

**I. REPORTS OF COMMITTEES**

**I.1 Committee of the Whole**

**I.1.a Report from the June 6, 2019 COTW Meeting**

**I.1.a.g 2921 Gosworth Road - Update Report for Rezoning Application No. 00677 and Development Permit with Variances Application No. 00096 (Oaklands)**

**Moved By** Councillor Collins

**Seconded By** Councillor Alto

Rezoning Application No. 00677

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00677 for 2921 Gosworth Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and that a Public Hearing date be set.

Development Permit with Variances Application No. 00096

That Council, after giving notice and allowing an Opportunity for Public Comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00667, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00096 for 2921 Gosworth Road, in accordance with:

1. Plans date stamped April 18, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the front yard setback from 6.00m to 3.38m for Lot A
  - ii. reduce the front yard setback from 6.00m to 4.91m for Lot B
  - iii. reduce the (east) side yard setback from 2.40m to 1.50m for Lot A.
3. A revised site plan and landscape plan to correct minor inconsistencies to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**F.3     2921 Gosworth Road - Update Report for Rezoning Application No. 00649 and Development Permit with Variances Application No. 00096 (Oaklands)**

Committee received a report dated May 23, 2019 from the Acting Director of Sustainable Planning and Community Development proposing to rezone in order to subdivide to create two small lots, retain the existing house on one lot and build a single-family dwelling on the other lot for the property located at 2921 Gosworth Road.

**Moved By** Councillor Isitt

That Council decline Rezoning Application No. 00667 and Development Permit with Variances Application No. 00096 for the property located at 2921 Gosworth Road.

**DEFEATED due to no seconder**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

**Rezoning**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00677 for 2921 Gosworth Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and that a Public Hearing date be set.

**Development Permit with Variances**

That Council, after giving notice and allowing an Opportunity for Public Comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00667, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00096 for 2921 Gosworth Road, in accordance with:

1. Plans date stamped April 18, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the front yard setback from 6.00m to 3.38m for Lot A
  - ii. reduce the front yard setback from 6.00m to 4.91m for Lot B
  - iii. reduce the (east) side yard setback from 2.40m to 1.50m for Lot A.
3. A revised site plan and landscape plan to correct minor inconsistencies to the satisfaction of the Director of Sustainable Planning and Community Development.

4. The Development Permit lapsing two years from the date of this resolution."

FOR (7): Mayor Helps, Councillor Alto, Councillor Thornton-Joe, Councillor Young, Councillor Dubow, Councillor Potts, and Councillor Collins

OPPOSED (2): Councillor Isitt, and Councillor Loveday

**CARRIED (7 to 2)**



## Committee of the Whole Report For the Meeting of June 6, 2019

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**To:** Committee of the Whole **Date:** May 23, 2019  
**From:** Andrea Hudson, Acting Director, Sustainable Planning and Community Development  
**Subject:** Update Report for Rezoning Application No. 00649 and Development Permit with Variances Application No. 00096 for 2921 Gosworth Road

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### RECOMMENDATION

That Council decline Rezoning Application No. 00667 and Development Permit with Variances Application No. 00096 for the property located at 2921 Gosworth Road.

### LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to update Council on the Development Permit with Variances Application for 2921 Gosworth Road. The conditions set out by Committee of the Whole on April 11, 2019 have been met. The applicant made design revisions to the proposed house, including revising the massing, revising the materials and changing the landscaping.

The proposal is to rezone the property and subdivide to create two small lots, retain the existing dwelling on one lot and build a new single-family dwelling on the additional lot. The variances are related to reducing the front yard setbacks for both lots and reducing the (east) side setback for the proposed lot associated with the existing house.

The following points were considered in assessing this application:

- The proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill development in the *Official Community Plan* (OCP, 2012).
- The proposal is inconsistent with the policy in the *Small Lot House Rezoning Policy*, (2002) which requires "satisfactory support" at a level of 75% of immediate neighbours. This application received 20% support from immediate neighbours; therefore, consistent



with Council's policy, staff recommend that the application be declined despite the application being generally consistent with the *Small Lot Design Guidelines*.

- The design has been refined based on direction from Committee of the Whole on April 11, 2019 to reduce the massing of the proposed house to better respond to the neighbourhood context, to revise the materials and colour of the proposed house, to better reflect the neighbourhood context and to revise the landscaping and screening for the proposed patio for the existing house.
- The requested variances are associated with reducing the front yard setback of the existing house, reducing the front yard setback for the proposed house and reducing the side yard setback for habitable windows on the existing house. These variances are supportable given that the building is existing, and the proposed reduced setbacks would not impact neighbouring properties and would better fit with the established streetscape pattern.
- The proposal is inconsistent with the *Oaklands Neighbourhood Plan* (1993), which considers infill development based on an application's merit and ability to meet the *Small Lot Rezoning Policy*. The application does not meet the *Small Lot Rezoning Policy* as it has not received "satisfactory support" of 75% from immediate neighbours.

## BACKGROUND

### Description of Proposal

The proposal is to rezone the property in order to subdivide to create two small lots, retain the existing house on one lot and build a single-family dwelling on the other lot. The application also requires a Development Permit with Variances.

The proposed variances are related to:

- reducing the front yard setback from 6.00m to 3.38m for Lot A (existing dwelling)
- reducing the front yard setback from 6.00m to 4.91m for Lot B (proposed dwelling)
- reducing the east side yard setback from 2.40m to 1.50m for Lot A (existing dwelling).

The *Official Community Plan* identifies this property within Development Permit Area 15A: Intensive Residential - Small Lot. The proposed design of the new small lot house is generally consistent with the *Small Lot House Design Guidelines*. The applicant has further revised the plans based on the direction of Committee of the Whole to create a better fit with the character and typical massing in the neighbourhood and to provide further landscaping around the patio area for the existing house.

The applicant has revised the massing by reducing the setback on the second storey on the east side. This helps to provide more breathing room to the east and reduces the massing. By reducing the floor area on the second storey, the total floor area and floor space ratio have been reduced.

The applicant has revised the materials from primarily board and batten to a combination of board and batten and horizontal siding with a belly band. These materials are more consistent with the local context and the combination of materials helps to break up the verticality of the building.

The applicant has also revised the landscaping for the existing dwelling to provide more of a defined space by providing a landscaped area with shrubs and trees.

Overall, the changes proposed to the massing and materials of the proposed house and the landscaping for the existing house are generally consistent with the *Small Lot Design Guidelines*.

### Data Table

The following data table compares the proposal with the proposed R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the zone. Two asterisks are used to identify where the existing condition is legal non-conforming. The changes from the previous submission are noted.

Zoning Criteria	Lot A Existing Dwelling	Lot B Proposed Dwelling	Zone Standard R1-S2
Site area (m <sup>2</sup> ) – minimum	314.80	315.00	260.00
Density (Floor Space Ratio) – maximum	0.29	0.45 (Previously 0.46)	0.60
Total floor area (m <sup>2</sup> ) – maximum	91.70	142.8 (Previously 144.60)	190.0
Lot width (m) – minimum	17.22	17.40	10.00
Height (m) – maximum	4.70	6.18	7.50
Storeys – maximum	1	2	2
Basement	no	no	Permitted
Site coverage (%) – maximum	30.50	26.80	40.00
<b>Setbacks (m) – minimum</b>			
Front	<b>3.38 *</b>	<b>4.91 *</b>	6.00
Rear	2.67 **	6.00	6.00
Side (east)	<b>1.50 *</b>	3.08	1.50 (non-habitable) 2.40 (habitable)
Side (west)	n/a	1.50	1.50 (non-habitable) 2.40 (habitable)
Side on flanking street	7.54	n/a	2.40
Parking – minimum	1	1	1

### CONCLUSIONS

Consistent with the previous Committee of the Whole report, the proposal to subdivide the property into small lots, and retain and update the existing dwelling and construct a new dwelling, is inconsistent with the *Small Lot Rezoning Policy* as it did not receive the support of



75% of immediate neighbours. On this basis, and consistent with the policy, staff recommend for Council's consideration that the application be declined. The applicant revised the plans to address Council's motion to create a better fit with the character and typical massing in the neighbourhood and to provide further landscaping around the patio area for the existing house.

The proposed variances for the front yard setbacks for both dwellings and the side yard setback for a habitable window on the existing dwelling are considered supportable, as they are a result of the addition of a deck, are consistent with the streetscape and pose minimal privacy concern.

Should Council wish to consider the application with these design revisions, an alternate motion has been provided.

## **ALTERNATE MOTIONS**

### Rezoning

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00677 for 2921 Gosworth Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and that a Public Hearing date be set.

### Development Permit with Variances

That Council, after giving notice and allowing an Opportunity for Public Comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00667, if it is approved, consider the following motion:

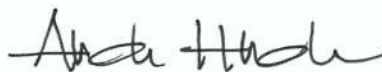
"That Council authorize the issuance of Development Permit with Variances Application No. 00096 for 2921 Gosworth Road, in accordance with:

1. Plans date stamped April 18, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the front yard setback from 6.00m to 3.38m for Lot A
  - ii. reduce the front yard setback from 6.00m to 4.91m for Lot B
  - iii. reduce the (east) side yard setback from 2.40m to 1.50m for Lot A.
3. A revised site plan and landscape plan to correct minor inconsistencies to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

Respectfully submitted,



Chelsea Medd  
Planner  
Development Services Division



Andrea Hudson, Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

*Obelyn Kenyus*  
Date: May 28, 2019

**List of Attachments**

- Attachment A: Plans dated/date stamped April 18, 2019
- Attachment B: Material Board date stamped April 30, 2019
- Attachment C: Letter from applicant to Mayor and Council dated May 3, 2019
- Attachment D: Committee of the Whole Rezoning and Development Permit Reports from April 11, 2019
- Attachment E: Council Motion from April 11, 2019.



① Front Left



② Front Right



③ Rear

④ South (Front) Cover  
3/16" = 1'-0"

VICINITY MAP



## GENERAL NOTES

- 1) DIMENSIONS PROVIDED SHALL TAKE PRECEDENCE OVER SCALE. CONTRACTOR TO VERIFY ALL DIMENSIONS OF BUILDING DESIGNER AND CONSULTANT'S DRAWINGS PRIOR TO WORK. CONSTRUCTION: ANY DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY. ANY NOTES, EMBODIED OR ON THE PLANS THAT EXCEED THE REQUIREMENTS STATED IN THE GENERAL NOTES TAKE PRECEDENCE.
- 2) PRIOR TO ANY ALTERATION OR MODIFICATION OF PLANS OR DETAILS ON SITE, CONTRACTOR(S), TRADESMAN(S) AND/OR HOMEOWNERS MUST CONTACT BUILDING DESIGNER TO CONFIRM BUILDING CODE AND/OR STRUCTURAL ENGINEERING REQUIREMENTS AND TO MAINTAIN ACCURACY AND COMPLETENESS OF PLANS.
- 3) ALL NEW CONSTRUCTION TO MEET CURRENT BC BUILDING CODE 2012.
- 4) VENTILATION INTAKE AND EXHAUST TO MEET ALL BCBC REGULATIONS.
- 5) VENTILATION CHECKLIST TO BE COMPLETED PRIOR TO FINISHES INSPECTION.
- 6) SAFETY GLASS REQUIRED FOR ALL BATHING ENCLOSURES, SHELVEYS AND GLASS IN DOORS.
- 7) BARRIERS FROM ALL BEDROOMS TO MEET CURRENT BCBC REGULATIONS.
- 8) CARBON MONOXIDE ALARM LOCATIONS TO BE DETERMINED, AS PER BCBC.
- 9) PHOTO-ELECTRIC/INTERCONNECTED SMOKE DETECTORS LOCATED AS PER BCBC.

