambridge Street has 3x suites in the existing house and he has not provided sufficient parking to accommodate these 3x suites on the property.
- I am opposed to this application.



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchke
(print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to **determine the acceptability** of the **proposal**. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and **will be published in a meeting agenda** when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and **will disclose this personal information**. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Leslie HOGYA

ADDRESS: 50 Cambridge St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

June 2/2012
Date

March 4/2013

Leslie Hogya
Signature



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber
(print name)

, am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1 S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Rose M. Sommerstad (see note above)

ADDRESS: 1150 Woodstock Ave. Victoria V8V 2R1

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

Attached - LETTER SUBMITTED

Sept 15, 2012
Date

R. M. Sommerstad
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchuk
(print name)

, am conducting the petition requirements for the

property located at 62 Cambridge St

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Derek Reimer & Maxine Charlesworth

ADDRESS: 1149 Faithful St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

• building is too large, too high & too close to our property line

• too much loss of light in our backyard

• short setback on proposed "side" yard very near our "back" yard

Date

May 19, 2012

March 2/13

DR

Signature

Derek Reimer

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Wadiche
(print name)

, am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R52

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Jean-Pierre VERAN + Marie-Josée LEPAGE

ADDRESS: 1147 FAITHFUL ST VICTORIA BC V8V 2R5

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

* The proposed building is too large and too high compared to the size of the subdivided lot

* The proposed building would be very close to our backyard, and its top floor would directly overlook it, therefore significantly impacting our privacy

* The current house at 62 Cambridge St appears to be already organized in multiple living units. Subdividing the lot and adding a new house could lead to a very high density of residents in our close neighbourhood.

June 16, 2012
Date

J. Veran
Signature

Jean-Pierre VERAN

M. Lepage
Signature

Marie-Josée LEPAGE

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchube, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge St

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) PENELOPE EARNSHAW

ADDRESS: 85 CAMBRIDGE STREET

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

- ☐ I support the application.
☒ I am opposed to the application.

Comments:

- Vehicle come + go up + down this street
- Parking at (proposed) existing house, not enough
parking spaces. All units have at least 1 car
per suite.
- Traffic - currently one lane only, due to the many
vehicles parked along street
I have put up with 5 YRS of Renos with adjacent
to me and they are still continuing.
The Home owner at 1149 Faithful is on his
Rear Garden 24-7. The Proposed house will
miss his garden, leaving him with NO Sunlight.

March 2/13
Date

M. P. Earnshaw
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge St

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Valerie Stanley-Jones

ADDRESS: 1145 Woodstock Ave

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application. see below

☐ I am opposed to the application.

Comments:

- My only 2 provisos for my approval/support are:
- # 1. That there is enough space to park a second standard sized car in the driveway of the garage (ie parking for 2 cars).
 - # 2 If either or both of the trees have to come down, or die within the three years of the construction, that Peter Waldhuber (or a new owner) be required to replacement(s) in the form of similar oxygen producing tree(s), within less than one year of their demise.

*2 parkin
tree*

June 2, 2012
Date March 9, 2013

[Signature]
Signature



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber

(print name)

, am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1 S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) ROBERT Boudreau (see note above)

ADDRESS: 77 Cambridge St, Victoria BC,

Are you the registered owner? Yes ☒ No ☐ V8V 4A7

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

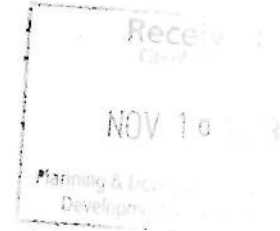
Comments:

Attached

Oct. 15, 2012.
Date

[Signature]
Signature

**SUMMARY
SMALL LOT HOUSE REZONING PETITION**



I, Peter Walldhuber, have petitioned the adjacent neighbours in compliance with
(applicant)

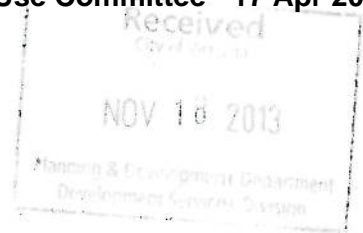
the *Small Lot House Rezoning Policies* for a small lot house to be located at 62 Cambridge St
(location of proposed house)

and the petitions submitted are those collected by _____.*
(date)

Address	Total of Voting Age Renters and Owners	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
57 Cambridge St		✓		
81 Cambridge St			✓	
50 Cambridge St		✓		
1145 Woodstock Ave		✓		
1150 Woodstock Ave			✓	
1149 Faithful St			✓	
1147 Faithful St			✓	
85 Cambridge St		✓		
53 Cambridge St		✓		
77 Cambridge St				✓

SUMMARY	Number	%
IN FAVOUR	5	55
OPPOSED	4	45
TOTAL RESPONSES	9	100%

*Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchuker
(print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be notified to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) RON SEWARD - LORIE GERRARD

ADDRESS: 57 CAMBRIDGE ST

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

APR 28, 2012
Date

Don Seward
Signature

L.H. March 2/2013

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber
(print name)

, am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R152

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) HOME OWNER (see addendum)

ADDRESS: CAMBRIDGE ST. VICTORIA BC

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

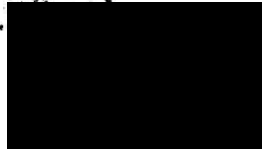
Comments:

- "The proposed house is way too big for the lot because it goes over the rearward 12 ft 49 ft full Street to the point of No Sun. That remainder has been an old garden at that location for 30+ years.
- "There is a lot of vehicle traffic on this short narrow street and the house (residence) will clutter the already cluttered road. There are too many vehicles parked roadside on this street with vehicles coming going throughout the day and night.
- "There are up to 5x vehicles associated with houses on this street which has gotten way out of hand because they all park on the street allowing for only single lane traffic.

(OVER)

2013-03-02
Date

- The current property owner of 62 Cambridge Street has 3x suites in the existing house and he has not provided sufficient parking to accommodate these 3x suites on the property.
- I am opposed to this application.





SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchuk
(print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Leslie HOGYA

ADDRESS: 50 Cambridge St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

June 2/2012
Date
March 4/2013

Leslie Hogya
Signature

SMALL LOT HOUSE REZONING PETITION



In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber
(print name), am conducting the petition requirements for the
property located at 62 Cambridge St.
to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Valerie Stanley-Jones

ADDRESS: 1145 Woodstock Ave

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application. see below

☐ I am opposed to the application.

Comments:

- My only 2 provisos for my approval/support are:
- # 1. That there is enough space to park a second standard sized car in the driveway of the garage (ie parking for 2 cars).
 - # 2 If either or both of the trees have to come down, or die within the three years of the construction, that Peter Waldhuber (or a new owner) be required to replacement(s) in the form of similar oxygen producing tree(s), within less than one year of their demise.

2. 20m tree

June 2, 2012
Date March 9, 2013

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge St.

to the following Small Lot Zone: R1 S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Rose M. Sommerstad (see note above)

ADDRESS: 1150 Woodstock Ave. Victoria V8V 2R1

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

Attached - LETTER SUBMITTED

Sept 15, 2012
Date

R. M. Sommerstad
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchhuber
(print name), am conducting the petition requirements for the

property located at 62 Cambridge St

to the following Small Lot Zone: B1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Derek Reimer + Maxine Charlesworth

ADDRESS: 1149 Faithful St.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

- ☐ I support the application.
- ☒ I am opposed to the application.

Comments:

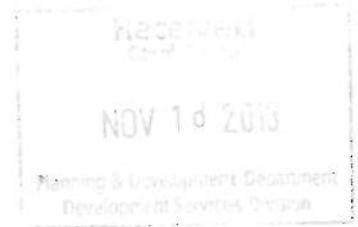
- building is too large, too high + too close to our property line
- too much loss of light in our backyard
- short setback on proposed "side" yard very near our "back" yard

May 19, 2012
Date

March 2/13

XR

Derek Reimer + Maxine Charlesworth
Signature



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhimer (print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: RIS2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Jean-Pierre VERAN + Marie-Josée LEPAGE

ADDRESS: 1147 FAITHFUL ST VICTORIA BC V8V 2R5

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

* The proposed building is too large and too high compared to the size of the sub-divided lot

* The proposed building would be very close to our backyard, and its top floor would directly overlook it, therefore significantly impacting our privacy

* The current house at 62 Cambridge St appears to be already organized in multiple living units. Subdividing the lot and adding a new house could lead to a very high density of residents in our close neighbourhood

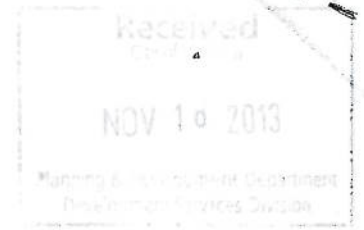
June 16, 2012
Date

Jean-Pierre Veran
Signature

Jean-Pierre VERAN

Marie-Josée Lepage
Signature

Marie-Josée LEPAGE



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchman, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge St.

to the following Small Lot Zone: B1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) PEWELPE D. EARNSHAW

ADDRESS: 85 CAMBRIDGE STREET

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Oct 29/2013
Date

Mrs P. Earnshaw
Signature



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge St

to the following Small Lot Zone: R1S2

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) DOROTHY DAY

ADDRESS: 53 CAMBRIDGE ST

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

April 28/2012
Date

Dorothy Day
Signature

October 20, 2012

From: Jean-Pierre Véran & Marie-Josée Lepage
1147 Faithful St
Victoria, BC, V8V 2R5
[REDACTED]

To: Councillor Pamela Madoff
c/o 1 Centennial Square
Victoria, BC, V8W 1P6

Re: Opposition to the proposed development at 62 Cambridge St.

Dear Ms. Madoff,

We are writing to express our concerns about the development at 62 Cambridge Street, as proposed by the current owner. This development calls for a large two-story house, which would be built on a small lot and therefore would stand close to the property lines on all sides. Yet, the configuration of the city block at this location is such that this house would directly overlook the backyards of the three adjacent properties, including ours. If this project were to go ahead then, we would lose both precious sunlight and privacy. In a recent meeting at the Fairfield Community Association, we pressed the developer to explain why he could not build a more modest single story house, which would not impact his neighbours so much. His response was that a single story house would not have enough floor space to include a garage. However, when pressed more, he had to recognize that a garage is not absolutely required because there would be enough space to park a car in front of the house, but that "most people want a garage". Such a response clearly demonstrates to us that the developer's focus is on profit, not on sustainability and not on the well being of whom he calls "his" neighbours, even though he does not live here and does not intend to.

Although we are not necessarily opposed to a new development at 62 Cambridge Street, we are strongly opposed to this proposed development, because it is just too big. We very much hope that the City will take into consideration the property layout and backyard locations in our small block and reject the R1-S2 rezoning application.

Sincerely,

Jean-Pierre Véran

Marie-Josée Lepage

From: Helen Cain
Sent: Wednesday, Apr 9, 2014 11:15 AM
To: 'Derek Reimer'
Cc: Janet Hawkins; Christine Havelka
Subject: RE: Rezoning petitions -- 62 Cambridge St.

Hi Derek,

Thank you for clarifying the details of your letter. The City has received more than the four petitions that you mention in your e-mail below. This information is attached to a staff report on design revisions which has been submitted for consideration at the Planning and Land Use Committee (PLUC) on April 17, 2014. I am copying Legislative Services to ensure that your comments are included in the Councilors' PLUC agenda packages.

Sincerely,

Helen Cain MCIP RPP
Senior Planner
Community Planning and Sustainable Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0282 F 250.361.0388



From: Derek Reimer [mailto:]
Sent: Wednesday, Apr 9, 2014 10:30 AM
To: Helen Cain
Cc: Pam Madoff (Councillor)
Subject: Rezoning petitions -- 62 Cambridge St.

Helen Cain:

You asked for the addresses of the neighbours who have changed their positions from previously supporting to opposed (2) or from neutral to opposed (1):

From Supporting to Opposed:

85 Cambridge St. (This resident says in her petition that she felt "bullied" (her word) by the developer and this is why she was initially a supporter)
57 Cambridge St.

From Neutral to Opposed:

77 Cambridge St. (NB these people claim to have always been Opposed and should never have been listed as Neutral)

From Supporting to Neutral:

You should also have received a petition from the residents of 53 Cambridge St. They assured me that they would be delivering their petition personally to the Planning Department.

I hope these petitions have not gone missing -- like the minutes from the community meeting of September 17, 2012. However, if you are unable to locate them, I have photocopies of the petitions from 57, 77 and 85 Cambridge St. I do not have a copy of the petition from 53 Cambridge St.

Please feel free to contact me again if you have any further questions.

I will reiterate one point made in my letters of February 20th and February 21st. Sending this proposal forward to a public hearing at this time would violate the city's Small Lot Rezoning policy which states that before a public hearing may take place that the developer must show a satisfactory level of support from neighbouring properties (defined as 75% support) and that a "substantial consensus" must exist about the development. This precondition for a public hearing clearly does not exist. Support for the proposal is only around 25% of the immediate neighbours, perhaps even lower.

This proposal is not yet ready to go to a public hearing.

- Derek Reimer

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldbauer (print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) LUCIA DEWCB (see note above)

ADDRESS: 85 CAMBRIDGE ST VICTORIA BC V8N 1A7

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

13 Sep 14
Date

[Signature]
Signature

Planning & Land Use
Standing Committee

APR 17 2014

Page 81 of 194

Page# 30 A

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldbauer (print name), am conducting the petition requirements for the

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) Justin Levesque (see note above)

ADDRESS: 85 Cambridge St.

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

2/13/14
Date

[Signature]
Signature

Planning & Land Use Standing Committee	
APR 17 2014	
Late Item#	2
Page#	303

Janice Appleby

From: Helen Cain
Sent: Tuesday, Apr 15, 2014 11:54 AM
To: Janice Appleby
Cc: Derek Reimer [REDACTED]
Subject: FW: More petitions -- 62 Cambridge
Attachments: IMG.jpg; IMG_0001.jpg

Hi Derek,

I've forwarding your e-mail to Legislative Services.

Helen Cain

From: Derek Reimer [m [REDACTED]]
Sent: Tuesday, Apr 15, 2014 11:15 AM
To: Helen Cain
Cc: Pam Madoff (Councillor); Geoff Young (Councillor)
Subject: More petitions -- 62 Cambridge

Helen:

Attached are two petitions regarding the small lot rezoning proposal at 62 Cambridge. They are from Giles and Leslie Hoya at 50 Cambridge.

They are changing their votes from supporting to opposed.

They say that they had signed their support based on misinformation provided by the developer who told them that we (Derek Reimer and Maxine Charlesworth) were "pleased" with his proposal. We are not pleased and never have been. He also told them that the building had been moved back from our property line and this is not true. Despite having options to relocate this proposed building away from our property line it is still just 5 feet away with the eaves only 2 feet from our property.

With these new petitions the level of support from immediately adjacent properties is now only 2 of 10 (20%).

This proposal does not have and never has had widespread support from the neighbours or the community.

- Derek Reimer



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

PETER WALDHUBER, am conducting the petition requirements for the
(print name)

property located at 62 CAMBRIDGE ST

to the following Small Lot Zone: R1-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) GILES HOGAN (see note above)

ADDRESS: 50 CAMBRIDGE ST.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

TO BE A GOOD NEIGHBOUR, THE
HOUSE PROPOSED NEEDS TO BE
SITTED FURTHER FROM HIS
NORTHERN NEIGHBOUR.

15 APRIL
Date

[Signature]
Signature

Planning & Land Use
Standing Committee

APR 17 2014

Late Item# 2

Page# 30D

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Leslie Hogya ^{Peter Weisbr} ^{LPH}
(print name), am conducting the petition requirements for the

SMI property located at 52 Cambridge St
to the following Small Lot Zone: R152

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Leslie Hogya (see note above)

ADDRESS: 50 Cambridge St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

changed my support

Comments:

I am not opposed to a "small"
house on this lot.

I am opposed to the size of
house & how close it is to
neighbors NORTH side property

15 April 2014
Date

Les R Hogya
Signature

Planning & Land Use
Standing Committee

APR 17 2014

Late Item# 2

Page# 30E

Janice Appleby

From: Helen Cain
Sent: Tuesday, Apr 15, 2014 1:57 PM
To: Janice Appleby
Subject: FW: Opposition to proposed development at 62 Cambridge St
Attachments: Opposition62Cambridge.pdf

Hi Janice,

In a series of e-mails to follow, I'm forwarding everything that I've received from neighbours and other members of the public related to REZ 62 Cambridge Street.

Helen

-----Original Message-----

From: jveran [mailto:]
Sent: Monday, Apr 14, 2014 1:59 PM
To: Pam Madoff (Councillor); Helen Cain; Deborah Day
Subject: Re: Opposition to proposed development at 62 Cambridge St

Dear Ms. Madoff, Cain and Day,

Our neighbours informed us that the City does not have on file our petition against the proposed development at 62 Cambridge St. This is disappointing because we have repeatedly stated our opposition. Please see the attached letter that we sent twice to Councillor Madoff. Could you confirm that our vote against this project is properly accounted for?

Sincerely,

Jean-Pierre Veran and Marie-Josée Lepage
1147 Faithful St, Victoria BC

----- Original Message -----

From: "Jean-Pierre Véran" < >
To: "Pam Madoff" <pmadoff@victoria.ca>
Sent: Tuesday, February 25, 2014 7:00:46 AM
Subject: Re: Opposition to proposed development at 62 Cambridge St

Dear Ms. Madoff,

We noticed the "Land Use Application" sign at 62 Cambridge St, and wanted to remind you that we do not support the current development proposal. We would be grateful if you could help us make sure that the committees reviewing this proposal are aware of our concerns. I have attached the letter I sent you after the Sep 2012 community meeting, which summarizes our concerns.

Thanks a lot!

Jean-Pierre Véran and Marie-Josée Lepage
1147 Faithful St

On 2012-10-29, at 11:56 AM, Pam Madoff (Councillor) wrote:

> Thank you very much for your e-mail and the attached letter. I have been contacted by a number of neighbours and have also made a visit to the site to better understand the context of the proposal.

>
> The input that I have received from the neighbours has been most helpful and will greatly assist in my consideration of the proposal - should it advance to Council.
>
> Please do not hesitate to contact me if you have any questions in the future, specific to process, etc.
>
> Best regards,
> Pamela Madoff
> -----
> Sent from my BlackBerry Wireless Handheld
>
>
> ----- Original Message -----
> From: Jean-Pierre Véran [redacted]
> Sent: Sunday, October 28, 2012 10:44 PM
> To: Pam Madoff (Councillor)
> Subject: Opposition to proposed development at 62 Cambridge St
>
> Dear Ms Madoff,
>
> Please find attached a letter stating our opposition to the proposed development at 62 Cambridge St. We will send a signed copy to your City Hall office shortly. We thank you in advance for your help in resolving this issue that is causing significant worries to us and to our neighbours.
>
> Sincerely,
>
> Jean-Pierre Véran and Marie-Josée Lepage
> 1147 Faithful St
>
>

Janice Appleby

From: Helen Cain
Sent: Tuesday, Apr 15, 2014 1:57 PM
To: Janice Appleby
Subject: FW: 62 Cambridge -- Small Lot Rezoning Petitions

From: Derek Reimer [redacted]
Sent: Monday, Apr 14, 2014 4:09 PM
To: Pam Madoff (Councillor)
Cc: Helen Cain
Subject: 62 Cambridge -- Small Lot Rezoning Petitions

Dear Councillor Madoff:

You asked for some additional information about the Small Lot Rezoning Petitions for 62 Cambridge St.

The numbers reported in the petition summary are a gross misrepresentation of the facts about neighbourhood support for this project.

There are ten adjoining properties:

1147 and 1149 Faithful
50, 53, 57, 77, 81 and 85 Cambridge
1150 and 1150 Woodstock

The developer has double, triple -- and in one case quintuple -- counted for properties where he has support but for properties where multiple residents are opposed only one vote has been recorded. He has also counted as "Neutral" several properties that have consistently opposed his proposal. I suspect he has deliberately let some opposing petitions become stale dated. Finally, he has completely ignored the Sommerstads, next door neighbours who are unalterably opposed to his plan. He has not even included them in his list of neighbouring properties.

