F.1.a.e 2727 Hamilton: Development Permit with Variances Application No. 00160 (Oaklands)

Moved By Councillor Alto Seconded By Councillor Potts

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00160 for 2727 Hamilton Road, in accordance with:

- 1. Plans date stamped August 18, 2021.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except the following variances to the R1-S2 Zone, Restricted Small Lot (Two Storey) District:
 - i. reduce the front yard setback from 6.00m to 3.14m
 - ii. reduce the side yard setback (north) from 1.50m to 0.50m (heat pump only).
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY



F.2 <u>2727 Hamilton: Development Permit with Variances Application No. 00160</u> (Oaklands)

Committee received a report dated September 23, 2021 from the Director of Sustainable Planning and Community Development regarding an application to reduce the front yard setback, reduce the side yard setback for a heat pump, and to make changes to the landscaping.

Moved by Mayor Helps Seconded by Councillor Potts

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00160 for 2727 Hamilton Road, in accordance with:

- 1. Plans date stamped August 18, 2021.
- Development meeting all Zoning Regulation Bylaw requirements, except the following variances to the R1-S2 Zone, Restricted Small Lot (Two Storey) District:
 - i. reduce the front yard setback from 6.00m to 3.14m
 - ii. reduce the side yard setback (north) from 1.50m to 0.50m (heat pump only).
- 3. The Development Permit lapsing two years from the date of this resolution."

Committee discussed the following:

- The pronounced grade on the site
- The ability of the City to levy a fine in this case

Amendment:

Moved By Councillor Isitt

That staff provide information to Council when this comes to the daytime Council meeting on what fines, if any, may be levied in relation to this property

Failed to proceed due to no seconder

On the main motion:

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of October 7, 2021

To: Committee of the Whole Date: September 23, 2021

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00160 for 2727 Hamilton

Road

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00160 for 2727 Hamilton Road, in accordance with:

- 1. Plans date stamped August 18, 2021.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except the following variances to the R1-S2 Zone, Restricted Small Lot (Two Storey) District:
 - i. reduce the front yard setback from 6.00m to 3.14m
 - ii. reduce the side yard setback (north) from 1.50m to 0.50m (heat pump only).
- 3. The Development Permit lapsing two years from the date of this resolution."

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 *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 2727 Hamilton

Road. The proposal is to reduce the front yard setback, reduce the side yard setback for a heat pump, and to make changes to the landscaping. This property was rezoned to the R1-S2 Zone, Restricted Small Lot House District on February 8, 2018. Concurrent with the rezoning approval, Council approved a Development Permit with Variances to enable the subdivision and construction of a small lot house, which included variances to reduce the front yard setback from 6.00 to 3.14m for the proposed new house and to reduce the rear yard setback from 6.00 to 2.40m for the existing house.

A building permit was obtained, and during construction the elevation of the main floor was raised and the floor-to-ceiling height was increased on the second floor. This resulted in an increase of 0.61m (2 feet) to the height of the building. Although the height of the building is still within the maximum allowed under the R1-S2 Zone, the extra height results in additional building mass being located within the previously reduced setback, therefore a further approval is required to legitimize the additional building volume. A variance is being requested to reduce the front yard setback from 6.0m to 3.14m.

During construction, a heat pump was installed on the north side of the building within the side yard setback. Heat pumps are subject to the building setbacks; therefore, a variance is being requested to reduce the side yard setback from 1.50m to 0.50m.

Additionally, a retaining wall was added around the perimeter of the property and the yard was then filled, creating a situation where the rear yard is raised by approximately one meter when compared to neighbouring properties, creating potential privacy impacts. This is contrary to the Small Lot Policy which promotes working with established grades rather than adding or taking away volumes of soil.

The following points were considered in assessing this application:

- A variance to reduce the front yard setback was previously approved. However, due to
 the height of the building increasing, and the impact being somewhat magnified, the
 variance must be considered again. The height of the building is below the maximum
 height permitted in the R1-S2, Restricted Small Lot (Two Storey) District and has limited
 impact on the building as viewed from the front.
- A variance to reduce the side yard setback to allow a heat pump is being requested. The
 heat pump is placed in a location that would cause the least disturbance to neighbours
 as it is next to a parking lot.
- The Small Lot Policy and Design Guidelines encourage maintaining existing grades and being mindful of shading, privacy and visual impacts. The unauthorized change to the grade has created privacy and visual impacts for neighbours; however, the work is complete and would be costly and disruptive to reverse. The applicant has worked to address neighbour concerns and introduced additional landscaping and fencing to mitigate some impacts. Correspondence from the most impacted neighbours indicates acceptance of this approach.

The impact of the variances is nominal, and although the change of grade is at odds with the *Design Guidelines for Small Lot Houses*, and ideally would have received approval prior to the work being completed, the applicant has strived to achieve a solution that can be supported by the neighbours. Given these unique circumstances, the staff recommendation is for Council to advance the application to an opportunity for public comment.

BACKGROUND

Description of Proposal

The proposal pertains to a small lot single family dwelling which is under construction and is under a stop work order for exterior work. The proposal is to:

- increase the height of the building
- add a heat pump
- change the previously approved landscaping plan, including raising the grade around the property.

The proposal requires variances to reduce the front yard setback from 6.0m to 3.14m, and to reduce the side yard setback (north) from 1.50m to 0.50m for a heat pump.

Existing Site Development and Development Potential

The site is presently a single-family dwelling. Under the current R1-S2 Zone, the property could be developed exclusively as a small lot single-family dwelling.

Data Table

The following data table compares the proposal with the existing R1-S2 Zone, Restricted Small Lot (Two Story) District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	R1-S2 Zone
Site area (m²) – minimum	260.15	260.00
Density (Floor Space Ratio) – maximum	0.57	0.60
Total floor area (m²) – maximum	148.70	190.00
Lot width (m) – minimum	14.84	10.00
Height (m) – maximum	7.32 (changed from 6.71 approved as part of the Rezoning)	7.50
Storeys – maximum	2	2
Site coverage (%) – maximum	31.87	40.00
Setbacks (m) – minimum		
Front	3.14*	6.00
Rear	6.00	6.00

Zoning Criteria	Proposal	R1-S2 Zone
Side (north)	1.50 – building 0.50* – heat pump	1.50 (non-habitable) 2.40 (habitable)
Side (south)	3.00	1.50 (non-habitable) 2.40 (habitable)
Parking – minimum	1	1

Relevant History

Rezoning and Development Permit with Variance Applications No. 00578 were approved by Council on February 8, 2018 to permit the subdivision and construction of a new small lot house. The variances were to reduce the front yard setback from 6.00 to 3.14m for the proposed new house.

In September 2020, at the framing survey stage when height is verified, it was discovered that the house was over the approved height by approximately 0.61m. This impacts the previously approved front yard setback variance because the mass and impact of the building within the front yard setback has increased, which requires approval of a new variance. A heat pump has also been installed within the north side yard setback, which requires approval of a variance. And finally, the survey determined that retaining walls and fill had been added to the site, triggering the need for an amended Development Permit Application.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, on November 24, 2020 the application was referred for a 30-day comment period to the Oaklands CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

The Small Lot House Rezoning Policy and Design Guidelines promotes a consultative approach when changes are proposed to an approved application, including consulting neighbours on changes and petitioning if they are in support or not in support of changes. A small lot petition was completed, and 80% of immediate neighbours were in support of the changes. One of the most impacted neighbours, while apparently not in support of the changes that have occurred has indicated an acceptance of the proposed approach to mitigate the impact.

The small lot petition summary and petitions are attached to this report, as well as additional petitions of neighbours that are not classified as immediate neighbours according to the policy. Additional correspondence with neighbours is also included. Note: a shed was part of the discussion; however, the applicant has decided not to include a shed at this time.

ANALYSIS

Local Area Plans - Oaklands Neighbourhood Plan

The Oaklands Neighbourhood Plan contains objectives to make provision for a range of housing types and sizes and encourages family housing through limited infill. The Oaklands Neighbourhood Plan states that small lot houses will be considered on their own merits provided they meet design standards. While this application was previously considered generally consistent with the Small Lot Rezoning and Design Guidelines, the changes to the landscaping and changing the grade of the rear yard are not consistent with those design standards.

Small Lot House Rezoning Policy and Design Guidelines

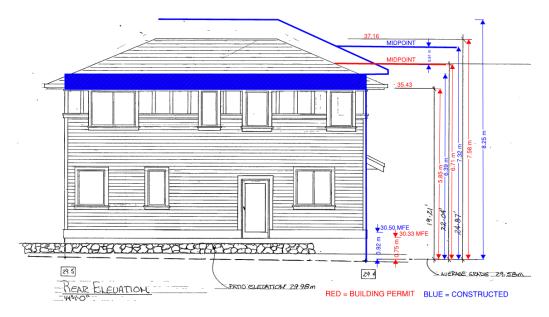
The Official Community Plan (OCP) Urban Place Designation for the property is Traditional Residential. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential - Small Lot, which has the objective of accommodating housing growth in a gradual manner within neighbourhoods. The focus of the design guidelines is to achieve a good fit with the context of the neighbourhood, and to limit impacts of the development on neighbouring properties.

