

**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 2727 Hamilton: Development Permit with Variances Application No. 00160 (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:

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 - 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 (m ²) – minimum	260.15	260.00
Density (Floor Space Ratio) – maximum	0.57	0.60
Total floor area (m ²) – 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

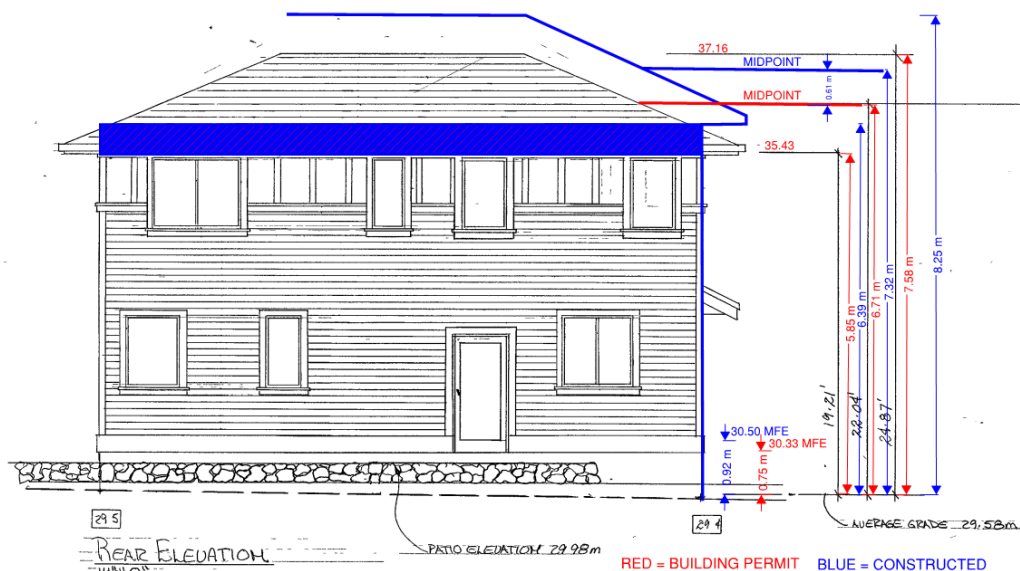
The *Official Community Plan* (OCP) Urban Place Designation for the property is Traditional Residential. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential - Small Lot, which has the objective of accommodating housing growth in a gradual manner within neighbourhoods. 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.

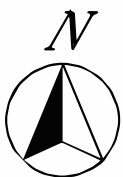
List of Attachments

- 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.



2727 Hamilton Rd
Development Permit with Variance No. 00160





2727 Hamilton Rd
Development Permit with Variance No. 00160



Koi Dragon Enterprises Ltd.	scale: 1:100
924 Mesher place	date: JULY 11 2015
Victoria BC	drawn by:
V9A 6Z1 phone 250-383-0285	BL
cell 250-704-8338	
proposed landscape for: BARBON CONSTRUCTION 1410 MYRTLE AVENUE	



FRONT ELEVATION
1/4"=1'-0"