The true situation, counting one vote for each property is 6 Opposed, 3 Support, and 1 Neutral. The details are as follows:

Opposed (6):

1147 Faithful (the petition lists them as Neutral but these people have always been opposed; you have received several letters from these people stating their opposition)

1149 Faithful

85 Cambridge (formerly a supporter who says in her petition that her former support was "bullied" and that she has in fact always been opposed)

81 Cambridge (listed by the developer as Neutral but who but has always been strongly opposed; "refreshed" her petition today)

77 Cambridge

1150 Woodstock (the Sommerstads, next door neighbours and opposed since Day One but unaccountably left off the petition by the developer)

Support (3)

57 Cambridge (back and forth, back and forth, but most recently supporters)

50 Cambridge (a couple; counted by the developer as 2 votes)

1145 Woodstock (a rental property where I have never been able to find anyone home but counted as five votes by the developer)

Neutral/No vote/Expired

53 Cambridge (the owners assured me in mid-March that they would be submitting a Neutral petition directly to the Planning Department; they are currently out of town so I cannot confirm that they did this; in any event, not included by the developer)

The developer also lists two supporters at 85 Cambridge but there are no supporting petitions. These may be former tenants who no longer live there -- or maybe they have been simply "made up". Even if the developer is able to produce the signed petitions this would only have a marginal impact on the numbers.

The developer also included 48 Cambridge as Neutral in his count. This is not really an adjoining property but rather a duplex further down Cambridge St. In any event, a Neutral vote will have little impact on the overall picture and no document was produced by the developer.

Using "normal" statistics and a standard basis for counting (i.e., one vote per property) support for the current proposal is 30% (3 out of 10), 60% opposed (6 out of 10) with 10% Neutral. This is a far cry the 79% claimed by the developer using "funny math" and nowhere near the 75% required in the Rezoning policy.

I want to add two points:

First, I am very disappointed that the Planning staff has made no attempt to confirm the accuracy of the developer's claims regarding the level of neighbourhood and community support. It is very poor practice to ask City Council to make decisions based on bad information.

Second, this proposal clearly does not have a satisfactory level of support as defined in the City's Small Lot Rezoning policy and the low level of support shows that no "substantial consensus" exists. The policy states this consensus is a precondition of advancing to a public hearing. The application has not met important preconditions and it should NOT go to a public hearing at this time. **Any suggestion to send this proposal to a public hearing is premature and should be rejected as per City policy.**

- Derek Reimer

Janice Appleby

From: Helen Cain
Sent: Tuesday, Apr 15, 2014 1:58 PM
To: Janice Appleby
Subject: FW: opposition to development 62 Cambridge St.

From: Alison Meyer
Sent: Monday, Apr 14, 2014 4:31 PM
To: Helen Cain
Subject: FW: opposition to development 62 Cambridge St.

From: Pam Madoff (Councillor)
Sent: Monday, Apr 14, 2014 4:16 PM
To: Alison Meyer
Subject: Fw: opposition to development 62 Cambridge St.

FYI

From: Pam Madoff (Councillor)
Sent: Monday, April 14, 2014 04:15 PM
To: 'dlr47@shaw.ca' [REDACTED]
Subject: Re: opposition to development 62 Cambridge St.

Hello, Derek. Yes, I did receive this letter. I will forward to staff.

Pamela

From: Derek Reimer [REDACTED]
Sent: Monday, April 14, 2014 02:23 PM
To: Pam Madoff (Councillor)
Cc: Helen Cain; Deb Linehan <[REDACTED]>; Wayne Sommerstad [REDACTED]; Rose Sommerstad [REDACTED]
Subject: Fw: opposition to development 62 Cambridge St.

Pam:

Please confirm that you received this letter from the Sommerstad Family on February 20, 2014.

I can find no mention of it in the agenda package for April 18th and it contains a lot of relevant information. For example, it contains far better information about shading and privacy impacts of the proposed development than the Planning Department report that somehow concludes that a two story building less than five feet from our south property line would have "no shading" impact on our back yard. If you consider that for even a moment you can see how ridiculous a statement it is.

You also received a letter from Jean-Pierre Veran and Marie Lepage that is not included in the package.

- Derek Reimer

From: Deb Linehan
Sent: Thursday, February 20, 2014 1:04 AM
To: 'Derek Reimer' ; 'Wayne Sommerstad'
Cc: [REDACTED]
Subject: FW: opposition to development 62 Cambridge St.

From: Deb Linehan [mailto:[REDACTED]]
Sent: February 20, 2014 12:47 AM
To: 'pmadoff@victoria.ca'
Cc: 'mayor@victoria.ca'; 'malto@victoria.ca'; 'ccoleman@victoria.ca'; 'sgudgeon@victoria.ca'; 'lhelps@victoria.ca'; 'bisitt@victoria.ca'; 'cth Thornton-joe@victoria.ca'; 'gyoung@victoria.ca'
Subject: opposition to development 62 Cambridge St.

Dear honorable mayor and council,

I am writing to oppose the development proposal at 62 Cambridge St. My family owns the adjoining property at 1150 Woodstock Ave.

A meeting of the Fairfield Community Association was held in Sept. 2012, at which time substantial opposition was expressed by neighbours.

Recently, a proposal was put forth by the developer that the City of Victoria planning department staff has recommended be declined.

Refer

Planning and land use committee meeting January 23rd.

<https://victoria.civicweb.net/FileStorage/A2B698924B954A87B846E0A84100C0F0-Rezoning%20%2000380%20DP%20with%20Variance%20for%2062%20Cambridge.pdf>

It is our understanding that council may overturn the planning department recommendation in favor of a public hearing. The reasons for our opposition of a public hearing and also the development itself are outlined in the attached letter. I will also submit hard copies to city hall.

Many thanks for your consideration,

Deb Linehan
(250) 514-9054

Janice Appleby

From: Helen Cain
Sent: Tuesday, Apr 15, 2014 1:58 PM
To: Janice Appleby
Subject: FW: 62 Cambridge St. - rezoning petition
Attachments: IMG.jpg

From: Derek Reimer [mailto:dlr47@shaw.ca]
Sent: Monday, Apr 14, 2014 5:17 PM
To: Helen Cain
Cc: Pam Madoff (Councillor)
Subject: 62 Cambridge St. - rezoning petition

Helen:

Attached is a Small Lot House Rezoning Petition from [REDACTED] Cambridge St.

On the developer's most recent summary of petitions she is listed as "Neutral". In fact, she has always been opposed to this development and I suspect that the developer "forgot" to refresh this petition.

It is **one of three** opposing petitions that he forgot to refresh (see also 1150 Woodstock and 1147 Faithful). I note that he did manage to refresh a couple of supporting petitions.

I expect that this petition will be included as an addendum to Thursday's agenda package. If for some reason this will not be the case I hope you will advise me of the reasons.

- Derek Reimer

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Rita Waldhuber (print name), am conducting the petition requirements for the

property located at 62 Cambridge St

to the following Small Lot Zone: R152

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) [REDACTED] (see note above)

ADDRESS: [REDACTED] Cambridge

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

- ☐ I support the application.
☒ I am opposed to the application.

Comments:

by per my earlier concerns
- House too large
- Too close to property line of 1449 Faithful
- parking is already a problem on street
NB I have always been opposed to this development.

2014-04-14
 Date

[REDACTED]
 Signature
[REDACTED] Cambridge St.

Janice Appleby

From: Ming Moodrey
Sent: Tuesday, Apr 15, 2014 1:03 PM
To: Janice Appleby
Subject: FW: Meeting April 17 Updated information Development 62 Cambridge St. - FWD From Mayor - to Mayor & Council
Attachments: opposition 62 Cambridge St. development.docx

Ming Moodrey
Corporate Administration Secretary
Department of Legislative and Corporate Services
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0346 F 250.361.0348



From: Pam Delaney **On Behalf Of** Mayor (Dean Fortin)
Sent: Tuesday, Apr 15, 2014 1:00 PM
To: Ming Moodrey
Cc: Linda Rains
Subject: FW: Meeting April 17 Updated information Development 62 Cambridge St. - FWD From Mayor - to Mayor & Council

From: Deb Linehan [mailto:████████████████████]
Sent: Monday, Apr 14, 2014 11:45 PM
To: Pam Madoff (Councillor); Mayor (Dean Fortin); Marianne Alto; Chris Coleman (Councillor); Shellie Gudgeon; Lisa Helps; Ben Isitt; Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)
Cc: Helen Cain; Deborah Day
Subject: FW: Meeting April 17 Updated information Development 62 Cambridge St.

Dear honourable mayor and council:

It comes to our late attention that an agenda item has been set for you this coming April 17th to approve a public hearing for the development at 62 Cambridge. We are surprised, as we have had no communication on the matter. In reviewing the package that you received we would like to point out some errors. In addition, we would like to have some clarification on the protocol of completing a petition as it appears this petition inconsistently counts votes. The table below represents in black font (submitted) and in red font (corrections) plus other questions noted next.

For instance:

Our home at 1150 Woodstock Ave. (adjoining to 62 Cambridge) was **not even included** in the petition votes. Our letters were not included in the package (most recent attached here again). This letter includes a shading analysis which stands in opposition of the applicants proposal. Two other opposing neighbours are listed as neutral in error and not counted in the vote. Section 4.4 notes the applicant is responsible for refreshing all votes that are over 6 months old. The petition appears to ignore the status of opposing votes.

It also seems odd that some properties have multiple votes for owners/renters. Are votes counted by unit or number of people? For example, does the home at 1145 Woodstock Ave. have 4 rental units in it or 4 renters? In this petition, opposing votes get 1 vote regardless of number of occupants.

Section 4.4 states "Satisfactory support is considered to be support in writing for the project by 75% of the neighbours." Regardless of the strange accounting of votes that appears stacked against the opposed, there is still not 75% consensus.

In summary, we are quite dismayed at the lack of transparency and the inaccurate communication. As homeowners, we do not feel well represented in the push towards this development.

Deb Linehan (owner 1150 Woodstock Ave.)
(250) 514-9054

Address	In favor	Opposed	Neutral	Notes
1147 Faithful		1 vote (2)	x	A letter is on file signed by both owners opposing, former petition signed in opposition. Applicant is obligated to update
1149 Faithful		1 vote (2)		Should this count two votes like 50 Cambridge?
1150 Woodstock Ave		No vote was included (3)		Not even included on applicants list and there are 3 owners opposed.
1145 Woodstock	5 votes			One owner and 4 tenants? Are there 4 rental units in this house? Is that legal?
48 Cambridge			x	Not qualified as adjacent property
50 Cambridge	2 votes			Are there 2 rental units in this house or 2 owners?
57 Cambridge	2 votes			Are there 2 rental units in this house or 2 owners?
77 Cambridge		X (1)		
81 Cambridge		X (1)	x	Has been refreshed as opposed
85 Cambridge		X (1)		
85 Cambridge	2 votes			Are there two rental units in this house or is the two renters?
	11 votes for 4 properties	3 votes Should be 6 Votes	3	
		10 owners		
summary	11	3		79% approved
Revised summary	11	6		65% approved 35% opposed (at minimum)

From: Deb Linehan [mailto:████████████████████]
Sent: February 20, 2014 12:47 AM
To: 'pmadoff@victoria.ca'
Cc: 'mayor@victoria.ca'; 'malto@victoria.ca'; 'ccoleman@victoria.ca'; 'sgudgeon@victoria.ca'; 'lhelps@victoria.ca'; 'bisitt@victoria.ca'; 'cth Thornton-joe@victoria.ca'; 'gyoung@victoria.ca'
Subject: opposition to development 62 Cambridge St.

Dear honorable mayor and council,

I am writing to oppose the development proposal at 62 Cambridge St. My family owns the adjoining property at 1150 Woodstock Ave.

A meeting of the Fairfield Community Association was held in Sept. 2012, at which time substantial opposition was expressed by neighbours. Recently, a proposal was put forth by the developer that the City of Victoria planning department staff has recommended be declined.

Refer

Planning and land use committee meeting January 23rd.

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It is our understanding that council may overturn the planning department recommendation in favor of a public hearing. The reasons for our opposition of a public hearing and also the development itself are outlined in the attached letter. I will also submit hard copies to city hall.

Many thanks for your consideration,

Deb Linehan
████████████████████

City of Victoria

Councillor Pamela Madoff

c/o 1 Centennial Square

Victoria, BC V8W 1P6

Feb 20, 2014

Dear Ms. Madoff,

Re: 62 Cambridge St. – Proposed development

We are the owners of the adjacent property on the west side. Our address is 1150 Woodstock Ave.

We object to this rezoning and development for the following reasons.

1. **Planning recommendation.** The proposal was *rejected* by the City of Victoria planning department. Notwithstanding the recommended decline, we understand that city council is still contemplating a public hearing on the matter.
2. **New and old variances.** The two houses will have many variances. The existing house has 5 variances from the R1-B standard, including *height and floor area*, all of which have now been accepted as legal. The new house would have 2 variances (*setback and total floor area*) from the R1-S2 standard. We object to the overall size of the project.
3. **Enforcement.** The existing house has been an “illegal” triplex for many years and the city seemed unable to remedy this. While the present owner states that he will maintain this house as single family with an approved secondary suite from here on, there are no

guarantees that this will always be the case. This is not to suggest that Peter Walddhuber intends to do this, but this property could be sold and the new owner could. And again, the city would probably not enforce the zoning restrictions for this property. Then there would be 4 families on the property.

4. **Traffic and parking.** The second house would add to traffic and parking concerns for the street, which is already very congested.
5. **Neighbourhood support.** The small lot house rezoning policy (October 14, 2004) rule allows 10 neighbours to “vote” on this particular proposal. With reference to the polling of neighbours as to ascertain their acceptance of the development, the favourable responses have been from residences some distance away. Two are from around the corner on a different street and do not have a direct line of sight to the proposed new house. *They will not even be able to see it.* It would seem to me that the adjoining properties should have a greater say than those who are far away and without the approval of all of the adjoining properties, the required 75% approval will never be attained.

If the required 75% approval rule is disregarded by the city, then three new neighbours have been added to those objecting, one of which will be affected by the shading in the morning.

6. **Shading.** The shading analysis done by a third party landscaping contractor is very misleading. We would like to know if the analysis was commissioned and paid for by the developer. The profile was obtained for high noon on the 21st day of July. The contractor probably meant to use June 21 when the sun is at its maximum height, but the difference between these dates is small as the sun’s declination changes very little as the sun slowly

drifts through its solstice. To make a point through exaggeration, *even the Empire State building would not have a shade profile if the sun was directly overhead.* A more meaningful shade profile would be one done in the winter months when it is cold and damp. This is when the sun's warmth is really appreciated. Also, the submitted shade profile is shown with an elevated property profile and the *neighbouring property is omitted so you do not see the extent of the shade.*

To provide a true picture of the shading on Derek Reimer's property *and* our property, I have provided some alternative dates and times. Using noon to reveal the shading on Derek's property, one date is December 21, when the sun is at its lowest, and the other dates are November 1, March 1, July 21 and June 21. Then another profile uses 10 am on the same dates to reveal the shading on our property on Woodstock Ave. See attached appendix for the calculations.

At noon on December 21 the length of the noon shadow is 69.60 feet, on November 1 it is 45.029 feet and on March 1 it is 33.623 feet. **This not only covers Derek's back yard but his house as well.**

At 10 am on December 21, the shadow reaches 104.247 feet across **our** back yard *and* adjoining neighbour's back yard. On November 1 the shadow reaches 56.923 feet and on March 1, the shadow reaches 47.464 feet. Of course, by noon, it is not so bad for us but then it is Derek's problem again.

7. **Privacy.** Streets and houses are built so that the houses are in line and their respective back yards are also in line. This provided the maximum amount of view, privacy and enjoyment of your property. The proposed new 2 story development destroys that configuration as it is in line with and overlooking our back yard. It is bad enough that the

existing house on 62 Cambridge is a 3 story and over height, let alone add another house on the property.

8. **Deviation from the stated principles of the Small Lot House Rezoning Policy of October, 2004.** The policy guidelines stress the importance of “shadowing, privacy, sunlight and air space... and seasonal sun angles” (section 3.1 of strategies); and relates to the “privacy, landscaping, sunlight, view and parking” (section 4.2 of neighbours’ values). The small lot house design guidelines stress the importance of “...preventing the overshadowing of existing yards...” and maintaining privacy and significant views for the neighbours” (section 3.1).

In conclusion, I doubt any of you would want a 24 foot structure up against your back fence and neither do we. We have owned this property for about 35 years and I think Derek has also. It would be devastating to see the city agree to the destruction of the ambiance and enjoyment of what we have called home for so long.

Yours truly,

The Sommerstad family

Deb Linehan

Wayne Sommerstad

Rose Sommerstad

Appendix 1 – Calculation of shading for different times and dates

What is really required for accurate calculation of shading is the sun's elevation. The formula for the sun's elevation at solar noon is 90 degrees less the latitude of the proposed house plus the sun's declination for that time and date. The tangent of the elevation is obtained through tables. Then the height of the proposed house is divided by the tangent to obtain the length of the shadow.

The exact latitude and longitude of the proposed house is 48.4095 degrees north and 123.3552 degrees west, which was obtained from Google Maps. Solar noon is 12:14 pm. The height of the house is 22.83 feet (6.96m).

Calculations are as follows:

Shadowing effect on Dereck Reimer's property – 1149 Faithful St.			
Solar noon on date	Elevation	Tangent	Length of shadow (ft)
June 21	65.03 degrees	2.147	10.63
July 21	61.93	1.875	12.176
Nov 1	26.87	0.507	45.029
Dec 21	18.15	0.328	69.60
March 1	34.16	0.679	33.623
Shadowing effect on Sommerstad property – 1150 Woodstock Ave.			
10 a.m. on date	Elevation	Tangent	Length of shadow (ft)
June 21	53.46	1.350	16.911
July 21	50.38	1.208	18.899
Nov 1	21.86	0.401	56.932
Dec 21	12.35	0.219	104.247
March 1	25.67	0.481	47.464

Janice Appleby

From: Helen Cain
Sent: Tuesday, Apr 15, 2014 2:00 PM
To: Janice Appleby
Subject: FW: More petitions -- 62 Cambridge
Attachments: IMG.jpg; IMG_0001.jpg

From: Derek Reimer [REDACTED]
Sent: Tuesday, Apr 15, 2014 11:15 AM
To: Helen Cain
Cc: Pam Madoff (Councillor); Geoff Young (Councillor)
Subject: More petitions -- 62 Cambridge

Helen:

Attached are two petitions regarding the small lot rezoning proposal at 62 Cambridge. They are from Giles and Leslie Hoya at 50 Cambridge.

They are changing their votes from supporting to opposed.

They say that they had signed their support based on misinformation provided by the developer who told them that we (Derek Reimer and Maxine Charlesworth) were "pleased" with his proposal. We are not pleased and never have been. He also told them that the building had been moved back from our property line and this is not true. Despite having options to relocate this proposed building away from our property line it is still just 5 feet away with the eaves only 2 feet from our property.

With these new petitions the level of support from immediately adjacent properties is now only 2 of 10 (20%).

This proposal does not have and never has had widespread support from the neighbours or the community.

- Derek Reimer

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

PETER WALDHUBER, am conducting the petition requirements for the
(print name)

property located at 62 CAMBRIDGE ST

to the following Small Lot Zone: R1-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) GILLES HOGAN (see note above)

ADDRESS: 50 CAMBRIDGE ST.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

TO BE A GOOD NEIGHBOUR, THE
HOUSE PROPOSED NEEDS TO BE
SITTED FURTHER FROM HIS
NORTHERN NEIGHBOUR.

15 APRIL
Date


Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Leslie Peter Weisbach Ltd
~~Leslie Hogya~~
 (print name), am conducting the petition requirements for the

SMI property located at 52 Cambridge St
 to the following Small Lot Zone: R152

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Leslie Hogya (see note above)

ADDRESS: 50 Cambridge St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

changed my support

Comments:

I am NOT opposed to a "small"
house on this lot.

I am opposed to the size of
house - how close it is to
neighbors NORTH side property

15 April 2014
 Date

Les R Hogya
 Signature

Janice Appleby

From: Helen Cain
Sent: Tuesday, Apr 15, 2014 2:00 PM
To: Janice Appleby
Subject: FW: Rezoning application for 62 Cambridge St.

-----Original Message-----

From: Wayne Sommerstad [mailto:wayne.sommerstad@cityofvictoria.ca]
Sent: Tuesday, Apr 15, 2014 10:59 AM
To: Helen Cain
Cc: Deborah Day; Alison Meyer
Subject: Rezoning application for 62 Cambridge St.

City of Victoria
Planning and Development

Attn: Helen Cain, Deb Day, Allison Meyer

Dear Helen and Deb,

Re: Application to rezone 62 Cambridge St.

