



Aneesa Blake and Reed Cassidy
2740 Fifth Street
Victoria BC
V8T 4B2

Dear Mayor and Council,

Re: 2740/42 Fifth St Rezoning Application – Applicant Letter to Council

AMENDMENT 1 – Response to TRG Review 1 Comments

Thank you for taking the time to consider this proposed rezoning.

This purpose of this letter is in regards to the re-zoning application at 2740/2742 Fifth St.

Description of Proposal

Land use/Zoning change:

The existing lot is Zoned R2. The proposed Zone is R2-38, which is the same as the lot to the South.

Density changes between R2 and R2-38:

The following are the changes between Zones.

- Floor space ratio is being increased from 0.50:1 to 0.66:1. Actual project is 0.56:1
- Floor area for all floors is being increased from 380m² to 493.60 m². Actual project is 418.77 m².
- Site coverage (maximum) decreases from 40% to 30.5%. Actual project is 30.06%.

Type of tenure:

We plan to remain in our existing home, the front duplex unit, and rent out the rear duplex unit and the proposed house. We plan to create a **property** strata for the 3 units.

Number, description and type of dwelling units:

The proposed rezoning would result in 3 residential dwellings, including a two-family dwelling (existing) and a single-family dwelling (proposed). Each dwelling unit will be two storeys, comprised of 3-bedrooms and 3-bathrooms.

Inclusion of adaptable housing features:

As the existing and proposed buildings are standard residential dwelling units, adaptable features have not been incorporated.

Displacement of existing tenants:

The existing tenants will not be displaced.

Government Policies

This property is located in the Official Community Plan (OCP) among a small strip of properties defined as Traditional Residential. The proposed rezoning meets most of the Traditional Residential

characteristics. The few characteristics that differ are similar to nearby rezoning projects, showing there is precedence set with recently approved developments and bringing continuity to the new buildings in the neighbourhood.

The Traditional Residential density ratio is 1:1, which is much higher than the R2 Zoning of 0.50:1 and the proposed R2-38 Zoning of 0.56:1. This proposed project is well within these guidelines.

The small density increase proposed in a Traditional Residential area (OCP ref 6.22) for a property with a low energy building and mid-range energy concept building (6.7) are in line with OCP goal for land development.

This property is within walking distance to a Large Urban Village (6(a)), which happens to be Quadra Village (21.13.1.). It's also within walking distance of Hillside transit corridor (21.13.1).

The project is creating a ground-oriented (21.14.2) housing type that presently meets rental market demand (13.10).

A brand new 3-bedroom 3-bathroom rental is ideal for young professional families looking to move into the City (6 (a) & (g), 13.10). The tenants we have had to date, have been young families new to Victoria.

The project incorporates high quality architecture combined with innovative design to create infill (8.43). To be sensitive to neighbours, the proposed building has had a shading analysis done, and window locations and opaqueness have been considered (8.44).

By creating a building with a reduced energy demand, residents are more resilient to energy cost fluctuations (12(A)). The building's heating systems are relatively low emitters of greenhouse gases (12(B)).

The landscape plan is low maintenance and low demand for watering (12.17.2).

The Passive Building Design principles (12.17.4, 12.19), high-efficiency plumbing fixtures (12.17.8), and future preparation for renewable energy generation (12.17.6) make for a building whose performance greatly exceeds the minimum. Factoring in solar gains to building design helps diversify the source of a building's energy needs (12.7).

The existing duplex on the property is certified as Passive House Classic. We are proponents of sustainable projects and energy efficient buildings. Our lifestyles incorporates doing whatever we can to reduce our impact and better the environment.

Project Benefits and Amenities

The main economic benefit of this proposal is that by adding a third unit to the property and stratifying the units, the city will increase the property tax revenue from the land immediately. This variance in tax revenue will increase non-linearly over time as the property values increase. Other revenues that will increase are utilities (water and sewer) and waste removal. By adding an additional residence, density will increase, leading to an increase in support to local businesses, thus stimulating the economy.

Environmental benefits are that the proposed unit is in proximity to amenities and city center, encouraging resident to use alternative modes of transportation. The building will have energy efficient features as detailed in the Green Building Report included in the application package.

Social benefits of the proposed development are that the proposal would add a 3-bedroom pet-friendly rental unit to the rental market with fenced yard space and room for parking and bike storage. Being close to amenities and major bus routes, the proposed unit will be very accessible for families without a vehicle. The heat recovery ventilation (HRV) system proposed combined with no carpeting, provides an extremely comfortable and healthy environment for people with allergies or who simply enjoy above-average air quality.

There are no proposed public amenities associated with this development.

Need and Demand

With a recognized housing crisis in Victoria, there is a high need for this proposed development.