Front Yard Setback Variance

In the original application a front yard setback variance was approved which reduced the setback requirement from 6.0m to 3.14m. During construction, the height of the building was increased by 0.61m (from 6.71m to 7.32m), due to raising the elevation of the first floor, as well as, increasing the floor to ceiling height of the second storey. Although the proposed height of 7.32m is still below the maximum allowable height of the R1-S2 Zone, it "exacerbates" the reduced front yard setback relaxation by placing additional building mass within the reduced front yard setback.

While raising the building height does increase the prominence of the building as seen from the street, as well as increase potential shading impacts, the additional massing now located in the front setback area, does not have a significant impact on these considerations.

Figure 1:



Side Yard Setback Variance

The R1-S2 Zone requires the north side yard setback to be a minimum of 1.50m; however, a heat pump was installed within this setback. Therefore, a variance is required to reduce the setback from 1.50m to 0.50m. The heat pump is located on the north side of the house, adjacent to a parking lot where it will have minimal impact on neighbours and would be screened by a 2.0m fence.

Grade and Landscaping Changes

The small lot design guidelines encourage applicants to respect the existing topography and to avoid major changes to existing grades. During construction, a retaining wall was added around the sides and rear of the property ranging in height, from a few inches to approximately one meter near the rear of the property. This area was then filled, creating a grade change between the subject property and its neighbours. Although this change in grade does not trigger the need for a variance, it is not consistent with the design guidelines and could create potential privacy and visual impacts for the neighbouring properties. The applicant is proposing a new 2.0m cedar fence on top of the wall as well as, a row of emerald cedar hedges and a Magnolia tree to provide a landscape buffer. The addition of the fence and landscaping helps mitigate the impact of the increased grade; however, the change is inconsistent with the design guidelines.

Potential Remedies to Unauthorized Changes

At this point, the building is constructed and near completion. Reducing the height of the building and relocating or removing the heat pump would have significant financial implications for the applicant. Regrading the site and removing the retaining wall would also have significant financial implications and may trigger other variances in order to add stairs to the back door.

Tree Preservation Bylaw and Urban Forest Master Plan

This application was received prior to October 24, 2019, so it falls under Tree Preservation Bylaw No. 05-106 consolidated June 1, 2015. There are no *Tree Preservation Bylaw* impacts with this application. As a condition of the original subdivision, a new separated sidewalk and boulevard are required along Hamilton Road. Within this new boulevard, two trees are proposed to be planted.

CONCLUSIONS

The building is already constructed and near completion. The proposal to reduce the front yard setback from 6.00m to 3.14m was previously approved, and the increase in height does not significantly impact the experience of the building from the street or neighboring properties. The reduction to the side yard to allow for the placement of a heat pump is also supportable as it is placed adjacent to an existing parking lot and is screened. The retaining wall and grade manipulation around the building is not consistent with policy and far from ideal; however, the work is complete and it would be very costly to remediate. As well, the applicant has consulted neighbours and proposing fencing and landscaping to help address overlook and privacy issues. Staff therefore recommend that Council consider advancing the application for consideration at an opportunity for public comment.

ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00160 for the property located at 2727 Hamilton Road.

Respectfully submitted,

Chelsea Medd Planner Development Services Division Karen Hoese, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 18, 2021
- Attachment D: Letter from applicant to Mayor and Council dated December 17, 2020
- Attachment E: Small Lot Petition of Immediate Neighbours
- Attachment F: Additional correspondence and petitions.