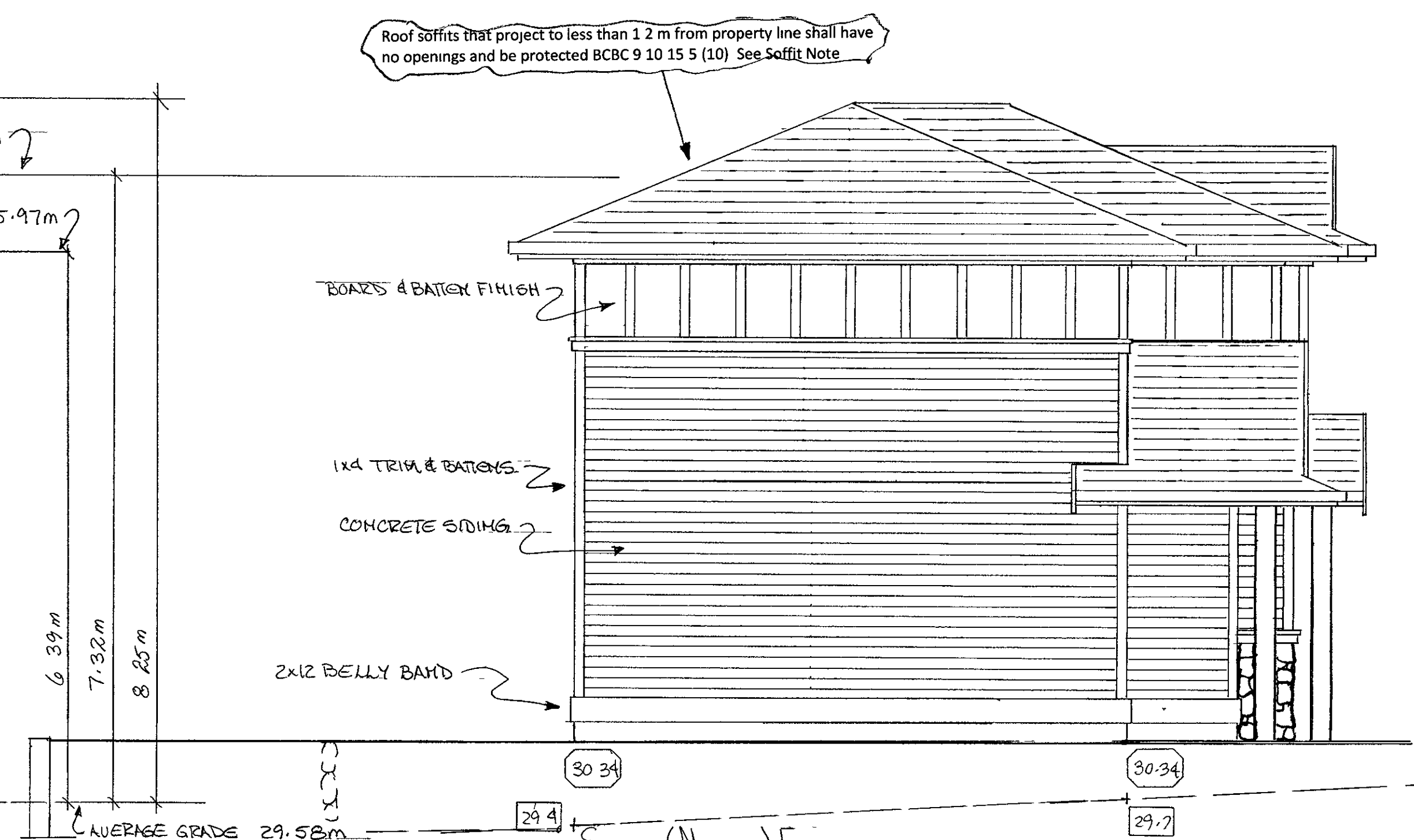
SIDE (SOUTH) ELEVATION
1/4"=1'-0"

SPATIAL SEPARATIONS:

LIMITING DISTANCE	3.02m
AREA OF EXPOSED BUILDING FACE	44.68 sq m
ALLOWABLE UNPROTECTED OPENINGS	44.68 sq m X 2025
PROPOSED UNPROTECTED OPENINGS	9.04 sq m
	4.27 sq m



REAR ELEVATION
1/4"=1'-0"