I am a joint owner of 1150 Woodstock Ave, which an adjoining property to 62 Cambridge.

A previous application for this property rezoning did not receive the planning department's approval and apparently a new submission has been filed.

One problem with the new submission is the counting of neighbourhood supporters. There are 10 eligible houses but the number of voters as swelled to much more than that. Furthermore, it seems that those who do not support the application have been somehow been counted as supporters.

To avoid any careless conclusions, some serious independent empirical evidence of the true vote is required. The best remedy is a vote conducted by city employees. I am not sure how independent you are from influence or pressure by city councilors but a city vote would go a long way towards avoiding any future legal challenges to decisions made regarding this development.

Regards,

Wayne Sommerstad

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber

(print name)

, am conducting the petition requirements for the property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) WAYNE SOMMERSTAD (see note above)

ADDRESS: 1150 WOODSTOCK AVE

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

As 1150 Woodstock is a legal duplex, do I
get a vote on both 1150a Woodstock + 1150b Woodstock?

Apr 15/2014
Date

Wayne Sommerstad
Signature

Janice Appleby

From: Deb Linehan [mailto: [REDACTED]]
Sent: Tuesday, Apr 15, 2014 11:32 PM
To: Janice Appleby; Helen Cain; Alison Meyer
Cc: Pam Madoff (Councillor)
Subject: FW: Meeting April 17 Updated information Development application #00380 62 Cambridge St.
Attachments: opposition 62 Cambridge St. development.docx; John Sommerstad 1150 Woodstock.pdf; Rose Sommerstad.pdf; Debora Linehan (Sommerstad) 1150 Woodstock Ave.pdf; Wayne Sommerstad 1150 Woodstock Ave.JPG

Dear city planning and land use committee,

Included here are the petitions of the 3 owners and 1 resident at 1150 Woodstock Ave. Please revise city council package for meeting this Thursday, April 17th. As noted in our previous communication, 1150 Woodstock Ave was omitted from the petition. Based on recent inclusions of opposed votes, we calculate at least 59% opposed. Revisions noted in table below, based on counting votes per person. We also note the approved signed petitions for 85 Cambridge were not included in the package. If you do not have this documentation, we suggest those votes should be removed.

Please acknowledge receipt and current status of the meeting package

Many thanks

Deb Linehan (Sommerstad owner 1150 Woodstock Ave)
 (250) 514-9054

From: Deb Linehan [mailto: [REDACTED]]
Sent: April 14, 2014 11:45 PM
To: 'pmadoff@victoria.ca'; 'mayor@victoria.ca'; 'malto@victoria.ca'; 'ccoleman@victoria.ca'; 'sgudgeon@victoria.ca'; 'lhelps@victoria.ca'; 'bisitt@victoria.ca'; 'cth Thornton-joe@victoria.ca'; 'gyoung@victoria.ca'
Cc: 'hcain@victoria.ca'; 'dday@victoria.ca'
Subject: FW: Meeting April 17 Updated information Development 62 Cambridge St.

Dear honourable mayor and council:

It comes to our late attention that an agenda item has been set for you this coming April 17th to approve a public hearing for the development at 62 Cambridge. We are surprised, as we have had no communication on the matter. In reviewing the package that you received we would like to point out some errors. In addition, we would like to have some clarification on the protocol of completing a petition as it appears this petition inconsistently counts votes. The table below represents in black font (submitted) and in red font (corrections) plus other questions noted next.

For instance:

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It also seems odd that some properties have multiple votes for owners/renters. Are votes counted by unit or number of people? For example, does the home at 1145 Woodstock Ave. have 4 rental units in it or 4 renters? In this petition, opposing votes get 1 vote regardless of number of occupants.

Section 4.4 states "Satisfactory support is considered to be support in writing for the project by 75% of the neighbours." Regardless of the strange accounting of votes that appears stacked against the opposed, there is still not 75% consensus.

In summary, we are quite dismayed at the lack of transparency and the inaccurate communication. As homeowners, we do not feel well represented in the push towards this development.

Deb Linehan (owner 1150 Woodstock Ave.)
(250) 514-9054

Address	In favor	Opposed	Neutral	Notes
1147 Faithful		1 vote (2)	x	A letter is on file signed by both owners opposing, former petition signed in opposition. Applicant is obligated to update
1149 Faithful		1 vote (2)		Should this count two votes like 50 Cambridge?
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48 Cambridge			x	Not qualified as adjacent property
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	11 votes for 4 properties	3 votes Should be 6 Votes	3	
		10 owners		
summary	11	3		79% approved
Revised summary April 14	11	6		65% approved 35% opposed (at minimum)
Revision	9	13		41% approved

April 15				59% opposed (at minimum)
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From: Deb Linehan [REDACTED]
Sent: February 20, 2014 12:47 AM
To: 'pmadoff@victoria.ca'
Cc: 'mayor@victoria.ca'; 'malto@victoria.ca'; 'ccoleman@victoria.ca'; 'sgudgeon@victoria.ca'; 'lhelps@victoria.ca'; 'bisitt@victoria.ca'; 'cth Thornton-joe@victoria.ca'; 'gyoung@victoria.ca'
Subject: opposition to development 62 Cambridge St.

Dear honorable mayor and council,

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A meeting of the Fairfield Community Association was held in Sept. 2012, at which time substantial opposition was expressed by neighbours.

Recently, a proposal was put forth by the developer that the City of Victoria planning department staff has recommended be declined.

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Planning and land use committee meeting January 23rd.

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Many thanks for your consideration,

Deb Linehan
[REDACTED]

City of Victoria

Councillor Pamela Madoff

c/o 1 Centennial Square

Victoria, BC V8W 1P6

Feb 20, 2014

Dear Ms. Madoff,

Re: 62 Cambridge St. – Proposed development

We are the owners of the adjacent property on the west side. Our address is 1150 Woodstock Ave.

We object to this rezoning and development for the following reasons.

1. **Planning recommendation.** The proposal was *rejected* by the City of Victoria planning department. Notwithstanding the recommended decline, we understand that city council is still contemplating a public hearing on the matter.
2. **New and old variances.** The two houses will have many variances. The existing house has 5 variances from the R1-B standard, including *height and floor area*, all of which have now been accepted as legal. The new house would have 2 variances (*setback and total floor area*) from the R1-S2 standard. We object to the overall size of the project.
3. **Enforcement.** The existing house has been an “illegal” triplex for many years and the city seemed unable to remedy this. While the present owner states that he will maintain this house as single family with an approved secondary suite from here on, there are no

guarantees that this will always be the case. This is not to suggest that Peter Waldhuber intends to do this, but this property could be sold and the new owner could. And again, the city would probably not enforce the zoning restrictions for this property. Then there would be 4 families on the property.

4. **Traffic and parking.** The second house would add to traffic and parking concerns for the street, which is already very congested.
5. **Neighbourhood support.** The small lot house rezoning policy (October 14, 2004) rule allows 10 neighbours to “vote” on this particular proposal. With reference to the polling of neighbours as to ascertain their acceptance of the development, the favourable responses have been from residences some distance away. Two are from around the corner on a different street and do not have a direct line of sight to the proposed new house. *They will not even be able to see it.* It would seem to me that the adjoining properties should have a greater say than those who are far away and without the approval of all of the adjoining properties, the required 75% approval will never be attained.

If the required 75% approval rule is disregarded by the city, then three new neighbours have been added to those objecting, one of which will be affected by the shading in the morning.

6. **Shading.** The shading analysis done by a third party landscaping contractor is very misleading. We would like to know if the analysis was commissioned and paid for by the developer. The profile was obtained for high noon on the 21st day of July. The contractor probably meant to use June 21 when the sun is at its maximum height, but the difference between these dates is small as the sun’s declination changes very little as the sun slowly

drifts through its solstice. To make a point through exaggeration, *even the Empire State building would not have a shade profile if the sun was directly overhead.* A more meaningful shade profile would be one done in the winter months when it is cold and damp. This is when the sun's warmth is really appreciated. Also, the submitted shade profile is shown with an elevated property profile and the *neighbouring property is omitted so you do not see the extent of the shade.*

To provide a true picture of the shading on Derek Reimer's property *and* our property, I have provided some alternative dates and times. Using noon to reveal the shading on Derek's property, one date is December 21, when the sun is at its lowest, and the other dates are November 1, March 1, July 21 and June 21. Then another profile uses 10 am on the same dates to reveal the shading on our property on Woodstock Ave. See attached appendix for the calculations.

At noon on December 21 the length of the noon shadow is 69.60 feet, on November 1 it is 45.029 feet and on March 1 it is 33.623 feet. **This not only covers Derek's back yard but his house as well.**

At 10 am on December 21, the shadow reaches 104.247 feet across **our** back yard *and* adjoining neighbour's back yard. On November 1 the shadow reaches 56.923 feet and on March 1, the shadow reaches 47.464 feet. Of course, by noon, it is not so bad for us but then it is Derek's problem again.

7. **Privacy.** Streets and houses are built so that the houses are in line and their respective back yards are also in line. This provided the maximum amount of view, privacy and enjoyment of your property. The proposed new 2 story development destroys that configuration as it is in line with and overlooking our back yard. It is bad enough that the

existing house on 62 Cambridge is a 3 story and over height, let alone add another house on the property.

8. **Deviation from the stated principles of the Small Lot House Rezoning Policy of October, 2004.** The policy guidelines stress the importance of “shadowing, privacy, sunlight and air space... and seasonal sun angles” (section 3.1 of strategies); and relates to the “privacy, landscaping, sunlight, view and parking” (section 4.2 of neighbours’ values). The small lot house design guidelines stress the importance of “...preventing the overshadowing of existing yards...” and maintaining privacy and significant views for the neighbours” (section 3.1).

In conclusion, I doubt any of you would want a 24 foot structure up against your back fence and neither do we. We have owned this property for about 35 years and I think Derek has also. It would be devastating to see the city agree to the destruction of the ambiance and enjoyment of what we have called home for so long.

Yours truly,

The Sommerstad family

Deb Linehan

Wayne Sommerstad

Rose Sommerstad

Appendix 1 – Calculation of shading for different times and dates

What is really required for accurate calculation of shading is the sun's elevation. The formula for the sun's elevation at solar noon is 90 degrees less the latitude of the proposed house plus the sun's declination for that time and date. The tangent of the elevation is obtained through tables. Then the height of the proposed house is divided by the tangent to obtain the length of the shadow.

The exact latitude and longitude of the proposed house is 48.4095 degrees north and 123.3552 degrees west, which was obtained from Google Maps. Solar noon is 12:14 pm. The height of the house is 22.83 feet (6.96m).

Calculations are as follows:

Shadowing effect on Dereck Reimer's property – 1149 Faithful St.			
Solar noon on date	Elevation	Tangent	Length of shadow (ft)
June 21	65.03 degrees	2.147	10.63
July 21	61.93	1.875	12.176
Nov 1	26.87	0.507	45.029
Dec 21	18.15	0.328	69.60
March 1	34.16	0.679	33.623
Shadowing effect on Sommerstad property – 1150 Woodstock Ave.			
10 a.m. on date	Elevation	Tangent	Length of shadow (ft)
June 21	53.46	1.350	16.911
July 21	50.38	1.208	18.899
Nov 1	21.86	0.401	56.932
Dec 21	12.35	0.219	104.247
March 1	25.67	0.481	47.464

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge St. Victoria

to the following Small Lot Zone: R-1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Rose Sommerstad (see note above)

ADDRESS: 1150 Woodstock Ave.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

Letter submitted to city council and city planning department

April 15, 2014

Date


Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) WAYNE SOMMERSTAD (see note above)

ADDRESS: 1150 WOODSTOCK AVE

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

As 1150 Woodstock is a legal duplex, do I
get a vote on both 1150a Woodstock + 1150b Woodstock?

Apr 15/2014
Date

Wayne Sommerstad
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber
(print name), am conducting the petition requirements for the

property located at 62 Cambridge St. Victoria

to the following Small Lot Zone: R-1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) John Sommerstad (see note above)

ADDRESS: 1150 Woodstock Ave.

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

Letter submitted to city council and city planning department

April 15, 2014

Date


Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge St. Victoria

to the following Small Lot Zone: R-1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Debora Sommerstad (see note above)

ADDRESS: 1150 Woodstock Ave.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

Letter submitted to city council and city planning department

April 15, 2014
Date


Signature

Janice Appleby

From: Helen Cain
Sent: Wednesday, Apr 16, 2014 9:17 AM
To: 'Derek Reimer'
Cc: Janice Appleby; Alison Meyer
Subject: RE: 62 Cambridge -- additional petitions

Good morning, Derek,

Thank you for these petitions. Legislative Services will ensure these are added to the Planning and Land Use Committee agenda package.

Sincerely,

Helen Cain MCIP RPP
Senior Planner
Community Planning and Sustainable Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0282 F 250.361.0388



From: Derek Reimer [mailto:reimerd@cityofvictoria.ca]
Sent: Wednesday, Apr 16, 2014 9:14 AM
To: Helen Cain
Cc: Pam Madoff (Councillor); Janice Appleby
Subject: 62 Cambridge -- additional petitions

Helen:

Our original petition (with both names included and signed by both of us) was only counted by the developer as a single opposing vote and you seemed comfortable with that.

To clarify any possible misunderstanding about our opposition, here are two separate petitions.

- Derek Reimer

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Waldhuber, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge

to the following Small Lot Zone: R152

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Maxine Clarksworth (see note above)

ADDRESS: 1149 Faithful St.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

See my letter Feb 20, 2014

April 15/14
Date

Maxine Clarksworth
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Walchhuber, am conducting the petition requirements for the
(print name)

property located at 62 Cambridge

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Derek Reimer (see note above)

ADDRESS: 1149 Faithful

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

See my letter of Feb 20, 2014

April 15/14
Date


Signature

Janice Appleby

From: Helen Cain
Sent: Wednesday, Apr 16, 2014 9:59 AM
To: 'Derek Reimer'
Cc: Janice Appleby
Subject: RE: Fwd: Opposition to proposed development at 62 Cambridge St

Hi Derek,

Everything that I've received to date related to this file has been forwarded to Legislative Services. Given the deadline for submissions is 11 am this morning, please contact the Committee secretary, Janice Appleby, if there are other items submitted. Legislative Services is responsible for receiving public input on planning applications and ensuring this information is included in agenda packages for Council Committee meetings and Council meetings. I've copied Janice.

Regards,

Helen Cain MCIP RPP
Senior Planner
Community Planning and Sustainable Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0282 F 250.361.0388



From: Derek Reimer [mailto:██████████]
Sent: Wednesday, Apr 16, 2014 9:53 AM
To: Helen Cain
Subject: Fw: Fwd: Opposition to proposed development at 62 Cambridge St

You should have been forwarded this email from Jean Pierre Veran and Marie Lepage. I hope it will be included in the agenda package.

- DR

From: Jean-Pierre Véran
Sent: Monday, March 03, 2014 9:53 PM
To: Derek Reimer
Subject: Fwd: Opposition to proposed development at 62 Cambridge St

Hi Derek,

I hope your trip is going well. I forgot to forward you the message I sent to Pam Madoff after we talked. It is below for the record. I have not heard from her, or from anyone on the subject as of yet.

Best wishes,

Jean-Pierre

Begin forwarded message:

From: Jean-Pierre Véran <[REDACTED]>
Date: February 24, 2014 10:00:46 PM PST
To: Pam Madoff (Councillor) <pmadoff@victoria.ca>
Subject: **Re: Opposition to proposed development at 62 Cambridge St**

Dear Ms. Madoff,

We noticed the "Land Use Application" sign at 62 Cambridge St, and wanted to remind you that we do not support the current development proposal. We would be grateful if you could help us make sure that the committees reviewing this proposal are aware of our concerns. I have attached the letter I sent you after the Sep 2012 community meeting, which summarizes our concerns.

Thanks a lot!

Jean-Pierre Véran and Marie-Josée Lepage
1147 Faithful St

On 2012-10-29, at 11:56 AM, Pam Madoff (Councillor) wrote:

Thank you very much for your e-mail and the attached letter. I have been contacted by a number of neighbours and have also made a visit to the site to better understand the context of the proposal.

The input that I have received from the neighbours has been most helpful and will greatly assist in my consideration of the proposal - should it advance to Council.

Please do not hesitate to contact me if you have any questions in the future, specific to process, etc.

Best regards,
Pamela Madoff

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Jean-Pierre Véran [mailto:]

Sent: Sunday, October 28, 2012 10:44 PM

To: Pam Madoff (Councillor)

Subject: Opposition to proposed development at 62 Cambridge St

Dear Ms Madoff,

Please find attached a letter stating our opposition to the proposed development at 62 Cambridge St. We will send a signed copy to your City Hall office shortly. We thank you in advance for your help in resolving this issue that is causing significant worries to us and to our neighbours.

Sincerely,

Jean-Pierre Véran and Marie-Josée Lepage
1147 Faithful St

Hi Derek,

I hope your trip is going well. I forgot to forward you the message I sent to Pam Madoff after we talked. It is below for the record. I have not heard from her, or from anyone on the subject as of yet.

Best wishes,

Jean-Pierre

Begin forwarded message:

> From: Jean-Pierre Véran < >
> Date: February 24, 2014 10:00:46 PM PST
> To: Pam Madoff (Councillor) <pmadoff@victoria.ca>
> Subject: Re: Opposition to proposed development at 62 Cambridge St
>

October 20, 2012

From: Jean-Pierre Véran & Marie-Josée Lepage
1147 Faithful St
Victoria, BC, V8V 2R5
[REDACTED]

To: Councillor Pamela Madoff
c/o 1 Centennial Square
Victoria, BC, V8W 1P6

Re: Opposition to the proposed development at 62 Cambridge St.

Dear Ms. Madoff,

We are writing to express our concerns about the development at 62 Cambridge Street, as proposed by the current owner. This development calls for a large two-story house, which would be built on a small lot and therefore would stand close to the property lines on all sides. Yet, the configuration of the city block at this location is such that this house would directly overlook the backyards of the three adjacent properties, including ours. If this project were to go ahead then, we would lose both precious sunlight and privacy. In a recent meeting at the Fairfield Community Association, we pressed the developer to explain why he could not build a more modest single story house, which would not impact his neighbours so much. His response was that a single story house would not have enough floor space to include a garage. However, when pressed more, he had to recognize that a garage is not absolutely required because there would be enough space to park a car in front of the house, but that "most people want a garage". Such a response clearly demonstrates to us that the developer's focus is on profit, not on sustainability and not on the well being of whom he calls "his" neighbours, even though he does not live here and does not intend to.

Although we are not necessarily opposed to a new development at 62 Cambridge Street, we are strongly opposed to this proposed development, because it is just too big. We very much hope that the City will take into consideration the property layout and backyard locations in our small block and reject the R1-S2 rezoning application.

Sincerely,

Jean-Pierre Véran

Marie-Josée Lepage

Janice Appleby

From: Derek Reimer [REDACTED]
Sent: Wednesday, Apr 16, 2014 10:34 AM
To: Janice Appleby
Subject: Inaccurate petitions for 62 Cambridge small lot rezoning

The developer's claim of 79% support from neighbouring properties is completely inaccurate. He has used multiple strategies to come up with that number:

- Multiple counting for addresses that support the development while single counting addresses that are opposed even when more than one name and signature appear on the petitions
- Completing ignoring residents at addresses that oppose the development
- Allowing opposing petitions to "stale date" while carefully refreshing those in support (3 cases)
- Soliciting support by misrepresenting our position, telling neighbours that we are "pleased" with his proposed development when we have always been opposed

Here is the accurate picture:

Summary of petitions for 62 Cambridge

<i>Address</i>	<i>Supporters</i>	<i>Opposed</i>	<i>Neutral</i>	<i>Notes</i>
1147 Faithful		2		Petition was allowed to go stale dated by the developer; see letter of Feb 24, 2014, restating opposition
1149 Faithful		2		Counted as one vote by the developer despite two names and signatures on the petition; since been resubmitted as two petitions
85 Cambridge	2	1		
81 Cambridge		1		Developer allowed petition allowed to stale date but refreshed earlier this week and resubmitted
77 Cambridge		2		One petition allowed to stale date by the developer
57 Cambridge	2			
50 Cambridge		2		Recently changed from support to oppose
48			1	Not an adjacent

Cambridge				property
1145 Woodstock	5			
1150 Woodstock		4		Completely ignored by the developer in his report
Totals	9	14	1	
Percent	37.5%	58.3%	4.2%	
Property owners	3 (18.8% of owners)	13 (82.2% of owners)		

Using an alternate method of counting (one vote per adjacent property) the level of support is even lower, only 25% with 75% opposed.

