

# SUMMARY SMALL LOT HOUSE REZONING PETITION

**Received**  
City of Victoria

FEB 22 2019

Planning & Development Department  
Development Services Division

I, VILLAMAR DESIGN, have petitioned the adjacent neighbours\* in compliance with  
(applicant)

the *Small Lot House Rezoning Policies* for a small lot house to be located at 2921 GOSWORTH RD.  
(location of proposed house)

\_\_\_\_\_ and the petitions submitted are those collected by SEPT. 28, 2018. \*\*  
(date)

Address	In Favour √	Opposed √	Neutral (30-day time expired) √
2927 Gosworth		X	
2936 Gosworth		X	
2930 Gosworth			X
2844 Gosworth		X	
1514 Burton		X	
2845 Burton	X		
1517 Burton			X

SUMMARY	Number	%
IN FAVOUR	1	20 %
OPPOSED	4	80 %
TOTAL RESPONSES	5	100%

\*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.

MAP OF NEIGHBOURING PROPERTIES TO 2921 GOSWORTH RD.



July 20, 2018

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

Re: Rezoning application for 2921 Gosworth Rd. (Amended Lot 18, Block 7, Section 29-30, Victoria District, Plan 1222)

As a neighbour to the above address, I Lee Porteous of  
(print name here)

2927 Gosworth Road (Adjoining Property)  
(print address here)

AT THE COMMUNITY MEETING  
have reviewed the proposed plans and I am: BRIEFLY AT A DOORSTEP  
MEETING WITH THE  
DESIGNER  
☐ In support of the application  
☒ not in support of the application

Comments:

I HAVE ATTACHED MORE COMMENTS - I NOTE THAT  
THE PLANS HAVE CHANGED SOMEWHAT FROM THE COMMUNITY  
MEETING - THE ROOF IS NOW 5' OR 6' ABOVE THE  
PEAK OF THE EXISTING HOUSE, RATHER THAN 6' TO 7'.  
ALSO THE 8' PARTIAL BASEMENT IS NOT PLANNED BUT  
A 3' CRAWLSPACE "MAY" BE BUILT BUT THE DESIGNER  
COULD NOT TELL ME WHAT WOULD DETERMINE THAT CHANGE/DECISION  
THE PROPOSED HOUSE WOULD BE 15' FROM THE EXISTING HOUSE  
AND 5' FROM THE NEIGHBOURING HOUSE ON BURTON, 20' FROM  
[SEE ATTACHED] MY PROPERTY LINE  
(signature), neighbour to 2921 Gosworth Rd.

A DRIVEWAY/PARKING SPOT OFF GOSWORTH NEXT TO MY FRONT  
FENCE IS STILL IN THE PLANS.

If you have any questions, please contact:  
Duane Ensing 250-818-7235 (Principal Designer, Villamar Design)

THE FLOOR SPACE WILL BE 1734 square feet IN TOTAL.  
4 BED ROOMS AND 3 BATH ROOMS.



RESPONSE TO APPLICATION FOR SMALL HOUSE REZONING FOR 2921  
GOSWORTH ROAD (Villamar Design)

Submitted by Lee Porteous, owner of 2927 Gosworth Road, September 27th, 2018

The small lot house rezoning is an exception to the normal zoning requirements and can only be approved for lots that are suitable, according to the legislation and guidelines. The application does not depend on simple calculations of area and setbacks.

The topography of the lot and the surrounding properties, the placement of the neighbouring homes, the terrain and other characteristics of the immediate neighbourhood affect the decision - the approval of a small lot infill can drastically affect the neighbours and their neighbourhood.

History: There have been three attempts to have a small lot infill approved for 2921 Gosworth road. Two reached Municipal Council and were rejected.

The third reached a second community meeting on September 17th, 2009 and after that meeting, the developer abandoned the application. His architect attended the meeting to assist him and, at the end, commented that some lots were just not suitable for small lot infill.

I have lived next door to 2921 at 2927 Gosworth since 1991 and was with my neighbours, all of whom objected to both applications, for the 1992 hearing at Council and during the community meetings in 2009.

The lot and the footprint of the house have not changed since the Council decisions - only the carport has been walled in and the deck above refurbished.