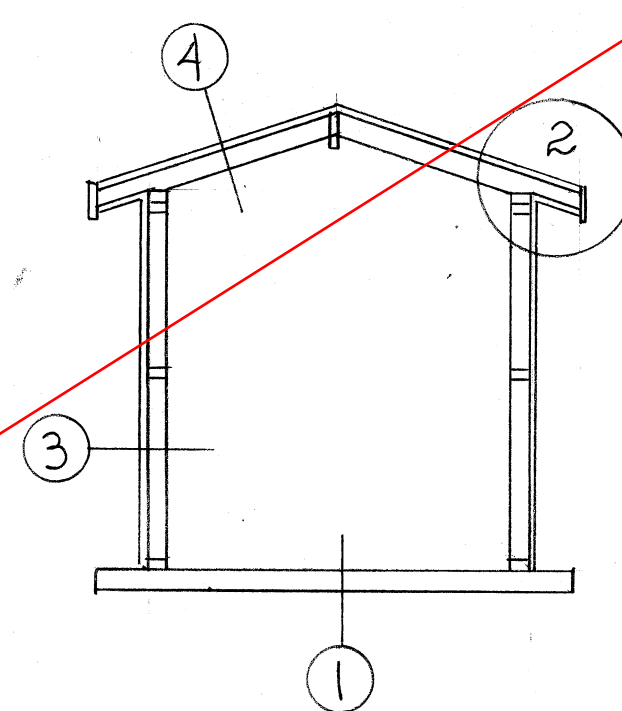
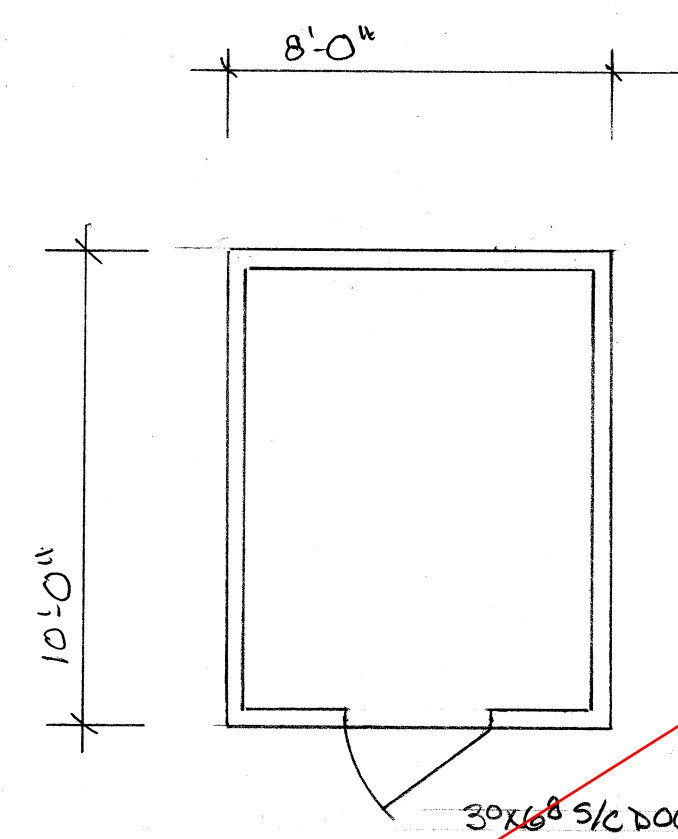
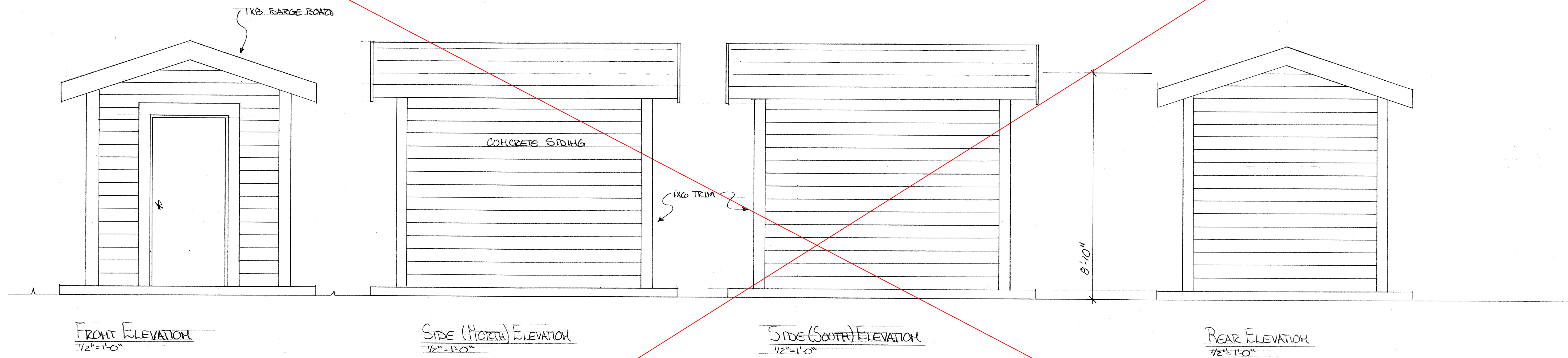


SIDE (NORTH) ELEVATION
1/4"=1'-0"