Received  
City of Victoria

APR 18 2019

Planning & Development Department  
Development Services Division

## PROJECT DATA

Property Owners: 296 0521 Holdings Ltd  
 Civic Address: 2921 Gosworth Road, Victoria BC V8T 5G6  
 Legal Description: Amended lot 18, Block 7, Section 24-50, Victoria District Plan 1222  
 Zone: R1-B  
 Project Description: Reasoning to R1-B2, Small Lot House  
 Site Area: 670m<sup>2</sup> (7232 SF)  
 Storage: LOT A: 1  
 LOT B: 2

## PROJECT INFORMATION TABLE - PARENT LOT (A)

	PROPOSED/EXIST.	ALLOWED
Zoning:	R1-B2	
Site Area:	314.5 M <sup>2</sup>	MIN. 260 M <sup>2</sup>
Site Coverage:	46.1 M <sup>2</sup> = 30.3 %	40 %
Total Floor Area:	91.7 M <sup>2</sup>	190 M <sup>2</sup>
Floor Space Ratio:	0.29	0.6
Height of building (M):	4.7 M	1.5 M
Number of storeys:	1	2
<b>SETBACKS</b>		
Front Yard:	3.35 M *	6.0 M
Rear Yard:	2.67 M	6.0 M
Side - East:	1.5 M	1.5 M
Side - West:	7.54 M	2.4 M
Open Site Space (%):	62.5 %	
Parking Stalls on site:	1	MIN. 1

\* VARIANCE SOUGHT: 1. Side Yard Setback: from 2.4m to 1.9m (Habitable Room)  
 2. Front Yard Setback: from 6.0m to 3.35m

## PROJECT INFORMATION TABLE - SMALL LOT (B)

	PROPOSED	ALLOWED
Zoning:	R1-B2	
Site Area:	315 M <sup>2</sup>	MIN. 260 M <sup>2</sup>
Site Coverage:	64.4 M <sup>2</sup> = 26.5 %	40 %
Total Floor Area:	142.6 M <sup>2</sup>	190 M <sup>2</sup>
Floor Space Ratio:	0.45	0.60
Height of building (M):	6.15 M	1.5 M
Number of storeys:	2	2
<b>SETBACKS</b>		
Front Yard:	4.9 M	6.0 M
Rear Yard:	6.0 M	6.0 M
Side - East:	3.99 M	1.5 M
Side - West:	1.50 M	1.5 M
Open Site Space (%):	60.0 %	
Parking Stalls on site:	1	MIN. 1

VARIANCE SOUGHT: Front Yard setback: from 6.0m to 4.9m

## PROJECT TEAM

SURVEYOR:  
 PEG Hagerberg Land Surveying Inc.  
 44-5221 James Hill Boulevard  
 Sidney, BC V8L 1Z5  
 250-456-8395

## STRUCTURAL ENGINEER

Byron Rutgers, P.Eng.  
 Hume Engineering Ltd.  
 1140 Hume St.  
 Victoria, BC V8A 5P6  
 250-687-3640

## Sheet List

Sheet Number	Sheet Name
A1	Cover
A2	Site
A3	Site - Context
A4	Floor Plan - 1st Floor Plan
A5	Floor Plan - 2nd Floor Plan
A6	Floor Plan - 3rd Floor Plan
A7	Floor Plan - 4th Floor Plan

**Villamar**  
DESIGN

2921 GOSWORTH ROAD  
 VICTORIA BC  
 V8T 5G6  
 778-951-4088

2921 Gosworth Rd.  
 Victoria, BC

2960521  
 Holdings Ltd.

DATE	ISSUED FOR
Apr. 16, 2019	Revisions: COTM
Jan. 25, 2019	Revisions: City Review
Nov. 30, 2018	Revisions: City Review
Oct. 15, 2018	Reasoning Application

REZONE

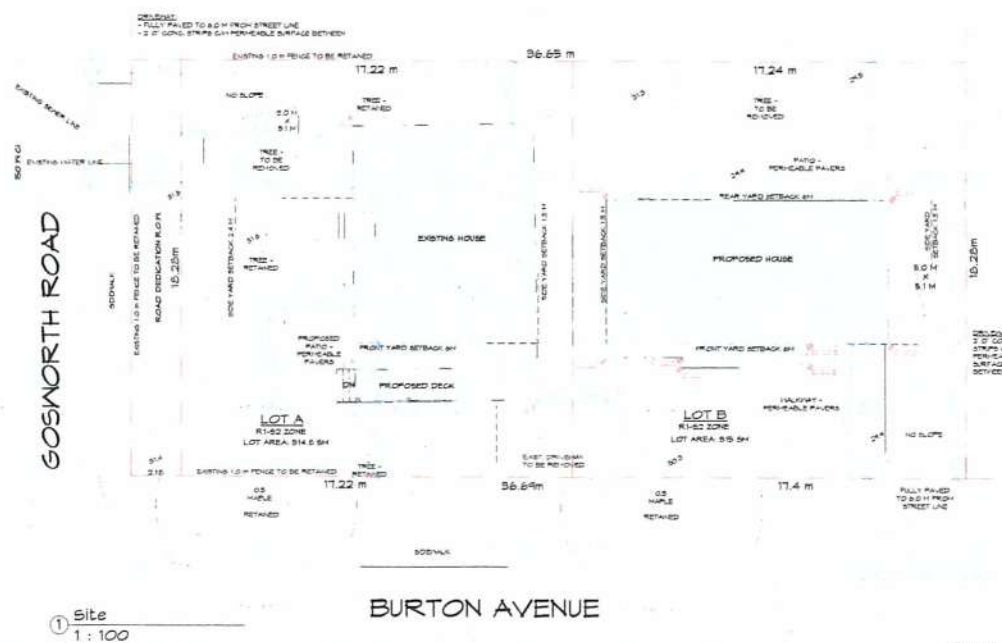
Cover

SHEET DATE:	APRIL 16, 2019
PROJECT NO.:	1371
DRAWN BY:	AJP
CHECKED BY:	DE
SHEET NO.:	A1
SHEET TOTAL:	46 SHEETS



GRADE POINT A: 30.9  
GRADE POINT B: 29.7  
GRADE POINT C: 29.7  
GRADE POINT D: 30.5  
GRADE POINT E: 30.5  
GRADE POINT F: 30.7  
GRADE POINT G: 30.7  
GRADE POINT H: 30.7

GRADE POINTS	AVERAGE OF POINTS	DIST. BETWEEN	TOTALS
POINTS A-B	$(70.0 + 21.7) / 2$	X 12.54 m	= 978.90
POINTS B-C	$(22.47 + 21.7) / 2$	X 0.25 m	= 155.68
POINTS C-D	$(22.47 + 80.8) / 2$	X 3.98 m	= 107.16
POINTS D-E	$(80.8 + 30.5) / 2$	X 2.50 m	= 101.25
POINTS E-F	$(30.5 + 30.7) / 2$	X 0.41 m	= 165.55
POINTS F-G	$(30.7 + 30.7) / 2$	X 0.46 m	= 14.12
POINTS G-H	$(30.7 + 30.7) / 2$	X 3.95 m	= 102.65
POINTS H-A	$(30.7 + 30.7) / 2$	X 6.86 m	= 211.24
<b>TOTAL</b>		<b>= 9416 m</b>	<b>= 1188.66</b>
<b>GRADE CALCULATION</b>		<b>1188.66 / 9416</b>	<b>= 30.36</b>



① Site  
1 : 100

BURTON AVENUE

Received  
City of Victoria

APR 18 2019

Planning & Development Department  
Development Services Division

**Villamar**  
DESIGN

0825A  
VERANES ROAD  
VICTORIA, BC  
V8N 5A7  
778-931-4688

2921 Gosworth Rd.  
Victoria, BC

29GOS21  
Holdings Ltd.

DATE	ISSUED FOR
Apr. 14, 2014	Revisions: COTM
Jan. 28, 2014	Revisions: City Review
Nov. 30, 2013	Revisions: City Review
Oct. 15, 2013	Reasoning Application

REZONE

Site

SHEET SIZE DATE	
APRIL 16, 2019	
PROJECT NUMBER	1811
DRAWN BY	AJA
CHECKED BY	DE
A2	
SCALE	AS INDICATED

SCALE As indicated



② Site - Context  
1.96

① South (Front)-Streetscape  
1.96



2921 Gosworth Rd.  
Victoria, BC

2960321  
Holdings Ltd.

DATE	ISSUED FOR
Apr 16, 2019	Revisions: COTM
Jan 28, 2019	Revisions: City Review
Nov 30, 2018	Revisions: City Review
Oct 19, 2018	Rezoning Application

REZONE

Site - Context

MEET DATE	APRIL 16, 2019
PROJECT NUMBER	1011
DRAWN BY	AJM
CHECKED BY	DE
SCALE	A2.1

[illegible]

Floor plan of a proposed 1,600 sq. ft. single-story house. The plan includes two bedrooms, a bathroom, a kitchen with a refrigerator (REF) and fireplace (FP), a living room, a laundry room, and a proposed deck. The house has a proposed soffit, existing doors to be removed, and a guardrail to meet SBCS #6.2.5. The plan also shows a proposed patio, permeable concrete pavers, and a driveway.

**Villamar**  
DESIGN

604.954.4244  
VILLAMAR DESIGN  
VICTORIA, BC  
MAY 1997

778-951-4244

2960521  
Holdings Ltd.

DATE	ISSUED FOR
Apr. 16, 2019	Revisions: COTM
Jan. 25, 2019	Revisions: City Review
Nov. 30, 2018	Revisions: City Review
Oct. 19, 2018	Reasoning Application

LOT A - Elevations  
& Floor Plan

PROJECT NUMBER	1811
DRAWN BY	AJA
CHECKED BY	DE

A3	
Scale	As indicated



① South (Front)  
1/4" = 1'-0"

② East (right)  
1/4" = 1'-0"



MATERIAL AND COLOUR KEY	
1 - BOARD & BATTEN SIDING - HardiePanel or equal, Arctic White	
2 - LAP SIDING - HardieBoard or equal	
3 - PAINTED WOOD TRIM - White	
4 - ASPHALT ROOF SHINGLES - Markey or equal, Storm Grey	
5 - WINDOWS AS SHOWN - Black	



③ North (Rear)  
1/4" = 1'-0"

④ West (Left)  
1/4" = 1'-0"



2921 Gosworth Rd.  
Victoria, BC

2960521  
Holdings Ltd.

DATE	ISSUED FOR
Apr. 16, 2019	Revisions: COTY
Jan. 28, 2019	Revisions: City Review
Nov. 30, 2018	Revisions: City Review
Oct. 15, 2018	Rezoning Application
REZONE	
LOT B - Elevations	
SHEET NAME DATE	
APRIL 16, 2019	
PROJECT NUMBER	1811
DRAWN BY	AJM
CHECKED BY	DE
A4	
SCALE: AS INDICATED	



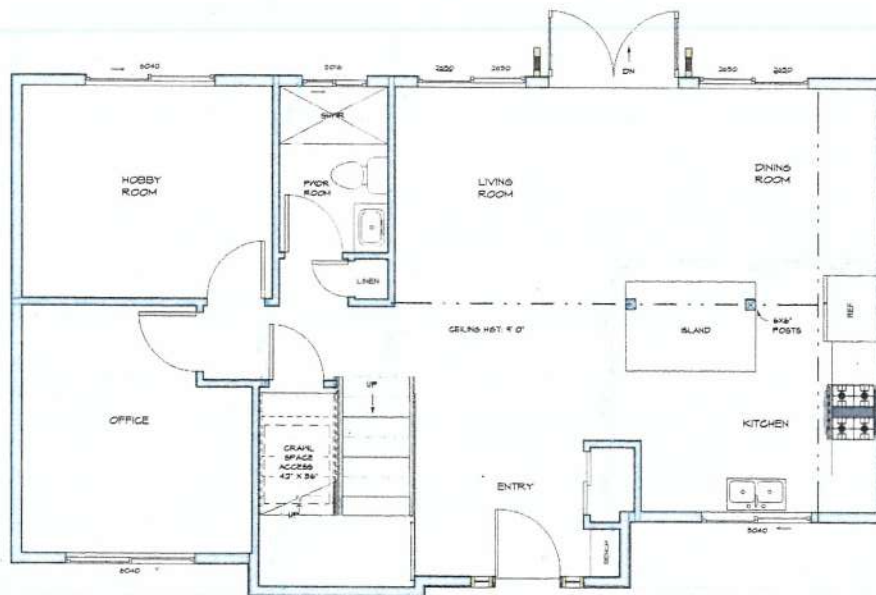


2921 Gosworth Rd.  
Victoria, BC

2960521  
Holdings Ltd.

DATE	ISSUED FOR
Apr. 18, 2019	Revisions: COTM
Jan. 26, 2019	Revisions: City Review
Nov. 30, 2018	Revisions: City Review
Oct. 15, 2018	Rezoning Application
REZONE	
LOT B - Foundation Plan	
SHEET 654 DATE: APRIL 16, 2019	
PROJECT NUMBER	1571
DRAWN BY	AJM
CHECKED BY	DE
A5	
SCALE: As Indicated	





FLOOR AREAS:  
MAIN: 846 SF  
UPPER: 110 SF  
TOTAL: 956 SF

① Main Level  
1:32



2921 Gosworth Rd.  
Victoria, BC

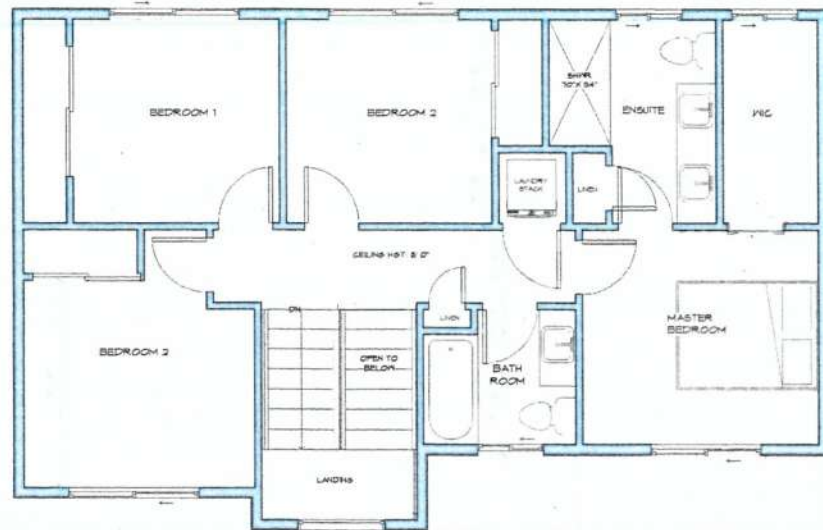
2960521  
Holdings Ltd.

