

Rajinder and Jasbir Sihota
897 Maltwood Terrace
Victoria, BC, V8X 5G2

November 14, 2019

Mayor and Council
City of Victoria

Subject: Request for rezoning of 334 Dallas Road

My wife and I are the owners of 334 Dallas Road. We would like to replace the current single family home that currently exists on the site with a new tri-plex building. However, to do that, we would need to change the current zoning to the new houseplex zoning. Our new building will be very similar in size to an adjacent building and is not out of place in the neighbourhood.

We intend to live in the new home with our extended family in one of the three units of the new building. We intend to rent out the other two units that will be located in the basement. We do not intend to strata title the property and we are prepared to sign a 10 year covenant to that effect.

We have attached plans to our new building. The new building is designed to be within the current setbacks of the current zoning. We are not requesting any changes in any existing setbacks. However, we are requesting variances related to (1) total square footage, (2) height of the detached accessory garage and (3) height of the main building.

The significant change in the zoning request is the addition of rental units in the lower floor which has resulted in an increase in the total square footage of the building. One rental unit will be a two bedroom suite while the other will be a one bedroom suite. We have designed the new building with sufficient parking for cars and bicycles as recommended by city staff.

We will also need a height variance on the accessory garage due to the limited storage in the principal building. I, as the owner, elected to build a basement under garage. It is a bit of an expensive solution but will ensure a better solution for residents, tenants, and neighbourhood as there won't be so much in belongings left in the yard or driveway.

The city bylaws, however, have a catch 22. The outside stairs into the basement, become 'grade', and thus skew the average grade calculation down into the grade so the building 'measures' higher. Thus the further the building is lowered, the deeper the stairwell and the higher the building. Without the false values of lowered grade, if measured from existing we are well within permitted height at about 3.3m, instead of the 3.96m from using the city method. We hope you can see the odd bylaw wording has created this catch 22 and recognize this as something that forces us to request support of this variance,

We are also requesting a variance to the height of the main building of 32 cm. When we first met with the James Bay CALUC in May of 2018, we had not asked for a height variance. Subsequent to the meeting we tried many different plans to address issues raised by the CALUC and City staff. We finally found a plan that we thought would address many of the issues raised. However, as a result of the changes, we were asked to meet again with the James Bay CALUC again. We did this in October, 2019. Changes from the May, 2018 plans, resulted in a need for a height variance for the main building of 32 cm.

During this most recent meeting, we heard complaints about the height variance request of 32 cm that came generally from the four storey apartment which is next to the duplex to the right of us. We responded that the height our building would not be more than the duplex between us and the four storey apartment. After hearing the complaints, we stated we should be able to stay within the existing permitted height. I met with my designer after the meeting to confirm. He noted, even with the requested height variance, our building was still 2 feet 8 inches less than the duplex between us and the four story apartment. He also indicated not having the height variance would reduce daylight into the proposed basement suites.

Our original design proposal in May, 2018 did not propose any height variance. I was surprised to learn at the meeting that my designer was proposing a height variance on the main building. My response at the meeting was made without knowledge of the circumstances to which the height variance was requested. I should not have said we should be able to reduce the height to remain under the current zoning. This was my mistake but it was not made to deceive anyone.

We also contacted neighbours for their feedback. We took the feedback and made changes to the plans to address concerns from both CALUC and the neighbours. Attached in the appendix to this letter which contains a summary of concerns raised and our responses to those concerns. Our neighbour to the right, Mr Mark Imhoff, sent a separate letter to CALUC outlining his concerns. We've outlined his concerns and our responses.

We look forward to hearing from you on any comments you may have.

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Yours truly,

Rajinder S. Sihota

Jasbir K. Sihota

Attachment

Item #	Concerns Expressed on Project	Response
General comments received:		
1	Height of building and impact on water views	Height of proposed building will be 32 cm higher than permitted under current zoning. However, with additional height, our building will still be 2 feet 8 inches less than duplex to right.
2	Increase in FSR and massing parameters	Proposed increases are within Houseplex parameters
3	Box shape of structure	Have altered design by adding entrance at the front to reduce boxy appearance. Others at CALUC indicated they like the design.
4	Side entrances	Added front entrance to building
5	Parking issues	Adjusted parking based on suggestions from city staff
6	Affordability of proposed suites	Suites will be at market rent
Comments received from owner/neighbour on right, Mr. Mark Imhoff		
7	Monolithic look	Have altered the front look with recessed front entrance. Others at CALUC meeting indicated they liked the design.
8	FSR is more than what is currently allowed	Within what is allowed with a Houseplex format
9	Massing of the building	Within what is allowed with a Houseplex format. Additional space is required for additional suite. Size of building is comparable to Mr Imhoff's house that is adjacent. Front elevation view on plans confirms this.
10	No front entry	Changed to add front entrance
11	Too apartment like	Others at the CALUC meeting indicated they liked the design of the building.
12	No consultation for window placement	Shared plans with Mr Imhoff before CALUC meeting. Number of windows and placement on sides was not considered problematic by City staff
13	Updated design	Updated Mr Imhoff of design changes since CALUC meeting