

July 4 2018

Dear Mayor Helps and Victoria City Councillors

RE: Citizen Input Regarding Proposed Changes to 224 Superior Street

Our names are Ray and Brenda Willis owners since 2010 of a duplex unit at 218 Superior Street. We are writing to you to provide input as requested on the proposed changes to 224 Superior as outlined in the correspondence we received from the City of Victoria dated June 29 2018.

1. **Zoning Regulation Bylaw, Amendent Bylaw (No 1141) No 18-019**

We would like to make clear that we do not support Amendments to the Zoning Regulation Bylaw No 18-019 calling for the western portion of the property to be rezoned to R1-S2 Restricted Small Lot. We have two major concerns with the subdivision of this property. As outlined in our earlier correspondence of March 21 2017 to The Mayor and City Councillors we continue to advance the issue that the creation of a restricted small lot with a two story home will negatively impact the status of the current designated Heritage Home, and also, our adjacent property at 218 Superior.

The heritage property at 224 Superior is a one of a kind fully in tact heritage designated property in James Bay, and, as such, it is an iconic heritage property. It is a beautiful heritage home surrounded by lovely gardens. The property is a favourite photography stop for cruise ship passengers and other visitors to Victoria. It embodies the grand era of Victoria and history of the James Bay community. Creation of the small lot significantly reduces the overall size of the property leaving a heritage house (minus the grand entrance stairway) crowded by a two story skinny house. In addition, the plan eliminates the majority of the front gardens in order to create unit parking. We were particularly surprised to see that the development proposal was not reviewed by the Heritage Panel as indicated on the City of Victoria planning schedule. We assumed that a development of this magnitude on a designated heritage home would have been a priority for review by this city panel.

The creation of the proposed Restricted Small Lot will also have a negative impact on the privacy and access to light in our home. The design of the house calls for 10 foot main floor and 9 foot second floor ceilings and a second floor balcony across the entire rear of the house. The house as planned will have a significant impact on our access to direct sunlight, as well as, the privacy of our back yard. The shading factor on our windows and yard will be significant particularly during the winter months. The City of Victoria Small Lot Policy highlights proposals should use "good neighbour design relative to privacy and sunlight." In addition, it states that applicants "should consider the shadowing, privacy, and sunlight impact of any new building."

2. **Development Permit with Variance Application**

In regards to the above request for variance we do not support "issuing of a development permit with a variance for a portion of the land known as 224 Superior Street for the purposes of reducing the side yard (west) setback from 2.40m to 1.5m to allow for two habitable rooms with windows." According to City of Victoria planning R1-S2 Zone Restricted Small Lot guidelines setbacks of the main structure must be in compliance with the following for side yard 2.4m for any portion of a dwelling used for habitable space. As our home is directly adjacent to this side of the proposed development, the addition of windows in this habitable space that are less than the regulatory 2.40m will impact negatively on the privacy of the windows in our bedrooms and upper hallway. The current design and plans for the proposed small house at 1.5m indicate sufficient light from windows in other parts of the habitable space to negate the need for additional windows

Thank you for allowing us the opportunity to provide input to your discussions on the proposal.

We are providing our email address and ask that they remain confidential.

Ray and Brenda Willis

Email: [REDACTED]

## Pamela Martin

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**From:** HELEN MURENBEELD [REDACTED]  
**Sent:** July 26, 2018 9:09 AM  
**To:** Public Hearings  
**Subject:** Reconsideration of rezoning and development permit with variances application for 224 Superior

Mayor Helps and City Council,

I am Helen Murenbeeld from 216 Superior St. I spoke to you two weeks ago, on July 12, regarding this development. As you might remember, I was strongly opposed to the 1.5 meters West setback, and the height of the proposed building. As neighbours, we are not opposed to a skinny house development but, find the proposed skinny house too Big for the newly created lot.

Hence, we are happy to hear that Mr.Halton and Mr.Garcia have given "options to reduce the size of the new house".

We are particulairly interested in:

- a. Reduce the height of the roof
- d. Reduce the width of the house
- e. Push back the second floor bay window
- f. Reduce the side of the lower roof

As I understand the democratic process, without these changes this development failed on tie vote on July 12.

In conclusion, I accept a new design with the above indicated changes.

Respectfully Submitted,  
Helen Murenbeeld  
216 Superior St.

**Pamela Martin**

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**From:** HELEN MURENBEELD [REDACTED]  
**Sent:** July 5, 2018 1:39 PM  
**To:** Public Hearings  
**Subject:** Regarding the Amendment Bylaw ( No.1141) No. 18-019 Civic Address 224 Superior Street

City Council,

As a neighbor to 224 Superior, we are opposed to the side yard (west) setback from 2.40m to 1.50m. Also, we are opposed to the Heritage Alteration Permit with Variances Application which proposes a further reduced west side yard from 3.65m to 1.20 m. The proposed setback leaves no room for landscaping along the west side yard fence, and gets too close to the neighboring property. It subtracts from the neighboring property's daylight.

Hopefully, the 2- year old roof that the tax payers of Victoria paid for, will remain in tact. I note this because, the old chimneys of the heritage building have already been removed! I am not sure if the removal of the chimneys were permitted.

Will the tax payers from Victoria be reimbursed if, the roof is scrapped?

Helen Murenbeeld  
216 Superior St.