ATTACHMENT A





2727 Hamilton Rd Development Permit with Variance No. 00160



ATTACHMENT B







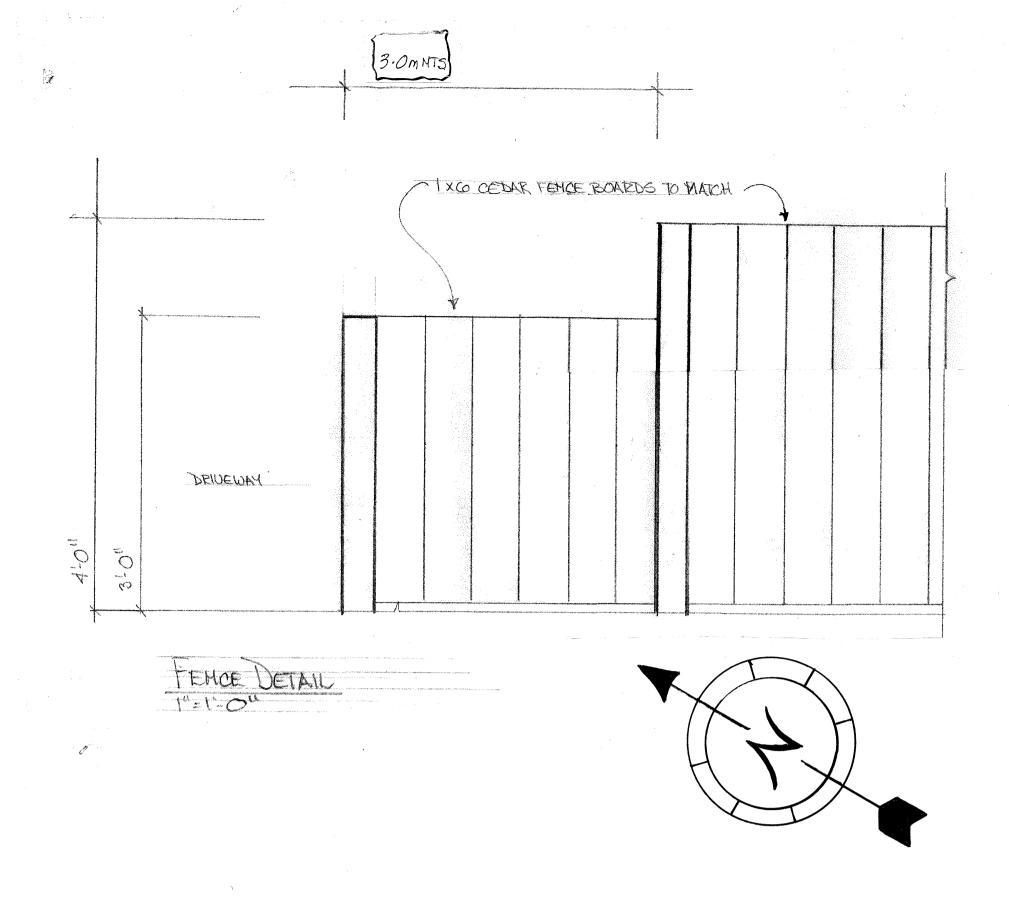
Revisions

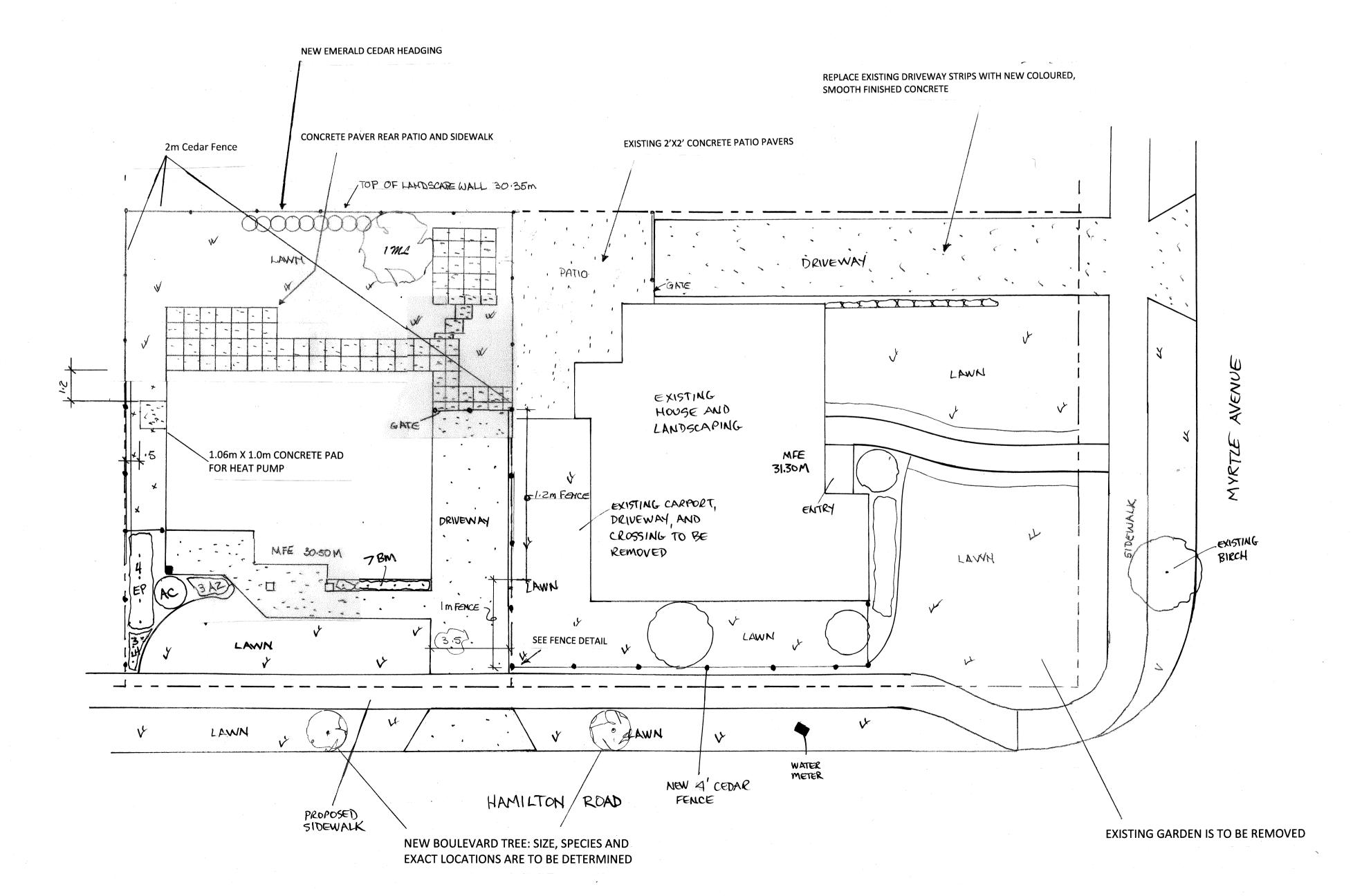
Received Date: August 18, 2021 HEAT PUMP AMERICAN STANDARD
HEATING & AIR CONDITIONING SILVER **LOT INFORMATION: -LOT A** MOD. NO. 4A6H5036H1000AB WOLTS CIVIC ADDRESS 2727 HAMILTON STREET PROPOSED ZONING SERIAL NO. 194716F64F **TOTAL LOT AREA** 260.00 sq.m. ALLOWABLE LOT COVERAGE VERCURRENT PROTECTIVE DEVICE 40.00% 104.00 sq.m. MAX FUSE / BREAKER (HACR) 30 30

HFC — 410A 8 LBS. 05 DZ. OR 3.77 kg(SI)

10 °F SC (DXV) OR SEE SH CHART IN LITERATURE SCOR 51A cms

Durelion DureBase Spine Fin Easy—Bess PROPOSED LOT COVERAGE REPLACE EXISTING DRIVEWAY STRIPS WITH NEW COLOURED, 83.10 sq.m. ALLOWABLE F.A.R. SMOOTH FINISHED CONCRETE 60.00% 156.00 sq.m. PROPOSED F.A.R. 143.85 sq.m. 55.32% CALIFORHIA DEAIN ALLOWABLE HEIGHT 7.50 m COMPR. MOT. 14.1 RLA 208/230 V 72.2 LRA 0.0 MOT. 0.64 FLA 200/230 V 1/8 HP DESIGN PSI - HIGH 480 LDW 480 F. ID. UYS 7.32 m PROPOSED HEIGHT **ELEVATIONS:** CERTIFIED. 30.50 m 29.58 m MAIN FLOOR **AVERAGE GRADE LOT INFORMATION -LOT B** CIVIC ADDRESS 1410 MYRTLE AVENUE PROPOSED ZONING PROPOSED LOT AREA 381.00 sq.m. ALLOWABLE LOT COVERAGE **EXISTING 2'X2' CONCRETE PATIO PAVERS** 40.00% 152.40 sq.m PROPOSED LOT COVERAGE EXISTING FENCE IS TO BE RELOCATED 110.37 sq.m 28.96% ALLOWABLE F.A.R. AS REGID. 49.86% 190.00 sq.m PROPOSED F.A.R. 107.95 sq.m. 28.33% SMOOTH FINISH, COLOURED S/W & DIW. ALLOAWBLE HEIGHT 7.50 m PROPOSED HEIGHT EXISTING CONCRETE PAVER REAR PATIO AND SIDEWALK NEW PROPERTY LIKE HEW LANDSCAPE WALL (TOP - 30-35m) 5 New 2m fence on top of landscape wall SEE FENCE DETAIL LANDSCAPED BOULEVARD AVERGAE GRADE CALULATION NEW 4' BUILT OH SITE CEDAR FINE A + B 29.70 + 29.70 1.06m X 1.0m CONCRETE PAD FOR HEAT PUMP B+C 29.70 + 29.70 CROSSING IS TO BE REMOVED C + D <u>29.70 + 29.70</u> = 29.70 X 2.85 D + E 29.70 + 29.70 NEW PROPERTY LIKE HEW DRIVEWAY CROSSIMG = 29.70 X 3.56 F+G <u>29.70 + 29.40</u> I PROPOSED NEW SIDEWALK = 29.45 X 10.36 G+H 29.40+29.50 H+A 29.50 + 29.70 NOTE: **EXISTING 'RESIDENTIAL ONLY' PARKING SIGNS** LAHDSCAPED BOULEVARD-ARE TO BE REINSTATED AFTER CONSTRUCTION AVERAGE GRADE OF 29.58m





PLANT LIST

TRES 15 TS 1 AC 1 ML	THUYA OCCENDTALIS 'SMARAGD'_ ACER PALMATUM DISSECTUM ATROPURPUREUM `CRIMSON QUEEN' MAGNOLIA GLANDIFLORA	EMERALD CEDAR JAPANESE MAPLE LITTLE GEM	1.5m # 15 #15
SHRUB	3		
3 AZ 7 BM 5 EP) 9 HS 3 LAI	RHODODONDRON NORTHBENLIGHTS 'LEMON LIGHTS' BUXUS MICROPHYLLA 'COMPACTA' ESCALLONIA PINK PRINCESS' ERICA CARNEA 'SPRINGWOOD WHITE' LAVANDULA ANGUSTIFOLIA 'HIDCOTE'	NOCTHERN LIGHTS AZALEA KOREAN BOXWOOD PINK PEINICESS ESCALLONIA HEATHER ENGLISH LAVENDER	# 1 # 3 # 1

LEGEND

	C.I.P. CONCRETE SURFACE
	COLOURED, SMOOTH FINISH CONCRETE
· ·	
×	Yz" CLEAR CRUSHED STONE OVER LANDSCAPE FABRIC
X.	
V ^t	LAWN AREA
V	