- Derek Reimer

Janice Appleby

From: Derek Reimer [REDACTED]
Sent: Wednesday, Apr 16, 2014 10:39 AM
To: Janice Appleby
Subject: Fw: 62 Cambridge

More information regarding this proposal.

- DR

From: Mary
Sent: Wednesday, April 16, 2014 10:17 AM
To: [Chris Coleman \(Councillor\)](#)
Subject: 62 Cambridge

Good morning Chris,

I was at a meeting about two years ago (Sept 19, 2012 to be exact) at the Fairfield Community Centre to hear a proposal to rezone the property at 62 Cambridge. There were about 25-30 people there and the developer was the ONLY one who spoke in favour of the proposal. Many of those in attendance spoke eloquently against the proposal. Many petitions were signed against the proposal and now the proposal is about (tomorrow I believe) to be presented to the city Planning Committee.

By city policy (Small Lot Rezoning policy) the rezoning proposal is supposed to have 75% support from adjacent properties and "community consensus" **before a small lot rezoning goes to a public hearing.**

Many of these petitions are now stale dated, but the developer has visited those few in support and ensured that their petitions are now up to date. These petitions have now been submitted by the developer and show 79% support. However, as we know, statistics can be fun to play with and in this case, there has been a lot of play. The developer has counted up to five votes per supporting household, counting no more than one vote for opposed households despite more than one name and signature on the petition. He allowed opposing petitions to go stale dated (over 6 months old) and, in one instance with a four person household all opposed, ignored them completely. The actual numbers are 39% support using the head count method and 25% using a one vote per property method. This is far below 50% which ever method is used and miles from the required 75%. 80% of the owners of properties are opposed.

One neighbour, Derek Reimer, has ensured that other petitions are now up to date and has submitted these to the Planning Department. However, the Planning Department refuses to amend their report, to reflect the true neighbourhood stance on this rezoning proposal. They have based their report on the figures supplied by the developer and they refuse to change their report and/or their recommendation which is based on the notion that support of more than 75% exists. They say it is now "impossible" to change the report or to even defer it until the next meeting when it could be re-written using the true information rather than that supplied by the contractor.

We would really appreciate it if the Planning Committee were made aware of this statistical inaccuracy (to put it kindly) and that a decision by them be based on fact and not manufactured statistics.

Hope you can help,

Regards,
Mary Virtue
78 Linden Ave

Janice Appleby

From: Derek Reimer [REDACTED]
Sent: Wednesday, Apr 16, 2014 11:10 AM
To: Janice Appleby
Subject: Fw: Authorization to act on my behalf

-----Original Message-----

From: jveran
Sent: Wednesday, April 16, 2014 10:58 AM
To: Derek Reimer
Subject: Authorization to act on my behalf

April 16, 2014

To whom it may concern:

I, the undersigned, authorize Derek Reimer to re-date and re-submit my petition AGAINST the proposed development at 62 Cambridge St.

Jean-Pierre Veran
1147 Faithful St, Victoria BC



Janice Appleby

From: Derek Reimer [REDACTED]
Sent: Wednesday, Apr 16, 2014 11:10 AM
To: Janice Appleby
Subject: Fw: Authorization to act on my behalf

-----Original Message-----

From: Marie Véran
Sent: Wednesday, April 16, 2014 10:57 AM
To: Derek Reimer
Subject: Authorization to act on my behalf

April 16, 2014

To whom it may concern:

I, the undersigned, authorize Derek Reimer to re-date and re-submit my petition AGAINST the proposed development at 62 Cambridge St.

Marie-Josée Lepage
1147 Faithful St, Victoria BC

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Woldhuber (print name), am conducting the petition requirements for the

property located at 62 Cambridge St

to the following Small Lot Zone: R152

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Robert R. Woldhuber (see note above)

ADDRESS: 77 Cambridge

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

April 15, 2014
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Peter Widmer, am conducting the petition requirements for the
(print name)

property located at 6.2 Cambridge St

to the following Small Lot Zone: R10.2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Helen Foster (see note above)

ADDRESS: 77 Cambridge St

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

April 15, 2014
Date

Helen Foster
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

PETER WALDHURER (print name) am conducting the petition requirements for the

property located at 62 CAMBRIDGE STREET

to the following Small Lot Zone: R182

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) MARIE-JOSEE LE PAGE (see note above)

ADDRESS: 1147 FAITHFUL STREET

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

SEE EARLIER EXPIRED PETITION. MY OPPOSITION
REMAINS FOR THE SAME REASONS SHOWN ON
THE EARLIER PETITION

16 APRIL 2014
Date

Marie-Josée Le Page (authorized for)
Marie-Josée Le Page
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

PETER WAIDHUBER, am conducting the petition requirements for the
(print name)

property located at 62 CAMBRIDGE STREET

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) JEAN-PIERRE VERAN (see note above)

ADDRESS: 1147 FAIRHILL STREET

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

SEE EMAILS & EXPIRED PETITION. MY
OPPOSITION REMAINS FOR THE SAME REASONS
SHOWN ON THE EARLIER PETITION

16 APRIL 2014
Date

David Reimer (authorized
to sign for Jean-Pierre Veran)
Signature

Janice Appleby

From: Helen Cain
Sent: Wednesday, Apr 16, 2014 1:14 PM
To: 'Masson, [REDACTED]'
Cc: 'dlr47@shaw.ca'; Janice Appleby
Subject: RE: Small lot subdivision, 62 Cambridge street

Hi Michael,

Thank you for these comments on the Rezoning Application for 62 Cambridge Street, which I'm forwarding to the secretary in Legislative Services. This is the department that is responsible for receiving public input on planning applications, and ensuring that comments become part of the package to be considered by Councilors.

Sincerely,

Helen Cain MCIP RPP
Senior Planner
Community Planning and Sustainable Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0282 F 250.361.0388



From: Masson, Michael [REDACTED]
Sent: Wednesday, Apr 16, 2014 1:03 PM
To: Helen Cain
Cc: 'dlr47@shaw.ca'; Pam Madoff (Councillor)
Subject: Small lot subdivision, 62 Cambridge street

Good afternoon,

I'm writing this in regard to a meeting that I chaired on the above mentioned subject at the Fairfield Gonzales community Association office on September 19, 2012.

The meeting was attended by the proponent and his architect as well as approx.. 25-30 individuals from the community.

The proponent, Mr. Peter Wald Huber and his architect presented their proposal for a small lot subdivision of 62 Cambridge street.

The proposal was for the construction of a two storey single family dwelling.

While the proponent was obviously in favour, that was certainly not the general sentiment.

Several neighbours spoke in opposition to the project with most of the concerns relating to the height of the proposed home, lack of appropriate setbacks, concerns over shading of neighbouring gardens etc.

One neighbour spoke on behalf of the owners of an adjacent property who were unable to attend the meeting and who were opposed to the rezoning.

The general reception of the project was not at all positive.

Sincerely,

Michael Masson

Planning and Land Use Committee Report

Date: April 3, 2014

From: Murray G. Miller, Senior Planner

Subject: **Development Permit Application #000347 for 845 Yates Street**

Application to remove existing tile on the east elevation and apply a painted mural.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 845 Yates Street.

The proposal is to remove the existing wave mural (quartzite tiles) from the east elevation of the exit stair tower that extends from the second floor level up to the roof. The proposed exterior finish would instead consist of a painted mural to replace the existing wave image.

The key issues associated with this Application are the appearance of the proposed wave image that would likely result from the change in materials and the contemporary interpretation of the original image and the durability and resulting maintenance requirements of a painted finish. The subject property is within the DPA 2 (HC): Core Business Urban Place Designation and the Downtown and Harris Green Neighbourhood.

Staff recommends that Committee support this application subject to the applicant reducing the size of the proposed grid to be more representative of the existing grid.

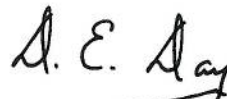
Recommendation

That Council authorize the issuance of Development Permit #000347, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,



Murray G. Miller
Senior Planner
Development Services



Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:



Jason Johnson
Apr 6, 2014

MGM:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000347\PLUSC PLANNING REPORT TEMPLATE DP & DVP3.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 845 Yates Street. The proposed exterior finish would consist of a painted mural finish, replacing the existing mosaic tile wave image.

2.0 Background

2.1 Description of Proposal

This proposal consists of the removal of the existing quartzite tile that extends from the second floor level up to the roof. The area of work would be within the narrow section of wall that forms the east elevation of the exit stair tower. The scope of work includes the repair and reconditioning of the existing concrete substrate prior to the application of a painted mural.

The proposed work would increase the colour pallet of the original design from eight to dozens of colours. It would also increase the grid size of the existing mural making the proposed grid approximately three times the size of the present design. The proposed mural will be an abstract contemporary interpretation of the present design. The balance of the wall that is not mural will be painted concrete.

2.5 Legal Description

Strata Lots 1-100 of Lots 318, 319 and 322, Victoria City, Strata Plan VIS6115 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V.

2.6 Relevant History

On September 18, 2003, Council adopted Bylaw No. 03-71 Zoning Regulation Bylaw, Amendment Bylaw (No. 673) to rezone land known as 837 and 843 Yates Street to the R-48 Zone, Harris Green District, to permit the land to be used for construction of a residential building of 10 and 13 storeys, with height and setback relaxations.

In September 2003, revisions to the design in response to Design Panel and Council requests were provided to Mayor and Council. Included in these changes was "a ceramic tile mosaic representing a stylized wave" to be installed on the east-facing wall of the exit stair.

On November 27, 2003, Council authorized the issuance of a Development Permit for 837-847 Yates Street in accordance with conditions, including Plans stamped "Development Permit Application #03-30B" dated November 7, 2003. The motion also noted that, "Final Plans be in accordance with plans identified above with responses to Advisory Design Panel's recommendations to the satisfaction of the Director of Planning and Development." A mosaic colour palette, dated-stamped September 2, 2004, for consideration by Advisory Design Panel, shows eight colours associated with the wave design.

In 2011, some of the quartzite stone and tile that was installed on the east elevation of the exit stair tower became detached and fell off the building face. A recent report by RDH Group has recommended that the complete removal of the tile finish from the second floor to the roof was necessary.

3.0 Issues

The key issues associated with this Application are:

- the appearance of the proposed wave image; and
- the durability and resulting maintenance requirements of a painted finish.

4.0 Analysis

4.1 Appearance of the Proposed Wave Image

While the proposed work employs a different medium and approach in representing the wave image, it is considered that the location of the image lends itself more appropriately to distant views. Therefore the resulting visual effect of using a different material for the image will not be significant.

The proposed increase in the size of the grid from 4" squares to 9" squares represents an increase in the grid size of 225%. This will have a considerable visual effect resulting from the intended abstract contemporary interpretation of the present design. The proposed increase in grid size in conjunction with an increase in the colour palette would considerably transform the recognizable image. While the intention of the proposed tile replacement is to ensure a durable finished product, the proposed increase in the grid size is not necessary to achieve this objective. Staff have discussed the possibility of reducing the grid size with the applicant and the applicant has indicated a strong preference to proceed with the 9" squares as reducing the grid size increases costs.

4.2 Durability and Resulting Maintenance of a Painted Finish

The proposed finish would be two coats of artist's paint and a clear top coat by Golden Paints. The surface preparation of a direct-adhered finish is understood to be critical in relation to its durability. According to the Application Information Sheet for Painting Exterior Murals prepared by Golden Artist Colours, a major coatings manufacturer, states that as much as 80% of all coating failures can be directly related to insufficient surface preparation. It is understood that the proposed painted finish would have a life expectancy of approximately ten years under favourable conditions. While the life expectancy of an effectively applied tile finish would be in the order of twenty-five to thirty years, ongoing maintenance and re-application of the painted finish will be the responsibility of the building's strata corporation.

6.0 Options

Option One (Recommended)

That Council authorize the Development Permit #000347, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

Option Two (Application as submitted)

That Council authorize the Development Permit #000347, as submitted.

Option Three (Decline)

That Council decline the application.

7.0 Conclusions

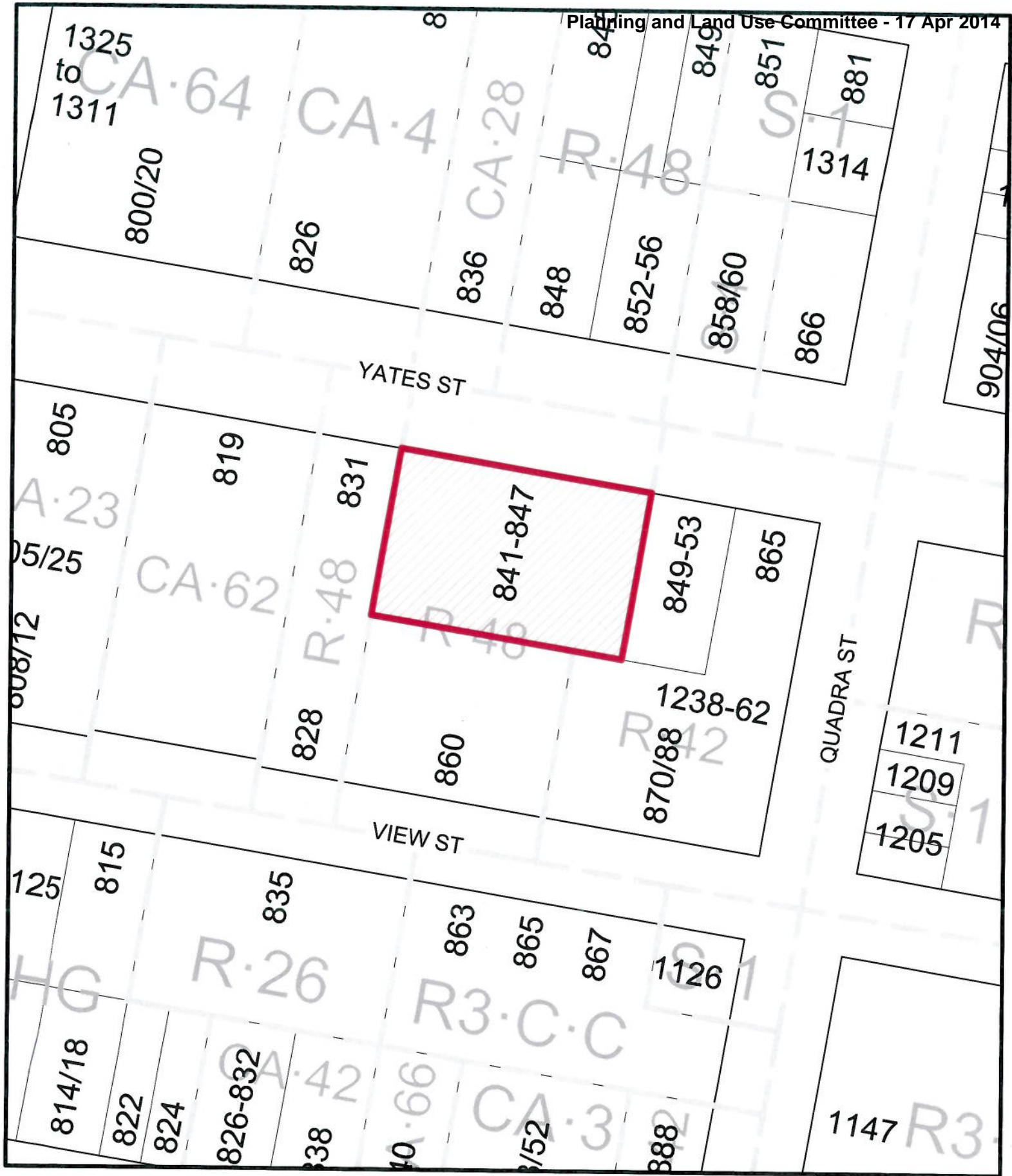
The resulting visual effect of using a painted grid versus a tile mosaic for the image will not be significant, however, the proposed increase in the size of the grid will likely have a considerable visual effect resulting from the contemporary interpretation of the existing wave mural. Staff therefore recommend that Council authorize Development Permit #000347, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

8.0 Recommendation

That Council authorize Development Permit #000347 for 845 Yates Street, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

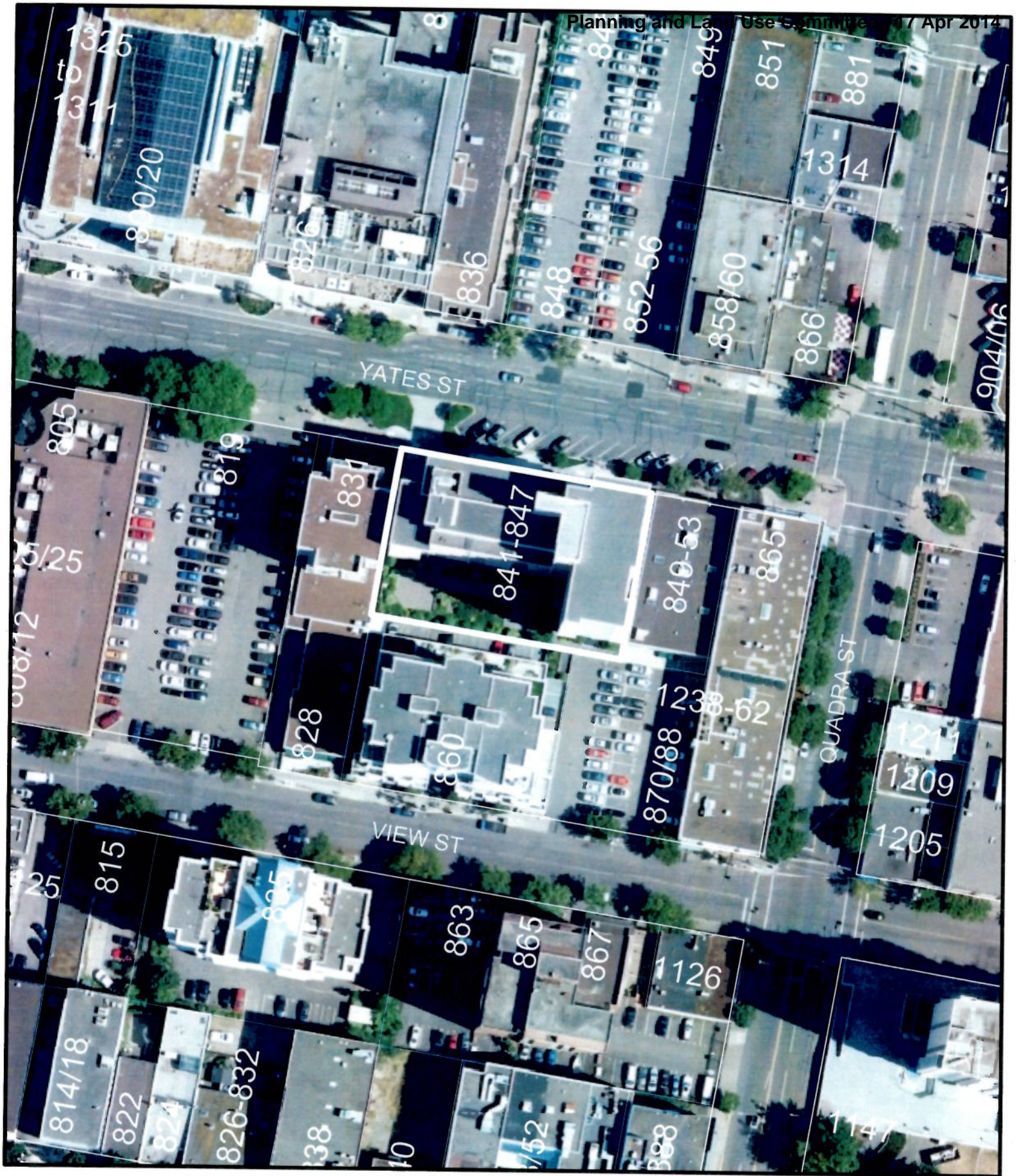
9.0 List of Attachments

- Zoning map
- Aerial map
- Letters from applicant dated January 20, 2014, and March 18, 2014
- Plans stamped "Revised drawings Planning & Development DP #000347" dated March 19, 2014.

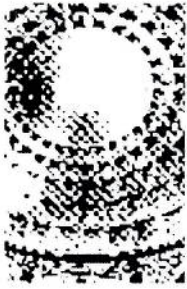


845 Yates Street
Development Permit #000347

Development Permit Application # 000347 for 845 Yates Street...