The City of Victoria's housing strategy is geared towards improving accessibility of rental units for residents. The proposed development is in line with the strategy, because it will contribute a 3-bedroom 3-bathroom rental home to the market. Canadian Mortgage Housing Corporation's (CMHC) rental market report for 2017 shows a 0.0% vacancy rate for 3-bedroom homes. The 2018 report shows "*** – Poor – Suppressed" as the vacancy rate. From this data showing lack of availability, combined with a housing crisis, one can deduce that the need for 3-bedroom rental homes is therefore high.

There is a large number of condominium buildings and townhomes being built across the City. To increase the variety of the type of rental buildings that will be available, we think it is important to encourage the development of detached homes with private fenced yards.

Neighbourhood

We purchased this property in late 2015, on the heels of many large local developers hoping to convert this lot into a larger multi-family development. A few CALUC meetings were held with various project proposals, though none seemed to be popular. Our intentions for the property were more humble, as we were looking to build a place to live and raise a family, while also creating a rental property. We have since converted a nuisance property into a Passive House duplex.

The Quadra Village area is a fast growing neighbourhood. It's a family oriented neighbourhood, with most of the nearby homes occupied by young families.

This lot is within walking distance to a large urban village, and it is right beside many major bus routes. It's also one street over from a designated cycling route, and centrally located within the City for easy bike access to anywhere from UVIC to Clover Point.

This property is one of a small strip of lots that are still largely of the Traditional Residential style, though past and recent developments are evolving the neighbourhood. One reason this property lends itself to the proposed development is based on local precedent. The small increase in density is on par with previously approved projects. Here's some examples of previous and current density increases along the 2700 block, all within 100 m:

- The lot directly to the South has already been rezoned to R2-38. A duplex was added to a previously single-family lot, and then all units were made into a strata.
- The lot to the North contains two single-family dwellings, also built out and made into a strata.

- The lot 3 properties North was recently joined to the neighboring multi-family development, and is now a part of a multi-family building development project.

We understand that City Staff will not support this development because the proposal is unique in comparison to the existing planning policy relating to panhandle lots and garden suites. In spite of this, we believe that our proposal adds great value to the community and fits well within the neighbourhood. The proposal is in alignment with many of the OCP guidelines and is supported by local precedent, most notably by the zoning of our neighbours adjacent to the South.

The proposed building fits in with the existing neighbourhood layout. The block has many residential buildings where a driveway leads to parking behind the front building face. Street oriented dwellings are not common on this block where lots contain more than one dwelling unit. Arguably this is preferable in appearance when compared to the side-by-side duplex appearance. The proposed building will have very little visual impact from the street, which is also common for nearby similar developments.

Green space on the property is relatively low, but this is common for this block, especially with properties that contain more than one dwelling. By creating low maintenance properties, we have attracted professional couples who work hard and have limited time for landscape duties.

The proposed structure is architecturally and proportionally similar to the existing duplex, as well as the newly approved multifamily buildings just a few lots to the North. The vast majority of input received about the design of the duplex project was positive, so the neighbourhood appears to appreciate the modern design.

The lot is relatively flat, with a slight slope from South East to North West. The proximity of the existing duplex to the front lot line has left enough room at the rear of the property to add another structure, as well as provide all of the required off-street parking.

The proposed building is two stories, which is the same as neighboring buildings.

A shading analysis was done, and the proposed building creates very minimal shade on neighboring buildings. The apartment building to the West creates the shading before the proposed building would have a chance.

Parking on the street is almost always a contentious issue in this neighbourhood, so we are happily meeting the City's requirements for parking.

Impacts

The proposed development would further improve the conditions existing in the surrounded area. The proposed development includes a fence between the property and the property to the north. This fence would provide privacy for the residents of both lots. A fence would also block the car headlights that affect the lower suite of the neighbouring property, as vehicles travel down the driveway to the existing 3 parking spots. This will improve the enjoyment of the tenant in the lower suite of the neighbouring house. The proposed development will also provide added privacy to the residents of the apartment building, since the proposed dwelling has no windows facing the apartment. Currently, there is minimal privacy as residents from both properties can see into the homes of the other.

Activity levels may increase slightly, as the proposal would be adding another family to the property. We do not anticipate any increase in vehicle traffic on the property however, since the 3 proposed parking spots are already in existence.

We do not allow smoking on the property. Prior to a lease being agreed, tenants will be reference checked to mitigate the potential to have residents that are not respectful to the property and the neighbours. Also, with the landlords living on the property, this is likely to discourage noise and unfavorable behavior.

Design and Development Permit Guidelines

The property does not fall within any Development Permit Area (DPA) guidelines, as outlined in the OCP. However, the proposed development fits in with many of the guidelines of DPA 5.