DATE	ISSUED FOR
Apr. 16, 2019	Revisions COTM
Jan. 28, 2019	Revisions City Review
Nov. 30, 2018	Revisions City Review
Oct. 15, 2018	Rezoning Application

REZONE

LOT B - Main Floor  
Plan

SHEET NAME DATE	APRIL 16, 2019
PROJECT NUMBER	1811
DRAWN BY	AJM
CHECKED BY	DE
SCALE	A6



FLOOR AREAS  
 MAIN: 546 SF  
 UPPER: 681 SF  
 TOTAL: 1227 SF

① Upper Level  
 1:32



2921 Gosworth Rd.  
 Victoria, BC

2960521  
 Holdings Ltd.

DATE	ISSUED FOR
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Nov. 30, 2018	Revisions: City Review
Oct. 19, 2018	Rezoning Application

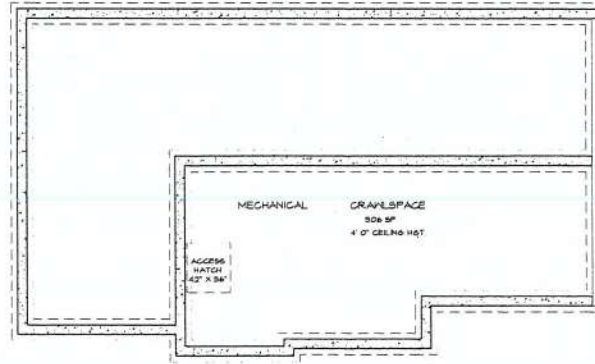
REZONE

LOT B - Upper  
 Floor Plan

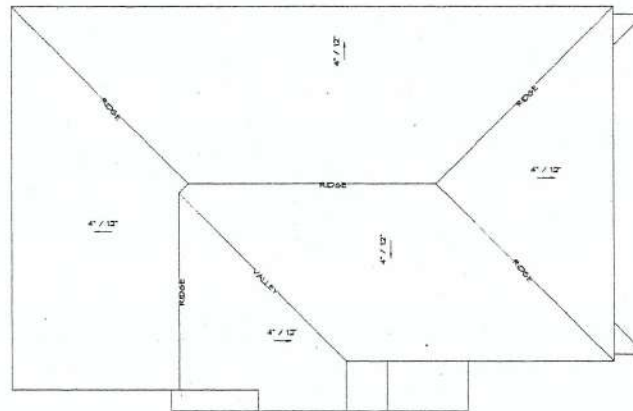
DATE	APRIL 16, 2019
PROJECT NUMBER	1811
DRAWN BY	AJA
CHECKED BY	DE

A7  
 SCALE: As Indicated

② Foundation Plan  
1/4" = 1'-0"



① Roof Plan  
1/4" = 1'-0"



**ROOF AREAS:**

MAIN ROOF: 1170 SF  
LOWER ROOF: 192 SF  
TOTAL: 1362 SF

\* THIS IS FOR REFERENCE ONLY  
AND MUST BE CONFIRMED BY  
ROOFING CONTRACTOR



2921 Gosworth Rd.  
Victoria, BC

2960521  
Holdings Ltd.

DATE	ISSUED FOR
Apr. 19, 2019	Revisions: COTM
Jan. 25, 2019	Revisions: City Review
Nov. 30, 2018	Revisions: City Review
Oct. 19, 2018	Rezoning Application

REZONE

LOT B - Foundation  
and Roof Plan

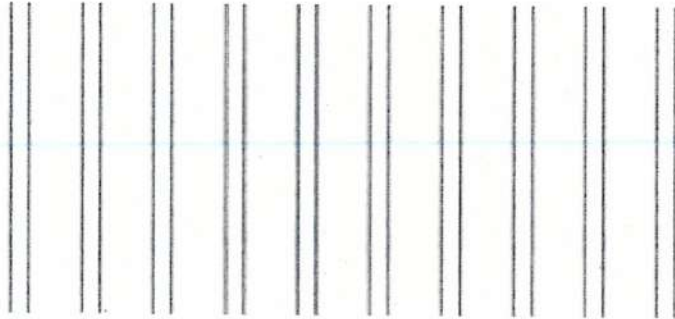
PROJECT DATE	APRIL 16, 2019
PROJECT NUMBER	1017
DRAWN BY	AJM
CHECKED BY	DE

AB

SCALE: AS INDICATED



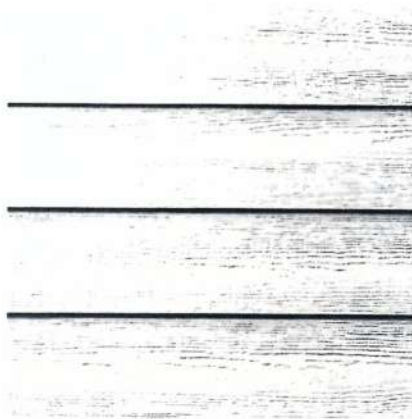




WHITE BOARD AND BATTEN



GRAY ASPHALT SHINGLE ROOF



WHITE LAP SIDING



BLACK WINDOWS & DOORS

**Received**  
City of Victoria

**APR 30 2019**

Planning & Development Department  
Development Services Division



2921 Gosworth Rd.  
Victoria, BC

2960521  
Holdings Ltd.

REZONE

Material Board

SHEET DATE	APRIL 26, 2019
PROJECT NUMBER	1311
DRAWN BY	AJM
CHECKED BY	DE
SCALE	A11





Re: 2921 Gosworth Road, Small Lot House rezoning

May 3, 2019

Dear Mayor and Council,

This proposal is for a Small Lot House Rezoning located at 2921 Gosworth Road, in the Oaklands neighbourhood. This project seeks to revitalize the neighbourhood by providing new infill construction. We propose to subdivide the existing 670 SqM corner lot and build a single family dwelling on the new small lot, while retaining the existing house on the parent lot.

This proposal addresses aspects of the Official Community Plan. Specifically, this proposal serves the City's vision under Neighbourhood Directions; section 21.21.5: providing "areas of residential housing suitable for families with children", and 21.22.2: "to increase residential densities within walking distance of the [Hillside] corridor". This proposal addresses the public need to alleviate Victoria's burdened housing supply, as well as increasing its tax base. The dwelling's modest size accommodates the desire for affordability in the housing market.

The site is an ideal candidate for Small Lot House Rezoning, as it is a corner lot that fits the criteria and guidelines put forth by the City to achieve the goals mentioned above.

The proposed house is a two storey, traditional style residence, with a floor area 144 Sqm (1550 sf). Board and baton siding was selected to blend in with neighbourhood. The plan conforms to the City's design guidelines and lot requirements, save for one variance.

We are seeking a front yard setback variance of 1.07 metres (from 6.0m to 4.91m). There are three reasons to support this variance. The primary reason is to keep the design away from the rear yard and the adjoining neighbour's homes by bringing additional square footage to the front. Secondly, available space was taken from the right side of the lot to provide off street parking. The final justification is design driven; the entry/stairway project forward to create architectural interest.

The existing house shall remain; changes proposed are for the removal of an existing deck at the East side and creation of a deck and patio on the south side. These proposed changes would require two variances. The first variance is sought for the front yard setback; this is to accommodate the proposed deck, and would seek a variance of 2.6m (from 6.0m required to 3.38m proposed). The rationale for the proposed deck and patio is to "make up" for the removed deck, as well as enhancing the use and flow for the area between the side door and the proposed patio. The second variance is for the interior side yard setback, regarding a window in a habitable room; this would seek a variance of 0.9m (from 2.4m required to 1.5m proposed). The window location is currently an existing bedroom and faces the proposed new subdivided lot. The existing window is not facing the new house directly, but the rear yard area of the proposed lot. We request to allow a window in this space to reduce impact on the existing neighbor to the North property, and we don't see any potential conflict from here to the proposed new home.

We met with the Oaklands Land Use committee and neighbours to show the proposal. Responding to local input, we modified the house plan to address neighbours concerns. We reduced the basement to a crawlspace. We reduced the upper floor area; which in turn reduced the roof area and building height (1.32 m below allowable bldg. height). We also changed the roof type from a gable roof to a hip roof and

lowered the pitch, thereby reducing it's mass and shadow factor. The result is a significantly reduced profile and imposition of the house, relative to neighbouring properties.

Our proposal went before the Committee of the Whole on April 11, and was received favourably by the Committee. Responding to City suggestions to increase this projects appeal, we've made further revisions. The siding was changed to include lap board, in order to correspond more closely with the neighbourhood. The upper floor has been further reduced in floor area, thus reducing the structures massing. We hope that this third reduction in massing is agreeable; we feel that this proposed dwelling is in scale with the neighbourhood.

In summary, we feel that this proposal meets the City's Small Lot House guidelines and fits well into the neighbourhood. If you have any questions about this proposal, we look forward to discussing this project in further detail at any time.

Sincerely,

Duane Ensing, Principal Designer  
Villamar Design 778-351-4088

AJ Williamson, Designer





## Committee of the Whole Report

For the Meeting of April 11, 2019

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**To:** Committee of the Whole **Date:** March 28, 2019

**From:** Andrea Hudson, Acting Director, Sustainable Planning and Community Development

**Subject:** Rezoning Application No. 00667 for 2921 Gosworth Road

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### RECOMMENDATION

That Council decline Rezoning Application No. 00667 for the property located at 2921 Gosworth Road.

### LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2921 Gosworth Road. The proposal is to rezone the property and subdivide to create two small lots, retain the existing dwelling on one lot and build a new single-family dwelling on the new lot.

The following points were considered in assessing this Application:

- The proposal is generally consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill development, as described in the *Official Community Plan* (OCP, 2012).
- The proposal is inconsistent with the policies specified in the *Small Lot House Rezoning Policy*, 2002, which specifies that a minimum of 75% of residents of neighbouring properties be in support the proposal; in this instance, the Application only received 20% support. As the Application did not achieve the required degree of neighbouring support as per Council's policy, staff recommend that the Application be declined.
- The proposal is generally consistent with the *Small Lot Design Guidelines*; however, further design revisions could be made to better meet policy, which are discussed in the concurrent Development Permit with Variance Application.
- The proposal is generally consistent with the *Oaklands Neighbourhood Plan* (1993), which encourages infill; however, it also recommends consideration of small lots based



on merit and ability to meet the *Small Lot Rezoning Policy*. The Application does not meet *Small Lot Policy* as it has not received sufficient immediate neighbour support.

- The proposed site plan results in minimal private outdoor space for the existing house.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to rezone 2921 Gosworth Road from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, subdivide the lot to create two small lots, retain the existing dwelling on one lot and build a new single-family dwelling on the new lot.

The following differences from the standard R1-S2 Zone, Restricted Small Lot (Two Storey) District, are being proposed and will be discussed in relation to the concurrent Development Permit with Variances Application:

- reduce the front yard setback from 6.00m to 3.38m for Lot A (existing dwelling)
- reduce the front yard setback from 6.00m to 4.93m for Lot B (proposed dwelling)
- reduce the east side yard setback from 2.40m to 1.50m for Lot A (existing dwelling).

### **Affordable Housing Impacts**

The Application proposes one new residential unit which would increase the overall supply of housing in the area.

### **Tenant Assistance Policy**

The applicant has indicated the existing house is occupied by a tenant (previous owner), and there is an agreement between them that they would reside there until such time that construction begins. Since the tenant has been in residence less than one year, in accordance with the Tenant Assistance Policy, a Tenant Assistance Plan is not required.

### **Sustainability Features**

The applicant has not identified any sustainability features associated with this proposal.

### **Active Transportation Impacts**

The applicant has not identified any active transportation impacts associated with this Application.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Rezoning Application.

### **Accessibility Impact Statement**

The British Columbia Building Code regulates accessibility as it pertains to buildings.

### **Land Use Context**

The area is characterized by single-family dwellings, including several small lot single-family dwellings. The Victoria Chinese Alliance Church is directly south of the property, across Burton Avenue.

## Existing Site Development and Development Potential

The site is presently occupied by a single-family dwelling. Under the current R1-B Zone, the property could be developed as a single-family dwelling with a secondary suite or garden suite.

### Data Table

The following data table compares the proposal with the proposed R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the zone. Two asterisks are used to identify where the existing condition is legal non-conforming.