SPATIAL SEPARATION: Areas A & B-Existing North Face 1410 Myrtle Avenue

WINDOW	DIMENSIONS	OVERALL	GLAZING ONLY
1	4'-6" X 3'-3"	14.62 sq ft	8.73 sq ft
2	2'-11" X 3'-4"	9.72 sq ft	7.72 sq ft
3	3'-8" X 3'-4"	12.22 sq ft	8.88 sq ft
4	4'-8" X 3'-4"	15.55 sq ft	12.45 sq ft
DOOR WINDOW	2' X 2'	4.0 sq ft	
TOTAL		56.11 sq ft	37.78 sq.ft.
		5.21 sq m.	3.50 sq.m.

LIMITING DISTANCE	2.40 m
AREA OF EXPOSED BUILDING FACE	34.20 sq m
ALLOWABLE UNPROTECTED OPENINGS	34.20 X 1612
PROPOSED UNPROTECTED OPENINGS	5.51 sq m
	5.21 sq m
	3.50 sq m



- ① FINISH FLOOR AS SPEC
EXISTING 4" CONCRETE FLOOR
EXISTING SUBSTRUCTURE
- ② EAVE PROTECTION AS REQUIRED
NON-VENTED SOFFIT
MATERIAL TO MATCH
- ③ EXTERIOR FINISH AS SHOWN
BUILDING WRAP-TYVEC OR EQUAL
SHEATHING
2X4 STUDS @ 16" o/c
- ④ ROOFING AS SPEC
ROOF VENTS-1sq.ft. per 150 sq.ft.
SHEATHING
2X6 RAFTERS @ 24" o/c
4/12 PITCH

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BARBON CONSTRUCTION

2727 HAMILTON ROAD



T-SQUARE
DESIGNS
RESIDENTIAL DESIGN & CONSULTING

T-SQUARE Design & Consulting
2850 Lakehurst Drive, Victoria, BC
250-361-5411
designer@telus.net

DATE: 04.05.2021 DESIGNED BY: D.L.

SCALE: AS SHOWN DRAWN BY: D.L.

DRAWING No: 515-1-1

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 surprised 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

I, Cara Keek, have petitioned the adjacent neighbours* in compliance with
(applicant)

the *Small Lot House Rezoning Policies* for a small lot house to be located at 2727
(location of proposed house)

Hamilton Rd and the petitions submitted are those collected by April 13, 2021 **
(date)

Address	In Favour	Opposed	Neutral (30-day time expired)
	✓	✓	✓
1- 1441 Hillside Ave	✓		
2- 1441 Hillside Ave	✓		
3- 1441 Hillside Ave			✓
4- 1441 Hillside Ave	✓		
5- 1441 Hillside Ave			✓
6- 1441 Hillside Ave		✓	
7- 1441 Hillside Ave	✓		
8- 1441 Hillside Ave			✓
1425/1427 Hillside Ave			✓
2730 Hamilton Rd	✓		
2732 Hamilton Rd	✓		
2720 Hamilton Rd			✓
2710 Hamilton Rd	✓		
1410 Myrtle Ave	✓		
1414 Myrtle Ave		✓	✓

SUMMARY	Number	%
IN FAVOUR	8	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.



In preparation for my rezoning application to the City of Victoria, I,

Cara Keek, am conducting the petition requirements for the
(print name)

property located at 2727 Hamilton Rd

to the following Small Lot Zone: R1-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) 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:

Feb 28 2021
Date

Jaswinder K Grewal
Signature

In preparation for my rezoning application to the City of Victoria, I,

Cara Keck
(print name), am conducting the petition requirements for the

property located at 2727 Hamilton

to the following Small Lot Zone: R1-S2

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Please review the plans and indicate the following:

NAME: (please print) Sandra Gorencic (see note above)

ADDRESS: 2730 Hamilton Rd, Victoria, BC V8R 2T4

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

[Signature]
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 Hamilton Rd

to the following Small Lot Zone: R1-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) Don Jenkins (see note above)

ADDRESS: 2710 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:

Feb 28, 21
Date

[Signature]
Signature

In preparation for my rezoning application to the City of Victoria, I,

Cara Keek
(print name), am conducting the petition requirements for the

property located at 2727 Hamilton Rd

to the following Small Lot Zone: R1S2

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. Windjack

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 Hamilton Rd.

to the following Small Lot Zone: R1-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) Jessica (see note above)

ADDRESS: 1414 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:

We have reviewed current plans & requested changes-
Developer/Owner (Cara K) agreed to them by email exchange
① 6 foot high fence along back property line (privacy)
② Slow growing evergreen hedge (privacy/sightlines above 6')
Of note this house seems too big for this tiny lot. Setback
(Front) Variance should not establish precedent.

