Date March 19, 2018

Dear Mayor and Council;

Re: Development Proposal at 331 and 337 Charles Street St.

The proposal is to carve out a third lot from two existing lots and build a large 3-level, 5-bedroom home with a basement suite. This structure would be squeezed into a very narrow lot, creating an odd lot configuration and requiring several significant variances to City Zoning By-laws.

Will this development enhance our neighbourhood? This development will benefit only the developer, and that at the expense of current neighbours and the City. It is not a respectful and reasonable development, will increase City expenditures to address City infrastructure challenges already experienced by existing residents, and will definitely not meet the needs of those seeking affordable housing. It will have a negative impact on the following specific issues.

Pedestrian traffic: The corner of Earle St. and St. Charles is an active area with no crosswalks. There are many pedestrians, such as walkers, shoppers, hospital staff, parents and children going to daycare, and the many and various park users.

Parking congestion: This is already an issue due to pressure from homeowners, renters, plaza shoppers and employees, daycare, and park users. In addition, many drivers use Earle St. as a short cut route. We know that the City is well aware of the parking issues on these blocks.

This development would exacerbate both existing issues. It requires the addition of a second driveway off Earle that would further reduce on-street parking and, because of its proximity to the corner, further increase hazards for pedestrians. The development reduces street parking, yet increases the need for on-street parking by proposing a suite, but not supplying any on-site parking for it.

Shadowing: Our home at 1613 Earle St. is located to the east and adjacent to the proposed development. Our home had extensive renovations in 1994 and the west wall, which has a total of 13 windows was designed to capture sunlight and warmth in the winter months. The proposed development (*with the maximum height specified for this zone*) will block the solar heating upon which we have become dependent. This would require us to increase our use of non-renewable resources, thereby significantly adding to our heating expenses, and contribute negatively to climate change (e.g., on sunny March 10th the temperature outside was 8 C but it was 21 C in our house). As retirees, this unexpected increase in annual costs is a hardship on us. This shadowing will also reduce the sunlight to our garden and decks, significantly impacting our enjoyment of our property – enjoyment we regularly share with the children we raised in this house, and our grandchildren. We note that the proposed house plan (*which has only 6, mostly small, windows*) does not taken advantage of any green energy in their plans.

Loss of green space: The proposed development requires that the large laurel hedge running along Earle street, which presently reduces the traffic noise and road views, will need to be removed to accommodate a new driveway. The hedge-like assortment of trees, which runs along the south side are

also to be removed to allow for proposed house construction. No mention of these alterations is made in the proposed plan. In addition, two mature flowering cherry trees would be removed.

Ground instability: This area is a former estuary, making the soil structure unstable. Over time, this instability has caused our front porch and basement stairs to sink. Further disturbance such as excavation for an adjacent house and additional drainage will affect the water table and further aggravate damage to our home.

We are not opposed to development and densification. We support thoughtful and respectful changes that will enhance our neighbourhood; for instance, building a structure to suit the existing site, such as a garden suite, which would not require variances. The possibility of a variance exists in order to prevent hardship. The only consideration involved here appears to be maximizing profit for the developer, who has made no attempt to consult and present their current plans to us and our neighbours.

The City of Victoria Zoning By-laws have been thoughtfully and duly implemented to ensure that neighbourhoods are protected from development that is out of keeping with its surroundings. There has been no adequate case made for any variances sought in this proposal. In fact, we are concerned that approving these variances and allowing this development to take place will a set a precedent for future development that is also not consistent with the character of this neighbourhood, with negative effects for the entire area. For these reasons, we oppose this application for the proposed development and variance and we encourage our elected council to follow the guidelines of the OCP and zoning by-laws and reject this development proposal.

Thanking you for reading this letter and for your public service.

Sincerely,

Insha Khan Lydia Wiet

1613 Earle St.

Photo 1 - parking on corner of Earle St in front of proposed subdivision access

Photo 2 – parking across the street in front of proposed subdivision access

Photo 3 – parking across the street in front of proposed subdivision cont'd

Photo 4, 5 - front porch and entrance basement stair gaps from soil settlement

April 29, 2019

Dear Mayor and Council,

Re: Proposed Development 331 & 337 St. Charles Street COTW meeting May 2

We understand that this application is scheduled for the COTW meeting on May 2, 2019. I wrote to the Council last year and I take this opportunity to express my continuing concerns.

The proposed new lot B widths (the front is 12.42 m and the rear is 8.6 m) requires a variance from the zone standard of 15 m. In the city staff report, justification is made by comparing the width of lot B to the width of existing neighbour's lot to the east, which is 12 m. However the city staff fail to state that the existing lot was created in 1920 or earlier as documented in the Land Titles record. It does not meet the current zoning standards which did not exist at that time and therefore it is considered to be "grandfathered" and certainly not a neighbourhood norm. Moreover, this lot is 12 m front and back; whereas the proposed development provides only two thirds of that width in the rear. Approving this variance, based on such a questionable justification would set a dangerous precedent.

I have on record that the earlier recommendation by the planner was to reject this variance, a position we continue to support.

There are numerous letters from the community to Council expressing concerns about this application. Interestingly, one of the existing tenants of the 2 adjacent properties owned by the applicant has signed a rental agreement prohibiting him from expressing any concerns about this application. They are not able to express their concerns about their loss of space (car port, yard and privacy). A previous tenant managed to write a letter to the Council only after their lease expired and their damage deposit had been returned.

This application was originally scheduled for the COTW meeting on May 23, 2018. The applicant had not consulted with the neighbours prior to the submission of this application. The applicant then withdrew the application prior to the COTW meeting when he discovered letters of concern.

I have on record that one of the neighbours subsequently initiated and organised a meeting with CALUC contrary to the applicant's letter (Attachment D) stating that he was responsible for "arranging the meeting."

I also wish to bring to Council's attention two other false claims made in this same letter. Although the applicant stated that he had not heard concerns prior to the submission of this application, I met with the applicant in 2004, and subsequently his mother in 2013. At those meetings they suggested similar proposals for subdividing the lots and asked how we would feel about them. At that time I informed them that I would object to such variances. A current neighbour also voiced his objection to requirement for variances earlier.

The applicant also claims that the CALUC minutes are incorrect in their claim that the neighbour's house have 13 windows which are affected by loss of light and or privacy. I live in this 3 storey house and I have counted the 13 windows. I reiterate that on a sunny winter day, our windowed southwest exposure heats our house adequately, and saves us from burning fossil fuels.

In the applicant's letter, he claims there are no "shadowing and privacy" impacts based on a report he commissioned This report has not been shared with the community.

Despite the feedback from the CALUC meeting, the applicant has continued with the same application without making any modifications.

Thank you for your public service and for reading our concerns.

Sincerely

Insha Khan

Lydia Wiet