Zoning Criteria	Lot A Existing Dwelling	Lot B Proposed Dwelling	Zone Standard R1-S2
Site area (m <sup>2</sup> ) – minimum	314.80	315.00	260.00
Density (Floor Space Ratio) – maximum	0.29	0.46	0.60
Total floor area (m <sup>2</sup> ) – maximum	91.70	144.60	190.0
Lot width (m) – minimum	17.22	17.40	10.00
Height (m) – maximum	4.70	6.18	7.50
Storeys – maximum	1	2	2
Basement	no	no	Permitted
Site coverage (%) – maximum	30.50	26.80	40.00
<b>Setbacks (m) – minimum</b>			
Front	<b>3.38 *</b>	<b>4.93 *</b>	6.00
Rear	2.67 **	6.00	6.00
Side (east)	<b>1.50 *</b>	3.08	1.50 (non-habitable) 2.40 (habitable)
Side (west)	n/a	1.50	1.50 (non-habitable) 2.40 (habitable)
Side on flanking street	7.54	n/a	2.40
Parking – minimum	1	1	1

### Relevant History

An application to rezone the property to the R-2 Zone, Two Family Dwelling District was made in 1985; the application proposed an addition to the existing house to create a duplex. The application was declined by Council at a Public Hearing on December 12, 1985.



An application to rezone the property to the R1-S2 Zone, Restricted Small Lot District, was made in 1992. The application was to subdivide the property into two small lots, retain the existing house and build a two-storey dwelling; this application was also declined by Council.

### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Oaklands CALUC at a Community Meeting held on August 27, 2018. A letter received February 25, 2019 is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours. Under this policy, "satisfactory support" is considered as support in writing for the project by 75% of the neighbours; however, in this instance, the applicant has indicated a support level of only 20% for the proposal. The required Small Lot House Rezoning Petitions, summary and illustrative map provided by the applicant are attached to this report. Additional petitions from the wider community are also included in a separate attachment.

### **ANALYSIS**

#### **Official Community Plan**

The *Official Community Plan* Urban Place Designation for the property is Traditional Residential which contemplates small residential lots. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential - Small Lot. The proposal is generally consistent with the objectives of DPA 15A to achieve new infill development in a way that is compatible with the existing neighbourhood.

#### **Oaklands Neighbourhood Plan**

The *Oaklands Neighbourhood Plan* states that small lot houses will be considered on individual merit provided that the proposal meets the small lot policy. The proposed small lots generally meet the intent of the Neighbourhood Plan; however, the proposal does not meet the *Small Lot Rezoning Policy* due to lack of neighbour support.

#### **Small Lot House Rezoning Policy**

The *Small Lot House Rezoning Policy* encourages sensitive infill with an emphasis on ground-oriented housing that is consistent with the existing character of development. The proposed lots both exceed the required site area minimum of 260m<sup>2</sup> and lot width of 10m. Further, the existing single-family is being retained. However, it should be noted that there are site planning challenges associated with the proposal resulting in reduced private outdoor space for the existing house. Although Burton Avenue is technically the front yard (under the *Zoning Regulation Bylaw* definition), making the existing open area to the Northwest of the current house a "side yard", it has functioned as the rear or "back yard". With the introduction of a new small lot house in this area, there is little private outdoor space for the existing house.

The applicant reported that 20% of immediate neighbours are in support of the Application. The *Small Lot House Rezoning Policy* defines "satisfactory support" when there are at least 75% of immediate neighbours in favour of an application.



## Tree Preservation Bylaw and Urban Forest Master Plan

There are two existing public boulevard Red Maple trees on Burton Avenue that will be retained with this application. No new public trees are proposed.

Three small private trees are proposed for removal. Five new trees are proposed on the subject property. There are no bylaw protected trees with this application.

## Road Dedication

As a condition of subdivision, the applicant is required to dedicate 2.18m on the Gosworth Road frontage for highway purposes. These dedications will be used to fulfil Council approved objectives listed within the *Official Community Plan, Oaklands Neighbourhood Plan, Subdivision Bylaw and Development Servicing Bylaw, Pedestrian Master Plan, and Urban Forest Master Plan* to promote active transportation options and provide space for boulevard trees.

## CONCLUSIONS

This proposal to rezone the property to a small lot zone, and subdivide the property into two lots, retain the existing house and construct one new small lot house is generally consistent with the objectives in the *Official Community Plan*; however, the proposal is inconsistent with the *Small Lot House Rezoning Policy* for sensitive infill development due to lack of neighbour support. The level of neighbour support is not considered "satisfactory" according to the *Small Lot Rezoning Policy*; therefore, Staff recommend for Council's consideration that Rezoning Application No. 00677 for 2921 Gosworth Road be declined by Council.

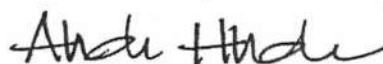
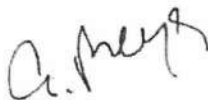
## ALTERNATE MOTION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00677 for 2921 Gosworth Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Respectfully submitted,

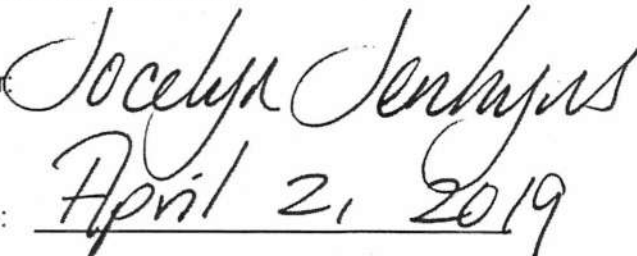


Chelsea Medd  
Planner  
Development Services Division



Andrea Hudson, Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date:

April 21, 2019

## List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped February 7, 2019
- Attachment D: Letter from applicant to Mayor and Council dated March 6, 2019
- Attachment E: Community Association Land Use Committee Comments date stamped February 25, 2019
- Attachment F: Small Lot Petition Summary and Petitions dated September 28, 2018
- Attachment G: Additional Petitions.



## Committee of the Whole Report

### For the Meeting of April 11, 2019

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**To:** Committee of the Whole **Date:** March 28, 2019

**From:** Andrea Hudson, Acting Director, Sustainable Planning and Community Development

**Subject:** Development Permit with Variances Application No. 00096 for 2921 Gosworth Road

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#### RECOMMENDATION

That Council decline Development Permit with Variances Application No. 00096 for the property located at 2921 Gosworth Road.

#### LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

#### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 2921 Gosworth Road. The proposal is to rezone the property and subdivide to create two small lots, retain the existing dwelling on one lot and build a new single-family dwelling on the additional lot. The variances are related to reducing the front yard setbacks for both lots and reducing the (east) side setback for the proposed lot associated with the existing house.

The following points were considered in assessing this Application:

- The proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill development in the *Official Community Plan* (OCP, 2012).
- The proposal is inconsistent with the policy in the *Small Lot House Rezoning Policy*, (2002) which requires "satisfactory support" at a level of 75% of immediate neighbours. This Application received 20% support from immediate neighbours; therefore, staff recommend that the Application be declined. The proposal is generally consistent with the *Small Lot Design Guidelines*; however, the design could be refined to enhance the patio area for the existing house and to revise the materials and massing of the



proposed house to ensure the new small lot house is more in keeping with the neighbourhood character.

- The requested variances are associated with reducing the front yard setback of the existing house, reducing the front yard setback for the proposed house and reducing the side yard setback for habitable windows on the existing house. These variances are supportable given that the building is existing, and the proposed reduced setbacks would not impact neighbouring properties and would better fit with the established streetscape pattern.
- The proposal is inconsistent with the *Oaklands Neighbourhood Plan* (1993), which considers infill development based on an application's merit and ability to meet the *Small Lot Rezoning Policy*. The Application does not meet the *Small Lot Rezoning Policy* as it has not received "satisfactory support" of 75% from immediate neighbours.

## BACKGROUND

### Description of Proposal

The proposal is to subdivide the property to create two small lots, retain the existing house on one lot and build a single-family dwelling on the other lot.

Specific details for the proposed dwelling include:

- two-storey building
- hipped and gable roof
- the exterior materials include arctic white board and batten siding, and asphalt shingles
- permeable pavers for all patios and pathways, and driveway strips.

Changes to the existing dwelling include:

- removing a deck and carport
- removing a patio door and adding a window on the east elevation
- adding a small deck
- moving the driveway from Burton Avenue to Gosworth Road.

The proposed variances are related to:

- reducing the front yard setback from 6.00m to 3.38m for Lot A (existing dwelling)
- reducing the front yard setback from 6.00m to 4.93m for Lot B (proposed dwelling)
- reducing the east side yard setback from 2.40m to 1.50m for Lot A (existing dwelling).

### Data Table

The following data table compares the proposal with the proposed R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the zone. Two asterisks are used to identify where the existing condition is legal non-conforming.

Zoning Criteria	Lot A Existing Dwelling	Lot B Proposed Dwelling	Zone Standard R1-S2
Site area (m <sup>2</sup> ) – minimum	314.80	315.00	260.00
Density (Floor Space Ratio) – maximum	0.29	0.46	0.60

Zoning Criteria	Lot A Existing Dwelling	Lot B Proposed Dwelling	Zone Standard R1-S2
Total floor area (m <sup>2</sup> ) – maximum	91.70	144.60	190.0
Lot width (m) – minimum	17.22	17.40	10.00
Height (m) – maximum	4.70	6.18	7.50
Storeys – maximum	1	2	2
Basement	no	no	Permitted
Site coverage (%) – maximum	30.50	26.80	40.00
<b>Setbacks (m) – minimum</b>			
Front	<b>3.38 *</b>	<b>4.93 *</b>	6.00
Rear	2.67 **	6.00	6.00
Side (east)	<b>1.50 *</b>	3.08	1.50 (non-habitable) 2.40 (habitable)
Side (west)	n/a	1.50	1.50 (non-habitable) 2.40 (habitable)
Side on flanking street	7.54	n/a	2.40
Parking – minimum	1	1	1

## ANALYSIS

### Development Permit Area and Design Guidelines

The *Official Community Plan* identifies this property within Development Permit Area 15A: Intensive Residential - Small Lot. The proposed design of the new small lot house is generally consistent with the *Small Lot House Design Guidelines*; however, revisions should be made to refine the design of the proposed house to fit with the character and typical massing in the neighbourhood and to provide further landscaping around the patio area for the existing house.

The proposed outdoor space for the existing house is located in the front and side yard, which is close to the corner of Gosworth Road and Burton Avenue. There would be a small planting area and an existing fence would be retained to help define this space; however, staff believe that the proposed landscaping could be enhanced with further landscape screening, or shrubs, to provide a more private and usable space.

The *Small Lot Design Guidelines* acknowledge that some neighbourhoods are characterized by a variety of built forms. This neighborhood has a mix of lot sizes and building styles. The Victoria Chinese Alliance Church and associated parking is immediately across the street. The proposed house has a hipped roof with pitched roof accents over the entry and generally fits with the streetscape as a whole; the house immediately to the east has a flat roof. The



proposed house has been broken up into smaller portions by a mid-point roof and belly band. Staff recommend further design revisions to the proposed house to reduce the perceived massing, and refinement of materials and colours to respond better to the local context.

An important element for small lot houses is windows and doors, and it is encouraged that they fit in with the character of the existing neighbourhood. The proposed house has a covered entry with parking on the side of the house, creating a positive pedestrian-oriented frontage.

The *Small Lot Design Guidelines* encourage windows that take into consideration the potential privacy impacts on neighbours. All the proposed windows on the new dwelling would be located on the front and rear elevations. The rear elevation would be facing the rear yard of the neighbouring property to the north, with a setback that meets the small lot zone of six metres. Proposed new trees and landscaping planted along the rear property line help address potential privacy concerns.

Overall, the proposed house and landscaping are generally consistent with the *Small Lot Design Guidelines*; however, further design revisions could be made to reduce the massing of the proposed dwelling and to utilize materials that are more consistent with the neighbourhood character. In addition, landscaping improvements could be made to the proposed outdoor patio area of the existing house to provide a more usable private outdoor space.

## **Regulatory Considerations**

The Application proposes the following variances from the *Zoning Regulations Bylaw*:

### **Lot A (existing dwelling)**

- reduce the front yard setback from 6.00m to 3.38m
- reduce the (east) side yard setback from 2.40m to 1.50m.

### **Lot B (proposed dwelling)**

- reduce the front yard setback from 6.00m to 4.93m.

While the existing house faces Gosworth Road, the front yard setback for the existing house is measured from Burton Avenue. The Application proposes adding a slightly raised deck and an at-grade patio on the front and side of the building. The deck does not extend further than the face of the existing house but creates a variance due to the addition; staff consider this variance supportable.

Through subdivision of the property, the side yard setback for the existing house would be 1.5m. There is a side yard setback variance proposed for habitable windows from 2.4m to 1.5m. The habitable windows are to an existing bedroom window and a kitchen window (changed from a patio door). These windows face the side elevation of the proposed house and pose little privacy concern; this variance is considered supportable.