NOTES

DRAWING NOT TO BE SCALED - OWNER MUST VERIFY ALL DIMENSIONS, DATUMS, AND LEVELS PRIOR TO COMMENCEMENT OF WORK

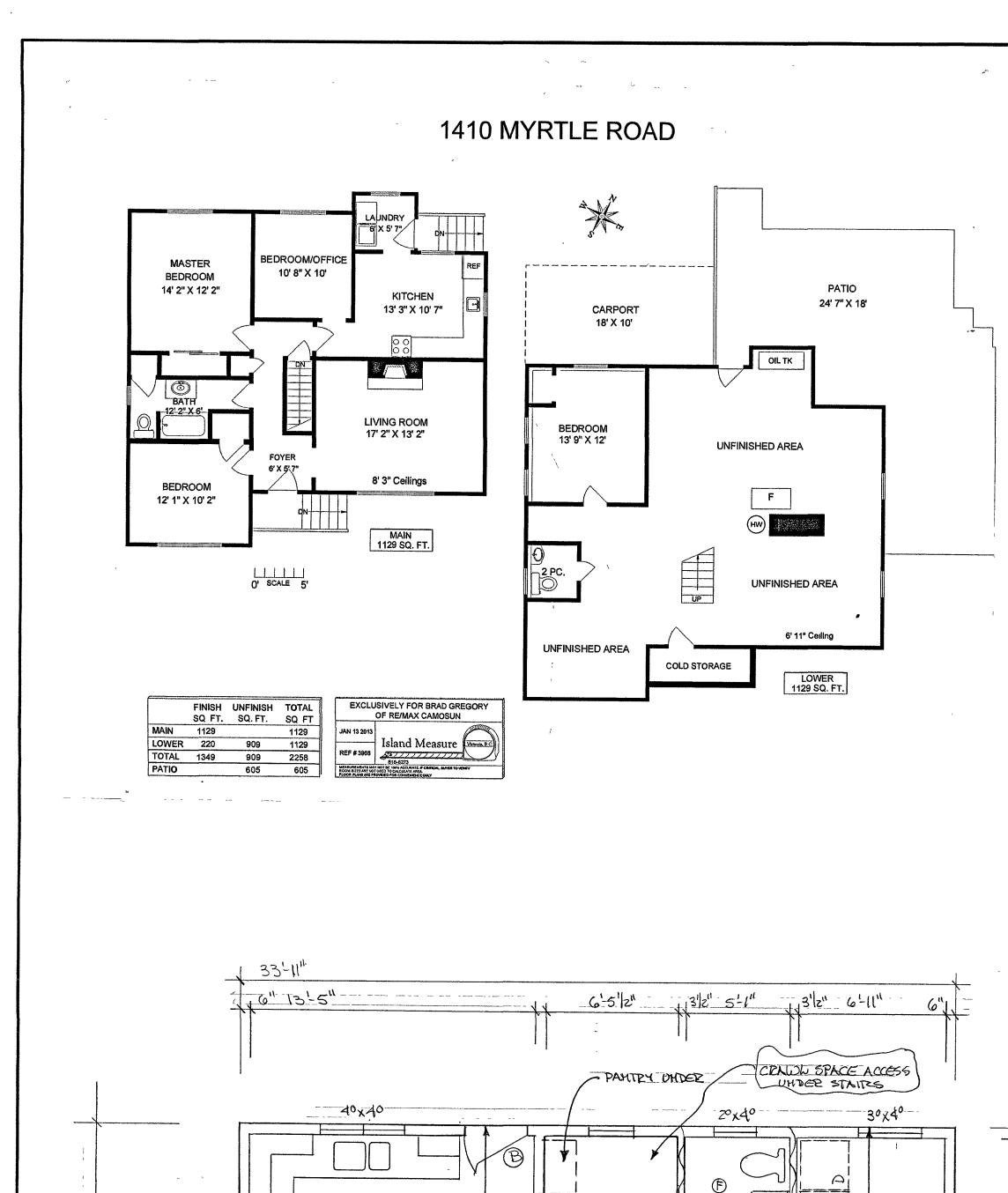
ALL BUILDING LAYOUT, SETBACK DIMENSIONS, ALL SURVEY INFORMATION (INCLUDING BASE GEODETIC ELEVATIONS) SUPPLIED BY RICHARD J. WEY & ASSOCIATES LAND SURVEYING INC.

PLANTING MATERIAL AND INSTALLATION TO CONFORM TO BCSLA/BCLNA STANDARD

ALL GROWING MEDIUM IN SHRUB BEDS TO BE MIN. 450MM IN DEPTH, LAWN AREAS TO BE MIN. 150 MM IN DEPTH

ALL GROWING MEDIUM TO COMPLY TO BCSLA/BCLNA STANDARD DESIGNATION "IP LEVEL I WELL GROOMED AREAS"

date: JULY 11
date: 3017 11
drawn by:
BL'



KITCHEM

FLUSH CHG. BEAM-

DIMING

ENG. FLOOR SYSTEM

70x5°

PROPOSED MAIN TLOOR PLAN

1/4"=1-0" 800.38# (74.35m2)

PRINCIPLE EXHAUST FAH

ENG. FLOOR SYSTOM

GREAT ROOM

16x50 40x50 16x50

- R-28 INSULATION UNDER

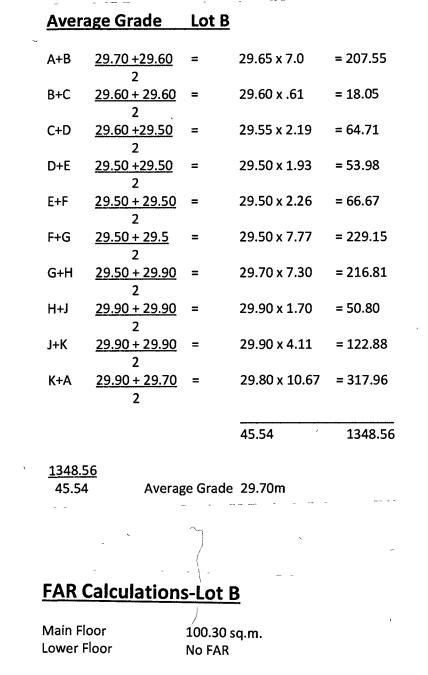
GAS F/P

S.A. C.D.

8"x8" D.F. POST

(TYP.)

3/2XIZ BEAM OVER



31.07m - Av. Grade 29.70m = 1.37m

100.30 sq.m.

TOTAL FAR

HEATING/COOLING:

HEATING/COOLING OF THE HOME IS TO BE BY HEAT PUMP.

Construction Notes:

- The square footage indicated on these plans include floor spaces to the outside of walls and projections of floor areas. It does not include garage areas, decks or open porch spaces. Solid studs under girder supports, point loads and beams.
- Dimensions are to take precedence over scale. Smoke detectors are to be interconnected and wired to 110 volt.
- The hot water tank is to have seismic restraints- top and bottom.
- Tank is to have a drain pan plumbed into the drains. Glass within 24" of doors, within 12" of the floor, beside or
- around tubs and showers and in stairways is to be safety glass.
- Ventilation checklist is to be completed by the ventilation contractor and submitted with the building permit application.
- All exposed openings are to be flashed.
- Rigid insulation is to have an R-value of R-12 or greater. Railings/Guards are to be minimum 3'-6" in height for landings and balconies etc., 3'-0" in height for stairs and must NOT have an opening exceeding 4". No climbable member may be located more than 4" from the floor.

BCBC 9.9.10 (EGRESS FROM BEDROOM)

(Article 9.5.1.2 and Appendix A)

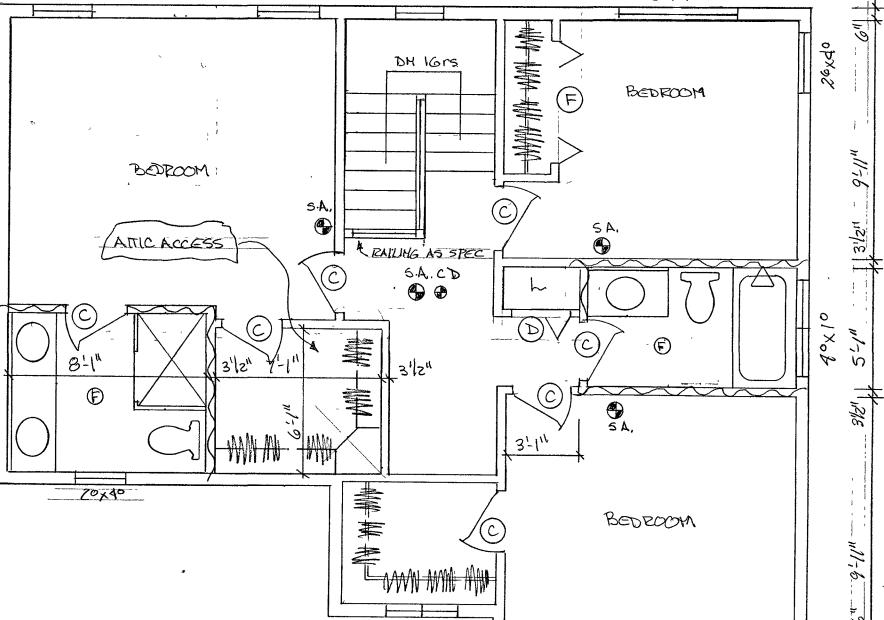
9.9.10.1 Egress Windows or Doors for Bedrooms 1. Except where the suite is sprinklered, each bedroom or combination bedroom shall have at least one outside window or exterior door opening from the inside without the use of keys, tools or special knowledge and without the removal of sashes or hardware.