845 Yates Street
Development Permit #000347
Development Permit Application # 000347 for 845 Yates Street...



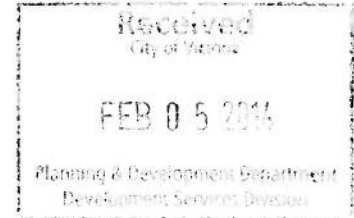
P R A X I S
architects inc.

Michael D. Levin, Architect, AIBC
Robert Rocheleau, Architect, AIBC

401- 1245 Esquimalt Road, Victoria, B.C. V9A 3P2
Tel: (250) 475-2702 • Fax: (250) 475-2701
prax@telus.net

January 20, 2014

Mayor and Council
C/O Murray G. Miller,
Senior Planner
Urban Design Development Services Division
Planning and Development Department
City of Victoria
1 Centennial Square, Victoria, BC, V8W 1P6



Re: 8455 Yates *845 Yates.*
The Wave
Remediation of Image

The building was completed and occupied in 2006. In 2011 some of the quartzite stone and tile (of the wave image) installed on the east face of the stair tower fell off. A report by RDH Consultants noted that the tile and stone had a number of issues stemming from the initial installation. RDH recommended complete removal of the existing installation. In the short term to protect the public and until the legal issues were resolved a protective sheathing was put over the wave mural to protect the public. It has taken some time to determine an approach to the repair of the wave graphic. The final proposal is to remove the tile and stone running from the second floor of the stair well wall up to the roof. The concrete underneath will be remediated. This reconditioned concrete will be painted over and finally the Wave mural will be reinstated in its current height and width as a painted mural. In this way we will avoid future issues with the deterioration of the existing tile face.

Jeremy Herndl, a visual artist has been commissioned to interpret the Wave Image and to complete its painting. His CV is attached. Jeremy has provided the following artists statement:

"This mural maintains the original decision to feature a rendition of "The Great Wave of Kanawaga" (1830) by the Japanese artist Katsushika Hokusai. The failure of the tiles in the mosaic presents an opportunity to update the idea in a way that is contemporary and respectful to the original. The original tile mosaic was reduced to eight colours in a grid of 152 by 45 squares. This proposed painted version will be made with dozens of colours, on a grid comprised of 52 by 15 squares.

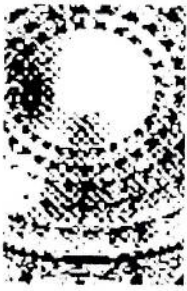
The mural, made with a larger cell size and more colours will be instantly recognizable to viewers on street level and from a distance as the ubiquitous classic. As the viewer approaches the building the image will fragment into an engaging pixelated architectural abstraction. The Japanese classic is re-imagined in a contemporary, technological context in the full colour range of the original."

We respectfully hope that Council will support this proposal.

Sincerely
PRAXIS ARCHITECTS INC

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Per: Michael Levin, AIBC
Director



P R A X I S
architects inc.

Michael D. Levin, Architect, AIBC
Robert Rocheleau, Architect, AIBC

401- 1245 Esquimalt Road, Victoria, B.C. V9A 3P2
Tel: (250) 475-2702 • Fax: (250) 475-2701
prax@telus.net

March 18, 2014

Mayor and Council
City of Victoria
1 Centennial Square, Victoria, BC,
V8W 1P6



Re: 845 Yates
The Wave DP 000347
Remediation of Image

We are pleased to submit a revised image of the proposed repair to the Wave. The previously submitted image consisted of 1' square painted cells. There were 15 cells horizontally and 52 vertically (780 cells). Per the request of the Development Services Division we have provided for the same overall sized image to be represented by a smaller grid of painted cells. The new grid consists of 9" hand painted squares - 20 cells horizontally by 70 cells vertically (1400 cells).

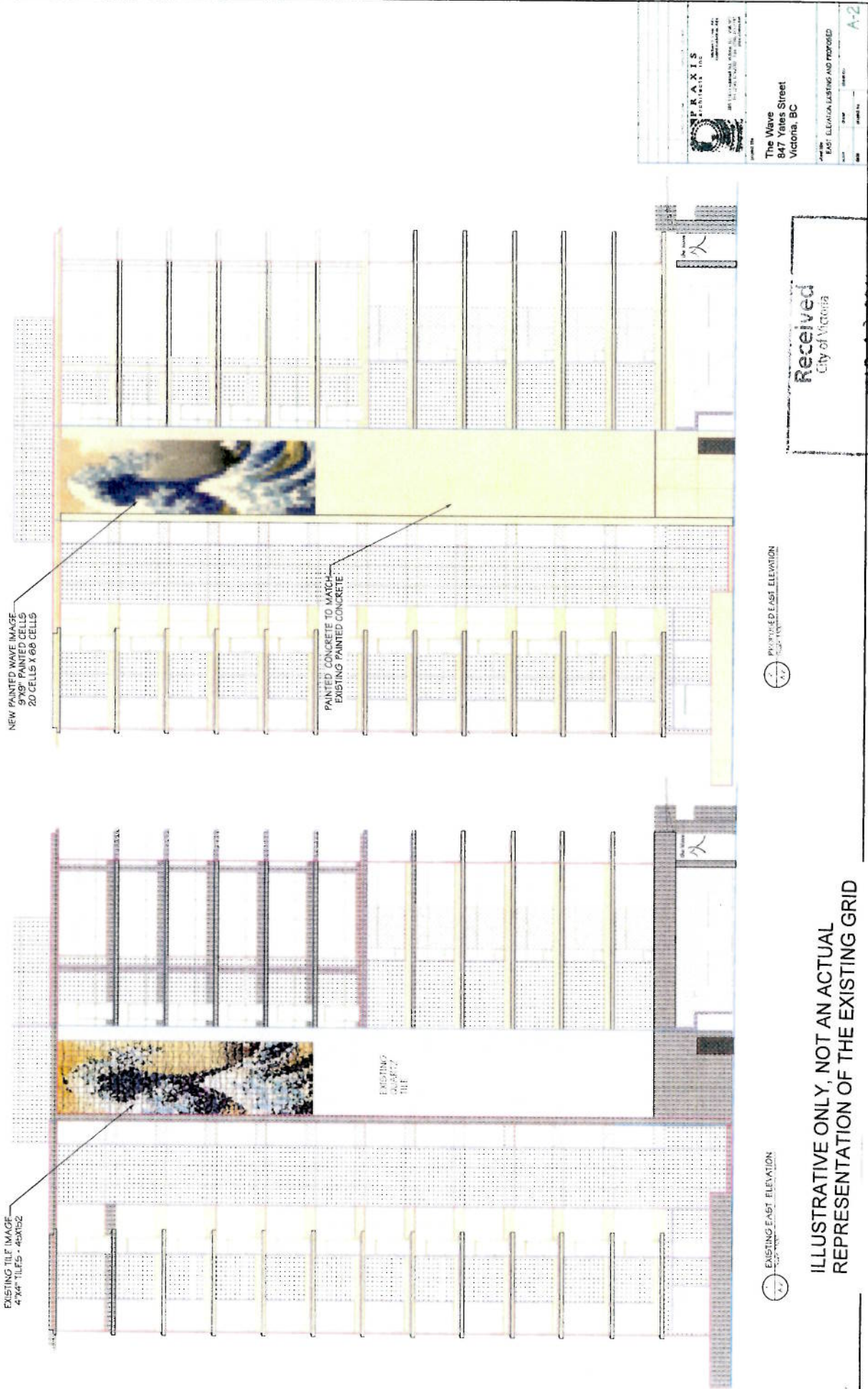
The team responsible for reconstituting the image will not be responsible for the maintenance of the image. Once the image is repaired and accepted our responsibilities are done. The image will be painted on the Limited Common Property of the Strata for 845 Yates. The maintenance of that image will become part of the ongoing responsibility of the Strata and their Property Management Team. The question of a maintenance program should be asked of the Strata Corporation and their Property Managers. It will become part of their annual budgeting I am sure as is roof repair, painting etc.

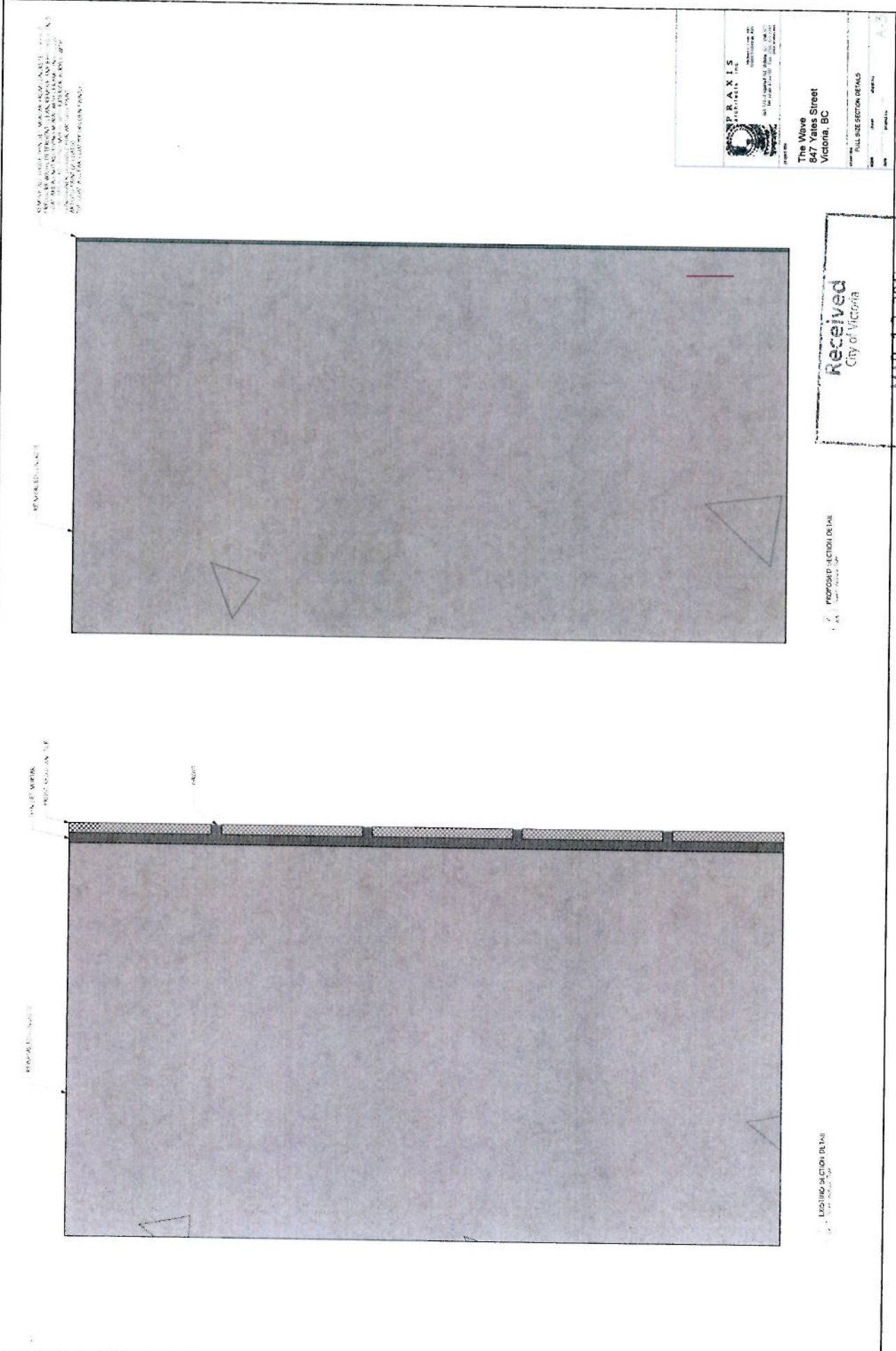
We respectfully hope that Council will support this proposal.

Sincerely
PRAXIS ARCHITECTS INC

Per: Michael Levin, AIBC
Director

CC Murray G. Miller,
Senior Planner
Urban Design Development Services Division
Planning and Development Department







View 1 - Yates & Quadra



View 2 - Yates & Cook



View 3 - Yates & Vancouver



Map

Received
City of Victoria
MAR 19 2014
Planning & Development Department
Development Services Division

Planning and Land Use Committee Report

Date: April 3, 2014 **From:** Brian Sikstrom, Senior Planner
Subject: **Development Variance Permit #00132 for 1637 Hollywood Crescent** Application to construct a new single family dwelling with floor area exceeding the maximum permitted in the R1-G Zone, Gonzales Single Family Dwelling District

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Variance Permit Application for the property at 1637 Hollywood Crescent.

The proposal is to replace an existing single family detached dwelling with a new single family detached dwelling having a total floor area of 359.3 m² on all levels. The R1-G Zone, Gonzales Single Family Dwelling District, permits a maximum total floor area on all levels of 300 m². The increased floor area would permit the full excavation of the basement and allow an extra guest bedroom and exercise area.

The following conclusions were reached in analysing this application:

- While the increased floor area is above that permitted under the existing R1-G Zone, it will not affect its height or massing and will not adversely impact the neighbouring properties.
- The proposed single family detached dwelling meets all other zoning regulations and will fit with the neighbouring houses in the area.

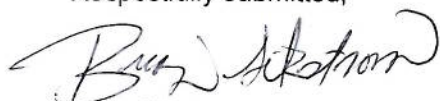
In accordance with the City's *Land Use Procedures Bylaw*, this Development Permit Application has variances, therefore, it requires notification, sign posting and a Hearing.

Recommendation

That Development Variance Permit #00132 for 1637 Hollywood Crescent proceed to a Hearing, in accordance with plans stamped "Development Variance Permit # 00132" dated February 17, 2014, subject to:

1. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Part 1.6, Section 1.6.3. c.: Floor area, of all floor levels combined (maximum) varied from 300 m² to 359.3 m².
2. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,



Brian Sikstrom
Senior Planner
Development Services



Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Jason Johnson

Date: Apr 16 2014

BMS:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DVP\DVP00132\PLUSC PLANNING REPORT TEMPLATE DP & DVP3.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Variance Permit Application for the property at 1637 Hollywood Crescent.

2.0 Background

2.1 Description of Proposal

The proposal is to replace an existing single family detached dwelling with a new single family detached dwelling having a total floor area of 359.3 m² on all levels. The R1-G Zone, Gonzales Single Family Dwelling District, permits a maximum total floor area on all levels of 300 m². The increased floor area would permit the full excavation of the basement and allow an extra guest bedroom and exercise area. The proposed 1½ storey house conforms to all other zoning regulations including having a maximum floor area on the ground and upper floors that does not exceed 240 m². The house has four bedrooms and incorporates a single vehicle garage.

2.2 Data Table

The following data table compares the proposal with the existing R1-G Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	R1-G Zone Standard
Site area (m ²) – minimum	774.3	460
Total floor area (m ²) – maximum	359.3*	300
1 st and 2 nd storey floor area – maximum	239.2	240
Density (Floor Space Ratio) – maximum	0.31:1	0.5:1
Height (m) – maximum	7.4	7.6
Storeys – maximum	1.5 w/Basement	1.5 w/Basement
Site coverage (%) – maximum	25.1	30
Open site space (%) – minimum	70	50
Setbacks (m) – minimum		
Front (Hollywood Crescent)	8.6	7.5
Rear (maximum distance of buildings from front property line)	33.6	36.5
Side (East)	3.23	2.17
Side (West)	2.19	2.17
Combined Side Yards	5.42	5.4
Parking – minimum	1	1

2.2 Existing Site Development and Development Potential

The 774 m² waterfront lot is in the R1-G Zone, Gonzales Single Family Dwelling District. It is occupied by a two-storey single family detached dwelling constructed in 1929. The house has a total floor area (including a basement and unfinished attic) of 380 m² which is sufficient habitable floor area for a secondary suite.

Under the existing R1-G Zone, the house could be replaced with a new single family detached dwelling with a maximum floor area of 300 m² which could include a secondary suite. The size of the lot meets the criteria for consideration of a rezoning for a duplex.

2.4 Land Use Context

The area is a mix of single family detached dwellings, duplexes and conversions. The adjacent uses are as follows:

West: a single family detached dwelling with secondary suite built in 2011

East: single family detached dwelling

North (across Hollywood Crescent): single family dwellings.

2.5 Legal Description

Lot 6, Section 19, Victoria District, Plan EPP33407.

2.6 Consistency with other City Policy

2.6.1 Gonzales Neighbourhood Community Plan, 2002

The application is largely consistent with the *Gonzales Neighbourhood Community Plan (2002)* which includes a recommendation that:

1.4.1.1 Continue single family/detached housing zoning, but create a new single family and small lot zoning specific to Gonzales, which improves the fit of new houses and additions with those existing e.g., increases green space, reduces permitted house size.

2.7 Community Consultation

In compliance with the *Community Association Land Use Committee Procedures for Processing Variances*, the application was referred to the Fairfield Gonzales Community Association on March 25, 2014, for 30-day comment period. No comments were received at the time of writing this report.

This Development Variance Permit Application requires notification, sign posting and a Hearing.

3.0 Issues

The primary issue associated with this application is the appropriateness of the increased floor area.

4.0 Analysis

The proposed density or floor space ratio (FSR) of the single family detached dwelling is 0.3:1, which is below the maximum density of 0.5:1 permitted in the R1-G Zone and is due to a larger than average lot size. In addition, the proposed house complies with the building height, number of storeys, setbacks and landscaping regulations. The additional 59 m² of floor area above the maximum permitted of 300 m² is located within the basement and would not be visible from the street. While the total floor area is above that permitted under the R1-G Zone, this floor area is less than that of the existing house, therefore, staff recommend that Council support this application.

5.0 Resource Impacts

There are no resource impacts anticipated.

6.0 Options

Option 1

That Development Variance Permit #00132 for 1637 Hollywood Crescent proceed to a Hearing, in accordance with plans stamped "Development Variance Permit # 00132" dated February 17, 2014, subject to:

1. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Part 1.6, Section 1.6.3. c.: Floor area, of all floor levels combined (maximum) varied from 300 m² to 359.3 m².
2. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Option 2

That Council decline the application.

7.0 Conclusions

While the increased floor area is above that permitted under the existing R1-G Zone, it will not affect the height or massing of the house nor will it adversely impact neighbouring properties. The proposed single family detached dwelling meets all other zoning regulations and will fit with the neighbouring houses in the area.

8.0 Recommendations

That Development Variance Permit #00132 for 1637 Hollywood Crescent proceed to a Hearing, in accordance with plans stamped "Development Variance Permit # 00132" dated February 17, 2014, subject to:

1. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:

- Part 1.6, Section 1.6.3. c.: Floor area, of all floor levels combined (maximum) varied from 300 m² to 359.3 m².
2. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

9.0 List of Attachments

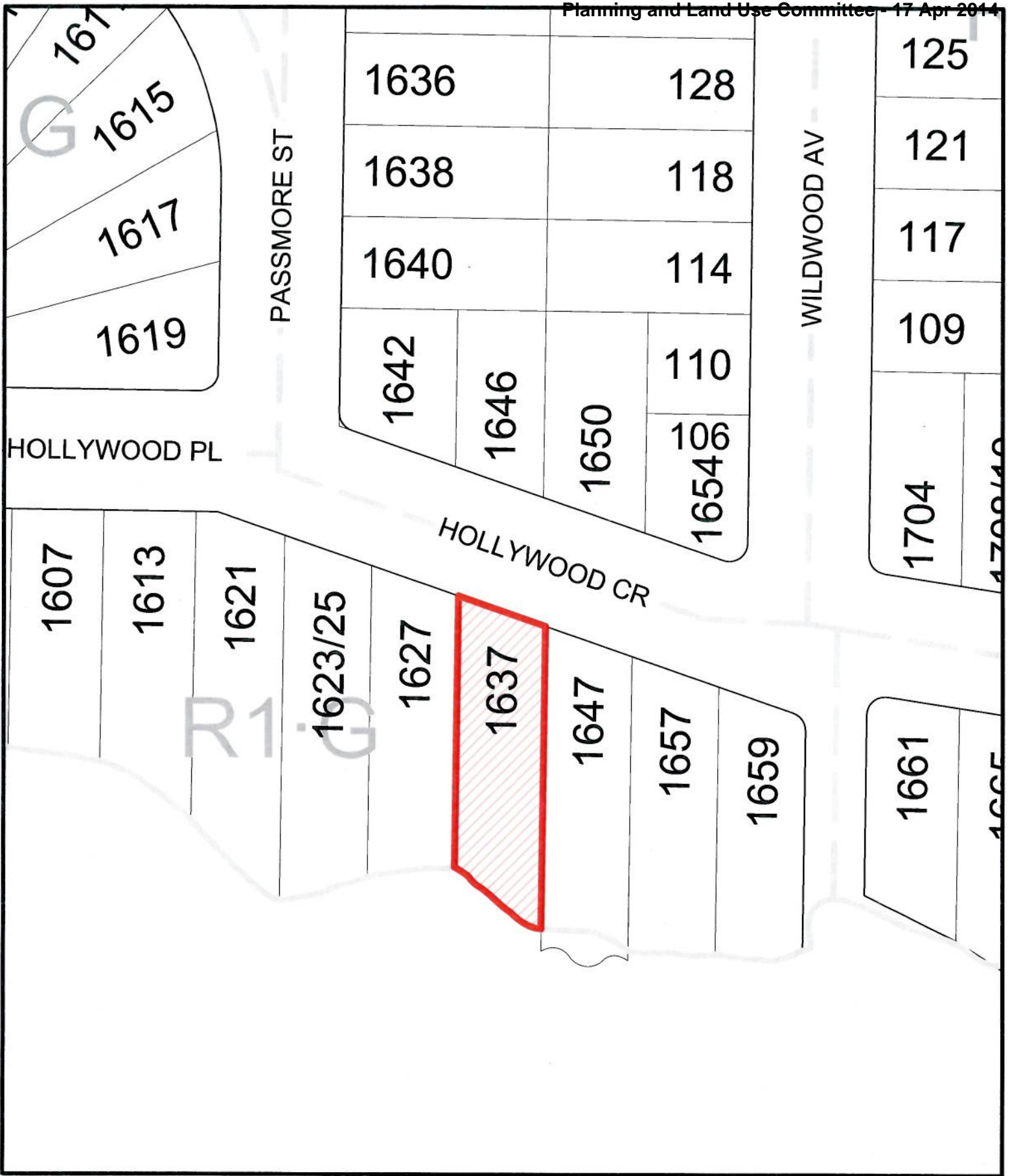
- Zoning map
- Aerial map
- Letter from applicant dated February 10, 2014
- Plans dated February 17, 2014.