The Application proposes to reduce the front yard setback for the proposed house from 6m to 4.93m. This setback is generally consistent with other houses on the street, except for the house immediately to the east, which is set slightly further back from the street. Additionally, having a reduced front setback provides more outdoor space in the rear yard, and would reduce the potential shadow and overlook impacts for the neighbour to the north. The requested variance to reduce the front yard setback is generally considered supportable by staff.



## CONCLUSIONS

The proposal to subdivide the property into small lots, retain and update the existing dwelling and construct a new dwelling, is inconsistent with the *Small Lot Rezoning Policy* as it did not receive the support of 75% of immediate neighbours. On this basis, and consistent with the policy, staff recommend for Council's consideration that the Application be declined.

The proposed variances for the front yard setbacks for both dwellings and the side yard setback for a habitable window on the existing dwelling are considered supportable as they are a result of the addition of a deck, are consistent with the streetscape and pose minimal privacy concern.

The proposal is generally consistent with the *Small Lot House Design Guidelines* in terms of design; however, further revisions could be made to the landscaping for the existing house, and materials and massing for the proposed house could be more consistent with the neighbourhood character. Should Council wish to consider the Application with these design revisions, an alternate motion has been provided (Option 1).

Should Council wish to consider the Application without revisions, a second alternate motion has been provided (Option 2).

## ALTERNATE MOTIONS

### Option 1 – further revisions

That the applicant works with staff to make changes to the proposed design and return to a Committee of the Whole meeting. Revisions should address:

- reducing the massing of the proposed house to better respond to the neighbourhood context
- revise the materials and colour of the proposed house to better reflect the neighbourhood context
- revise the landscaping and screening for the proposed patio for the existing house.

### Option 2 - no revisions

That Council, after giving notice and allowing an Opportunity for Public Comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00667, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00096 for 2921 Gosworth Road, in accordance with:

1. Plans date stamped February 7, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the front yard setback from 6.00m to 3.38m for Lot A
  - ii. reduce the front yard setback from 6.00m to 4.93m for Lot B
  - iii. reduce the (east) side yard setback from 2.40m to 1.50m for Lot A.
3. The Development Permit lapsing two years from the date of this resolution."

Respectfully submitted,

*Chelsea Medd*

Chelsea Medd  
Planner  
Development Services Division

*A. Myers*

*Andrea Hudson*

Andrea Hudson, Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

*Joelyn Jenkins*

Date:

*April 2, 2019*

#### List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped February 7, 2019
- Attachment D: Letter from applicant to Mayor and Council dated March 6, 2019
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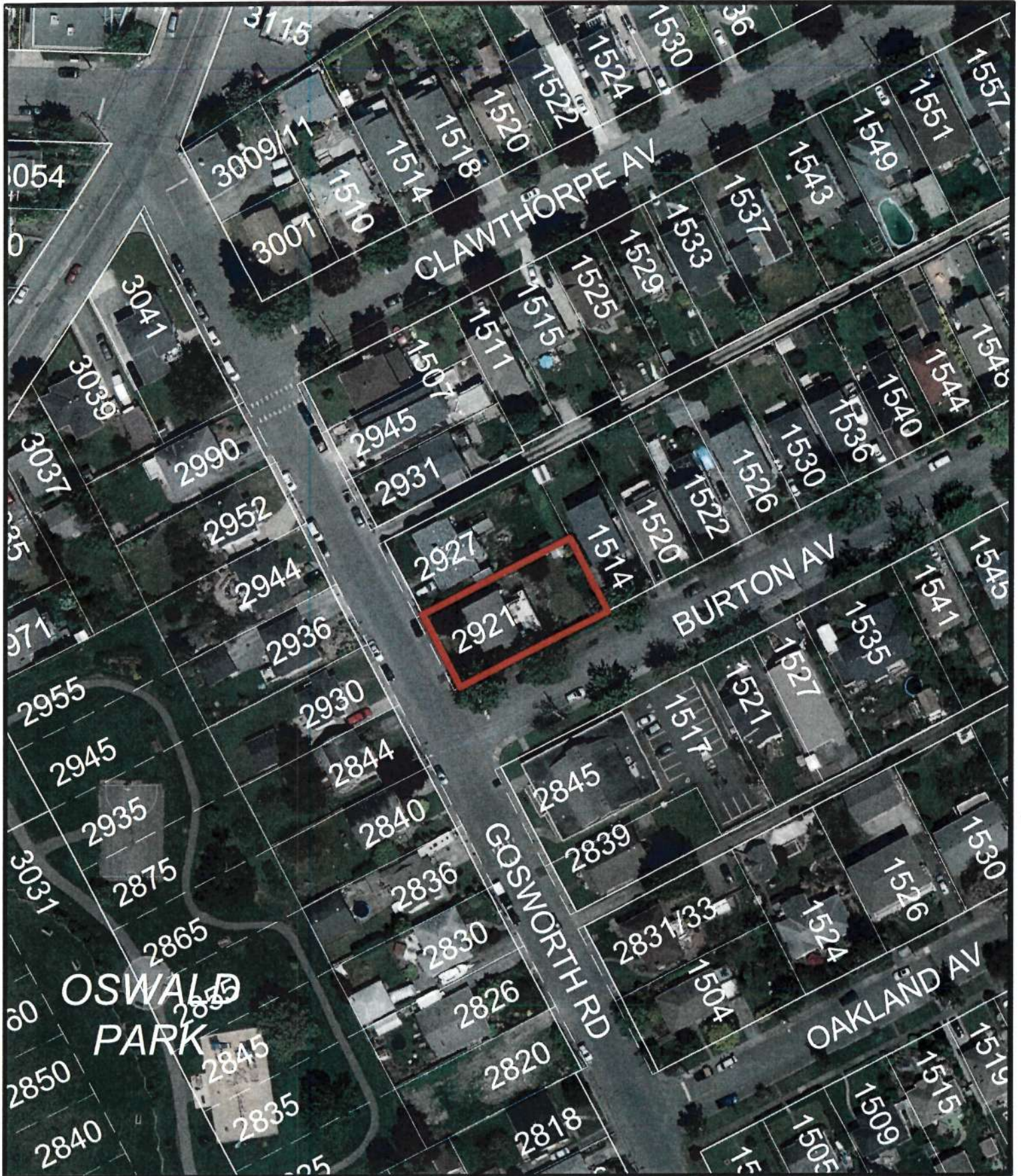




2921 Gosworth Road  
Rezoning No.00667







2921 Gosworth Road  
Rezoning No.00667







① Front Left



② Front Right



③ Rear

④ South (Front) Cover  
3/16" = 1'-0"

## VICINITY MAP



## GENERAL NOTES

- 1) DIMENSIONS PROVIDED SHALL TAKE PRECEDENCE OVER SCALE. CONTRACTOR TO VERIFY ALL DIMENSIONS OF BUILDING DESIGNER AND CONSULTANTS DRAWINGS PRIOR TO WORK. CONTRACTOR TO REPORT ANY DISCREPANCIES AND TO BE REPORTED IMMEDIATELY ANY NOTES ELSEWHERE ON THE PLANS THAT EXCEED THE REQUIREMENTS STATED IN THE GENERAL NOTES TAKE PRECEDENCE.
- 2) PRIOR TO ANY ALTERATION OR MODIFICATION OF PLANS OR DETAILS ON SITE, CONTRACTOR(S), TRADESMAN(S) AND/OR HOMEOWNERS MUST CONTACT BUILDING DESIGNER TO CONFIRM BUILDING CODE AND/OR STRUCTURAL ENGINEERING REQUIREMENTS AND TO MAINTAIN INTEGRITY AND COMPLETENESS OF PLANS.
- 3) ALL NEW CONSTRUCTION TO MEET CURRENT BC BUILDING CODE 2012.
- 4) VENTILATION INTAKE AND EXHAUST TO MEET ALL BCBC REGULATIONS.
- 5) VENTILATION CHECKLIST TO BE COMPLETED PRIOR TO PERMITS INSPECTION.
- 6) SAFETY GLASS REQUIRED FOR ALL BATH/UB ENCLOSURES, Sidelights AND GLASS IN DOORS.
- 7) EGRESS FROM ALL BEDROOMS TO MEET CURRENT BCBC REGULATIONS.
- 8) CARBON MONOXIDE ALARM LOCATIONS TO BE DETERMINED, AS PER BCBC.
- 9) PHOTO-ELECTRIC/INTERCONNECTED SMOKE DETECTORS LOCATED AS PER BCBC.

## PROJECT DATA

Property Owners: 2450521 Holdings Ltd.  
 CHG Address: 2421 Gosworth Road, Victoria BC, V8T 2G5  
 Legal Description: Amended lot 18, Block 1, Section 24-00, Victoria District, Plan 1232  
 Zone: R1-0  
 Project Description: Reasoning to R1-02, Small Lot House  
 Site Area: 470m<sup>2</sup> (1212 SF)  
 Storage: LOT A: 1  
 LOT B: 2

## PROJECT INFORMATION TABLE - PARENT LOT (A)

	PROPOSED/EXIST	ALLOWED
Zoning:	R1-02	
Site Area:	314.8 M <sup>2</sup>	MIN. 260 M <sup>2</sup>
Site Coverage:	46.1 M <sup>2</sup> = 30.5 %	40 %
Total Floor Area:	41.7 M <sup>2</sup>	140 M <sup>2</sup>
Floor Space Ratio:	0.24	0.6
Height of building (H):	4.7 M	7.5 M
Number of storeys:	1	2
<b>SETBACKS</b>		
Front Yard:	3.30 M	6.0 M
Rear Yard:	2.67 M	6.0 M
Side - East:	1.5 M	1.5 M
Side - West:	1.54 M	2.4 M
Open Site Space (%):	62.5 %	
Parking Stalls on site:	1	MIN. 1

## PROJECT INFORMATION TABLE - SMALL LOT (B)

	PROPOSED	ALLOWED
Zoning:	R1-02	
Site Area:	315 M <sup>2</sup>	MIN. 260 M <sup>2</sup>
Site Coverage:	54.4 M <sup>2</sup> = 26.0 %	40 %
Total Floor Area:	144.6 M <sup>2</sup>	140 M <sup>2</sup>
Floor Space Ratio:	0.46	0.60
Height of building (H):	6.16 M	7.5 M
Number of storeys:	2	2
<b>SETBACKS</b>		
Front Yard:	4.9 M	6.0 M
Rear Yard:	6.0 M	6.0 M
Side - East:	3.39 M	1.5 M
Side - West:	1.50 M	1.5 M
Open Site Space (%):	60.0 %	
Parking Stalls on site:	1	MIN. 1

VARIANCE SOUGHT: Front Yard setback: 1.07 m

## PROJECT TEAM

**SURVEYOR:**  
 Ray Hargreave Land Surveying Inc.  
 44-0221 James Wells Boulevard  
 Sidney, BC V8L 1Z5  
 250-464-5155

**STRUCTURAL ENGINEER:**  
 Byron Rutledge, P.Eng.  
 Hume Engineering Ltd.  
 1180 Munro St.  
 Victoria, BC V8A 5P6  
 250-687-3540

## Sheet List

Sheet Number	Sheet Name
A1	Cover
A2	PLAN
A3	SECTION
A4	SECTION A - Side Elevation & Floor Plan
A5	SECTION B - Elevation
A6	SECTION C - Front Elevation
A7	SECTION D - Upper Floor Plan
A8	SECTION E - Foundation & First Floor Plan
A9	SECTION F - Elevation & Details
A10	SECTION G - Details
A11	SECTION H - Details

Received  
City of Victoria

FEB 07 2019

Planning & Development Department  
Development Services Division

**Villamar** DESIGN  
 6855A VICTORIA ROAD  
 VICTORIA, BC  
 V8M 1A4  
 778-383-4688

2421 Gosworth Rd.  
Victoria, BC2450521  
Holdings Ltd.

DATE	ISSUED FOR
Jan. 29, 2019	Revisions: City Review
Nov. 30, 2018	Revisions: City Review
Oct. 18, 2018	Reasoning Application