April 9/21
Date

[Signature]
Signature

In preparation for my rezoning application to the City of Victoria, I,

Cara Keck
(print name)

, am conducting the petition requirements for the

property located at 2727 Hamilton Rd.

to the following Small Lot Zone: R1-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) MARION TAYLOR (see note above)

ADDRESS: #1 - 1441 HILLSIDE 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 28/24
Date

[Signature]
Signature

In preparation for my rezoning application to the City of Victoria, I,

Cara Keck (name), am conducting the petition requirements for the

property located at 2727 Hamilton Rd.

to the following Small Lot Zone: R1-S2.

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Please review the plans and indicate the following:

NAME: (please print) Brad Helmerington (see note above)

ADDRESS: # 2 - 1441 HILLSIDE AVE.,

Are you the registered owner? Yes ☒

No ☐

V852B9

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

28 FEB 21

Date

[Signature]

Signature

In preparation for my rezoning application to the City of Victoria, I,

Cara Keck
(print name)

, am conducting the petition requirements for the

property located at 2727 Hamilton Rd.

to the following Small Lot Zone: R1-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) Mike Nolan (see note above)

ADDRESS: 4-1441 Hillside 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, 2021
Date

[Signature]
Signature

Feb. 28, 2021.

In preparation for my rezoning application to the City of Victoria, I,

Carakeck

, am conducting the petition requirements for the

property located at 2727 Hamilton.

to the following Small Lot Zone: R1-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) _____ (see note above)

ADDRESS: #6-1441 Hillside Ave. Victoria

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:

The extra 12 inch height on the house
reins the integrity of the neighbourhood.
also there is a concern about the water
drainage from the house as we are on a hill and
we are at the bottom of the hill

The increased height casts a shadow and
darkens the parking lot of our complex.

Mar 9/21
Date

A. Goodwyn
Signature

Feb 28th 2021

In preparation for my rezoning application to the City of Victoria, I,

Cara Keck

(name)

, am conducting the petition requirements for the

property located at

2727 Hamilton Rd.

to the following Small Lot Zone:

R1-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) STEVE WILCOX (see note above)

ADDRESS: 7-1441 HILLSIDE 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 28/2021

Date

Steve Wilcox

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 Hamiton 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) Rachael Fitzpatrick (see note above)

ADDRESS: 2700 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:

2021 Feb 28
Date

R Fitzpatrick
Signature

In preparation for my rezoning application to the City of Victoria, I,

Cara Kuck, am conducting the petition requirements for the
(print name)

property located at 2721 Hamilton Rd.

to the following Small Lot Zone: R1-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) Allison Rees (see note above)

ADDRESS: 1435 MYRTLE, VICTORIA BC V8R2R5

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

Allison Rees
Signature

Chelsea Medd

From: Cara Keck <[REDACTED]>
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 [REDACTED]
Date: Fri, Apr 30, 2021 at 1:21 PM
Subject: Re: Landscape Plan - Updated
To: Cara Keck [REDACTED]

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

Jessica

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



Barbon.pdf

Hi Jessica,

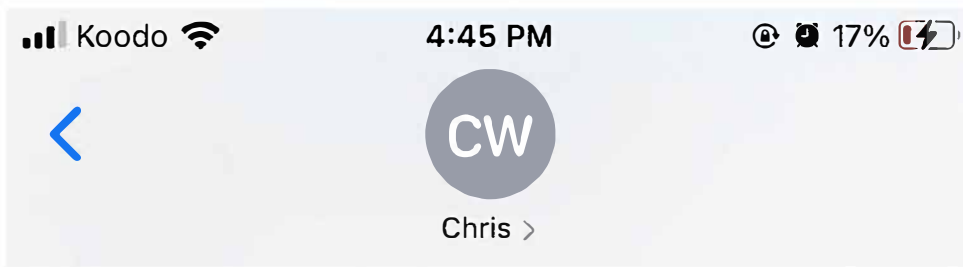
I've had the landscape plan revised to meet the specifications you've requested:

- 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)

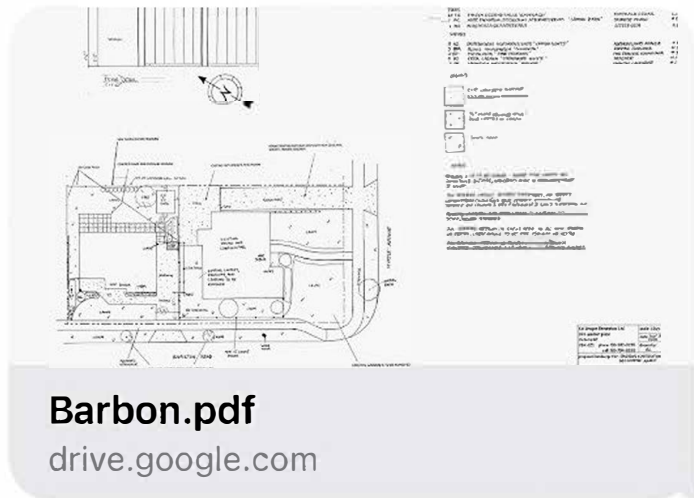
This plan also shows the shed in the corner. It wasn't noted on your petition anything regarding a shed so double checking that you are okay with it now that you can see the updated plan!

Let me know

Thank you
Cara

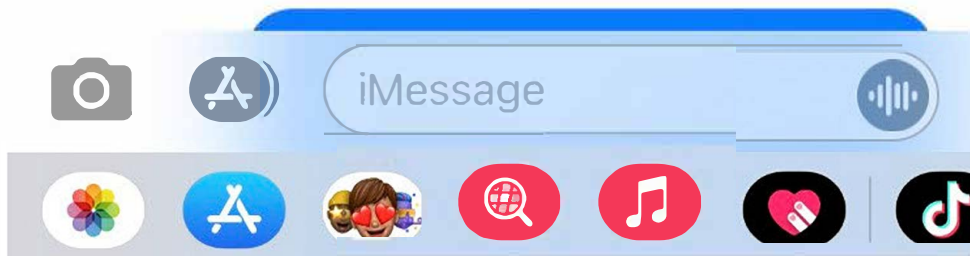


Saturday 1:06 PM



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





Chris >

our other neighbor behind the
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