Safety and security

The building and landscape plan will be geared to prevent crime through design as outlined in the Crime Prevention Through Design guidelines. **Natural surveillance** will be achieved as an added benefit of the passive design principles being employed. Essential to capturing sunlight for heat gains, the windows of the proposed development will be facing open spaces, unencumbered by landscaping or other obstructions. This is a deterrent for crime since potential invaders would be seen attempting to gain access in the open spaces. **Territorial reinforcements** to denote the delineation of private property will be achieved with fences, creating a boundary without compromising natural surveillance. **Natural access control** will be achieved via the presence of the driveway leading to the front door. The front door will be accentuated with a cut-out to clearly indicate where pedestrian traffic should go. The property will remain well-maintained which will encourage the use of the space for its intended purpose. The proximity to the neighboring homes provides **activity support** which encourages community interaction.

Transportation

Our perception of cars is changing and electric vehicles are becoming increasingly popular. The proposed house will have an electric vehicle charging station on the exterior, so that an electric car can be charged from one of the parking spots.

We believe in alternative modes of transportation. This project will incorporate the 3 existing off-street parking spaces, and will not go beyond the minimum required spots outlined by the City. This was decided upon based on the green building indicators checklist on the Rezoning application. The existing 3 parking spaces have all been easily and safely accessed over the past 2.5 years, and they effectively serve the property and the neighbourhood.

With bikes comes the need for added security. The existing duplex units and the proposed house all have large storage rooms connected to the entry foyer. This space has proven effective in the existing duplex units, and serves as a safe and climate-controlled location to store bikes.

Heritage

The existing building on site is a new duplex. Its construction finished in March 2017. Shortly thereafter, the building received Passive House Classic certification and Built Green Platinum Certification. The existing building that was removed was derelict and had no heritage value.

Green Building Features

Please see the additional Green Building Report included in the application package.

Infrastructure

When we acquired the property in 2015, the existing house was not livable. Further, it was a nuisance property for the neighbours and the City's Bylaw Enforcement department for several years. We removed this structure and built a new duplex. During this new construction process, we installed 3 new water service connections & meters to the property, installed a new 6" underground connection to the City's sanitary sewer main, and maintained the existing connection to the City's storm main. We then roughed-in all of the underground services to the rear of the property. The sanitary sewer and water service are presently capped and buried in the proposed building footprint and the storm water connection is roughed-in to the parking spaces. All of this work was inspected by the City's plumbing inspector during the duplex project. This proposed building will not require any alterations to the curbs, gutters, or underground City services. Further, it will not require disruption to the existing duplex building daily operations.

CALUC Meeting Held 04-Apr-19

The re-zoning information pack stipulates that 30 days are permitted after the community meeting for CALUC to comment. The meeting took place 04-Apr-19 and the letter (after several follow up emails) was submitted 15-May-19.

We are extremely grateful for the CALUC volunteers and our neighbours who devoted time to attend the Community Meeting and write a letter to capture the meeting's minutes. We are however, of the belief that the letter provided on behalf of the CALUC does not accurately capture our presentation to the community and the discussion that ensued. It is our belief that the minutes following a meeting should be written omnisciently to capture the facts of our presentation and to provide an accurate record of what was discussed during the meeting. After attending the meeting and reading the letter, it appears as though the author of the letter has narrated the letter from their own view point and has unfortunately captured some of the facts incorrectly. The following section provides clarifications to the letter that was provided by the CALUC representative. Items in italic and quotations are directly from the letter, and our associated comments follow.

CALUC Letter Quote	Our Response
<i>"A rental covenant, based on City policy will be in place. The number of years was unclear."</i>	Should a rental covenant be required by council to approve the re-zoning, we are amenable to this. We would like to clarify that this is not part of our proposal.
<i>"A new fence is proposed to lessen sound block car lights."</i>	There is no existing fence between our property and the property to the North. Prior to the CALUC meeting, our neighbour wished us luck and said "all I want is a fence". The proposal includes a

