

Robert Croft and James Keefe  
 931 Redfern Street  
 Victoria, B.C.  
 V8S 4E7

Mayor and Council  
 City of Victoria  
 1 Centennial Square  
 Victoria, B.C.  
 V8W 1P6

January 5, 2018



Dear Mayor and Council:

**Re: Development Permit and Development Variance Permits for 931 Redfern Street**

**Description of the Proposal**

Applications have been submitted to the City of Victoria requesting a Development Permit (DP) with variances for a proposed panhandle lot to retain our home at 931 Redfern Street and a Development Variance Permit (DVP) for a new lot which would result from the subdivision of 931 Redfern Street.

This is a unique property created over fifty years ago under very different circumstances than those that exist today. Approving this application would permit the large vacant area at the front of our lot to be turned into an infill lot under the existing zoning. The new home on the infill lot will be energy efficient with an extended life expectancy. Our home's existing form and character will be preserved. Both houses will have code compliant secondary suites. In summary this proposal illustrates an approach to sensitive infill: more intense use of an urban location while retaining neighbourhood character. This proposal will not engender any negative impact on existing trees, landscape features and adjacent homes.

The lot is currently zoned R1-G and has an existing two story house located on the back half of the property which is occupied by us. The subdivision is being proposed under the existing R1-G zoning and meets the zone requirements for lot width, lot area and total floor area as well as for height for the new house. Variances are required primarily due to the retention of the existing house on the new panhandle lot, the retention of a large Garry Oak tree in the middle of the existing, un-subdivided lot and the provision for road dedication requested by the City. We will remain in the existing house once renovated. Plans for both houses, a subdivision plan, a landscape plan and a streetscape plan have been submitted with the application.

**Neighbourhood Context and Design Guidelines**

The panhandle lot (Lot B) requires a Development Permit related to Schedule H of the zoning bylaw. A summary of the neighbourhood context and panhandle regulation features considered in this application is provided with the application.

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The new lot (Lot A) design conforms with the R1-G requirements for lot area, lot width, height and total floor area. The depth of Lot A's front yard sets the house back on the lot so that it aligns with the two neighbouring properties – the one to the south of the subject lot and the one to the north. Setting the house any further back on the lot cannot be accomplished without impairing the health of the large Garry Oak. Our proposal seeks to protect the root zone of the Gary Oak and the City's Maple in the boulevard.

However positioning the house as proposed causes, we understand, some concerns for Development Services as the entrance to the suite (and its' adjoining patio) are seen as too close to Redfern Street thereby impacting the "public realm".

At the direction of Council the City's Transportation Department implements a policy of acquiring additional land at the time of subdivision which means in this instance approximately 1.3m is taken from our property at the time of subdivision. If one examines that policy of obtaining land for future transportation purposes at the time of subdivision you will quickly see the difficulties and practical constraints to its implementation on Redfern. The pattern of development on Redfern is one of smaller lots (and therefore not likely to be subdivided) on the east side (ours being the one exception) and small dwellings or "garden suites" built on or near the property line on the west side of Redfern. So implementation of this policy on Redfern is seen by us as "low percentage play".

We will return to this issue at the end of this letter where we propose some alternative solutions for Council's consideration.

**Community Consultation**

At the end of May and in preparation for this application, we contacted the surrounding neighbours. As a result of this outreach to 8 neighbours, we received;

- 3 letters/emails of support,
- one neighbour to the north indicated by phone that they had no objections,
- 3 neighbours who were mailed information packages did not respond as of June 15th, and
- one neighbour facing west onto Cowichan street indicated they had concerns regarding changing views when looking across their backyard eastward to the far side of Redfern Street.

In addition, in late May, our consultant, Denise Kors contacted David Biltek, Chair of the Fairfield-Gonzales Community Association Land Use Committee and provided him with copies of the plans. He indicated that this did not need to go to a meeting since it was not a rezoning and that he appreciated the referral. He asked for copies of any support letters/emails and on June 14<sup>th</sup> copies of the three letters/emails of support and a copy of the consultation summary



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were sent to him. This initial consultation is noted in a consultation summary submitted with the application – see Attachment A.