1



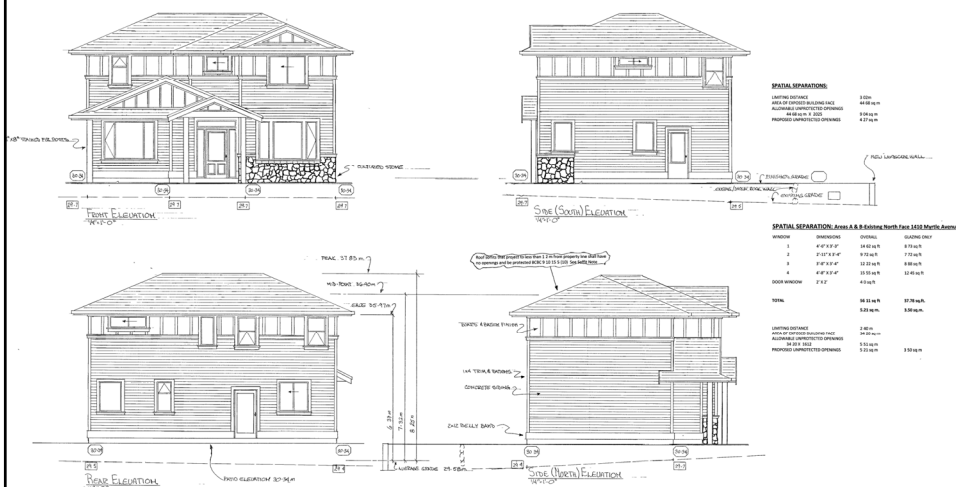
2

Subject Property: 2727 Hamilton



3

Elevations



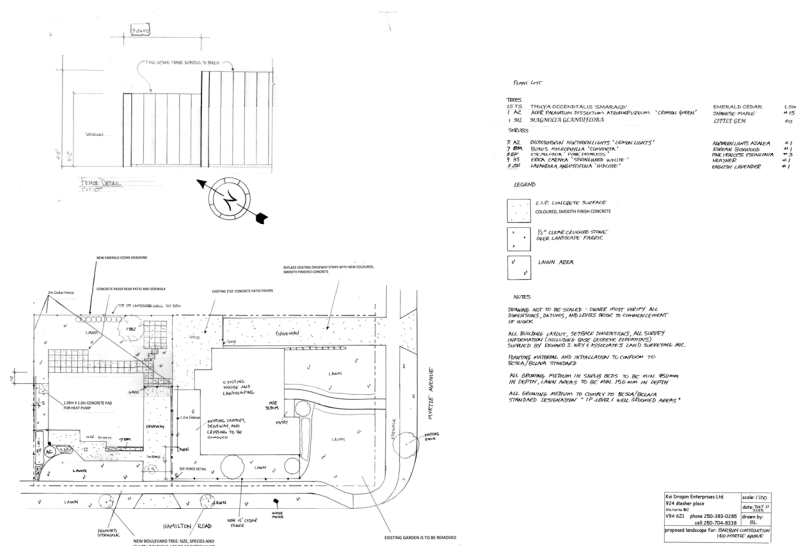
4

Additional Info Slides

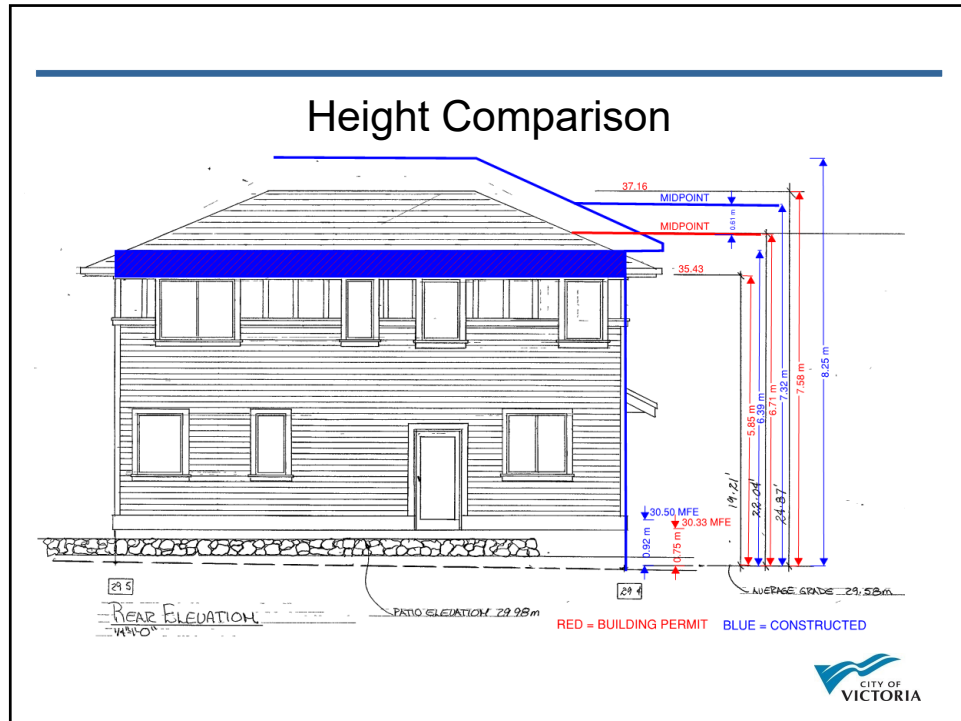