The 2009 house that was planned was to be two stories, with a considerable base, such that its roof would have been 1.5 feet higher than the peak of the existing house. As in the proposed plans, the deck/carport would be removed to make room for the new house. The house was somewhat smaller but there were similar issues.

The residents in the Burton/Gosworth neighbourhood are not opposed to all small lot subdivisions. For example the one at Burton/Doncaster, a short block away, went through with no objections.

a large and quite well shaped Japanese Maple in that area. Originally, I was told it would be taken out. Now I'm told it can stay, although it will be abutted by a driveway.

The Guidelines do require care to conserve trees - it would be a shame to lose the large plum tree in the back and the large maple in the front, even though they are not protected species.

Victoria generally requires that parking not be situated in the front yard. "In rare situations, a variance may be sought to place the parking within the front yard setback." And "Generally, front yard parking will not be allowed." Where a permit is given and "parking is confined to the front setback area, additional landscaping and screening should be provided to soften the visual impact."

"Where a garage is not provided thought should be given as to how shelter may be provided for bicycles, garden tools, mowers and so on. Tool sheds and carport should appear as an integral part of the design." Without the garden shed it now has in the back yard and without the carport, there is little storage.. The crawl space is uneven and small providing little room for any storage, especially of things like bikes or lawn mowers.

In this location, the driveway does not help the parking situation on Gosworth/Burton because the driveway will prevent parking on the street where it leads onto Gosworth AND what is left between Burton and the driveway is a dangerous place to park, given that drivers often do not stop at that stop sign and make their turns at some speed, there being no speed hump there. Further, entering Gosworth there, especially if there were a car parked between the driveway and Burton, along with the obstruction of the fence and a tree, would be a dangerous move.

#### Underground

Blasting of the rock my house sits on is a worry because the foundations sit directly on the rock, very close to the site of potential blasting. I have had a membrane and skim coat of cement laid down in my crawl space that could be damaged, too.

There is a surprising amount of water that flows through my property. The skim coat was an attempt to reduce the dampness in the crawl space and I had a sump pump installed, too. None of us know why there is so much water but it flows down the grade our houses are on.

I am concerned that the construction of the proposed house will adversely affect this situation and any blasting will damage my foundations and the membrane/skim coat and allow the water in again.



One neighbour from a couple of houses down Burton attended the community meeting, as she did the previous meetings and the last Municipal Council hearing - she is deeply concerned about any blasting as her house also sits directly on the rock. She had negative consequences in a previous construction that involved blasting.

#### Densification of the Neighbourhood

Decisions by councils over the years have had a significant impact on our neighbourhood. There are many suites now, which was the intention of Council when it changed the rules for Single Family zoning. From my front step, I can see 8 houses. Of these, I know for sure that 5 of them have suites.

This has added density has increased both extra traffic and pressure on parking.

Council allowed a significant expansion of the church across the street from the proposed development. Two walls were left up so that a different requirement for parking was in place - renovation rather than a "new" building. Although the church razed the house beside it to make a parking lot, the parking is not adequate, especially on Sundays when most of the residents, and their cars, are "at home".

There are apartment buildings on both sides of Gosworth at Hillside now, the Aberdeen hospital just up from Gosworth, an expansion of the recreation centre (actually a Saanich decision), the significant expansion of the Hillside Mall, with Thrifty's, Canadian Tire, a liquor store and other businesses. Over the years the traffic, pedestrian and vehicular, has increased very noticeably, as well as pressure on parking.

Hillside is so hard to get on to that most of us will turn down Burton to use the light at Hillside. There are semitrailers using Gosworth, even with the speed humps.

We are wary of another addition to all this, especially on Burton, where the conflicts over parking are the most acute and where traffic is now quite heavy.

#### Why Override the Previous Decisions of Council and the Objections of All the Neighbours?

I am concerned that Council is so desperate for housing in Victoria that an infill house rezoning that violates City guidelines, contradicts the decisions of previous Municipal Councils and detracts from the properties of the neighbours should be allowed, over the objections of the neighbours.

Small Lot House Rezoning is such a serious matter for neighbours and neighbourhoods that there are elaborate guidelines put in place to ensure that only suitable lots are exempted from normal requirements.

