

October 20, 2022

**601 Su'it Street, Victoria
Rezoning to Permit 3 Additional Rental Units**

Dear Mayor and Council,

I am writing with respect to the proposed rezoning for 601 Su'it Street, Victoria, an application that has been in process with the City for over 5 ½ years. The extent of the comments from the city after this time period do nothing but attest to the impossibility of the process for the average homeowner and taxpayer.

My name is Peter Walton and I have been the owner of 601 Su'it Street since February 1982, a period of over 40 years, when I rescued the house from neglect through water damage, fire and lack of maintenance. I am a tax-paying small property owner of a designated heritage home in the City of Victoria - not a developer - seeking to add quality residential accommodation in Fairfield consistent with both the City's Official Plan, the draft proposed Fairfield Neighbourhood Plan and the City's oft stated policies supporting gentle infill and densification. I have provided modest rentals and socially responsible housing for 40 years with some tenants transitioning to assisted housing and others receiving rental relief and other support during Covid-19. Current rents range from \$725 for a self-contained bachelor suite to \$1350 for a one-bedroom apartment.

I am proposing the addition of 3 additional rental units on the property and the City has required me to pursue a rezoning. The additional living units in Fairfield will take advantage of existing built infrastructure, sewer, water, schools, shops and parks and contribute to the vitality of the neighbourhood and of the City.

The original submission was considered by COTW on May 7, 2020 and was referred back to staff to discuss concerns with the applicant. A revised submission was forwarded to staff on June 10, 2021. Staff feedback received on September 29, 2021 suggested that little credit had been given for the changes made since May 2020 and, in fact, new conditions for staff support had once again be included in the staff response. This current resubmission nonetheless aims to address staff interests and it is my hope that Committee of the Whole will see fit to advance the proposal to public hearing and ultimate approval by City Council.

In summary:

5 1/2 years

While the City constantly laments the lack of housing, the proposed creation of three additional units in an existing neighbourhood has faced endless obstacles for 5 ½ years. New conditions for approval are identified and previous requirements are reversed. For example, the Planning Department had insisted on windows facing the lane with any new construction. Now we are being told that the windows on Building A must be removed and windows can only be in Building B with costly sprinklering. Parking requirements have also come and gone with electric vehicles being favoured initially while subsequent comment indicated that an electric vehicle was still a vehicle and as such was not encouraged.

My response to issues that City staff continue to raise follows:

Support Objectives of the OCP and Fairfield Community Plan

The proposal is consistent with the objectives of both the Fairfield Community Plan and OCP as it comprises gentle infill and densification to take advantage of existing services.

Heritage Revitalization

Both the house and the grounds are designated heritage, both at the request of the current owner in 1982, and have been lovingly cared for at great expense for over 40 years. What more commitment am I required to prove?

Trees and Landscape

The trees and landscape have been designated at the owner's request over 40 years ago and have been regularly cared for by professional arborists as well as by an onsite gardener for an average of 10-12 hours per week.

Servicing Requirements

Should an upgraded water or sewer connection be required, both currently run at the extreme southern edge of the property and have been there since 1982. The trench has been occasionally dug up over the years to address any water breaks or leakage issues and the upgrading of Building A to permit and code in 2011 with no harm to the protected trees or landscape.

TDM Measures

The proposed Transportation Development Management Plan includes covered and locked tenant bicycle parking (6), guest bicycle storage (6), two vehicle parking spots and 5 Carshare memberships (\$500 each) with five \$50 start-up credits.

I have also agreed to the City's insistence for a Statutory Right of Way (SROW) on the lane to provide for future widening resulting in the loss of a 1 metre wide strip of private property despite 1) complete neglect of the lane for the last 50 years with the exception of a few metres of recent patching at the Richardson end, and 2) the closing of Richardson to any through traffic and elimination of turns off Cook Street and the narrowing of major arteries like Bay, Cook and Government Streets. Is the lane really going to be widened for traffic?

Affordable Housing

Rents at 601 Su'it have been provincially controlled for over 40 years. A spacious one bedroom currently rents for \$1250 (far below current market conditions) and a long-term tenant continues to pay \$750 for a self-contained studio apartment including utilities. Many tenants have been in the property for over 15 years and the highest rent is \$1350 monthly.

Legal Conversion

The property when purchased was 10 housekeeping units. 601 Su'it was legally converted in 1982 to 4 apartments and 5 housekeeping rooms. The housekeeping rooms had 2 kitchens and 2 bathrooms between them. Since 1982, the 5 housekeeping rooms have been converted through the addition to code of one bathroom and one kitchen to 2 studio apartments and a one bedroom apartment.

Benefits

Benefits of the proposal (please see PowerPoint) include securing the long-term economic viability of a prime heritage asset, maintaining a neighbourhood public amenity, neighbourhood

infill and vitality, additional rental housing units, bicycles and car share, addressing and animating the lane and encouraging future lane development and increased public safety.

I have attached a brief background sheet and history of application for your information.

In summary, I look forward to your fair and thoughtful consideration of this proposal and would appreciate your support for this project which permits the addition of three carefully designed one-bedroom rental suites with an anticipated positive impact on the neighborhood.