## Karen Sidhu

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**From:** Public Hearings  
**Subject:** FW: proposed changes to 224 Superior Street

**From:** LENORE HARLTON  
**Sent:** July 7, 2018 10:39 AM  
**To:** Public Hearings <PublicHearings@victoria.ca>  
**Subject:** proposed changes to 224 Superior Street

I would like my phone number and email address kept confidential please.

I object to the proposed changes to 224 Superior Street on a number of grounds.

1) Heritage designation: As an owner of 215 Superior street for the past 30 years, I am very well aware of the attraction the home holds for all those walking by this block of Superior. Pedestrians of all sorts are constantly crossing the street and stopping in front of the home to take pictures. It is an important tourist attraction and I object to any proposal that includes change to the exterior of the building. This lot is a remarkable addition to the neighbourhood and has been for some years. Presumably it was designated heritage when it was purchased by the present Owners so why would they be allowed to change this attraction just to maximize profit.

2) Parking: Despite the arguments presented by the Owners, it seems just common sense that making additional driveway areas and taking away the existing parking will be detrimental to the current parking situation. Never mind the detriment to the looks of the property. As it is, the persons who stay at the bed and breakfast often make no attempt to stay parked in the lot and are constantly encroaching on the already limited street parking. As it is we cannot at times get parking ourselves because of church attendees and patrons of the restaurant at the end of Superior street.

3) Setbacks and site coverage: Surely the Owners can profit adequately without completely destroying the property with a small additional house and altered setbacks.

2 questions please: 1) I understand a stop work order has been placed on the property. I would like to know specifically what steps are now being taken to enforce the current bylaws. Heritage and otherwise. I am upset that the Owners advertised the property last May and seem to consider themselves outside the bylaws.

2) I am also concerned that the young people clearing out the bricks from the home were apparently not protecting themselves from any possible asbestos contamination. Is it true the City simply depends on the Owner/developer to state there is no asbestos in a property, even one of this age?? It seems to me arguable the City might bear some responsibility there in future if that is true.

All of which is respectfully submitted. Thank you for your time.

Lenore B. Harlton  
215 Superior Street  
Victoria BC V8V 1T4

Proposed Changes to 224 Superior Street

To City of Victoria,

I am opposed to the changes put forward in your request for input document. I do not believe the changes are in the best interest of our neighbourhood.

It appears a design proposal has been brought forward that requires many of our zoning bylaws to be changed in order to implement. This is on a heritage property, one of the oldest and most prominent heritage properties in James Bay.

Some of my concerns are;

Parking; the existing driveway and parking area is suitable for multiple parking stalls while still maintaining the heritage integrity. The proposed plan would require 3 driveways and parking in the front of the buildings which is not conducive to maintaining the heritage integrity. As well the 3 driveways would remove many road side parking spots.

The present lot size provides proper site coverage which maintains the heritage integrity. Building a house on a small rezoned lot will reduce the heritage integrity not to mention harmful to the use and enjoyment of the property adjoining on the west border.

Setbacks are created in bylaws to protect the properties surrounding a building site and future owners within the site. The proposal is suggesting to reduce setbacks in three areas, and once again, on a heritage site.

Thank you for your consideration,

Regards

Hewitt (Hew) Bowman  
215 Superior St.

**Pamela Martin**

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**From:** Cookie Dubney [REDACTED]  
**Sent:** July 11, 2018 2:07 PM  
**To:** Public Hearings  
**Subject:** 224 Superior Street - Council Meeting June 12, 2018

I support this proposal for 224 Superior St

C. Dubney

302-630 Montreal Street

Please do not disclose my phone or email address - Thank You.

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Cookie Dubney Victoria B.C.. [REDACTED] Please use [REDACTED]

## Pamela Martin

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**From:** ann nelson [REDACTED]  
**Sent:** July 11, 2018 4:48 PM  
**To:** Public Hearings  
**Cc:** ann nelson  
**Subject:** Proposed changes to 224 Superior Street

To whom it may concern,

I am of the opinion that the proposed changes to the noted address should be allowed to proceed, ONLY if the Heritage designation of the building on the outside is restored. It is my understanding that some changes have already been made that should not have been undertaken.

I would also add, there are concerns from the neighbour to the west of this property that the proposed design will completely eliminate all access to sunlight for them, which seems completely unfair to allow, and in my opinion, a terrible precedent for the city to set, allowing one neighbour to improve property at the absolute expense of another.

I also would like to bring to your notice that the present owners refuse to cut a large hedge on the east side of the property, neighbouring us. This hedge is approximately 40 feet high and deprives us of sunlight on the west side of our home. This has been an ongoing issue for at least ten years, so we are fully aware of what a detriment something similar would be, to the neighbour on the west.

I send this in confidence and would like my email address to remain confidential.

Many thanks,  
Blaise Nelson  
226 Superior Street  
Victoria, BC  
V8V 1T3

Sent from my iPad

**Pamela Martin**

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**From:** Norman MacMurchy [REDACTED]  
**Sent:** July 3, 2018 12:47 PM  
**To:** Public Hearings  
**Subject:** Zoning Amendment Bylaw (No. 1141) No. 18-019

As resident (and owner) of 204 Superior Street, I have reviewed the proposed rezoning of the property with the civic address of 224 Superior Street. After viewing the proposed development plan, I fully support the proposal. I see the development to be in keeping with the nature of the neighbourhood. The addition of more permanent housing (as opposed to the use of the property as a B&B) is, in my view an additional positive feature.

Norman MacMurchy

Sent from my iPad