2. Window referred to in each bedroom or combination bedroom shall i. Provide an unobstructed opening of not less than 0.35 m2 in area with no dimension less than 380mm, and

ii. Maintain the required opening during an emergency without the need for additional

3. Where a windows required "bedroom or combination bedroom" opens into a window well, clearance of not less than 760mm shall be provided in front of the window. 4. Where the sash of a window referred bedroom or combination bedroom swings manner that would restrict escape in an emergency.

towards the window well, the operation of the sash shall not reduce the clearance in a 5. Where a protective enclosure is installed over the window well referred to bedroom or combination bedroom, the enclosure shall be operable from the inside without the use of keys, tools, or special knowledge of the opening mechanism. 2°X4° 26x40 DH 16rs BEDROOM



3°x2°

6-10/12"

NOTES TO CONTRACTOR:

-BATHROOMS ARE TO BE EQUIPPED WITH MIRRORS AND PAPER HOLDERS. -WALLS AROUND BATHROOMS ARE TO BE **INSULATED WITH R-12** -ATTIC ACCESS(S) ARE TO BE SITE LOCATED TO OWNERS' SPECS. -CRAWL SPACE ACCESS IS TO BE SITE LOCATED TO OWNERS' SPECS -GUTTER ENDS ARE TO BE HIDDEN BY THE BARGE **BOARD ON GABLES.** -HWT IS TO BE SITE LOCATED TO OWNERS' SPECS

-STRUCTURAL ENGINEER IS TO REVIEW THE DRAWINGS

FOR SEISMIC COMPLIANCE AS REQUIRED



General Notes:

Air barriers are to conform to article 9 36.2.9 Of the B.C. Building Code (2012 Division B)

Roof Truss System The supplier of the roof truss system shall supply the design of the roof truss system and supply all the necessary parts to ensure the proper assembly of the roof system.

The structure is to be fitted as specified in the B.C. Building Code (2012 Division B)

Owners and/or contractors are responsible for ensuring drainage meets B.C. Building Code (2012 Division B) and all extra-ordinary requirements of the specific building site.

All bearing points are to be carried down to solid bearing.

Electrical is to be as specified by owners, but designed by the electrical contractor

Unless otherwise specified, all sheathings are to be minimum $\mbox{\em 12}"$ plywood.

Railings/Guards

All railings and guards are to meet the B.C Building Code (2012 Division B)

Smoke Alarms

All smoke alarms shall be interconnected, hardwired and be in conformance with the B.C. Building Code (2012 Division B).

Cladding/Moisture Protection

Cladding/moisture protection shall be in accordance with the B C. Building Code (2012 Division B) and shown in the typical detail provided

Roofing and Deck Details Roofing and deck details shall conform to the B.C. Building Code (2012 Division B) and shown in

the typical detail provided

Carbon Monoxide Detectors

Carbon monoxide detectors shall be installed in accordance with the B C. Building Code (2012 Division B)

Fire stopping shall be provided at all horizontal and vertical concealed spaces and connections between them through out all areas of work, strictly in accordance with the B.C. Building Code (2012 Division B)

section 9.10.16

Attic access(s) are to site located to owners' specifications and are to comply with 9.19.2 of the

B.C Building Code (2012 Division B) **Roof Venting**

Roof venting is to conform to article 9.19.1.2 of the B.C. Building Code (2012 Division B) with not less than 25% of the required openings located at the top of the space and not less than 25% of the required openings located at the bottom of the space.

NOTES & SPECIFICATIONS

THE POSITIONING OF THIS BUILDING ON LOT TO BE THE RESPONSIBILITY

BEFORE STARTING CONSTRUCTION OF THIS BUILDING THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON THESE DRAWINGS AND IF ANY DISCREPENCIES ARE FOUND THEY ARE TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE DESIGNER.

time shall the contractors scale off these drawings but SHALL BUILD TO DIMENSIONS SHOWN ONLY AFTER VERIFICATION. ANY DEVIATIONS FROM THESE DRAWINGS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

ALL TRADES TO WORK TO THEIR LATEST RESPECTIVE CODES AND BY-LAWS.

DOOK SCHEDULE			
NO	SIZE	PEQID	TYPE
_A	3°X68X13/4	τ	5/2 FRONT DOOR PKG, C/W TRANSOM
- B	30x68x13/4	2	30HD CORE AS SHOWH
C	26×68×13/8	9 -	INTERIOR AS SPEC.
D	Z6x68	2	BI-FOLD
ϵ	30 x 68	. 7	1
F	50 x 68		и :
G		Married Antonion III I	
+ ~	+= += == ==	· .	
1 ₀ = 1 ₀	****		

9.19.2. Access

9.19.2.1. Access

1) Every attic or roof space shall be provided with an access hatch where the attic or roof space measures

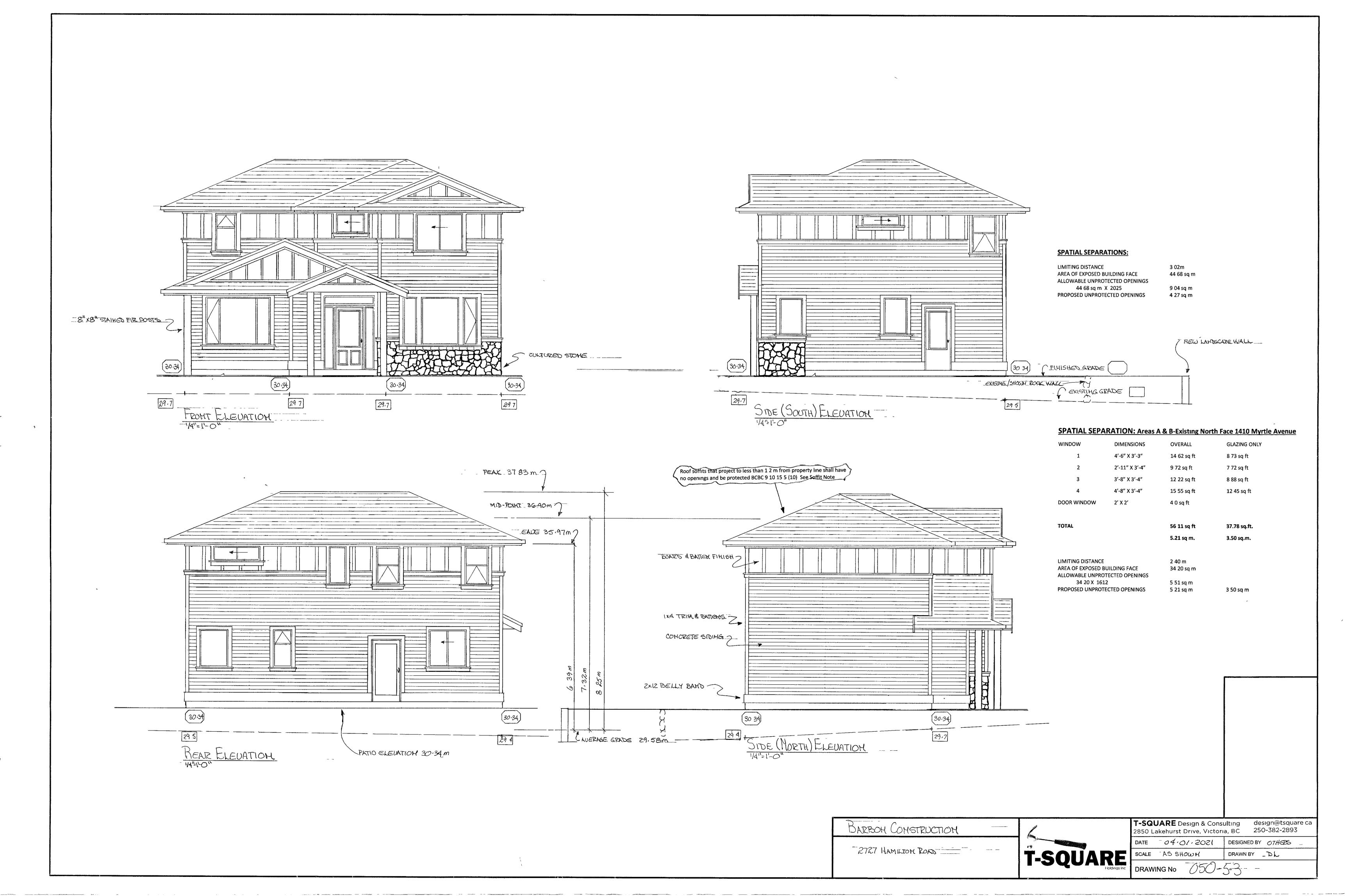
- a) not less than 3 m² in area.
- b) not less than 1 m in length or width, and
- c) not less than 600 mm in height over at least the area described
- in Clauses (a) and (b). 2) The hatch required in Sentence (1) shall be not less than
- 550 mm by 900 mm except that, where the hatch serves not more than one dwelling unit, the hatch may be reduced to <0.32 m² in area with no dimension less than 545 mm.>