	fence, which we have offered to cover the cost of, after consultation on design with the adjacent neighbours.
<i>"Parking is also proposed in front of the duplex on permeable surface which allows grass to grow through it."</i>	Front parking does not appear in our plans and was not formally proposed. Should council require more than 3 off-street parking spots, a fourth spot could be accommodated at the front of the property. Our primary objective is to encourage alternative means of transportation and preserve the existing green space.
<i>"As with the existing duplex the house will have features to make it Net Zero ready"</i>	The existing home is Passive House and Built Green Platinum Certified and is not currently certified as Net Zero Ready.
<i>"A small height variance is also requested."</i>	The variance to height would be required in regards to the existing building, to fit within the proposed zone. The new dwelling would not need a variance for height.
<i>"Neighbours expressed concerns about increased activity, such as more cars along the property line where there is a narrow setback to the older house with a lower level suite."</i>	The concern was raised in regards to the existing activity. Since the proposed 3 off-street parking spots already exist in the rear portion of the property and are currently in use, there would be no net increase in activity. The neighbours expressed that a fence would alleviate this nuisance.
<i>"Adjacent lower level apartment dwellers might be affected the most, but none were represented at the meeting."</i>	See above.
<i>"Privacy issues were also raised. Few windows proposed overlook adjacent properties. One comment from the adjacent apartment dweller was made regarding seeing into the proposed dwelling from above. The proponent said they could install opaque glass in some windows."</i>	Our interpretation of the discussion was that the adjacent apartment dweller was expressing relief. Currently, their apartment has a view into the bedroom of our rental unit at 2742 fifth st. Our design was well thought-out in order to minimize the impact to neighbours. As a consideration to privacy, there are no windows on the west-facing side of the proposed dwelling. The proposed dwelling would, if anything, block the existing view into the rental suite's bedroom. Our belief is that this resident viewed this as a benefit and not a concern. The residents at 2750 did have questions about the windows that would face them, but seemed appeased that there was one window on the north-facing side that would face their garden. Their primary concern was regarding our existing bedroom window of the duplex that overlooks their bathroom.
<i>"The most problematic issue was how the proposal addressed on-site parking. Only 3 spaces</i>	Parking concerns were raised by the owners living at 2750 Fifth st. The strata property at

<i>for 3 dwellings accommodated at the rear was seen as inadequate."</i>	2750/2754 Fifth st is made up of 4 dwellings (2 legal) with one off-street parking spot that does not comply with the zoning bylaw (4:1 ratio). At the present time, there are 7 vehicles belonging to the various residents of this property. City guidelines stipulate that 3 parking spots to 3 units are required. Our proposal exactly meets the requirements (3:3 ratio). Further, in the "green building indicators" required for this re-zoning application, the city policy states not to exceed minimum number of parking stalls.
<i>"Some concern was raised regarding how front yard parking would affect the neighbourhood character if it became common."</i>	We do not recall any comments of this nature. We offered to the neighbours that if 3 parking spots was not sufficient there was a possibility of creating a fourth spot in the front of our home. We have not included this in our plans because our preference is to preserve the green space and did not want to affect the neighbourhood character.
<i>"The issue of the modern design and how it fit with the neighbourhood was not a big concern"</i>	We do not recall the modern design being raised as an issue and we believe that the author is inadvertently expressing his own bias/preference in this statement. Stating there is an issue with the design, then stating that this was not a concern, is dissonant. It is not clear why this statement is raised or what purpose it serves to the letter.
<i>"The proposal made some nearby residents uncomfortable with the space the infill dwelling would take and increased activity from more people and cars."</i>	We do not recall any of the residents expressing discomfort. The purpose of meeting minutes is to capture the facts of what was discussed, not to highlight the author's perception of a discussion through the lens of their own bias/preference.
<i>"There was not an overwhelming level of support and no firm objections. Attendees liked many of the ideas proposed, but those living closest thought the proponent was asking for too much."</i>	We do not recall any of the residents expressing that we were asking too much. The purpose of meeting minutes is to capture the facts of what was discussed, not to highlight the author's perception of a discussion through the lens of their own bias/preference. Our neighbours were supportive and wished us luck in our re-zoning, both at the CALUC meeting and in our private interactions. There was significant confusion regarding the size of the proposed dwelling. Because the community meeting notice form shows the proposed total floor area as the combined total of new plus existing, this was interpreted as the floor area that was being added to the property. Once the neighbours understood that we were not proposing to add

	418.8 sqm to the property, much of the overall concern was alleviated.
parking	The CALUC representative asked us how many cars we own (both at the NAC meeting and the CALUC meeting). Our understanding of the CALUC representative is to facilitate a community discussion, not interrogate with the intention of provoking inflammatory discussion. It was not understood how the number of cars currently owned by the residents is applicable to the well being of the future of the Quadra Hillside neighbourhood.
shading	There was concern raised regarding the shading and how it would affect the residents adjacent to the North. The shading analysis was explained in great detail and the neighbours seemed satisfied that the existing apartment building, due to its size and location, causes shading that our proposed building would not further impact.
other	When we arrived home from the meeting, we unexpectedly encountered the CALUC representative at the rear of our property. We would be happy for people to access our lot; however, we would have appreciated being given notice so that we can notify our existing tenants to protect their privacy/security.