**Transportation**

One on-site parking stall is proposed for each house as per the zoning bylaw. As noted earlier, the property is located in an area close to transit, bike lanes, schools, shopping and work allowing reduced use of vehicles and increased use of alternative modes of transportation. In addition, the lots on the opposite side of Redfern Street are through lots which face Cowichan Street. This reduces the street parking demand on Redfern Street to some extent. An EV charging station is proposed for both houses. On site bike storage is also proposed.

**Tree Retention**

Early in the design process, all the trees on the property, nearby trees on neighbouring properties and in the boulevard were inventoried by the arborist to assist in locating the new house. The arborist report includes an evaluation and recommendations related to the proposed subdivision, house plans and servicing. All trees on site as well as the City's boulevard tree will be retained – see Attachment B.

**Green Building Features**

A number of green building features are proposed for the existing house renovations and the new house as described in the summary below for both lots;

- The property is located in an area close to transit, bike lanes, schools, shopping and work allowing reduced use of vehicles and increased use of alternative modes of transportation.
- The project follows the BC Energy Step Code retaining and improving the existing house thereby enhancing the energy efficiency and life expectancy while reducing the need for new materials.
- The new house will have a proposed EnerGuide Rating 80 or higher that follows recommendation of our Certified Energy Advisor.
- The existing house has a high efficiency natural gas furnace with new energy efficient domestic hot water heating. The new house will have the same or an air-to-air heat pump.
- A south facing solar collection system will be installed for the existing house.
- The new and existing house will have low flow water use fixtures, energy star appliances and energy - efficient windows and doors.
- Existing on site storage (including capacity for bikes owned by the occupants of the secondary suites) for four bikes will remain in place for Lot B and storage for bikes inside the garage for the new home on Lot A will also be accommodated. Finally bike storage for the occupants of the suite in the Lot A home is achieved on the suite's patio.

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- The required car parking stalls (as per bylaw) per lot (i.e. one) are provided.
- The City of Victoria's Permeable Paving requirements will be achieved for both driveways.
- Existing hedges, trees and shrubs are preserved thereby ensuring privacy screening for adjacent homes. New trees and shrubs along the new property line will provide additional privacy between the two proposed properties.
- Both houses will have EV charging stations.

Planning concepts proposed in Lot A considers the City of Victoria and Gonzales Neighbourhood Planning Strategies and community goals including:

- *New housing diversity should be encouraged while maintaining the low rise feel of Gonzales.* Lot A proposes a new secondary suite that adds to the neighbourhood's diversity.
- *More housing for renters and families is needed.* Lot A proposes a new secondary suite.
- A variety of housing types, such as townhouses and more suites would be suitable in Gonzales. Lot A proposes a new secondary suite that adds to the number of neighbourhood suites for rent.
- *Retain existing trees as properties redevelop, the trees and natural environment of the neighbourhood should be retained.* The arborist has concluded that there will be no negative impact to existing trees. In addition the existing topography remains with minimal changes to the slope.
- *Create opportunities for more attainable home ownership.* Lot A proposes a new secondary suite assisting qualifying new home owners for home ownership.
- *Create livable, long-term rental housing.* Lot A proposes a new secondary suite adding to the neighbourhood's long-term rental opportunities.
- *Encourage new housing for children.* House provides 4 bedrooms.
- *Consider existing streetscape and neighbouring homes.* Front yard setback requires a variance; however new house position aligns with existing setback of the neighbouring homes.

The proposed new panhandle Lot B considers City of Victoria and Gonzales Neighbourhood Planning Strategies and community goals including:

- *As properties redevelop, the trees and natural environment of the neighbourhood should be retained.* The arborist has assured no negative impact to existing trees (including our neighbour to the south); proposed new fence and permeable paving to panhandle driveway present no negative impact. The exposed bedrock on Lot B remains.
- *More housing for renters and families is needed.* Lot B's existing 2 story home currently has an unapproved suite, the project proposes conversion to conform to BC Building Code and remain within the existing house (foundation), all services are already in place.