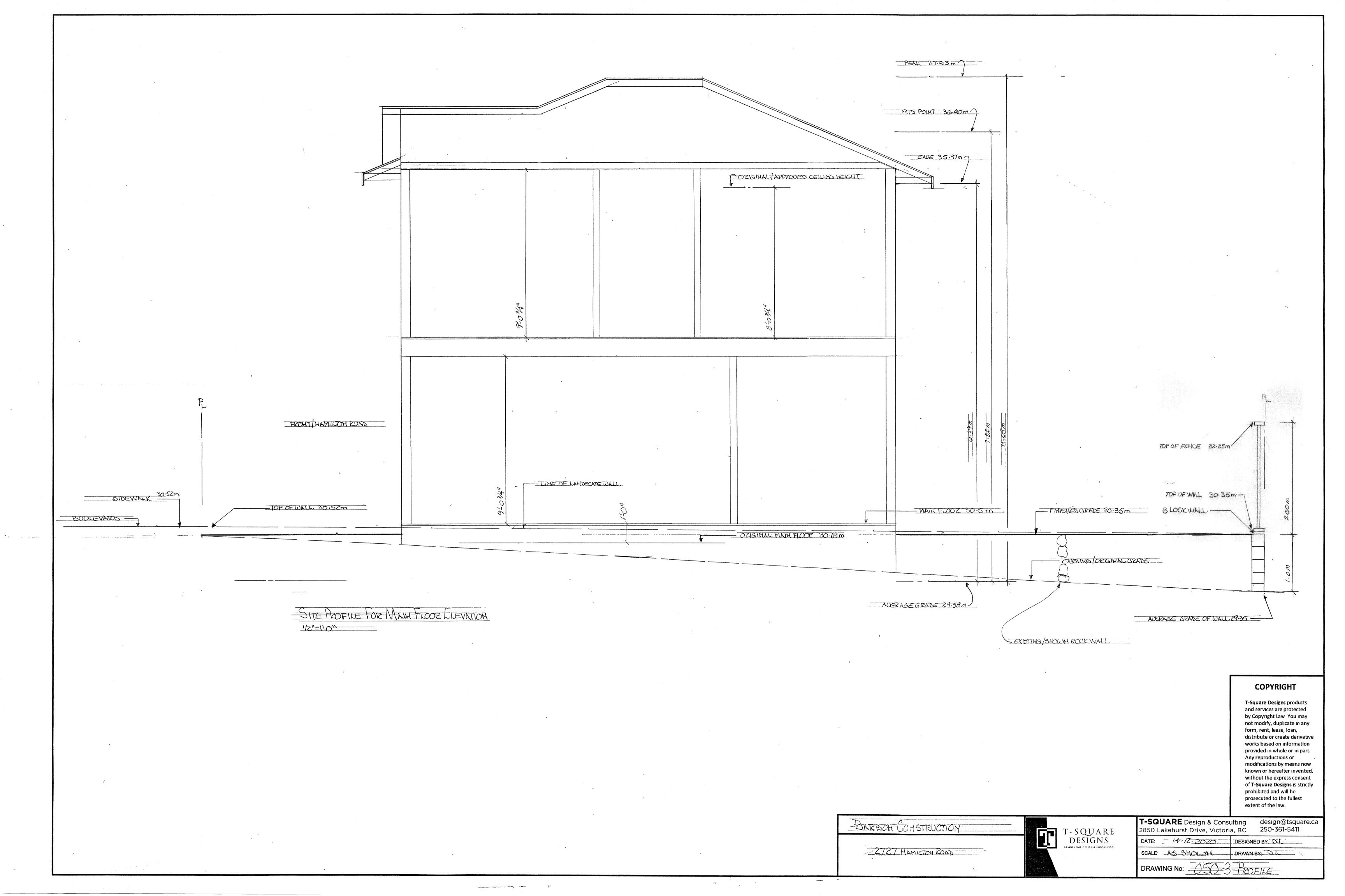
3) Hatchways to attic or roof spaces shall be fitted with doors or

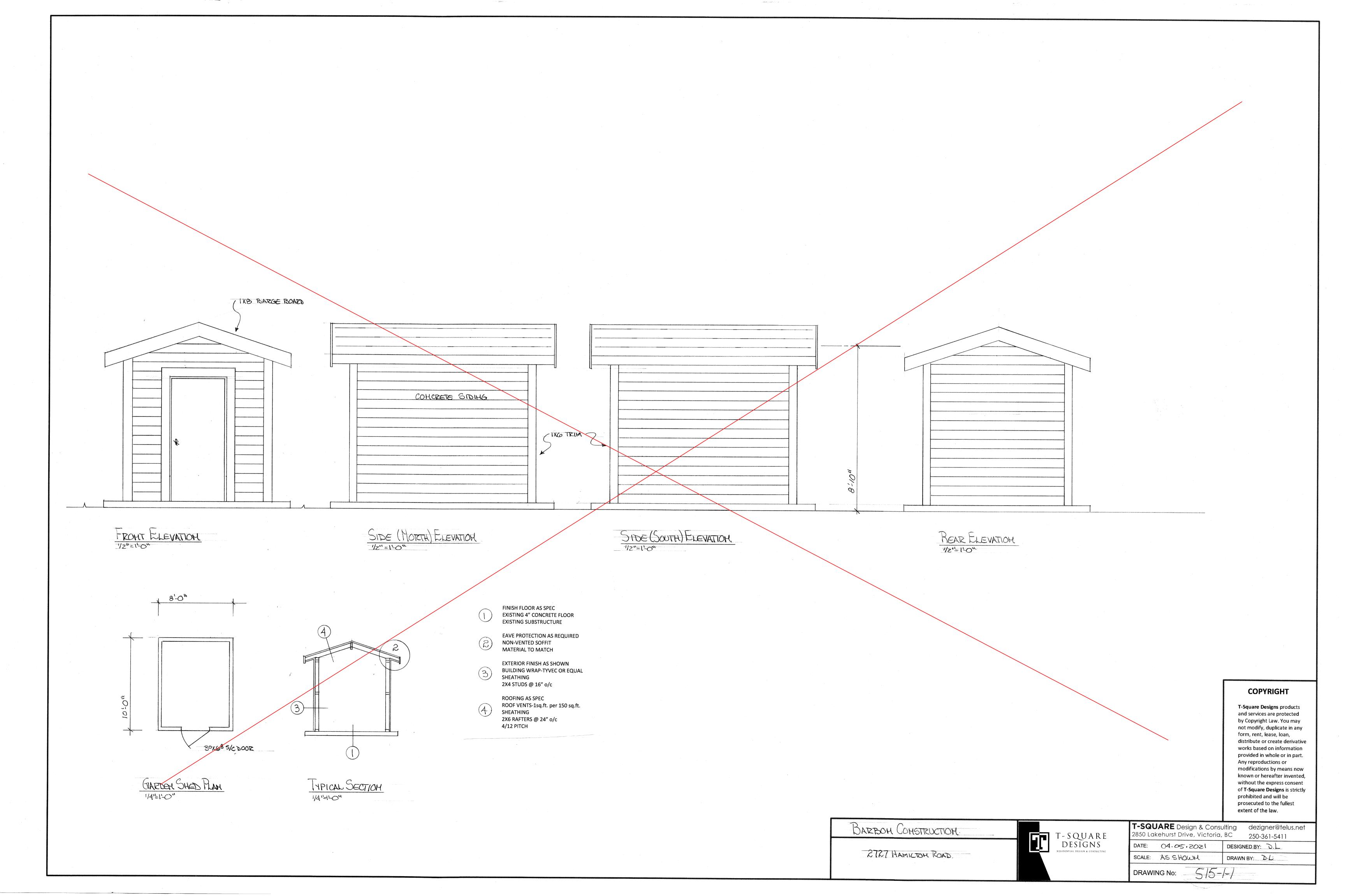
T-SQUARE Design & Consulting design@tsquare.ca 250-382-2893 2850 Lakehurst Drive, Victoria, BC DATE 22.70 2020 DESIGNED BY 0THERS SCALE: AS SHOWH. DRAWN BY. D.L. DRAWING No: () (-) - (-)

BARBON CONSTRUCTION 2727 HAMILTON ROAD

50x40







December 17, 2020

Sustainable Planning and Community Development

City of Victoria Council

1 Centennial Square

Victoria BC V8W 1P6

Attention: Development Services

: City Council

Re Height Change 2727 Hamilton

The original plans denote the build to a total height of 6.71 meters. Due to the elevations of the services on Hamilton Road, the elevation of the main floor needed to be brought up to meet the minimal slope requirement by building code to connect the storm and sewage. I was in contact with the surveying company to make sure that that lifting the elevation of the main floor would not put the house over the allowable height for the zoning we were building under. I was informed that it would not be a problem as we were well under the allowable height for the zoning. It was at this point that since we were well under the allowable height that the decision was made to make the upper floor walls 9 feet tall. Not fully realizing what complications this would cause as we believed that we were still well under the allowable height for the zoning.