7

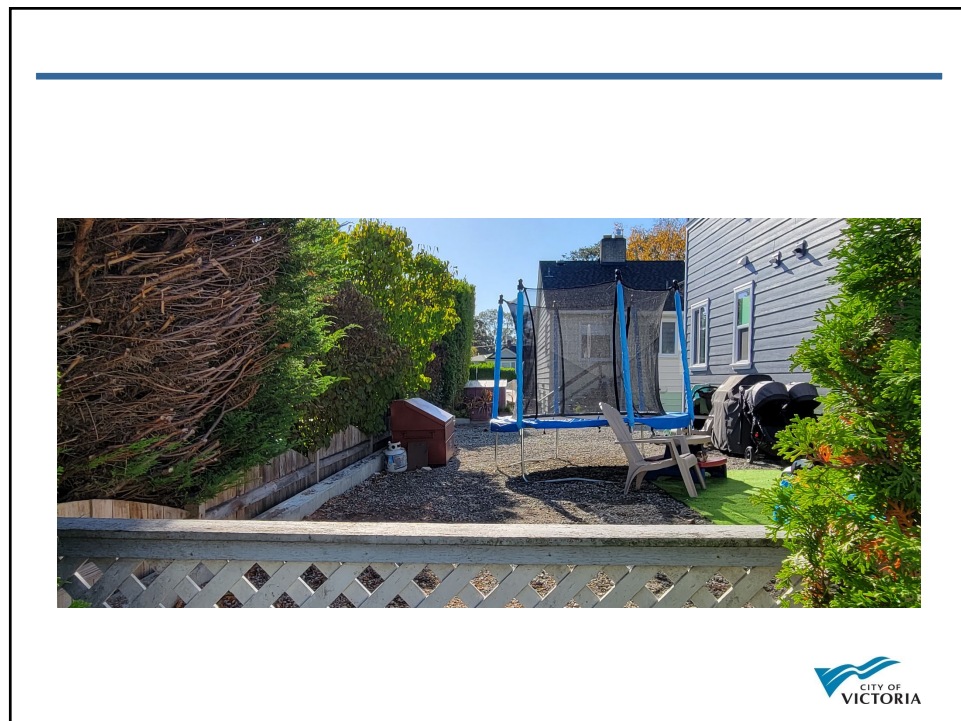
Full Landscape Plan



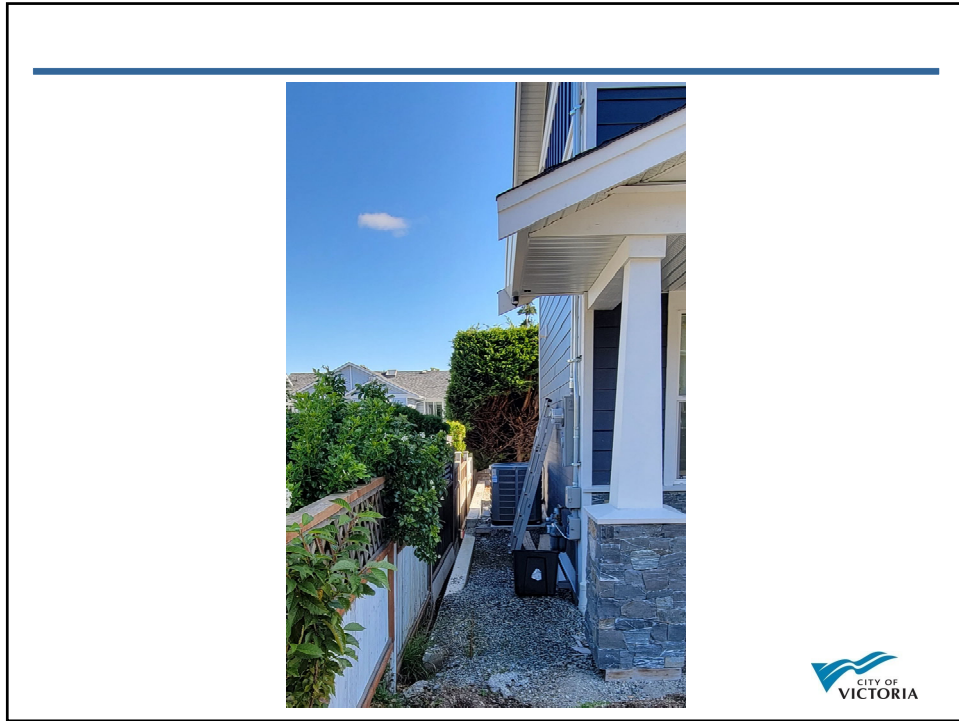
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9



10



11