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We have worked diligently with City staff and our neighbours to ensure that this design will fit in well with the neighbourhood and with the City's Regulations and Design Guidelines. We are pleased with the resulting proposal (which has benefitted from substantive input from your staff) as outlined in this letter.

Finally we would like Council to consider some options to resolve the one remaining concern i.e. the proximity of the suite entrance and its' adjoining patio to the Redfern Street curb. These options are:

1. the rental suite in the Lot A house is removed from the proposal;
2. the property owners (Croft and Keefe) grant a deferred transportation dedication caveat to the City so that the 1.3m strip of land remains on the title of the lot thus enabling the development to proceed as proposed while enabling the City to fulfill its' policy objective at some future date; or
3. the suite entrance and patio concern of Development Services is set aside in order to fulfill a number of policy objectives of the City.

Thank you for your consideration of this application. We remain committed and anxious to proceed in Spring 2019. With your approval the City will have another illustration of sensitive infill that is policy compliant and that can serve to enrich and diversify the community.

Yours truly,

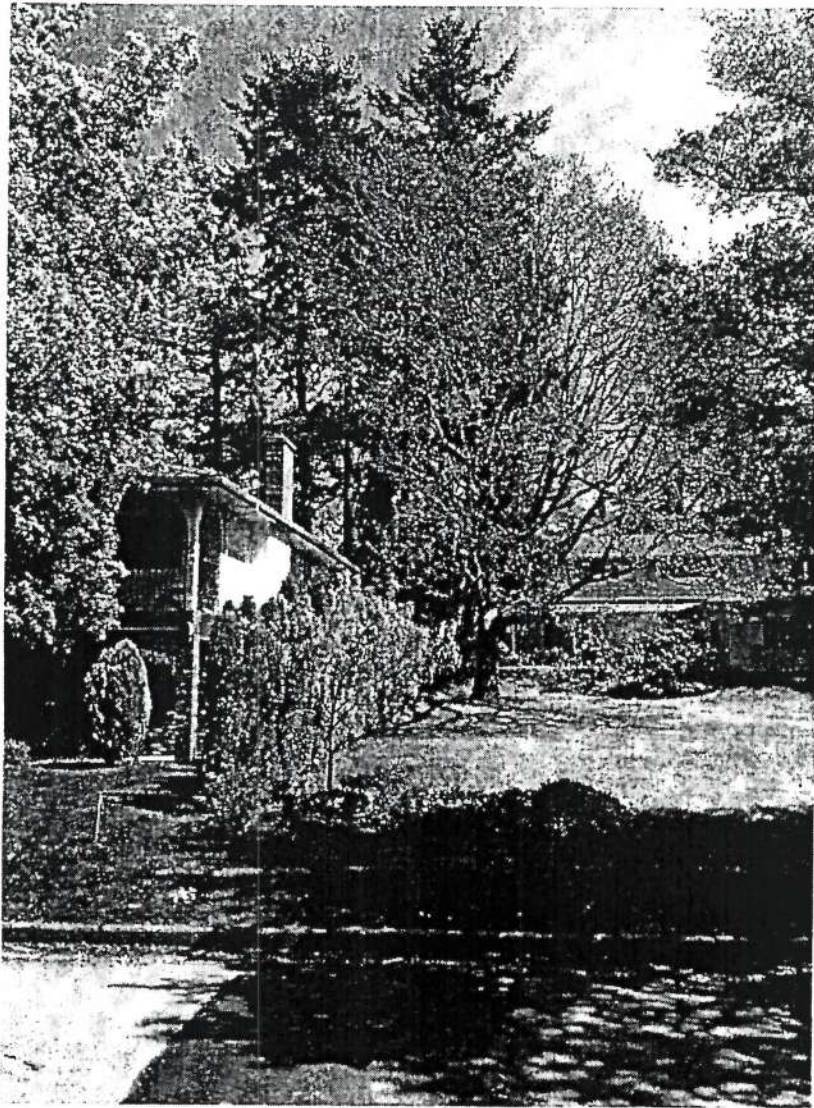


Robert Croft



James Keefe

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View of location of the new house with the existing house at the back as seen from Redfern