The retaining wall that was to be for the patio and walkway in the back yard was relocated to our side of the property line along the NE property line. This was done to prevent any and all surface water from going onto the neighboring property due to the severe slope that would have been created and possibly causing damage to their accessory building, lawn or their property parked on the lawn. The retaining wall along south property line is to make the parking of two vehicles feasible and meet the requirement for on site parking. Following existing grade would have created a driveway slope of 27.27%, far exceeding the allowable 15% and creating an extremely dangerous scenario for backing out of the driveway.

We plan to add a few additional hedge type plants along the NE property line to fill the space where there is a gap between trees on the neighboring property for additional privacy.

We are proposing a 42" high fence and we would still consider building a six-foot-high fence on top of the retaining wall if this would help with providing privacy for the neighbor if permissible. If we were to go with a six- foot fence, then I do not think the additional planting would be necessary.

I understand the concern over the difference in overall height and I apologize for that, but I had to work with what we had. We were quite surprized with the elevations of the services as were the City of Victoria crew that installed the services who were the first to bring this to our attention. Especially knowing that the house at 1410 Myrtle has a partial bathroom in their basement which the elevation for that floor is at 28.014. This would be .27 m below our sewer connection at the property line.

Regards

Cara Keck

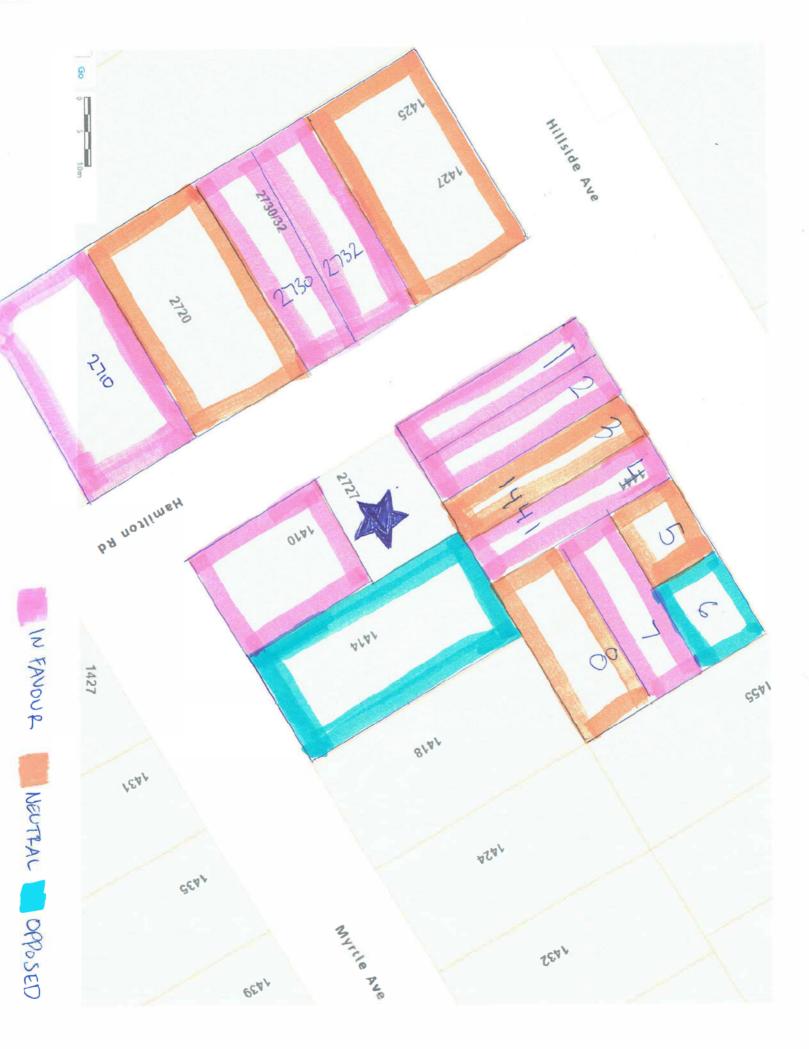
Mike Barbon

SUMMARY SMALL LOT HOUSE REZONING PETITION

and the petitions submitted a			2777 pocation of proposed
Address	In Favour	Opposed	Neutral (30-day time expired)
1- 1441 Hillside Are	1	٧	
2-1441 Hillside Are	/		
3-1441 Hillside Ave			V
4-1441 Hillsian Ave			
5- 4441 Hillsian Ave			~
6-1441 Hillsian Ave		/	
7-1441 Hillsian Ave			
8-1441 Hillsian Ave			
1425/1427 Hillside Ave			_/
2730 Hamilton Rd			
2732 Hamilton Rd			
2720 Hamilton Rd			
2710 Hamilton Rd			
1410 Mystle Ave			
SUMMARY	Number	%	ĺ
IN FAVOUR	0	80	
OPPOSED	2	20	
TOTAL RESPONSES	10	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.



ara kek , am conducting the petition requirements for the (print name)
property located at 2727 Hamilton Rd
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Jaswinder K Grewal (see note above)
ADDRESS: 2732 Hamilton Rd.
Are you the registered owner? Yes No 🗌
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Teb 28 2021 Jaswinder K Grewal Signature

In preparation for my rezoning application to the City of Victoria, I,
(print name), am conducting the petition requirements for the
property located at <u>2727 Hamilton</u>
to the following Small Lot Zone: RI- S2
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Sandra Governew (see note above) ADDRESS: 2730 Hamilton Rd. Victoria Bc V8R 274
ADDRESS: 2730 Hamilton Rd. Victoria Be V8R 27A
Are you the registered owner? Yes Vo
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Date Signature

In preparation for my rezoning application to the City of Victoria, I,
(print name), am conducting the petition requirements for the
property located at 2727 Homilton Rd
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Pon Jenkins (see note above)
ADDRESS: 2710 Hamitton Rd.
Are you the registered owner? Yes 🗹 No 🗌
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Feb 29,21 Signature

In preparation for my rezoning application to the City of Victoria, I,
(print name), am conducting the petition requirements for the
property located at 2727 Hamilton Rd
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Christopher Windjack (see note above)
ADDRESS: 1410 Myrtle Ave
Are you the registered owner? Yes 🕅 No 🗌
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Feb 28-21 Date C. Winficik Signature

In preparation for my rezoning application to the City of Victoria, I,
(print name), am conducting the petition requirements for the
property located at 2727 Hamilton Rd.
to the following Small Lot Zone: <u>RI-SZ</u>
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print)(see note above)
ADDRESS: 144 myrtle Ave
Are you the registered owner? Yes No 🗌
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
I am opposed to the application.
Developer Developer (Carak) agreed to them by email exchange (D 6 foot high fence along back property line (privacy) 2 slow grawing evergreen hedge (privacy/sightlines above b') of note this house seems too big for this tiny lot. Setback front) variance should not establish precedent.
L C

In preparation for my rezoning application to the City of Victoria, I,
(print name), am conducting the petition requirements for the
property located at 2727 Hamilton Rd.
to the following Small Lot Zone: R1-52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) 1920 100 7AYCO (see note above)
ADDRESS: #1-144/ HILLS ID & AVE
Are you the registered owner? Yes 🗆 No 🗌
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
16 28 1 de 11/19
Date Signature

In preparation for my rezoning application to the City of Victoria, I,
(ara Eck , am conducting the petition requirements for the
property located at 2727 Hamilton Rd.
to the following Small Lot Zone: <u>21-52</u>
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Trad La horing (see note above)
ADDRESS: # 2- 1441 HIUSIDE AVE.,
Are you the registered owner? Yes \square No \square V8 \square 2 \square 3 \square 9
I have reviewed the plans of the applicant and have the following comments:
support the application.
☐ I am opposed to the application.
Comments:
28 FEB 21 (Total)
Date

In preparation for my rezoning application to the City of Victoria, I,			
Cara Keck, am conducting the petition requirements for the			
property located at 2727 Hamilton Rd.			
to the following Small Lot Zone: 71-57.			
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.			
Please review the plans and indicate the following:			
NAME: (please print) MuE Novan (see note above)			
ADDRESS: 4-1441 HILLSIDE AUE			
Are you the registered owner? Yes \(\square\) No \(\square\)			
I have reviewed the plans of the applicant and have the following comments:			
☐ I support the application.			
☐ I am opposed to the application.			
Comments:			
FEB 28, 2021 Date Signature			

Feb. 28, 2021.