### Affordable Housing?

If affordable housing is the goal, the proposed house would not qualify.. A 4 bedroom, 3 bathroom house is at least the in the \$800,000 range and probably more.

My house was recently appraised, specifically excluding development potential, at \$743,000 and it has only two bedrooms and one bathroom. It is also old. I have been looking at houses and house prices because I think I could not face having such a huge loss to what I have loved about my house - the light, the breezes, the yard, the trees on Burton and my neighbours' yards, the relative privacy - and so have become more familiar with house prices in Victoria.

If we take the value of \$800,000:

The payments:

600,000 mortgage (800,000 house with 25% down)

25 years - 5% rate - monthly payment 3508.

- 4% rate - monthly payment 3167.

500,000 mortgage

- 5% rate - monthly payment 2923.

- 4% rate - monthly payment 2639

To go from there - with less down payment, the amount simply gets higher. This does not take into consideration: taxes, mortgage insurance, insurance and costs associated with living (hydro, gas, oil, upkeep) This would conservatively cost 500 a month.

So roughly 4000 a month. Those are after tax numbers - so 48,000 a year in payments. An income of 150,000 makes the 48,000 30% of gross income. It would be over 50% of after tax money.

(My own property taxes and house insurance are about \$300/month.)

The City's definition of affordable housing requires that all these costs be only 30% of the owner's income. Clearly, this house is not "affordable" for modest income folks.

This house would not qualify as affordable for most people. We know from experience that there is no "trickle down" in housing - those in higher income brackets are not competing with those of modest means for housing. They are different markets.



### Housing Availability is Increasing

There are many projects coming on line for housing in the greater Victoria area and many include affordable housing and supportive housing. The TC announces them almost weekly. For example, there are 900 units from the western communities coming available in the near future, plus 61 townhouses, the first of 707 in the Esquimalt Lagoon area. On September 12th the TC quoted the CMHC that there were 580 house starts in AUGUST, up from 183 last year, Since January, 2,765 starts, up about 700 from last year, in July, 479 apartment units, 66 single family homes. Year to date - 1,948 apartments.

In 2017, 2,966 multi-family units and 876 single family homes. September 16th, Provincial confirmation for 2,500 units of supportive housing in the next 10 years. Nigel Valley has been approved with 186 - 796 units, including social housing expected so far with more to come.

Work has started on Tapestry (Crystal Court) that includes 131 rental units and 42 condominiums.

Saanich has offered land for 40-60 modular supportive housing units to be open by late spring or early summer.

I get notices in my mailbox of projects like *Fifteen88* offering one and two bedroom condos starting below \$300,000..

With all of this going on, how is one house worth ignoring the guidelines set by the City, ignoring the rulings of previous City Councils about the same property, alienating the neighbourhood, reducing the value of the properties of the immediate neighbours and putting that value in the pockets of developers?

If the previous decisions of City Council are not followed, there is no certainty. It is a free for all and developers will take a shot at possibly getting approval, even when they should not.

Previously, when the last developer tried and failed and put the property on the market, potential developers knocked on my door and found out the history. In the end, a young couple who wanted to start a family bought the property. They had to leave for work and schooling, reluctantly. When they sold, the present developers did not do their due diligence, just as the previous one had not. Had they asked the neighbours or checked with the planning department, they would have discovered the documents filed by the neighbours last time and the previous failed applications.



I, and my neighbours, would have been spared the stress and time of responding to the application, the local community council would not have had to put on a meeting and Council would not have to deal with this matter, yet again.

Or perhaps the applicants did so and thought that Council was so desperate to approve more housing that it would do so despite the history and the objections of the neighbours.

#### Personal

I made a lot of sacrifices to be able to buy this house, to develop the yard, to maintain and improve the house. It is my home, not an asset out of which to make money. This application feels like an expropriation without compensation, not even in the public interest, but in the interest of people who are getting a big part of the value I put into this property and walking away with it. They will not be living in either house.

#### Conclusion

The last developer's architect and two previous Municipal Councils were right: this particular lot is not suitable for Small Lot House Rezoning.