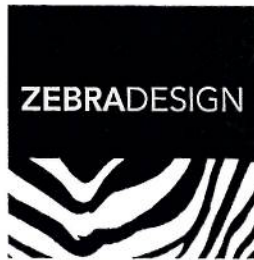
Development Variance Permit #00132

Development Variance Permit # 00132 for 1637 Hollywood Cresc...





1637 Hollywood Crescent
Development Variance Permit #00132



February 10, 2014

City of Victoria, Planning and Developing Department
Development Services Division
#1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 1637 Hollywood Crescent

Dear Mayor and Council,

We have designed a home for our clients Jacob and Cindy Roorda, which meets all the criteria of the R1 – G zoning bylaw, including the first and second floor area maximums, and floor area ratio maximum. In order to meet Total Floor Area, the house was initially designed with crawlspaces and only a partial basement.

The Roordas would like to apply to convert the crawl space area to be the full height of the rest of the basement. This would allow difficult to access crawl spaces intended for storage, to full height storage areas. The principal benefits of the full basement would be an extra guest bedroom and an exercise area (their daughter is an Olympic athlete). To do this would increase the total floor area of the home to 359.3 m² (300 m² is allowed per the zoning). The house would still be under the maximum Floor Area Ratio of 0.5 – our proposed design would have a FAR of 0.46.

This potential change would in no way impact the neighbours or passersby as there are no privacy issues, nor does it affect the appearance of the house from the road or the water, as the massing of the house is absolutely unchanged.

We appreciate your time in considering our application.

Sincerely,

Rus Collins
Zebra Design & Interiors Group, Inc.

ZEBRA DESIGN & INTERIORS GROUP INC. • 1161 NEWPORT AVENUE, VICTORIA BC V8S 5E6

PHONE: (250) 360-2144 FAX: (250) 360-2115

Email: info@zebragroup.ca Website: www.zebragroup.ca

ZONING
R1-G

LOT AREA
8334.4 sf [774.3 sm.]

LOT COVERAGE
 $2094/8334.4 = 25.1\%$
 PERMITTED MAX: 30% = 2270 s²

SETBACKS		
SETBACK TYPE	REQUIRED MINIMUM	PROPOSED
FRONT	7.5 m 24.6'	8.61 m 28.23
REAR	36.5 m max from front pl(25.0')	33.65 m 110.39'
SIDE EAST	3.23m 10.59'	3.23 m 10.59'
SIDE WEST	2.17m 7.13'	2.19m 7.18'
COMBINED SIDE	5.4m 17.72'	5.42 m 17.78

FLOOR AREA RATIO:

PROPOSED:
FLOOR AREA 1ST & 2ND FLR MAX.: 2577 sf (239 sm)
MAIN FLR AREA: 1515
UPPER FLR AREA: 1060
LOWER FLR AREA: 1243
TOTAL FLR AREA: 3868 sf (359.3 m²)

TOTAL FLR AREA MAX. PERMITTED: 3229 SF (300 m²)
TOTAL FLR AREA VARIANCE REQD FOR 639 SF (59.36 m²)

FAR = $3868/8334.4 = .464$
MAX TOTAL PERMITTED BY FAR = .5 = 4167.2 sf (387.15 m²)

GRADE CALCS:
REFER TO SK-5 & SPREADSHEET

HEIGHT:

PROPOSED: 7.54m/1 1/2 STOREYS w. BASEMENT
PERMITTED: 7.6m/ 1 1/2 STOREYS w. BASEMENT

OPEN SITE SPACE:

MIN.: 50% OF LOT AND 50% OF FRONT YARD
FRONT YARD AREA: 1413 sq (131.3 m²)

FRONT YARD OPEN SITE SPACE: $1413-348=1065$
 $1065/1413 = 75\%$ FRONT YARD OPEN SPACE

LOT OPEN SITE SPACE: $8334 - (2094 + 375) = 5865$
 $5865/8334 = 70\%$ OPEN SITE SPACE

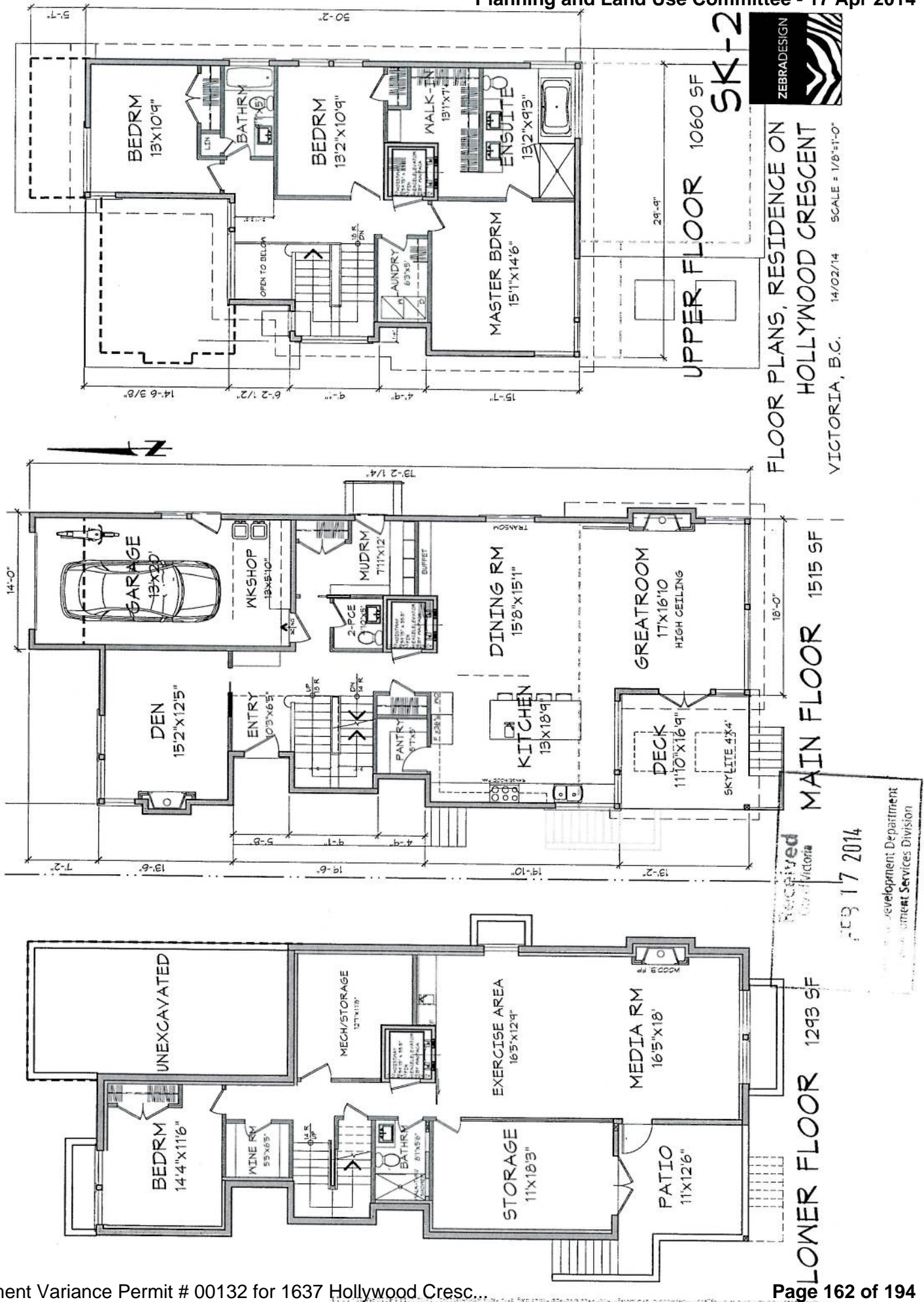
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PEAK EL. = 17.98

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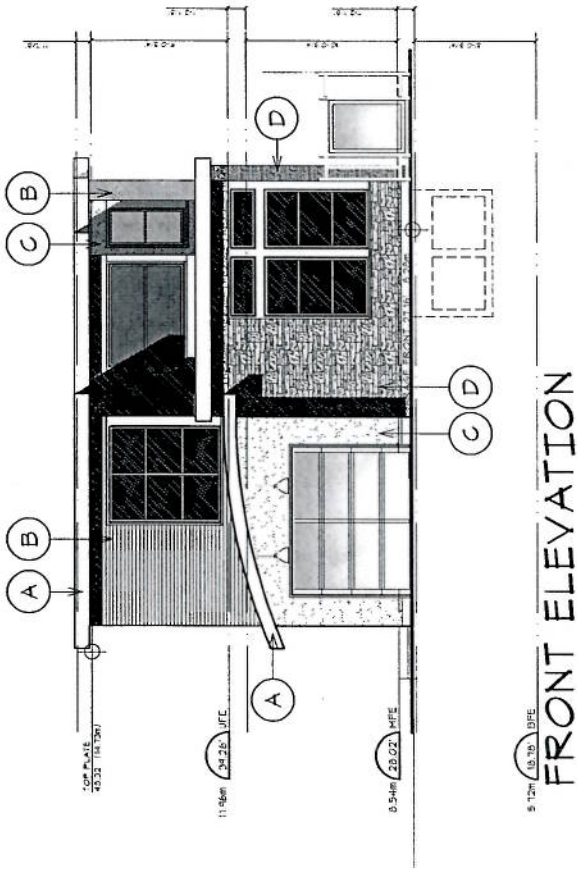
SITE PLAN
K RESIDENCE ON
- HOLLYWOOD CRESCENT
1 VICTORIA, B.C. 14/02/14 SCALE = 1:1

ZEBRADESIGN

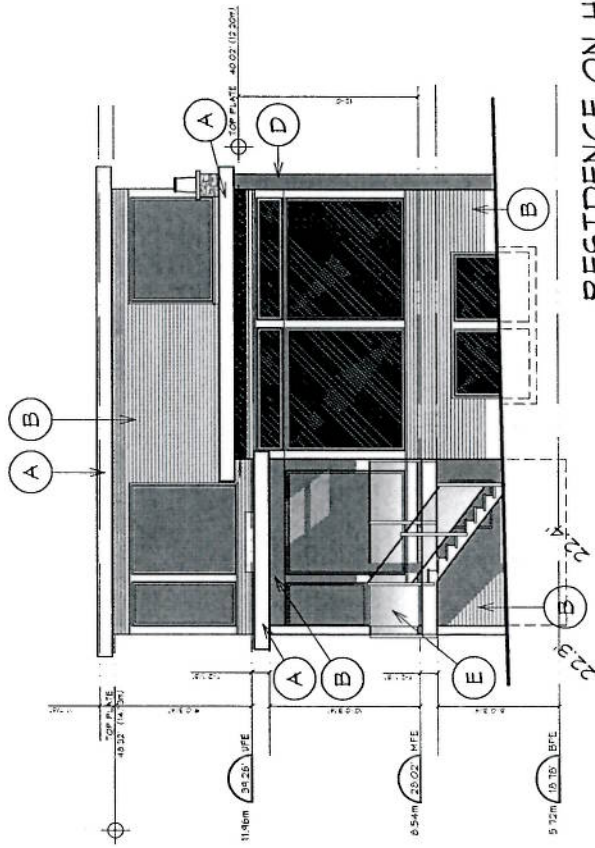
Page 161 of 194



FINISH SCHEDULE	
A	MDO FASCIA BD
B	HORIZONTAL CEDAR SIDING
C	STUCCO
D	THIN STONE VENEER
E	PRE-ENG GLAZED RAILING SYSTEM c/w PREFIN. SUPPORT POSTS
F	SBS ROOF MEMBRANE



FRONT ELEVATION



REAR ELEVATION

ELEVATIONS

RESIDENCE ON HOLLYWOOD CRESCENT

SCALE = 1/8"=1'-0"

14/02/14

VICTORIA, B.C.

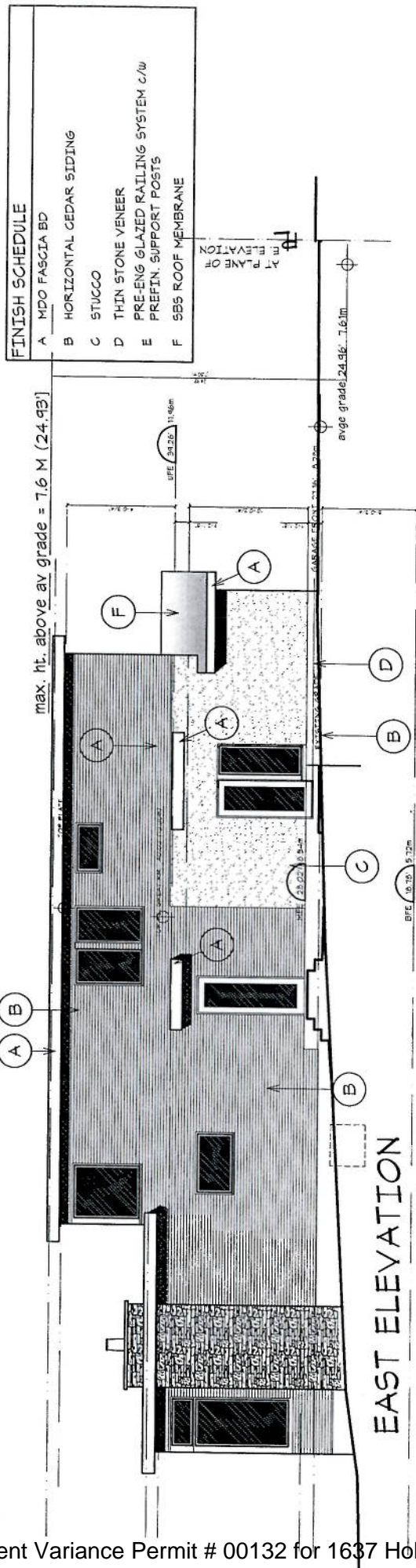
SK-3



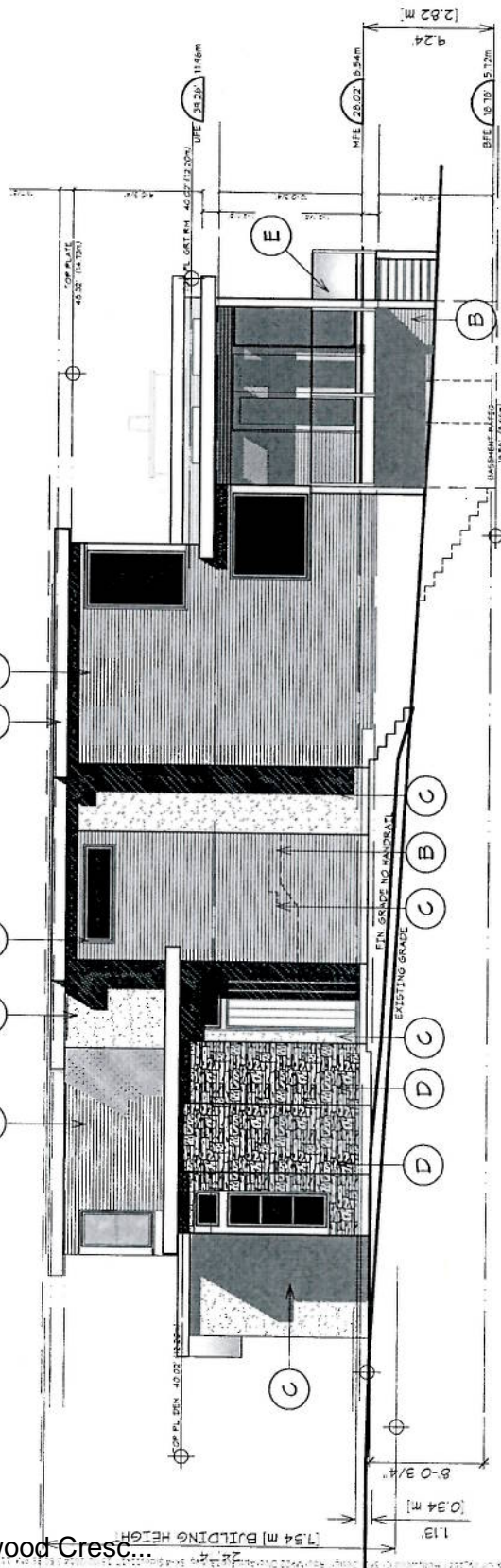
Received
City of Victoria

FEB 17 2014

Planning & Development Department
Development Services Division



EAST ELEVATION



WEST ELEVATION

FINISH SCHEDULE	
A	MDO FASCIA BD
B	HORIZONTAL CEDAR SIDING
C	STUCCO
D	THIN STONE VENEER
E	PRE-ENG GLAZED RAILING SYSTEM c/w PREFIN. SUPPORT POSTS
F	SBS ROOF MEMBRANE