REZONE

Cover

NOT FOR CONSTRUCTION	JAN. 25, 2019
PROJECT NUMBER	517
DRAWN BY	AJM
CHECKED BY	DE
SHEET	A1
SCALE	AS INDICATED

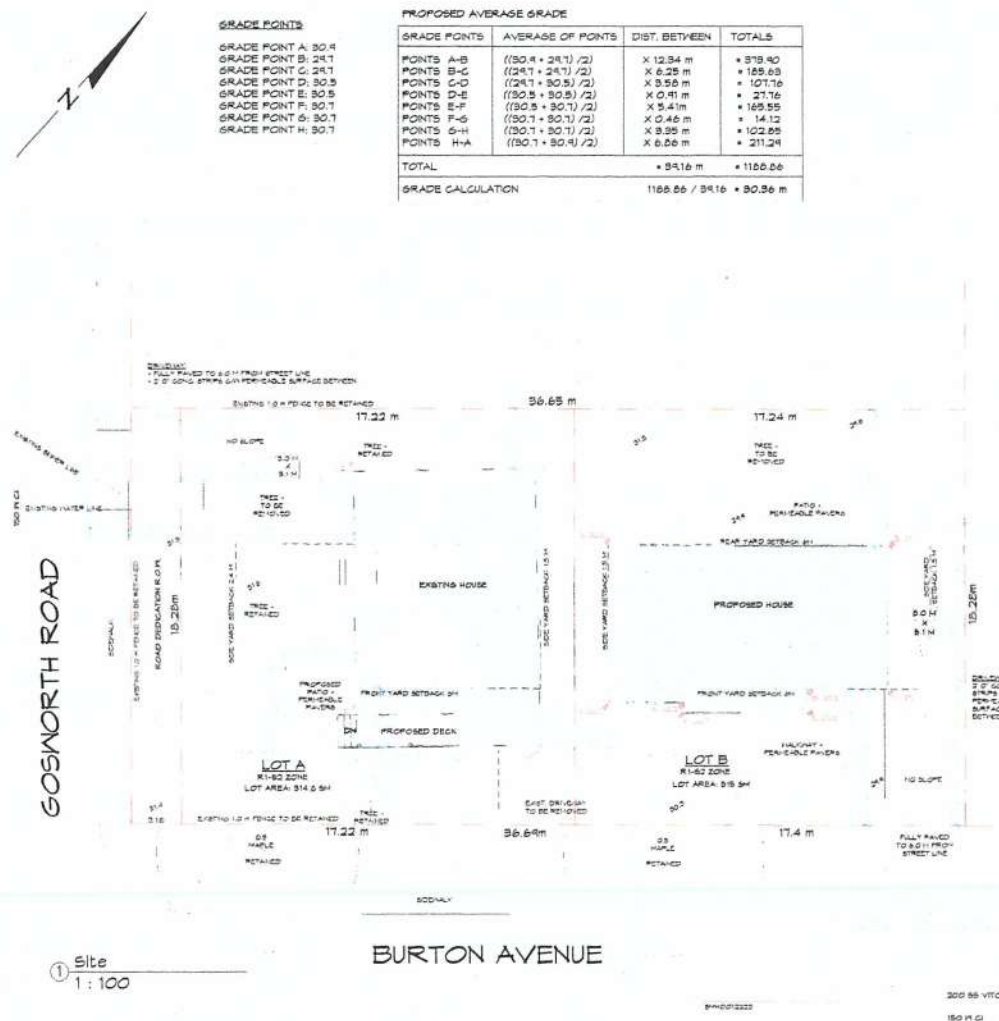
2960521  
Holdings Ltd.

DATE	ISSUED FOR
Jan. 25, 2014	Revisions: City Review
Nov. 30, 2015	Revisions: City Review
Oct. 15, 2016	Rezoning Application

Site

SHEET 001 OF 001	
JAN. 25, 2019	
PROJECT NUMBER	1517
OWNER	AJH
DRAWN BY	DE
A2	
SCALE	As Indicated

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City of Victoria  
FEB 07 2019  
Planning & Development Department  
Development Services Division





GOSWORTH ROAD

2921 GOSWORTH

14.4 m

36.65 m

17.4 m

2921 GOSWORTH  
EXISTING HOUSE

PROPOSED HOUSE

1514 BURTON AVE.

1520 BURTON AVE.

17.22 m

36.64 m

17.4 m

SIDEWALK

SIDEWALK

BURTON AVENUE

② Site - Context  
1:96

2921 GOSWORTH

PROPOSED HOUSE

1514 BURTON

1520 BURTON

GOSWORTH AVE.

ROAD  
DEVELOPMENT  
R.O.D.

① South (Front)-Streetscape  
1:96

Received  
City of Victoria

FEB 07 2019

Planning & Development Department  
Development Services Division



2921 Gosworth Rd.  
Victoria, BC

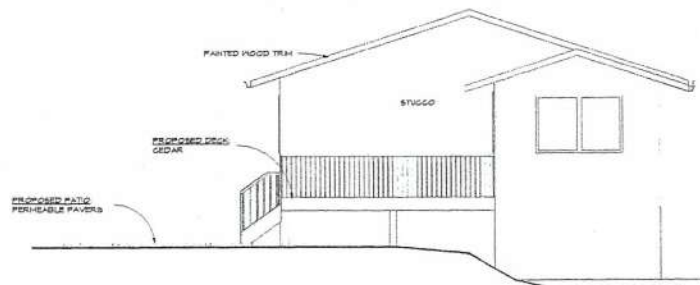
2960521  
Holdings Ltd.

DATE	ISSUED FOR
Jan 25, 2019	Revisions: City Review
Nov 30, 2018	Revisions: City Review
Oct 19, 2018	Resolving Application

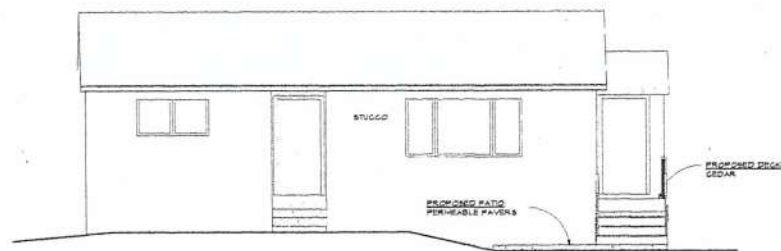
REZONE

Site - Context

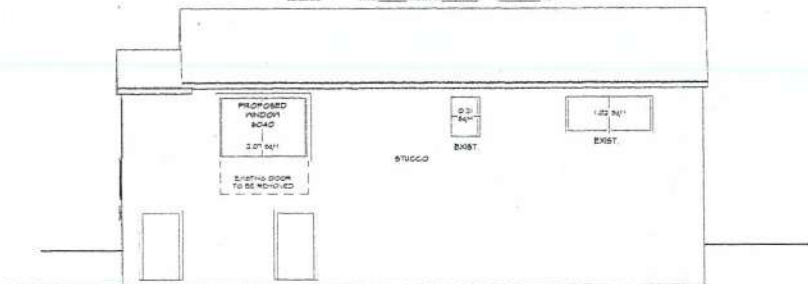
ISSUANCE DATE	JAN. 25, 2019
PROJECT NUMBER	1811
DRAWN BY	AJA
CHECKED BY	DE
SCALE	A2.1
SCALE	As Indicated



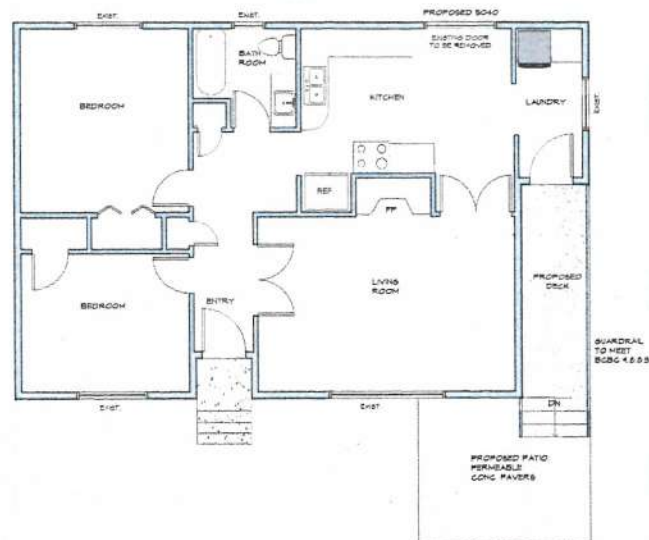
① South - EXISTING  
1:48



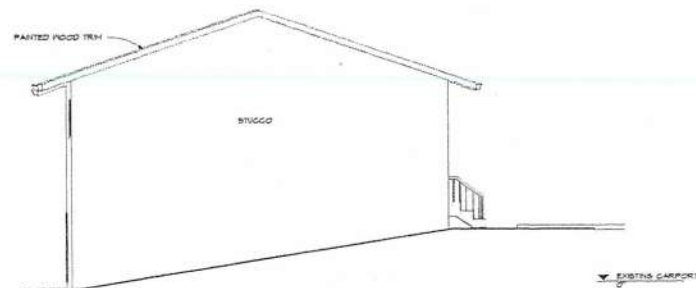
② West - EXISTING  
1:48

[illegible]

④ East - EXISTING  
1:48



③ LOT A - Existing Floor Plan  
1:48



⑤ North - EXISTING  
1:48

Received  
City of Victoria

FEB 07 2019

Planning & Development Department  
Development Services Division

**Villamar**  
DESIGN

6850A  
VERANESS ROAD  
VICTORIA BC  
V8N 1A7  
778-391-4288

2921 Gosworth Rd.  
Victoria, BC

2960521  
Holdings Ltd.

DATE	ISSUED FOR
Jan. 28, 2014	Revisions: City Review
Nov. 30, 2015	Revisions: City Review
Oct. 9, 2016	Rezoning Application

REZONE

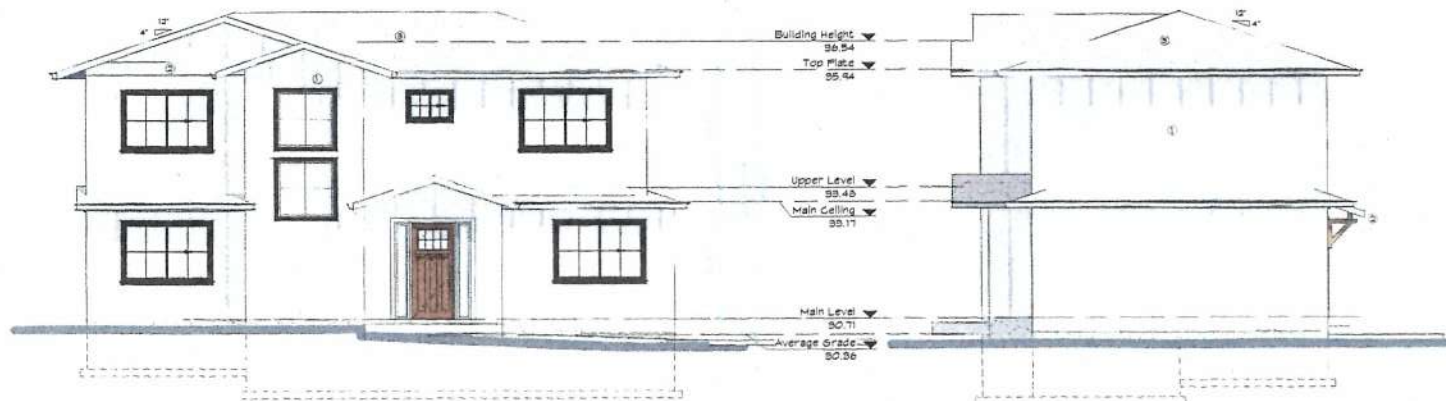
LOT A - Elevations  
4 Floor Plan

PRINT SALE DATE: JAN. 25, 2019

PROJECT NAME	1817
DRAWN BY	ASH
CHECKED BY	DE

A3

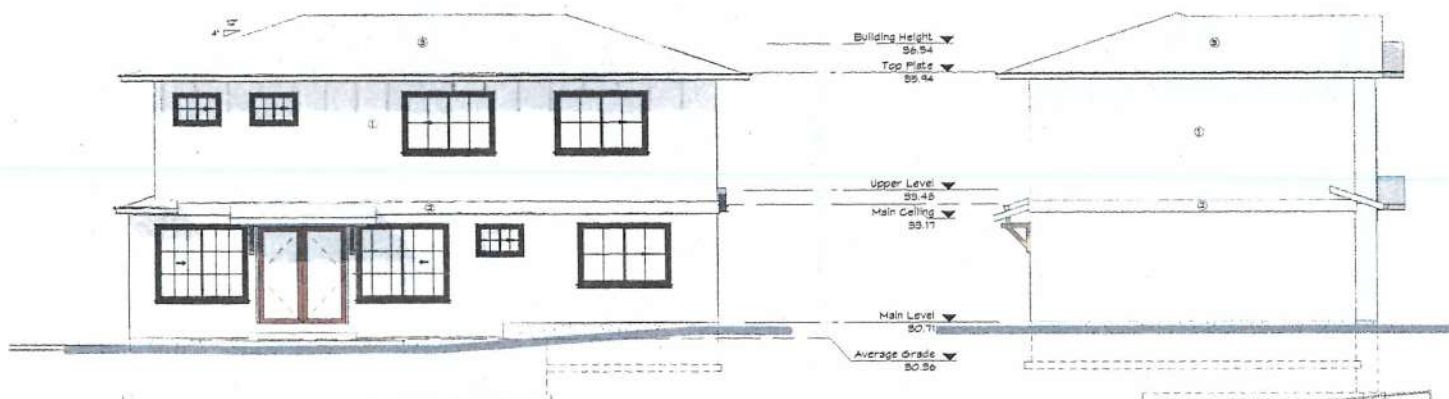
SCALE	As indicated
-------	--------------



① South (Front)  
1/4" = 1'-0"

② East (right)  
1/4" = 1'-0"