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View of the existing dwelling from Redfern at the location of the proposed panhandle

Attachment A. 5  
 to letter dated ~~Jan 10, 2018~~  
 Mayor and Council

## 931 Redfern Street, Victoria BC – Subdivision, DP & DVP Applications

### Neighbourhood Consultation Summary

In May 2018, the eight surrounding property owners were contacted by phone, email and mail prior to making the application to provide details of the proposed subdivision and variances. Copies of the proposed plan of subdivision and house designs were forwarded by email or mail to the owners who requested them. The feedback from this consultation up to June 15, 2018 is summarized in this table.

Name and Address	Current Zoning	Comments
933 Redfern Street PID 002-103-788 Mike & Serene Ford	R1-G	May 29/18 – Phoned Mike Ford. He said they did not need a copy of the plans. Little impact on them (they only have one window on that side of the house). No objections.
927 Redfern Street PID 005-045-991 Brenda Wilson	R1-G	April 27/18 – Brenda was originally contacted by the owners re: plans to subdivide and had no objections. May 29/18 – Called to offer plans and left a message. June 8/18 – Brenda sent an email that she had seen the plans and had no concerns (email attached).
943 Cowichan Street PID 009-801-068 Susana Stover	R1-G	May 30/18 – Mailed a copy of the subdivision and house plans with a cover letter. No response as of June 15/18.
939 Cowichan Street PID 009-201-050 Barb & Tom Hall	R1-G	May 29/18 – Called to offer plans and left a message. June 9/18 – Barb called and plans were emailed. June 12/18 – Barb sent an email response that they are not pro development when it comes to neighbourhoods and that this change will mean they see a house instead of trees, grass and a beautiful garden.
1958 Hawes Road PID 005-046-017 Ken & Joyce Miscovitch	R1-G	May 29/18 – Called to offer plans and left a message. No response to date.
930 Foul Bay Road PID 005-212-740 Kevin Ford	R1-G	May 30/18 – Mailed a copy of the subdivision and house plans with a cover letter. No response as of June 15/18.
932 Foul Bay Road PID 008-853-918 Craig Rosario & Robbie Peterson	R1-G	May 30/18 – Sent an email regarding proposed subdivision and offered to provide plans. June 10/18 – Owners sent a letter indicating that they have reviewed the plans and are in full support of this proposal (letter attached)
934A Foul Bay Road PID 004-520-513 Rebecca Wigod & Doug Harrison	R1-G	May 30/18 – Sent an email regarding proposed subdivision and offered to provide plans. May 31/18 – Received email reply that they did not think there would be much impact other than construction noise.

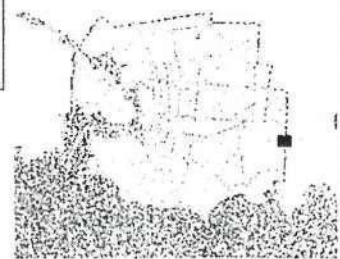


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Printed from VicMap

04/30/2018



Legend

☐ Victoria Parcels

1: 1,000



Notes

Cowichan St

961

957

953

949

945

Susana Stover

943

Thomson Hall

939

935

929

923

917

Redfern St

Hawes Rd

941

939

937

Mike + Sarah Ford

933

931

Branda Wilson

927

1940

Ken Miscoitch Joyce

1958

1952

1946

910

936A

934A

Rebecca Wigod Douglas Harrison

934B

Rob Peterson  
Craig Peterson

932

Kevin Good

930

928

936

Foul Bay Rd

Foul Bay Rd

Oak Bay

51 0 25 51 Meters

NAD\_1983\_CSRS\_UTM\_Zone\_10N  
Public domain; can be freely printed, copied and distributed without permission.