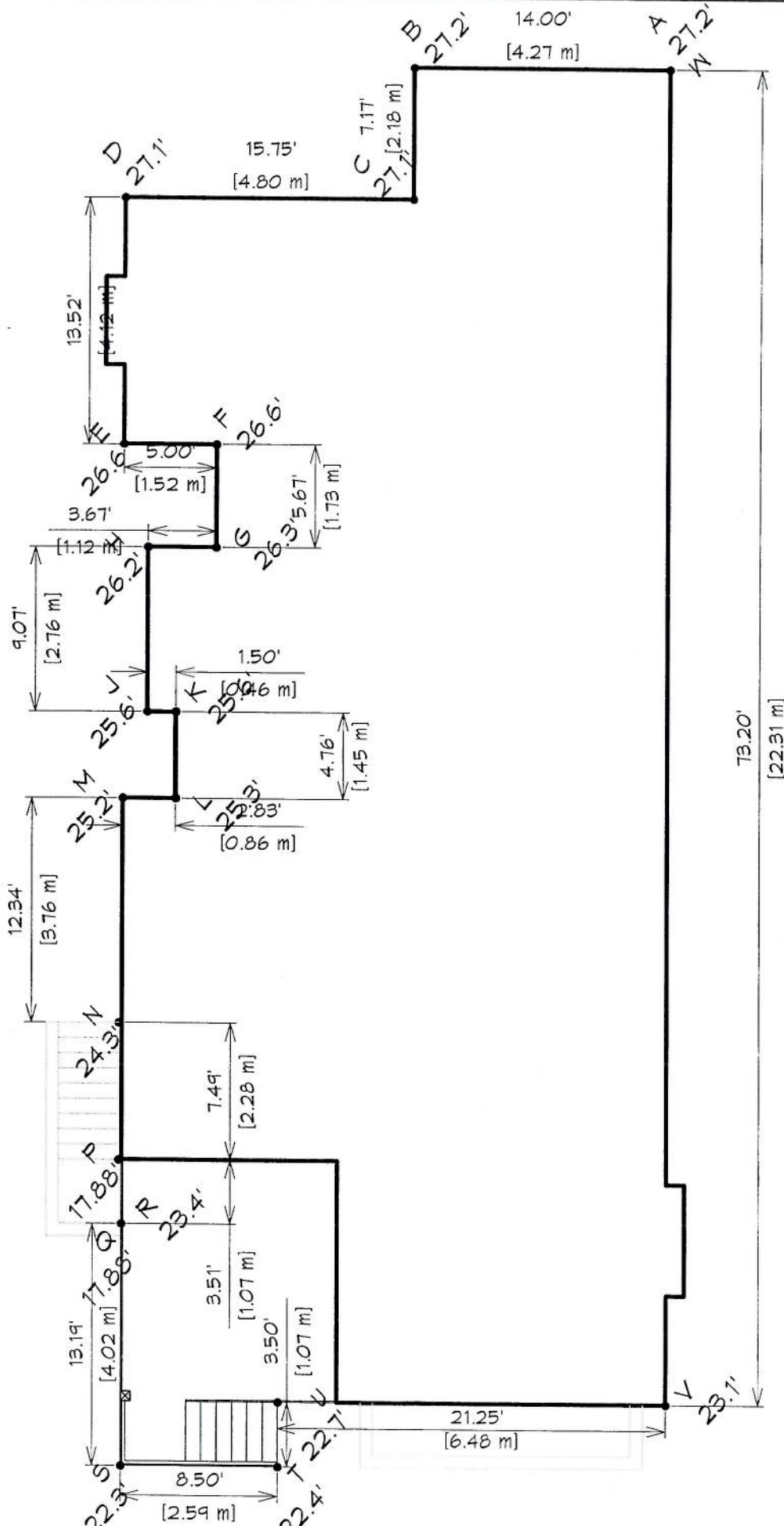
SK-4



SIDE ELEVATIONS
RESIDENCE ON HOLLYWOOD CRESCENT
VICTORIA, B.C.
24/01/14
SCALE = 1/8"=1'-0"

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City of Victoria
FEB 17 2014
Planning & Development Department
Development Services Division

P:\Projects\2013\ROORDA, Jake & Cindy_1637 Hollywood Cr SFD\Design\RoomMk22 DVarApp Feb13.dwg, SK-5 CornerPointsGrade, 13/02/2014 2:51:05 PM, Letter, 1:1

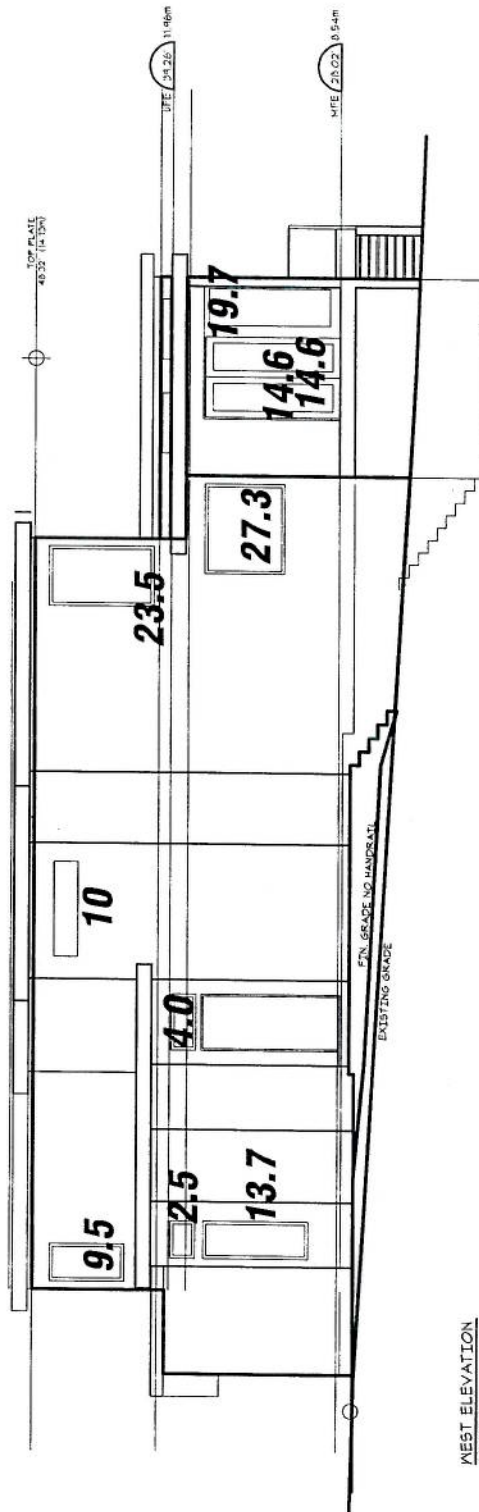


AVERAGE GRADE CALCULATION
GRADES & DISTANCES DIAGRAM
RESIDENCE ON HOLLYWOOD CRESCENT
VICTORIA, B.C.
24/01/14
SCALE = 1/8"=1'-0"

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City of Victoria
FEB 17 2014
Planning & Development Department
Development Services Division

SK-5





ABBREVIATIONS:
L.D. = LIMITING DISTANCE
EBF = EXPOSING BUILDING

SPATIAL SEPARATION CALCULATION
EXPOSING BUILDING FACE DIAGRAM
RESIDENCE ON HOLLYWOOD CRESCENT

VICTORIA, B.C.

SCALE = 1/8"=1'-0"

Received
City of Victoria

FEB 17 2014

Planning & Development Department
Development Services Division



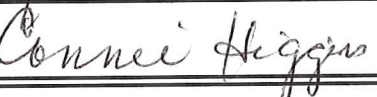


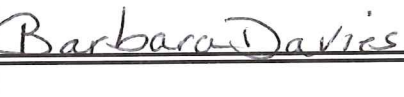
March 2014

#1 Centennial Square
Victoria, B.C.
V8W 1P6

Re: 1637 Hollywood Crescent - variance application

After reviewing the plans and elevations regarding the development variance permit for the 1637 Hollywood Crescent property, we the undersigned have no objections.

Re: Max contained floor area permitted
increasing by 639 sq ft.

SIGNATURE/ PRINT NAME	ADDRESS	DATE
	1646 Hollywood Cr.	March 27, 2014
Andrew Hawk	Victoria, BC V8S1H9	
	1646 Hollywood Cr.	March 27, 2014
Renee Hawk	Victoria, BC V8S1H9	
	1627 Hollywood Cr.	April 3/2014
CONNIE HIGGINS	Victoria, B.C. V8S1S1	
	1647 Hollywood Cres	April 14/14
Elise Schopper-Brice	Victoria, BC V8S1S1	
	1650 Hollywood Cres	April 14/14
GORDON DAVIES	Victoria V8S1H9	
		
Barbara Davies		



LOCATIONS OF SIGNATORIES FOR DEVELOPMENT VARIANCE 1637 HOLLYWOOD CRESCENT



Legend

- Victoria Parcels
- Parks

1: 1,307



Notes

RED= SIGNATORIES
GREEN= SUBJECT PROPERTY

66.4 0 33.21 66.4 Meters

NAD_1983_CSRS_UTM_Zone_10N

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



Planning and Land Use Committee Report

Date: March 20, 2014 **From:** Brian Sikstrom, Senior Planner
Subject: Interim Update on Garden Suites Policy for Detached Accessory Dwelling Units

Executive Summary

The purpose of this report is to provide an interim review and update on the *Garden Suite Policy* (attached) adopted by Council on September 8, 2011.

At the time of its adoption, Council requested that staff report back with information on the development of garden suites after 18 months. The review and report back from staff has been delayed due to the small number of applications received for garden suites. To date, 12 applications have been received, most within the past year. A summary of these applications is provided in Appendix 1 of this report.

The staff conclusions from the Rezoning Applications received to date are as follows:

- The applications have generally complied with the *Garden Suite Policy* and demonstrated support from the neighbours in petitions and Community Association Land Use Committee (CALUC) letters that accompanied the applications.
- The small number of Rezoning Applications for garden suites does not provide a strong basis on which to recommend changes to the Policy, including the requirement for a rezoning.
- It appears that applications for garden suites are increasing as the Policy becomes known and opportunities are being considered in the real estate market.
- When further applications are received and more garden suites are built, a better understanding of the issues and opportunities will be possible with a more comprehensive review and staff report.

Recommendation

That the interim update on garden suites be received for information and that staff report back with a full review and update in one year.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Brian Sikstrom'.

Brian Sikstrom, Senior Planner
Development Services Division

A handwritten signature in blue ink, appearing to read 'A. E. Day'.

Deb Day, Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

A handwritten signature in blue ink, appearing to read 'Jason Johnson'.

Jason Johnson

BMS:aw

Date: March 24, 2014

1.0 Purpose

The purpose of this report is to provide an interim review and update on the *Garden Suite Policy* (attached) adopted by Council on September 8, 2011. At that time, Council requested a report back after 18 months.

2.0 Background

The City's *Garden Suites Policy* emerged from the 2009 staff review of secondary suites, which recommended that staff prepare a policy report on suites in accessory buildings focused on locational, site planning and design policies.

Staff prepared a report and draft policy on garden suites with public consultation and feedback in 2010 and 2011. At its meeting on September 8, 2011 following a non-statutory Public Hearing, Council adopted a *Garden Suite Policy* with the following resolution:

That Council adopt the Garden Suite Policy (revised May 31, 2011) as official City Policy and the following statement be included within the Heritage Register, the City would encourage applicants to consider heritage designation as they pursue approval of a garden suite; and that staff report back with information regarding the development of garden suites in 18 months.

Carried

A staff report back has been delayed by the receipt of a small number of applications for garden suites.

3.0 Issues & Analysis

The Rezoning Applications received for garden suites have generally complied with the *Garden Suite Policy* and demonstrated support from the neighbours in petitions and CALUC letters that accompany the applications.

Since 2010, there have been 12 Rezoning Applications for garden suites. The applications received per year are:

2010: 2
2011: 1
2012: 1
2013: 7
2014: 1

Total: 12

Three Rezoning Applications have been approved by Council, one was declined and one was withdrawn. Of the three Rezoning Applications approved by Council, two garden suites have been built and a third one is under construction. Currently, there are seven applications in process with one on hold at the pre-application stage.

All but two Rezoning Applications for the garden suites have been on "plus sites" (i.e. corner lots, double frontage lots and large lots). For "plus sites", the floor area of garden suites can be up to 56 m². Most of the garden suite floor areas for these sites approximate this floor area. The largest proposed floor area to date is 62 m² and the smallest is 32 m². The majority of proposed garden suites have been one or one and half storeys with an average height of 4.3 m. Only one proposed garden suite involves an existing garage.

Four of the 10 applications for garden suites processed since 2010 have involved departures from the standard R1-B-GS and the "plus site" R1-B-GS2 garden suite zones. These have been processed as variances for building height, setbacks and site coverage. One application in process is requesting a variance to permit a small increase in the permitted floor area.

Appendix 1 of this report summarizes the Rezoning Applications received from 2010 to March 2014 for garden suites.

4.0 Conclusions

The small number of Rezoning Applications that have been received for garden suites to date and the analysis of them does not provide a strong basis on which to recommend changes to the Policy. At this point, it appears that applications for garden suites are increasing as the Policy becomes known and opportunities are being considered in the real estate market. When further applications are received and more garden suites are built, a better understanding of the issues and opportunities will be possible with a more comprehensive review and staff report.

5.0 Recommendation

That the interim update on garden suites be received for information and that staff report back with a full review and update in one year.

APPENDIX 1**Table 1: Summary of Garden Suite Applications – 2010 to 2013**

	Address	Date Received	Application Status	Floor Area/Height	Consistency with Garden Suite Zones (R1-B-GS and R1-B-GS2)	Lot size	Comments
1	3194 Rutledge	April 1, 2010	Approved Jan 20, 2011/Built	41.8 m ² /3.4 m and one storey	Consistent	527 m ²	Corner lot
2	1334 Pembroke	Nov 17, 2010	Declined	53.1 m ² /3.9 m	Not consistent	456.7 m ²	Corner lot
3	1235 Chapman	Nov 18, 2011	Approved June 14, 2012/Built	56 m ² /5.5 m	Consistent	696.7 m ²	Access from rear lane
4	1656 Richardson	May 9, 2012	Approved Oct. 25, 2012/ Built	56 m ² /5.3 m and 1.5 storeys (loft)	Consistent-variance for side yard setback	1050 m ²	Next to mid-block walkway
5	961 Cowichan	March 22, 2013	Approved Sept. 26, 2013/ Under Construction	56m ² /3.3m and one storey	Consistent	592m ²	Fronting on Redfern St.
6	1270 Dallas	June 27, 2013	In Process	60 m ² / 4 m and one storey	Consistent	802 m ²	Conversion of existing garage – parking for one car in garage
7	152 Moss	Aug. 15, 2013	In Process	56 m ² /5.5 m and 1.5 storeys	Consistent - variance for rear yard site coverage	331.3	Corner lot
8	2232 Belmont	Sept. 24, 2013	Did not proceed. File closed due to inactivity	N/A	N/A	N/A	
9	2740 Forbes	Oct. 8, 2013	In Process	53m ² /3.5 m and 1.storey	Consistent	569 m ²	Mid-block location.

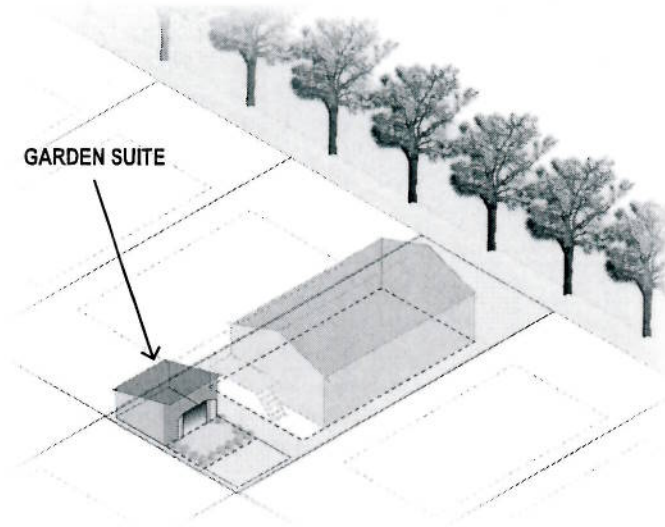
	Address	Date Received	Application Status	Floor Area/Height	Consistency with Garden Suite Zones (R1-B-GS and R1-B-GS2)	Lot size	Comments
10	582 St. Charles	Oct. 16, 2013	In Process	62m ² /5.1 m and 2 storeys	Consistent - variances for setbacks, storeys and floor area	2065m ²	Conversion of an existing carriage house associated with a Heritage Designated house next to Government House grounds
11	147 Olive	Oct 18, 2013	In Process	32 m ² /3.48 m and one storey	Consistent	550m ²	In association with new house under construction
12	1725 Carrick	Feb. 6, 2014	On hold	N/A	N/A	N/A	Pre-application mail out

THE GARDEN SUITE POLICY

to be used in the consideration of rezoning applications

1. What is a Garden Suite?

A Garden Suite is a small, ground-oriented, unit located in the rear yard of a single family detached dwelling.



2. Where can a Garden Suite be located?

Eligible locations for a Garden Suite in Victoria include all properties that contain only a single family detached dwelling and are appropriately zoned. The proposal must meet all requirements of the Garden Suite Policy and should incorporate the design guidelines contained in the Policy. Properties that already have secondary suites are not eligible.



POTENTIAL GARDEN SUITE SITES: The properties shaded in yellow above include sites with the appropriate zoning designation to consider Garden Suites. The graphic is illustrative only.

3. Requirements

The requirements for a Garden Suite to be considered are:

EXISTING LAND USE	Single Family Dwelling
EXISTING ZONING	R1-A Rockland Single Family Dwelling; R1-B, Single Family Dwelling; R1-G Single Family Dwelling (Gonzales); R-2 Two Family Dwelling; R-J Low Density Attached Dwelling; R-K Medium Density Attached Dwelling
LOCATION	Rear yard only
HEIGHT (MAXIMUM)	3.5 m
SETBACKS (MINIMUM)	0.6 m from all lot lines 2.4 m from existing dwelling
CORNER LOT SETBACK ON FLANKING (SIDE) STREET (MINIMUM)	Equal to the existing setback of the primary structure to the flanking street on the adjacent property
REAR YARD SITE COVERAGE (MAXIMUM)	25% maximum
TOTAL SITE COVERAGE (MAXIMUM)	30-40% maximum, based on existing zoning requirement
MAXIMUM TOTAL FLOOR AREA	37 m ² (approximately 400 ft ²)
BUILDING CODE	All BC Building, Plumbing, and Electrical Code regulations apply for residential uses.
STRATA TITLING	Strata titling of properties with Garden Suites is prohibited.
ACCESS	An unobstructed pathway must be constructed and maintained between the public street and the Garden Suite entrance, with a minimum width of 1 m for private and emergency access.
ROOFTOP PATIOS	Interior or exterior structured access to the Garden Suite rooftop is prohibited for all purposes including patios.
PARKING	There are no additional parking requirements for the creation of a Garden Suite but the primary dwelling should have a minimum of 1 parking stall which may not be located in the front yard.
SECONDARY SUITES	Secondary Suites are not permitted on a lot with a Garden Suite.
SERVICING	Servicing to the rear yard must be located underground.

4. Design Guidelines

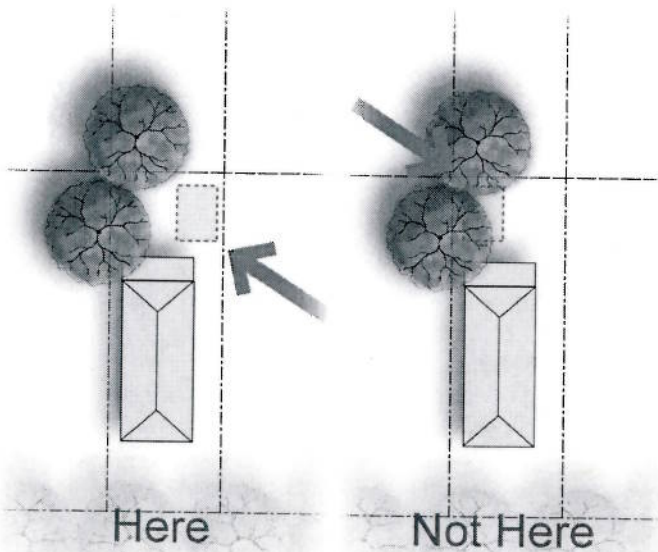
Character

Quality in design, high quality architectural expression, and unique individual identity of a Garden Suite are encouraged. However, the Garden Suite should relate to the principal building on site in terms of materials, roof form, and general architectural expression. The intent, however, is not to create a "miniature version" of the primary building.

Modular and pre-fabricated housing represents a potential opportunity for homeowners to reduce the construction cost and to reduce construction time and disturbance of neighbours. Therefore, these construction methods are supportable. However, the finished structure must be undifferentiated from on-site and adjacent existing structures in terms of quality of construction and the appearance of permanence in addition to meeting all the BC Building, Plumbing, and Electrical Codes.

Respect Mature Landscape Elements

Siting should respect mature trees both on site and on adjacent properties. This means locating the Garden Suite so as to minimize impact on a tree's root system. A certified arborist report may be required as part of the application when a tree on the subject site or a neighbouring lot may be affected.



Minimize Shading

Consideration should be given to minimize shading on adjacent private open space while maximizing contiguous on-site open space. Typically, this means:

- locating the Garden Suite in the southern portion of the rear yard
- locating the highest portion of a pitched or arched roof at the interior of the site, with the roof sloping down towards the nearest lot line
- orienting the ridge so as to minimize shadow on adjacent lots

Hierarchy of Siting Considerations

In the event that a Garden Suite cannot be sited without adverse impacts to either mature landscape or shading on adjacent properties, the following hierarchy of policies apply:

1. protect mature landscape on adjacent properties
2. protect mature landscape on subject property
3. minimize shading on adjacent properties.

Care should also be taken to minimize the visual impact on adjacent properties. However, this does not mean that the Garden Suite will not be completely unseen from adjacent lots.