Lee Porteous

July 20, 2018

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

Re: Rezoning application for 2921 Gosworth Rd. (Amended Lot 18, Block 7, Section 29-30, Victoria District,  
Plan 1222)

As a neighbour to the above address, I Charon & Tammy Lum of  
(print name here)

2936 Gosworth Rd, Victoria, BC  
(print address here)

have reviewed the proposed plans and I am:

           in support of the application

X not in support of the application

Comments:

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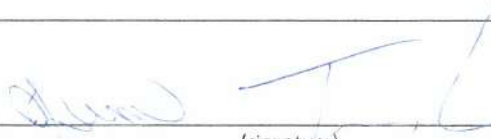
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, neighbour to 2921 Gosworth Rd.  
(signature)

If you have any questions, please contact:  
Duane Ensing 250-818-7235 (Principal Designer, Villamar Design)



July 20, 2018

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

Re: Rezoning application for 2921 Gosworth Rd. (Amended Lot 18, Block 7, Section 29-30, Victoria District,  
Plan 1222)

As a neighbour to the above address, I TERESA JACOBSON of  
(print name here)

2844 GOSWORTH RD  
(print address here)

have reviewed the proposed plans and I am:

☐ in support of the application

☒ not in support of the application

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
Read following attachment!  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Teresa Jacobson , neighbour to 2921 Gosworth Rd.  
(signature)

If you have any questions, please contact:  
Duane Ensing 250-818-7235 (Principal Designer, Villamar Design)

Why must you persist in trying to shove two houses on a lot that is clearly too small to hold them?

One house - the existing house - is adequate enough.

It has undergone a top-to-bottom renovation (including a brand new, lovely deck and a secure storage area).

It does not need to be demolished. It does not need to be replaced by one (or two) of those hideous cookie-cutter chicken coops that developers ~~se~~ seem to be content on passing off as housing these days.

This house fits with the rest of the neighborhood, is not in any form of disrepair.

This house fits the lot upon which it sits.

It does not need to be replaced.

Leave it as is.



To even attempt demolishing or (god-forbid) construction would be an absolute debacle. This area was once all farmland with underlying bedrock. To build anything on that lot would require blasting. That is not an option in this neighborhood. Besides all of the other construction noise, mess, road closures and such (who wants to have a front row seat of a port-a-potty and a dumpster when they open their front curtains every day for the next one to two years)... No thank you!

Parking is also a major issue in this ~~neighborhood~~ neighborhood. You would see this if you took the time to look. Both the by-law officers and the city did and admit there is definitely a problem though it seems neither want to be bothered remedying the situation.

To add two houses and the cars the occupants would  
likely bring would only make it worse.

No.

One house - the existing house - on one lot.

That is enough.



July 20, 2018

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

Re: Rezoning application for 2921 Gosworth Rd. (Amended Lot 18, Block 7, Section 29-30, Victoria District, Plan 1222)

As a neighbour to the above address, I ~~Bob Preston~~ ANNA-MARY SCHMIOT of  
(print name here)

1514 Burton Ave

(print address here)

have reviewed the proposed plans and I am:

           In support of the application

X not in support of the application

Comments:

- This development would cause a significant blockage of light and impact the growth/health of well established trees + plants in our gardens (including a vegetable garden).
- The development is far too close (5ft) from our property + outdoor living area and would greatly impact our privacy + enjoyment of our outdoor space.
- We are already surround by high density development. We've had our fair share of this type of development. It's not what we see as being progressive any longer. We've reached a saturation point in our community.

, neighbour to 2921 Gosworth Rd.  
(signature)

If you have any questions, please contact:  
Duane Ensing 250-818-7235 (Principal Designer, Villamar Design)

Thank you.

Aug. 23, 2018

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

Re: Rezoning application for 2921 Gosworth Rd. (Amended Lot 18, Block 7, Section 29-30, Victoria District,  
Plan 1222)

As a neighbour to the above address, I PETER POON of  
(print name here)

2845 GOSWORTH ROAD  
(print address here)

have reviewed the proposed plans and I am:

✓ in support of the application

       not in support of the application

Comments:

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Peter Poon, neighbour to 2921 Gosworth Rd.  
(signature)

If you have any questions, please contact:

Duane Ensing 250-818-7235 (Principal Designer, Villamar Design)