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.  
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Robert Peterson  
Craig Rosario  
932 Foul Bay Road  
Victoria, BC V8S 4H8

June 10, 2018

By email: [REDACTED]

City of Victoria  
c/o attn.: L. Denise Kors, P.Eng. LEED® AP  
Kors Development Services Inc.

To Whom It May Concern:

**Re: Proposed Subdivision of 931 Redfern Street**

Our property at 932 Foul Bay Road borders 931 Redfern Street, the property which is subject to the proposed subdivision. We have received, reviewed and considered the subdivision plans, and write in full support of this proposal, without concern.

By way of background, we understand Victoria to have a serious undersupply of housing, both for sale and rent. This is especially true in neighbourhoods like ours, which are highly walkable and accordingly desirable. We believe in responsibly increasing density in such high-demand neighbourhoods, for the benefit of the entire community.

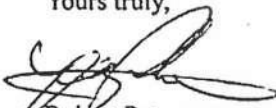
In review of the proponents' plans, we consider their approach to be sensitive and thoughtful. We note that the inclusion of a secondary suite in the new home further increases the supply of affordable housing in the neighbourhood. At the same time, the proposed development aligns with the existing character and scale of homes along Redfern Street. Since the proponents are staying in the existing home and improving it, they have a vested interest in ensuring the development is beautiful and liveable. The end result is an enhanced quality of housing in the neighbourhood and greater housing supply in one of Victoria's most sought-after neighbourhoods.

A quick visit to the property shows that the very large front yard of the property is unlike any of its neighbours and gives an appearance of being surplus to the existing house. Accordingly, the proposed new house on that portion of the property will result in new housing that simply aligns with the existing character and scale of homes along the street.


Finally, as a municipal lawyer and realtor, Robert recognizes that this proposal represents a cost-effective redevelopment strategy for the City, whereby the City accrues tax benefits far exceeding the costs to service.

We would be pleased to discuss this matter further.

Yours truly,



Robert Peterson



Craig Rosario

cc: Jim Keefe; Bob Croft

A3



## Denise Kors

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**From:** Rebecca Wigod [REDACTED]  
**Sent:** Thursday, May 31, 2018 11:57 AM  
**To:** Denise Kors  
**Subject:** Re: Proposed subdivision of 931 Redfern Road

Hi, Denise.

Thanks for getting in touch with us.

Given where our house is located, we probably won't be much affected by Bob and Jim's project, apart from the noise of construction.

We like them a lot and wish them well.

Best regards – Rebecca Wigod and Douglas Harrison

On Wed, May 30, 2018 at 4:09 PM, Denise Kors [REDACTED] wrote:

Hi Rebecca and Doug. I got your email address from your neighbours at the back and side of your house, Bob and Jim. They have asked me to assist them with their subdivision and variance applications with the City of Victoria. Part of this process is to contact the neighbours to see if there are any comments or questions. I can provide you with more background info if you want like the plan of subdivision and/or house plans for both the existing and new house at the front. We are proposing to submit the application to the City of Victoria in the coming weeks. My contact information is provided below. Let me know if you would like me to send you any of this info and feel free to call me if you have any questions or comments.

L. Denise Kors, P.Eng. LEED® AP

Development Manager

Kors Development Services Inc.

Phone: [REDACTED]

Cell: [REDACTED]

Email: [REDACTED]

Website: [www.korsdevelopment.com](http://www.korsdevelopment.com)

## Denise Kors

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**From:** BRENDA WILSON [REDACTED]  
**Sent:** Friday, June 08, 2018 5:24 PM  
**To:** Denise Kors  
**Subject:** Re: 927 Redfern Street call

Hi Denise,

Jim and Bob have reviewed the plan and house drawings with me and I have no concerns about the project apart from being sad at losing the green space to development. But if it has to be then this is a fine project. They have worked hard to fit it into the neighbourhood and I'm sure it will be an asset to the street.