	In preparation for my rezoning application to the City of Victoria, I,			
36	Carakeck	, am conducting	g the petition requirements for the	
	to the following Small Lot Zone:			
	age residents and owners of nei proposal. Please note that all corresponse to this Petition will form meeting agenda when this matter relevant to Council's consideration information. However, if for person	ghbouring lots to our prespondence sumed part of the public er is before Councied on of this matter a sonal privacy reas ress and indicate (c record and will be published in a cil. The City considers your address and will disclose this personal sons you do not wish to include your (yes or no) if you are the registered	3
	Please review the plans and ind	icate the following	j :	
	NAME: (please print)		(see note above)	
	ADDRESS: 16 1441	Hillside-	Ave. Victoria	
	Are you the registered owner?	Yes 🔀	No 🗌	
	I have reviewed the plans of the	applicant and have	ve the following comments:	
	I support the application.			
	I am opposed to the applicat	tion.		
	Comments:	Λ		
	The entra 12 m	4		
	also there is a -	concerno		
		2	I we are on a hell or	nd
	the increased of darkens the party Date	seight cas bing lost of	the hill to a shadow and fordrugger. Signature	

Feb 28thy 2021

	In preparation for my rezoning application to the City of Victoria, I,				
	Cara Keck, am conducting the petition requirements for the				
1	property located at 2727 Hamilton Rd.				
s email	to the following Small Lot Zone: R1-82.				
or deta	The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.				
	Please review the plans and indicate the following: NAME: (please print) 57EVE WILCOV (see note above) ADDRESS: 7-1441 HILLSIDE AVE,				
	Are you the registered owner? Yes \(\sumsymbol{\substack} \) No \(\overline{\substack} \)				
	I have reviewed the plans of the applicant and have the following comments: I support the application.				
	☐ I am opposed to the application.				
	Comments:				
	FEB 28/2021 Reflect C Wilcold Signature				



In preparation for my rezoning application to the City of Victoria, I,
Cara Keck , am conducting the petition requirements for the (print name)
property located at 2727 Hamitan Recommendation to the following Small Lot Zone: R1-52.
to the following Small Lot Zone: 21-52.
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Ruchaul FitzPatrick (see note above)
ADDRESS: 2700 Hamilton Rd
Are you the registered owner? Yes \(\square\) No \(\sum_{\cup} \)
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
2021 Feb 28 Date Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at
to the following Small Lot Zone:Z 1 = 5 2
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) (see note above)
ADDRESS: 1475 MYDTLZ MOTOZIA BO 18225
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
support the application.
☐ I am opposed to the application.
Comments:
Feb 78 / 71. Date Signature

Chelsea Medd

From: Cara Keck < > >

Sent: April 30, 2021 4:50 PM

To: Chelsea Medd

Cc: Daryl james keck; Mike Barbon **Subject:** Fwd: Landscape Plan - Updated

Attachments: image_123986672.JPG; image_123986672.JPG

Follow Up Flag: Follow up **Flag Status:** Flagged

Hi Chelsea,

Forwarded and attached is correspondence you asked to see between myself and the two Myrtle neighbours with touching properties regarding the garden shed.

Will have elevations shortly.

Cara

----- Forwarded message -----

From: Jessica Lea
Date: Fri, Apr 30, 2021 at 1:21 PM
Subject: Re: Landscape Plan - Updated
To: Cara Keck

Thanks Cara.

This looks good.

The shed is fine, I am good with what you have... the feedback form is small that's why I didn't mention it.

It's really the height of the back fence and the strategic placement of the plantings which will improve privacy screening-being as tall as allowable that is most important - with the softscape hedge to grow up taller than the fence.

Are you still planning 6 foot hedge cedars? (I think they have them at costco this month.) As for the magnolia, I think the plans will work out pretty well for placement... it's hard to say because it's not exactly to scale, but as we had talked about before, my hope is that it will be planted in such a way to fill the gap we have between the lilacs... eventual screening from upstairs windows would be nice. The lilacs do need pruning down this year. The purple one especially, is suffering from the loss of its other half, and can't hold itself up anymore. The big white one is needing an overall prune as well. Just a heads up.

Any sense of timing yet? Pics of fence panels?

Thanks

On Sat., Apr. 24, 2021, 12:57 p.m. Cara Keck, wrote:



Barbon.pdf

Hi Jessica,

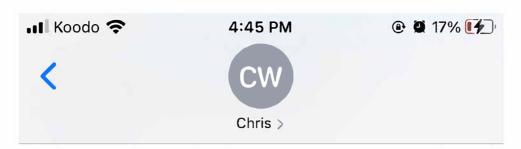
I've had the landscape plan revised to meet the specifications you've requested:

- cedar hedge and little gem magnolia tree
- 6ft fence (noted as 2meter.. fence near front of property is sketched out to show that it is shorter to comply with code)

This plan also shows the shed in the corner. It wasn't noted on your petition anything regarding a shed so double checking that you are okay with it now that you can see the updated plan!

Let me know

Thank you Cara

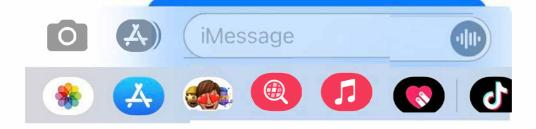


Saturday 1:06 PM



Hi Chris,
I'm sending through the
updated landscape plan. The
city wants to know that you and
our other neighbor behind me
are okay with the shed since it
was not on the original plan.
Take a look and let me know
what you think. Thank you

Today 1:22 PM





are okay with the shed since it was not on the original plan.

Take a look and let me know what you think. Thank you

Today 1:22 PM

Hey Chris, just checking in to see if you have any commentary for me. Would love to get the application finalized and get going on some landscaping

Delivered

Today 2:54 PM

Hi Cara, sorry it took so long to respond - I meant to do it earlier this week but things have been crazy. We're totally fine with the plan and have no issue with the shed:)





iMessage















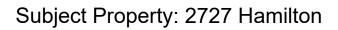


Development Permit with Variance Application No. 00160 for 2727 Hamilton Road



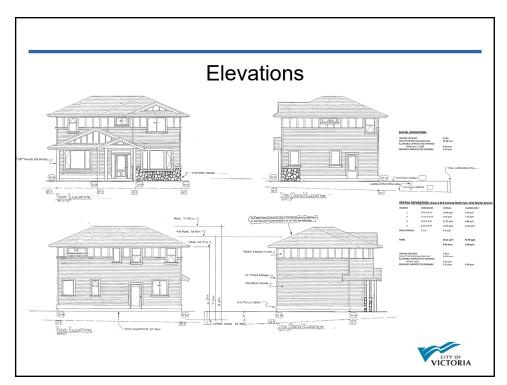
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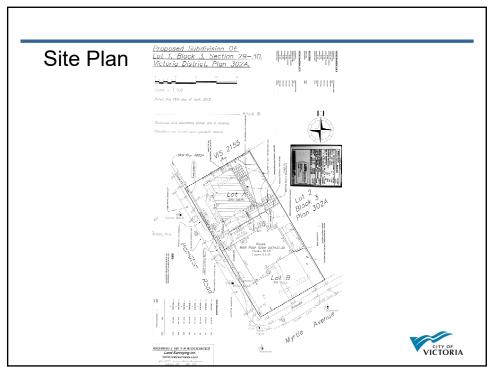


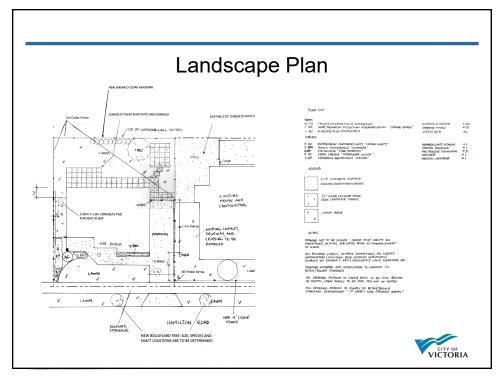








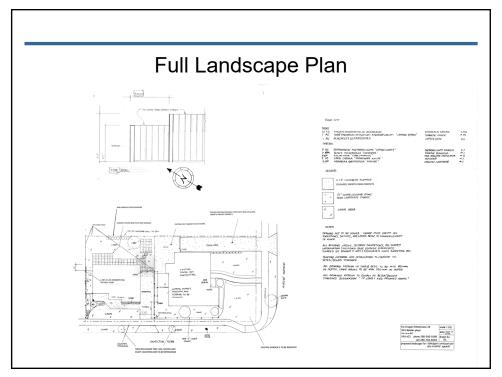


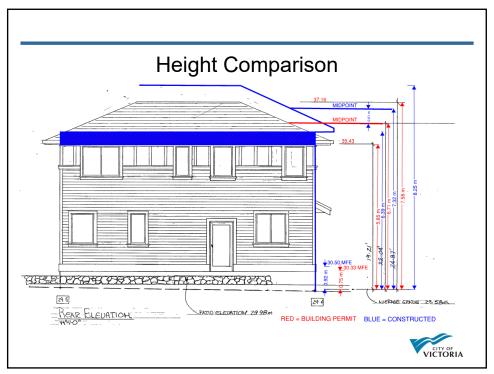


Additional Info Slides



7





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