MATERIAL AND COLOR KEY	
1	BOARD & BATTEN SIDING - HardiePanel or equal, Arctic White
2	PAINTED WOOD TRIM - White
3	ASPHALT ROOF SHINGLES - Malarkey or equal, Storm Grey
- WINDOWS AS SHOWN - Black	



③ North (Rear)  
1/4" = 1'-0"

④ West (Left)  
1/4" = 1'-0"

Received  
City of Victoria

FEB 07 2019

Planning & Development Department  
Development Services Division



2921 Gosworth Rd.  
Victoria, BC

2960521  
Holdings Ltd.

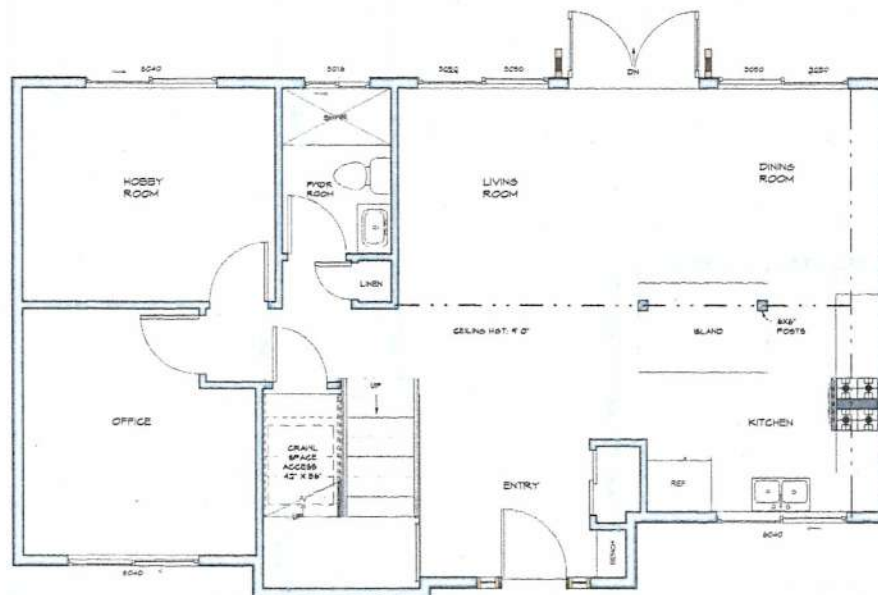
DATE	ISSUED FOR
Jan 25, 2019	Revisions: City Review
Nov 30, 2018	Revisions: City Review
Oct 16, 2018	Rezoning Application

REZONE

LOT B - Elevations

SHEET DATE	JAN 25, 2019
PROJECT NUMBER	2921
DRAWN BY	APL
CHECKED BY	DE
SCALE	A4
SCALE	As Indicated





TOTAL 1556 SF

① Main Level  
1:32



Received  
City of Victoria

~~FEB 07 2019~~

Planning & Development Department  
Development Services Division

**Villamar**  
DESIGN

6025A  
VETANES ROAD  
VICTORIA, BC  
V8M 2A2  
778-351-4888

2921 Gosworth Rd.  
Victoria, BC

2960521  
Holdings Ltd.

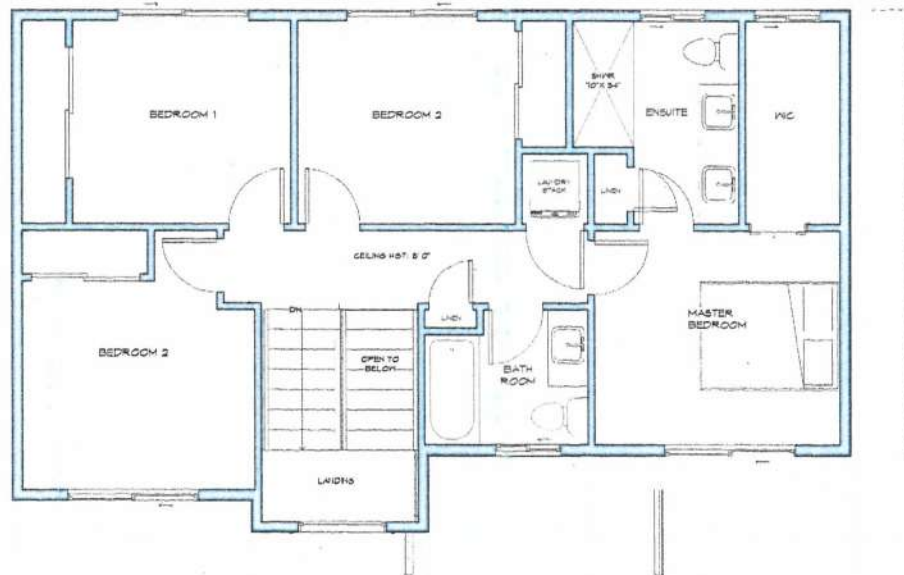
DATE	ISSUED FOR
Jan. 25, 2018	Revisions: City Review
Nov. 30, 2018	Revisions: City Review
Oct. 19, 2019	Rezonning Application

REZONE

LOT B - Main Floor  
Plan

PROJECT NAME (DATE)	JAN. 25, 2019
PROJECT NUMBER	1817
DRAWN BY	AJM
CHECKED BY	DE
A6	
SCALE	AS SHOWN

SCALE As indicated



FLOOR AREAS:  
 MAIN: 846 SF  
 UPPER: 1110 SF  
 TOTAL: 1556 SF

① Upper Level  
 1:32

Received  
 City of Victoria  
 FEB 07 2019  
 Planning & Development Department  
 Development Services Division



2921 Gosworth Rd.  
 Victoria, BC  
 2960521  
 Holdings Ltd.

DATE	ISSUED FOR
Jan. 25, 2014	Revisions City Review
Nov. 30, 2018	Revisions City Review
Oct. 18, 2018	Rezoning Application

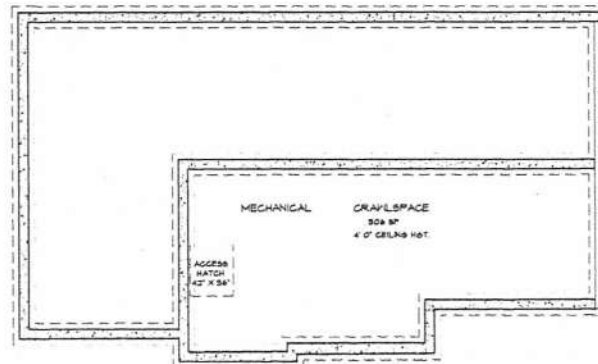
REZONE

LOT B - Upper  
 Floor Plan

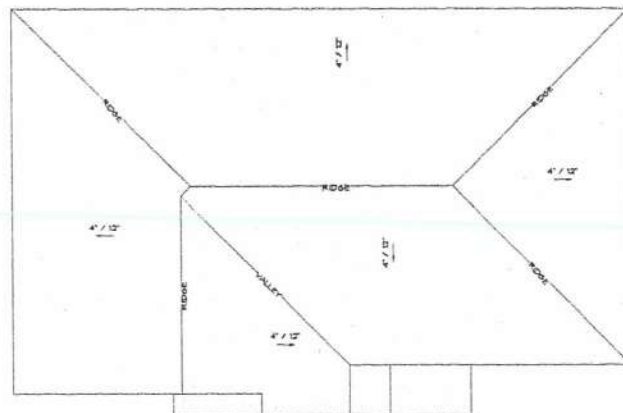
PROJECT NO.	DATE
2960521	JAN. 25, 2019
DRAWN BY	DATE
CHECKED BY	DATE
SCALE	As Indicated

A7

② Foundation Plan  
1/4" = 1'-0"



① Roof Plan  
1/4" = 1'-0"



ROOF AREAS:  
MAIN ROOF: 1170 SF  
LOWER ROOFS: 1192 SF  
TOTAL: 1362 SF  
\* THIS IS FOR REFERENCE ONLY  
AND MUST BE CONFIRMED BY  
ROOFING CONTRACTOR

Received  
City of Victoria

FEB 07 2019

Planning & Development Department  
Development Services Division



2921 Gosworth Rd.  
Victoria, BC

29GOS21  
Holdings Ltd.

DATE	ISSUED FOR
JAN 25 2019	Revisions: City Review
NOV 30 2018	Revisions: City Review
OCT 18 2018	Rezoning Application

REZONE

LOT B - Foundation  
and Roof Plan

DATE	JAN. 25, 2019
PROJECT NUMBER	1811
DRAWN BY	AJM
CHECKED BY	CE
SCALE	A8

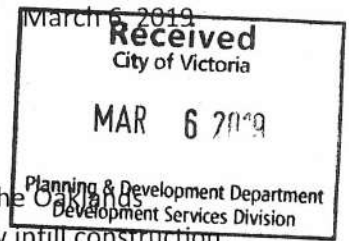
SCALE: AS SHOWN







Re: 2921 Gosworth Road, Victoria



Dear Mayor and Council,

This proposal is for a Small Lot House Rezoning located at 2921 Gosworth Road, in the Oaklands neighbourhood. This project seeks to revitalize the neighbourhood by providing new infill construction. We propose to subdivide the existing 670 SqM corner lot and build a single family dwelling on the new small lot, while retaining the existing house on the parent lot.

This proposal addresses aspects of the Official Community Plan. Specifically, this proposal serves the City's vision under Neighbourhood Directions; section 21.21.5: providing "areas of residential housing suitable for families with children", and 21.22.2: "to increase residential densities within walking distance of the [Hillside] corridor". This proposal addresses the public need to alleviate Victoria's burdened housing supply, as well as increasing its tax base. The dwelling's modest size accommodates the desire for affordability in the housing market.

The site is an ideal candidate for Small Lot House Rezoning, as it is a corner lot that fits the criteria and guidelines put forth by the City to achieve the goals mentioned above.

The proposed house is a two storey, traditional style residence, with a floor area 144 Sqm (1550 sf). Board and baton siding was selected to blend in with neighbourhood. The plan conforms to the City's design guidelines and lot requirements, save for one variance.

We are seeking a front yard setback variance of 1.07 metres (from 6.0m to 4.93m). There are three reasons to support this variance. The primary reason is to keep the design away from the rear yard and the adjoining neighbour's homes by bringing additional square footage to the front. Secondly, available space was taken from the right side of the lot to provide off street parking. The final justification is design driven; the entry/stairway project forward to create architectural interest.

The existing house shall remain; changes proposed are for the removal of an existing deck at the East side and creation of a deck and patio on the south side. These proposed changes would require two variances. The first variance is sought for the front yard setback; this is to accommodate the proposed deck, and would seek a variance of 2.6m (from 6.0m required to 3.38m proposed). The rationale for the proposed deck and patio is to "make up" for the removed deck, as well as enhancing the use and flow for the area between the side door and the proposed patio. The second variance is for the interior side yard setback, regarding a window in a habitable room; this would seek a variance of 0.9m (from 2.4m required to 1.5m proposed). The window location is currently an existing bedroom and faces the proposed new subdivided lot. The existing window is not facing the new house directly, but the rear yard area of the proposed lot. We request to allow a window in this space to reduce impact on the existing neighbor to the North property, and we don't see any potential conflict from here to the proposed new home.

We met with the Oaklands Land Use committee and neighbours to show the proposal. Responding to local input, we modified the house plan to address neighbours' concerns. We reduced the basement to a crawlspace. We reduced the upper floor area; which in turn reduced the roof area and building height (1.32 m below allowable bldg. height). We also changed the roof type from a gable roof to a hip roof and

lowered the pitch, thereby reducing it's mass and shadow factor. The result is a significantly reduced profile and imposition of the house, relative to neighbouring properties.

In summary, we feel that this proposal meets the City's Small Lot House guidelines and fits well into the neighbourhood. If you have any questions about this proposal, we look forward to discussing this project in further detail at any time.

Sincerely,

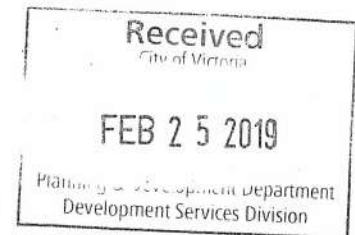
Duane Ensing, Principal Designer  
Villamar Design 778-351-4088

AJ Williamson, Designer



**Mission**

*Strengthening the Oaklands community by providing programs, services and resources for its residents, businesses and visitors.*



## Oaklands Community Association Land Use Committee August 27, 2018 Meeting Minutes

**Location:** Oaklands Neighbourhood House - 2629 Victor Street

**Contact:** [landuse@oaklandsca.com](mailto:landuse@oaklandsca.com)

**Development proposals**

1. Development Proposal Community Meeting(s): Villamar Design

a. 2921 Gosworth Ave.