Brenda Wilson  
927 Redfern St.

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**From:** "Denise Kors" [REDACTED]  
**To:** "Jim Keefe" [REDACTED]  
**Cc:** "Bob Croft" [REDACTED]  
**Sent:** Friday, June 8, 2018 10:22:54 AM  
**Subject:** RE: 927 Redfern Street call

Hi Brenda. I am assisting Jim and Bob with their application to subdivide and contacted you by phone in late May. As part of this process, I am contacting the immediate neighbours to determine whether there are any comments or questions. First, I have attached a copy of the proposed plan of subdivision and would be happy to provide you with copies of the house plans as well. Upon reviewing the information, if you have concerns, I would be happy to review them with you to see what can be resolved. If not, it would assist us to have a letter or email back from you indicating your name, address and that you had received the plans and have no concerns. Please feel free to call to discuss.

Denise Kors, P.Eng. LEED® AP  
Development Manager  
Kors Development Services Inc.  
Phone: (250) 743-8700  
Cell: (250) 686-7125  
Email: [REDACTED]  
Website: [REDACTED]

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**From:** Jim Keefe [REDACTED]  
**Sent:** Friday, June 08, 2018 9:16 AM  
**To:** Denise Kors  
**Cc:** Bob Croft; [REDACTED]  
**Subject:** RE: 927 Redfern Street call

Hi Denise

I spoke with Brenda this morning and she would be pleased to provide her comments on the proposed plan. Brenda has been copied on this communication and so if there is anything you would like her to address (in addition to your email below) please advise ASAP.

Thanks to you and Brenda for expediting.

Cheers  
jim

Regards,



*Community Association Liaison*

The Fairfield Gonzolas Community Association, was contacted by phone on May 30, 2018 [Vanya McDonnell - Co-Executive Director 250-382-4604] and an email with the subdivision and house plans was sent to David Biltek (Chair of the Land Use Committee). On May 31, 2018, David Biltek phoned to say that since this was not a rezoning, there was no requirement to meet with them. They had no initial comments and we offered to provide them with a copy of the consultation summary with the immediate neighbours when it was ready. We also offered to meet with them or the broader neighbourhood in the future if this would be a good way to address concerns. One letter and two emails of support as well as a copy of the consultation summary were sent to David Biltek on June 14, 2018.

Jim Keefe

*Attachment B*  
*to letter dated Jan 5, 2018*  
*to Mayor and Council*

From: Bob Croft [REDACTED]  
Sent: January-05-19 12:44 PM  
To: Jim Keefe  
Subject: Fwd: Redfern Drawings - Reduced Size - With Markups

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Talbot Mackenzie [REDACTED]  
Date: 2018-12-17 2:25 PM (GMT-08:00)  
To: Bob Croft [REDACTED]  
Subject: Re: Redfern Drawings - Reduced Size - With Markups

Hi Bob

The tree has an estimated critical root zone of 5.5m. I think as long as excavation is limited to the edge of the dripline (4.5m away), you probably won't have to do any exploratory digging to demonstrate the tree won't be impacted. It's probable it can be done a bit closer to the tree with some crown pruning, but the city would likely request a dig again.

Let me know if you need any more information.

Noah

On Mon, Dec 17, 2018 at 2:08 PM Bob Croft [REDACTED] wrote:

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Shawn Kelly [REDACTED]  
Date: 2018-12-17 8:10 AM (GMT-06:00)  
To: Bob Croft [REDACTED]  
Subject: Redfern Drawings - Reduced Size - With Markups



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Talbot Mackenzie & Associates

Consulting Arborists

Box 48153 RPO Uptown

Victoria, BC V8Z 7H6

Ph: (250) 479-8733 Fax: (250) 479-7050

Email: [REDACTED]

Web: [www.treehelp.ca](http://www.treehelp.ca)

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