Siting

Where possible, the Garden Suite should be located to be at least partially visible from the street.

In the case of corner lots, lots with laneway access or double-fronting lots, the Garden Suites should be directly oriented to the adjacent public right-of-way. This means including front doors that are directly oriented to the street or laneway windows directed towards the street or laneway and landscape that reinforces the location of the entry.

On corner lots, the Garden Suite is sited as close to the side street as possible to create a consistent streetscape pattern.

Windows

Windows should be maximized along those façades oriented to the interior of the site. Windows oriented towards adjacent properties are discouraged and, in some cases, may be prohibited by Building Code regulations.

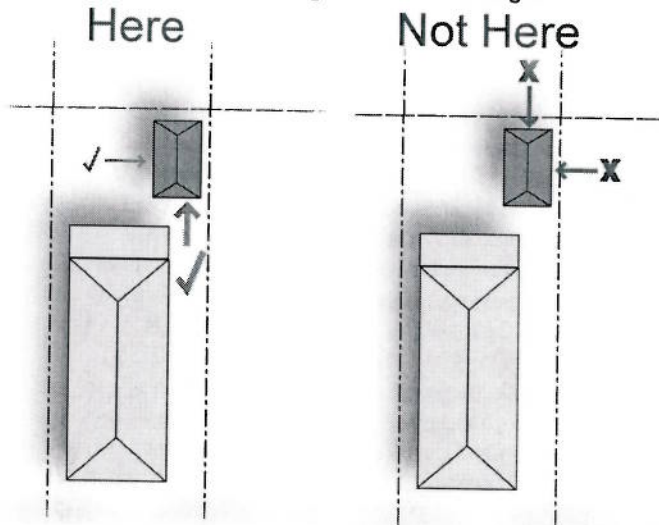
On corner lots, lots with laneway access or double-fronting lots, windows should be oriented to the street or laneway.

Entries and Addressing

Unit entries should be oriented to the street. When this is not practical, a secondary preference would be to locate the entry to the interior portion of the site.

A Garden Suite must be assigned a unique, individual address. This will occur at the building permit stage.

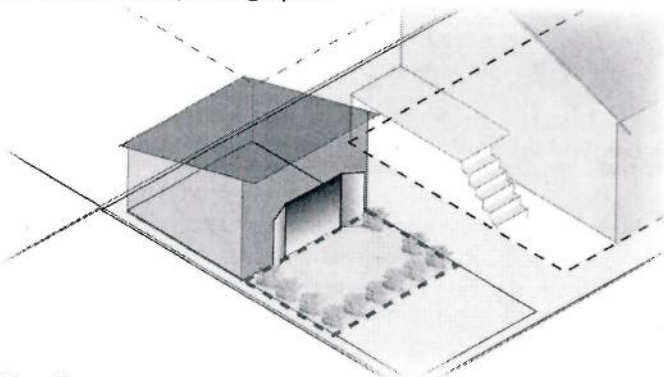
An address sign for the Garden Suite must be located at a clearly visible location along the street frontage.



Usable Outdoor Space

Design and orientation of the Garden Suite should ensure a direct connection with usable outdoor space.

A minimum of 15 m² of semi-private outdoor space should be clearly associated with the Garden Suite. This may be achieved through plantings or changes in surface materials. Hard-surfaced areas are supportable but should include permeable pavers, be decorative in nature, and must not be usable as a parking space.



Rooftops

Rooftop outdoor space is prohibited to mitigate privacy concerns of neighbourhoods.

Rooftop energy initiatives such as solar panels or solar hot water heating may be considered.

Landscape

Green roofs are encouraged as benefits include reducing stormwater runoff, improving water quality, reducing urban heat island effect, conserving energy, creating wildlife habitat, and prolonging the life of the roof membrane. An added benefit is that the green roof may soften the appearance of the Garden Suite from neighbouring lots.

Native plant species and drought-tolerant plants are encouraged in side yard areas, particularly within narrow setbacks between the Garden Suite and adjacent lots where access for maintenance and upkeep is limited.

Heritage

The City will request that all properties identified on the Heritage Register will receive Heritage Designation when a Garden Suite is introduced to a property. Where a property may have heritage value but has not been identified or included on the Heritage Register, the City would encourage applicants to consider heritage designation as they pursue approval of a Garden Suite.

In cases where an existing accessory building is heritage designated, a Heritage Alteration Permit is required and the *Standards and Guidelines for the Conservation of Historic Places in Canada* apply.

In cases where a new Garden Suite is located on a property where the primary structure is protected by heritage designation or is identified on the heritage register, then a Heritage Alteration Permit is not required for construction of the Garden Suite but the *Standards and Guidelines for the Conservation of Historic Places in Canada* should be considered.

Parking and Driveways

No additional parking is required for the Garden Suites but the primary dwelling should have a minimum of 1 parking stall which may not be located in the front yard. Any proposed changes to the parking layout and driveway should include permeable paving materials.

In situations where an existing parking space is displaced by the creation of the Garden Suite, the new parking location should occur within the existing driveway in order to prevent an increase in paved surface but should be located beyond the front face of the primary building as per general parking requirements.

Garbage and Recycling

The proposed site plan should consider the location of extra garbage and recycling bins and screen these from view. These should not be located near the primary entrance of either residence.

5. Exceptions

The requirements for Garden Suites are intended to be consistently applied to all eligible sites. However, given the variety of lot sizes and configurations in the City, natural site conditions unique to each lot, and the possibility that older, existing accessory buildings may not comply with current accessory building requirements, staff may consider recommending approval of a Garden Suite in the following situations.

Exception #1: Existing Garage Conversions

In situations where an existing garage or accessory building is located on site, a Garden Suite may be located within a structure that exceeds the standard requirements provided that:

- the structure was built with all appropriate permits and has not been altered
- the structure is fully upgraded to meet all Building Code requirements for residential use

In the event that a new structure is required to replace the existing legal non-conforming accessory building, the new structure must not exceed the footprint, height, or roof form as defined by the existing structure. Careful documentation of this should be prepared and submitted to the City prior to demolition in order to ensure an opportunity to verify the scale of the existing structure.

Exception #2: "Plus Sites"

Properties that meet the following criteria are considered "Plus Sites":

- a corner lot
- a lot with two street frontages
- a lot with rear yard laneway access
- lots greater than 557 m² (6,000 ft²) in total area.

On "plus sites", there may be an opportunity to increase the floor area of a Garden Suite up to a maximum of 56 m² (600 ft²). The additional floor area may be considered supportable if it can be demonstrated that it would not have a negative impact on privacy, shading, or overlook of or onto neighbouring properties.

Additional floor area may be achieved either by:

- increasing the floorplate- though not to a level exceeding site coverage requirements- to accommodate all floor space on a single level.
- exceeding the height requirement in order to incorporate a loft space with a floor area no greater than 50% of the building footprint, provided that interior floor to ceiling height of the loft space is kept minimal (approximately seven feet) and careful attention is given to prevent excess shading on neighbouring lots.

Exception #3: Protected Trees

In situations where the siting of a Garden Suite is severely



POTENTIAL GARDEN SUITE "PLUS" SITES: The properties shaded in dark yellow in the graphic above indicate potential Garden Suite "Plus" Sites where an additional floor area may be considered. These properties have the appropriate zoning designation for Garden Suites and are either located on a block corner, between two streets, or between a street and a laneway. The graphic is illustrative only.

limited by the presence of protected trees as described in the Tree Preservation Bylaw, a height variance may be considered to accommodate a sleeping loft provided that:

- the maximum floor space of the Garden Suite does not exceed typical requirements
- the floor area of the sleeping loft does not exceed 50% of the ground floor area
- design measures are taken to mitigate shading or overlook concerns on adjacent properties.

6. Note to Applicants

- Submission of a complete rezoning application is required.
- It is advisable to discuss the proposal with your immediate neighbours prior to developing detailed plans. Incorporating early input into a proposal may help to address any potential concerns that neighbours may have.
- Applicants are encouraged to review a preliminary proposal with the City's Engineering and Public Works Department to better understand potential servicing costs and with the City's Planning and Development Department to better understand the rezoning requirements and process. The applicant should also consider aspects related to providing utilities to the Garden Suite including phone, cable, and internet.



Planning and Land Use Committee Report

Date: March 28, 2014 **From:** Robert Woodland, Director
Legislative and Regulatory Services
Subject: Work without permit – 1060 Queens Ave. / Bylaw File #4375

Executive Summary

The purpose of this report is to recommend the filing of a notice on title in respect to work that has been done without permit to expand the livable space of this rental duplex by converting one basement into a suite, making a rental fourplex. The owner has not made application to obtain a new occupancy permit nor have they sought building, plumbing, or electrical permits to return the property to an approved configuration and are aware the city may place a Notice on Title.

Recommendation

The Building Inspector recommends:

1. That the Committee direct the Corporate Administrator to file a notice in the Land Title Office in relation to the property located at 1060 Queens Ave., legally described as Lot 18, Block D, Section 3, Victoria, Plan 957, indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

Respectfully submitted,


Earl Garner
Senior Bylaw Officer
Bylaw & Licensing Services


Mark Hayden
Manager
Bylaw & Licensing Services


Robert Woodland
Director
Legislative & Regulatory Services

Report accepted and recommended by the City Manager:


Date: March 30, 2014

List of Attachments

- Appendix A – Bylaw enforcement letter to property owner dated October 17, 2013
- Appendix B – Two (2) exterior photographs of the subject property taken October 2, 2008
- Appendix C – Three (3) exterior photographs of the subject property taken October 11, 2013
- Appendix D - Two (2) interior photographs of the suspected suite taken October 11, 2013
- Appendix E – Map showing location of subject property – VicMap (Internal Version)

Purpose

The purpose of this report is to advise the Planning and Land Use Standing Committee about the illegal occupancy and unpermitted work at 1060 Queens Ave., and to recommend to the Committee that under Section 57(3) of the *Community Charter* and the provisions of the Property Maintenance Delegation Bylaw, that a notice be filed in the Land Title Office in respect to this property to warn prospective purchasers and lenders of bylaw violations in respect to the work that has been done without permit to expand the livable space of this rental duplex by converting the basement to a finished suite.

Background

Section 57 of the *Community Charter* allows the City to file notice on title of any property where the Building Inspector:

- a) observes a contravention of a municipal bylaw, provincial building regulation, or another enactment that relates to the construction or safety of buildings or other structures; or
- b) discovers that something was done without a permit or inspection.

Before notice may be filed on title under Sec. 57 of the *Community Charter*, Council must give the Building Inspector and the property owner an opportunity to be heard.

For the purpose of filing notices under Sec. 57(1)(b) of the *Community Charter*, the Manager of Bylaw & Licensing Services is a Building Inspector under the Building Bylaw.

Under the provisions of the Property Maintenance Delegation Bylaw, Council has delegated the authority to hold hearings and make decisions under Sec. 57 of the *Community Charter* to the Planning & Land Use Standing Committee.

Section 2.2(1) of the Building Bylaw states that a person must not:

- a) construct; or
- b) change the occupancy of a building unless the building's owner has obtained a building permit from the Building Inspector.

The Building Bylaw defines "occupancy" as the use or intended use of a building or part of a building for the shelter or support of persons, animals or property, according to the occupancy classifications for buildings set out in the *BC Building Code*.

Issues and Analysis

The property at 1060 Queens Ave. is located in the Fernwood neighbourhood in an R-2, Two Family Dwelling District. The approved use of the property per the approved building plans is a triplex. The property was inspected originally October 2nd, 2008 and again on October 11th, 2013. Upon inspection it was discovered that there was an additional suite located in the basement of this dwelling, and it was also revealed that a substantial amount of work had been completed without permit. While these inspections confirmed that the building and use do not comply with the City's bylaws, there was nothing observed by the Bylaw Officer during the inspections that indicated that the work performed represented a risk to the health or safety of the occupants.

Options and Impacts

The filing of a notice on a land title is part of a graduated enforcement strategy intended to bring a property into compliance with the applicable bylaws and regulations. A notice on title provides incentive to the property owner to resolve the outstanding issues as it serves to warn lenders or prospective purchasers that work has been done without a permit. Filing a notice on title pursuant to s.57 of the *Community Charter* is therefore intended to ensure that a potential purchaser is aware of bylaw violations in respect to the work that has been done without permit to expand the livable space of this rental duplex by converting the basement to a finished suite. The notice can be easily removed once the property has been brought into compliance. Additional enforcement measures may be considered in the future should the non-compliance continue, and particularly if additional information comes to the attention of the City that the unlawful work and/or use present a public health or safety concern.

Official Community Plan Consistency Statement

The enforcement action recommended in this report is being sought in order to ensure that improvements made on the property and the use of the property are in compliance with the provisions of the Zoning Regulation Bylaw and the Building Bylaw as appropriate. This in turn helps ensure congruency with the OCP.

Financial and Staff Capacity Assessment

Staff have spent approximately 23 hours working on this file in order to obtain compliance. Filing of a Notice on Title (as recommended) will cost the City \$47.30.

Public Engagement and Consultation

Committee consideration of this matter requires a hearing at which time the affected property owner may make a presentation directly to the Committee in respect to the recommendation or a related issue. Other members of the public who have a direct interest in this matter may also provide input to the Committee, at the discretion of the Committee.

Conclusion

Given the owner's ongoing failure to comply and the uncertainty of how effectively this property may be managed in the future, the investigating Bylaw Officer and the Manager of Bylaw and Licensing Services have determined that the appropriate course of action at this time is to proceed with filing a notice on title. Doing so will ensure that full disclosure is made to a prospective purchaser and/or lender should this property be listed for sale or sold.

Recommendation

The Building Inspector recommends:

1. That the Committee direct the Corporate Administrator to file a notice in the Land Title Office in relation to the property located at 1060 Queens Ave., legally described as **Lot 18, Block D, Section 3, Victoria, Plan 957**, indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.



COPY

October 17, 2013

Legislative and
Regulatory Services
Department

Raymond W. Campbell
Barbara Kennelly
[REDACTED]

Bylaw and Licensing
Services Division

1 Centennial Square
Victoria BC V8W 1P6

Re: Lot 18, Block D, Section 3, Victoria, Plan 957(1060/1062 Queens Ave)

Dear Raymond Campbell & Barbara Kennelly,

This letter is a follow up to the site inspection that was conducted on your property, at 11:00 am October 11th, 2013.

As per our conversation, and a review of the registered building card within the City of Victoria, the current registered legal use is "Duplex", however the building is being rented as a fourplex.

At this time you are directed to attend the Permits & Inspections Division within 150 days from the date of this letter, to make application for a change of use permit. The Permits & Inspection Division is located on the second floor, City Hall, #1 Centennial Square.

Please be advised failure to comply with this direction, will result in regulatory action being taken by the city concerning this matter.

If you require further information on this matter, please contact the Permits & Inspections Division.

Again thank you for your attention to this matter.

Yours truly,

Earl Garner
Senior Bylaw Officer
City of Victoria

To Contact

Telephone: 250.361.0215

Fax: 250.361.0205

E-Mail: bylawenforcement@victoria.ca Web: www.victoria.ca

02.10.2008 10:29

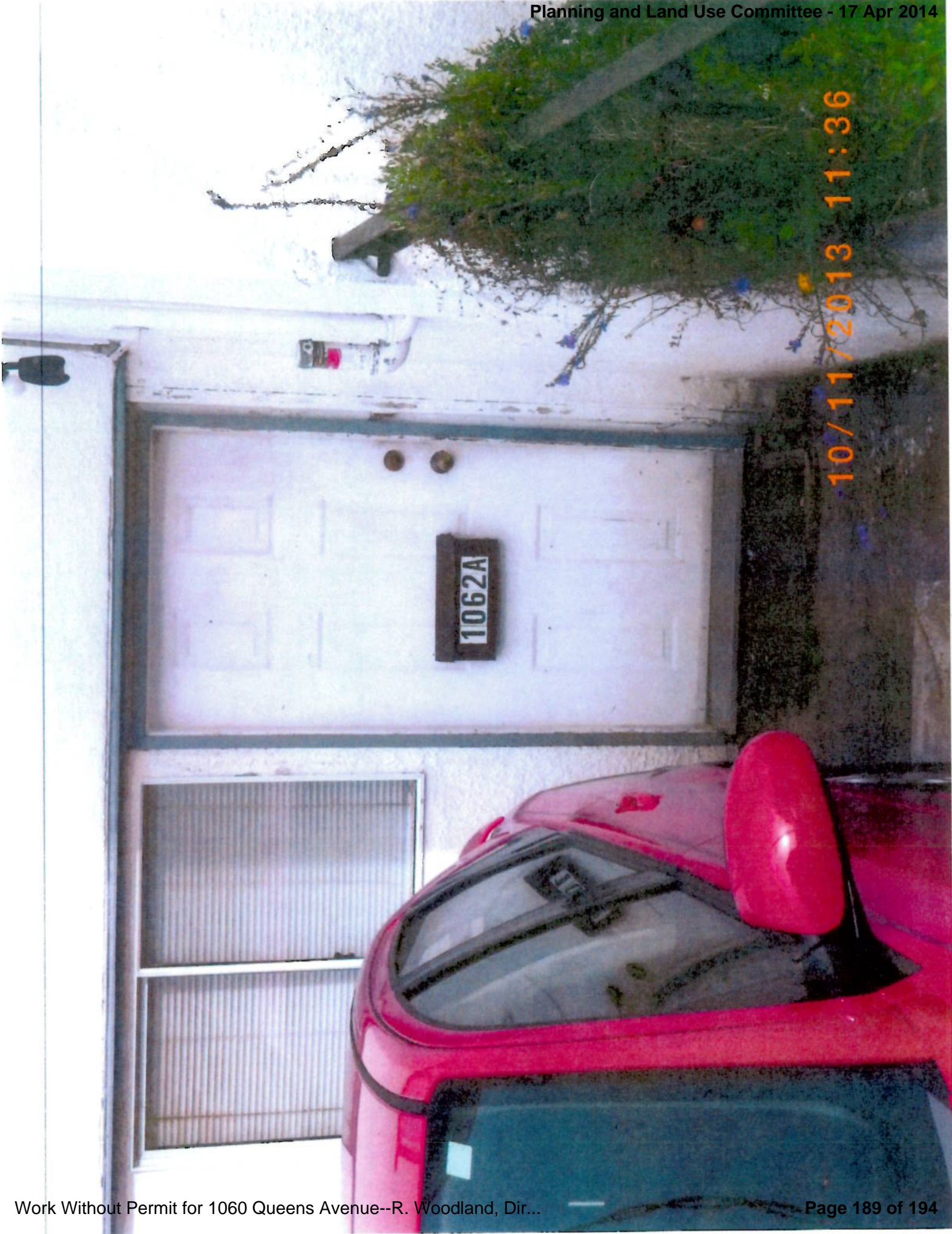


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Legend
Victoria Parcels

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Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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**Legislative and
Regulatory
Services
Department**

Legislative Services

#1 Centennial Square

Victoria

British Columbia

V8W 1P6

Tel (250) 361-0571

Fax (250) 361-0348

www.victoria.ca

April 1, 2014

Raymond W. Campbell
Barbara Kennelly
[REDACTED]

Dear Raymond W. Campbell and Barbara Kennelly:

Re: Work Without Permit – 1060 Queens Avenue

Please be advised that City of Victoria staff is recommending to the Planning and Land Use Committee that the Corporate Administrator file a Notice in the Land Title Office regarding work without permit for 1060 Queens Avenue. A copy of the report is attached for your records.

A hearing will be held before the Planning and Land Use Committee to grant the applicant an opportunity to address this matter. Therefore, the registered owner is hereby requested to attend the Planning and Land Use Committee meeting on **Thursday, April 17, 2014, at 10:30 a.m.**, in the Council Chambers, at Victoria City Hall, #1 Centennial Square (corner of Douglas and Pandora) to be heard by the Committee.

Further information respecting this matter may be obtained from the offices of the City of Victoria, Legislative & Regulatory Services, #1 Centennial Square, Victoria, BC between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday.

The agenda for this meeting will be produced on the Monday prior to the meeting and available from this office. Please advise Janice Appleby, Committee Secretary, at (250) 361-0598, if you have any written materials you wish added to the agenda, by Thursday, April 11, 2014.

Yours truly,

A handwritten signature in black ink, appearing to read "R. Woodland".

Robert G. Woodland
Corporate Administrator

:jda

Enclosure (1)

c. E. Garner, Senior Bylaw Officer
M. Hayden, Manager, Bylaw & Licensing Services