- Small lot infill of subdivided lot – keeping existing home and building new on subdivided lot
- 980 sq new home just under 28% of lot coverage – existing 1050 sq has 38% lot coverage
- Three parking stalls – one for existing and two for new
- 3 variances for setbacks – 2 for the existing home due to City setback rules. 3<sup>rd</sup> for new home for front yard setback for aesthetic consideration and space for parking
- Follows City's preferences for design and would be landscaped for improved privacy
- Partial basement in new home for mechanical and storage.
- Building height is 2ft below allowable height – 1780 Sq Ft. Height 6.9 metres allowed 7.5m

**Comments**

- How much higher than existing? Roughly 7ft higher
- Blasting? Unknown the degree to which blasting will be needed.
  - Backyard is predominantly bed rock how much will needed to be removed.
  - Neighbour concerned about blasting
- Another neighbour raised the following issues from her perspective:
  - Fourth application for small lot in this lot – planners approved City rejected
  - Last proposal was roughly 2009 – small lot infill not suitable on this site. Rock blasting is likely to crack foundations. Significantly bigger homes and concern about blockage of light and movement of water. Commenter considered not suitable. She said the architect for the previous proposal was not suitable for infill development.

- Apartment buildings at Gosworth, Church renovation, office building, all single lot dwelling be suited were all noted as conlating issues that have increased traffic and busyness as well Hillside Mall expansion.
- Concern about parking stall removing old Japanese maple and the egress would pose dangers to motorists and pedestrians.
- Concerned that building would be too close and remove privacy of her own home.
- Concerned about water flow
- Another neighbour noted:
  - Outdoor living space is in front yard and that the wall of the proposed home would affect their enjoyment of their yard and view
- Many neighbours agreed that parking is an existing issue – and noted that many on lot parking is used for recreational vehicles

b. 1661 Burton Ave. – Summary of proposed project:

- Split lot infill development – Design intended to be in keeping with the neighbourhood
- 2br 2.5 bath – Overall square footage 1125sq – 1690sq with basement
- Under site coverage for proposed lot and meet ratios and under height for zone
- One variance – rear yard setback
- Fewer neighbours due to proximity of Hillside Mall
- Laneway exists between existing house and proposed house
- Large spatial separation between existing and proposed homes
- Three trees to be removed along laneway to be replaced by laurel (fast growing for privacy).
- Four large trees on neighbouring property would be protected during construction
- No suite capability on the proposed home – no plumbing fixtures

Comments / Questions:

- Is the development being done by owner? – yes
- Flat roof? - Lowers height and reduces perception of looming building
- House will face Shakespeare with Sundeck facing the same street
- Parking? is for one single off street on existing and one for proposed possibly two

## Standing Items

2. Updates on City CALUC Consultation Meetings
3. 2019 Neighbourhood Planning Process
4. New membership
5. Other Items

# 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

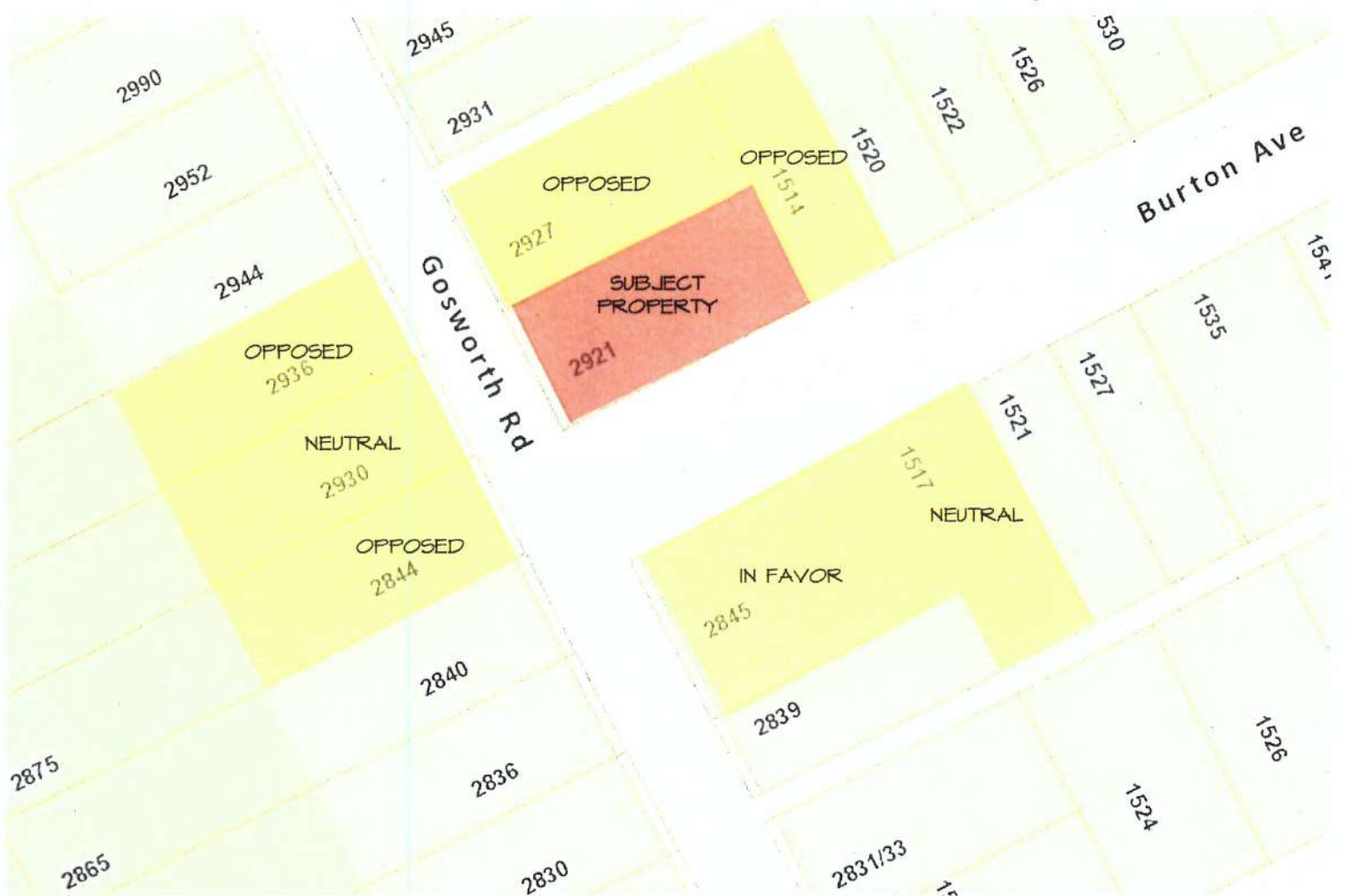
SUMMARY	Number	%
IN FAVOUR	1	20 %
OPPOSED	4	80 %
TOTAL RESPONSES	5	100%

\*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 LIFE PORTERUS 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 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*

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 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.

September 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 JULIE SMART of  
(print name here)

1536 CLAWTHORPE AVE  
(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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Julie Smart , neighbour to 2921 Gosworth Rd.  
(signature)

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



September 26, 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 Jeff Lund of  
(print name here)

1448 Edgeware Rd  
(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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Jeff Lund  
(signature), neighbour to 2921 Gosworth Rd.

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

From: **Clinton Wark** clintonwark@hotmail.com  
Subject: Proposed rezoning of 2921 Gosworth Road  
Date: August 17, 2018 at 9:57 PM  
To: landuse@oaklandsca.com, mayorandcouncil@victoria.ca  
Cc: duane.ensing@villamar.ca, aj.williamson@villamar.ca

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I own a home nearby this property at 2945 Gosworth Road. I acquired these lands in 2016 and replaced the existing rat invested single storey 800 SF dump with a new 2,700 SF two storey home containing 5 bedrooms, including a legal two bedroom suite. The previous house at best could have accommodated two people. The new house can easily accommodate 7 people or more. In addition, my new home in conjunction with regulations has a rain garden that over the long term will serve to lessen the impact on the City's drainage system.

I am strongly in favour of this rezoning proposal. Our neighbourhood is ripe for renewal, and our city badly requires additional housing stock. The only issue I raise, which in my opinion would make this development proposal better, would be a replacement of the existing house on this property as well. Together, the new house being proposed on a subdivided lot and a new house on the remaining lot at the corner, if designed with greater utility, would be an even better improvement.

Thank you for providing a mechanism for neighbourhood comment without having to be present for a community and / or City Council meeting. I frequently travel for my business and am most often unavailable to attend such events to express my opinion in person. Please contact me with any comments or further questions.

Clint

Clinton Wark  
2945 Gosworth Road  
Victoria, BC  
V8T 3C8  
250-818-1420

September 12, 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 STU + JENN HOFFMANN of  
(print name here)

1545 BURTON AVENUE  
(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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Stu Hoffmann (signature), neighbour to 2921 Gosworth Rd.

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 SCOTT DAVIES of  
(print name here)

2750 GOSWORTH

(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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DocuSigned by:

Scott Davies

4AE84D31C62247E...

(signature)

, neighbour to 2921 Gosworth Rd.

10/7/2018 11:01:27 AM PDT

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 ~~Bob Preston~~ ANNA-MARY SCHMIOT of  
(print name here)

1514 Burton Ave

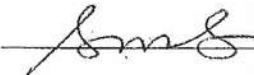
(print address here)

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  
 , neighbour to 2921 Gosworth Rd. a saturation point in our community.

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  
(signature)

, neighbour to 2921 Gosworth Rd.

If you have any questions, please contact:

Duane Fusing 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, Elizabeth Sansome of  
(print name here)

1522 BURTON AVE  
(print address here)

have reviewed the proposed plans and I am:

☐ in support of the application

☒ not in support of the application

Comments:

Density is an issue in this neighbourhood with many houses in the immediate vicinity being multiple family dwellings and with the church, parking is at a premium. Another house built nearby caused considerable damage to our greenhouse which we had to replace at our own expense. This house was further away than the proposed rezoning address meaning more damage so blasting is a ~~problem~~ major problem as our house is NOT bolted to our foundation. (our house was built in 1913)

E Sansome, neighbour to 2921 Gosworth Rd.  
(signature)

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

OCT 1 / 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 MAT MARCHESSAULT of  
(print name here)

1480 Finlayson PI  
(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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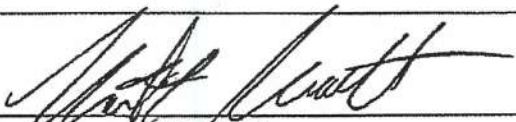
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, neighbour to 2921 Gosworth Rd.  
(signature)

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



Oct 1/2018

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 Nikole Samokski of  
(print name here)

1264 Haultain  
(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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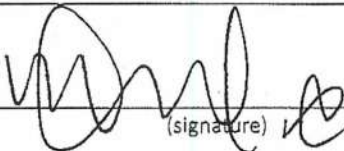
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(signature)

, neighbour to 2921 Gosworth Rd.

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

Oct 1 / 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 Phil Trodden of  
(print name here)

1262 Haultain

(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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Phil Trodden

(signature)

, neighbour to 2921 Gosworth Rd.

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

**I.1.b.g 2921 Gosworth Road - Rezoning Application No. 00667 and Development Permit with Variances Application No. 00096 (Oaklands)**

**Moved By** Councillor Collins

**Seconded By** Councillor Alto

That the applicant works with staff to make changes to the proposed design and return to a Committee of the Whole meeting. Revisions should address:

- reducing the massing of the proposed house to better respond to the neighbourhood context
- revise the materials and colour of the proposed house to better reflect the neighbourhood context
- revise the landscaping and screening for the proposed patio for the existing house

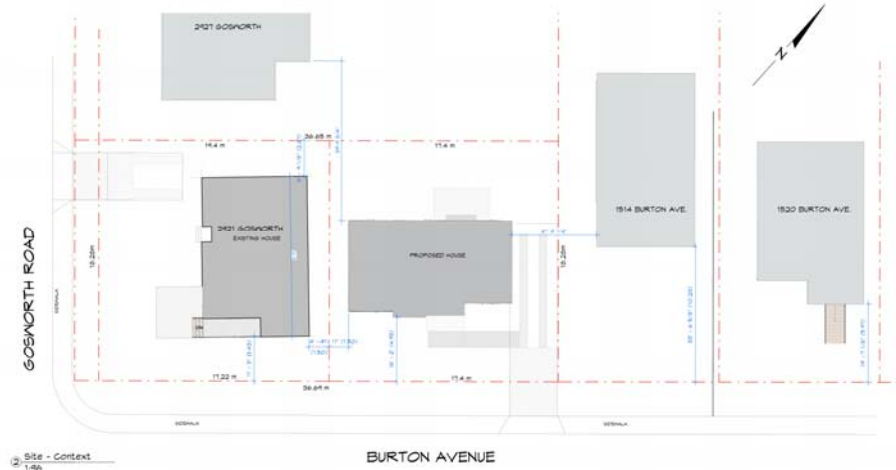
**CARRIED UNANIMOUSLY**



# Rezoning and Development Permit with Variances Application 2921 Gosworth Road



## Proposed Site Plan



## Elevations (Proposed)



## Floor Plans



## Streetscape

### Previous Proposal



### Revised Proposal