Sincerely,

A handwritten signature in black ink that reads "Peter F. Walton" followed by a horizontal flourish.

Peter F Walton
Owner, 601 Su'it Street

601 Su'it Street, Victoria Background Sheet

Nature of the Proposal:

- rezoning of the property to allow for creation of three additional rental units
- 1 unit to be created through an 8' extension to an existing unoccupied cottage on site
- 2 rental units to be housed in a modest 1 ½ story carriage house on the lane
- Current site coverage is 20% - proposed site coverage after approval is 24%
- (Allowable site coverage under present R1-B zoning is 40%)
- formal approval for the conversion of 5 housekeeping units to 3 self-contained suites in past years

History of the Property

- constructed in 1861 – now sits on double lot 100 x 164 (16,400 square feet)
- as new owner in 1982, I rescued property from fire, flood and neglect and requested designation of both house and garden
- house exterior and gardens restored and house renovated to permit in 1982
- house and grounds continuously maintained and upgraded under my ownership

Supporting Rationale

- rezoning will provide for gentle infill, densification consistent with goals of OCP and proposed Fairfield Community Plan
- the additional living units in Fairfield take advantage of existing built infrastructure, sewer, water, schools, shops and parks and contribute to vitality of neighbourhood and City
- an increase to the City's affordable rental housing stock in a manner that does not put a burden on existing services or facilities yet contributes financially to the City's tax base
- community consultation – 11 letters of neighbourhood support
- 2 meetings held with Fairfield Community Association
- currently under three legal restrictions (2x heritage and 1x provincial rent control)
- proposal approved unanimously by Heritage Advisory Committee in late 2019
- a financially viable future for a valuable heritage asset with affordable rental accommodation
- continued maintenance of the gardens and home as heritage assets
- a legally protected and unaltered streetscape (house and garden designated)
- a Transportation Development Management Plan with covered and locked tenant bicycle parking and guest bicycle storage, 5 car share memberships and start-up credits

The Applicant

- proven commitment to providing socially responsible housing since 1982
- voluntary designation of house and grounds 40 years ago and subsequent restoration demonstrate my long-term commitment to heritage conservation and ongoing maintenance
- 1 of only 3 properties in City of Victoria where both house and garden/landscape designated
- former President of Hallmark Society, Victoria's heritage conservation advocacy group
- lobbied for retention and preservation of house when at risk from off-island developer
- subsequently rescued property from fire, flood and neglect in 1982 through purchase
- key actor in restoration of Jackson House (Parry Street, James Bay) in early 1980's
- voluntary designation and restoration of 1912 Edwardian family home on Chapman Street in Fairfield in 1990's

History of Application

Briefly, the first meeting with the Planning Department was on March 29, 2017. A number of additional meetings ensued with officials in Development Services, Transportation Planning, the Heritage Planner and Mayor Lisa Helps. During the summer of 2018, I met twice with the Fairfield Gonzales Community Association (Land Use Committee and full membership). I have 11 signed letters of neighbourhood support. On December 12, 2018, I paid the City of Victoria HAP and Rezoning application fees totalling \$12,547.00. My application has since been reviewed by the City's Heritage Advisory Committee and has received unanimous approval. The application was subsequently reviewed by the COTW in May 2020 and referred back to staff for further review with the applicant. Numerous discussions have subsequently ensued with City staff over the following two years with a variety of changing requests received and sometimes onerous conditions imposed.

The proposal that you see before you reflects many changes brought about through this extended period of discussions. Numerous requests by the city have been accommodated in that time period included changes to the original siting, orientation, windows and exterior cladding of the proposed 1 ½ storey carriage house as well as agreeing to the City's request for a lane-side SROW on my property, adjustments to the dimensions of parking, a Transportation Demand Management Plan, a Statement of Heritage Significance, a site survey and frequent additional information requests.

Further changes have been made to the earlier May 2020 proposal to address Committee and staff concerns. These include:

- New survey undertaken at owner's expense to confirm grade levels and the fact that the existing basement is not habitable space
- Height of the proposed carriage house on the rear lane has been confirmed at 1 ½ storeys (the original comment previously forwarded by City staff to COTW suggesting that the proposal was 2 storeys was based upon inaccurate City in-house measurement)
- Carriage house deck changed to a "Juliet balcony" to limit visibility from neighbours
- Carriage house as initially proposed was unanimously approved by the City's Heritage Advisory Committee with respect to both siting and design; nonetheless the distance between the proposed carriage house and existing building has now been increased by 1.36 metres by reconfiguring the rear porch
- Improved hard and soft landscaping - interlocking water permeable pavers for parking area, additional blossoming trees and landscaping
- Parking for 2 vehicles is now proposed in keeping with the current guidance from the Planning Department that 3 spaces are not required (as approved by 1982 variance)
- Transportation Demand Management Plan has been confirmed with on-site covered storage for 6 bicycles and 6 additional bicycle parking spots as well as 5 car share memberships and five \$50.00 start-up credits

It is also worth reiterating that:

1. Review of plans and permits on file with City and onsite inspection confirm that services run along southern border of site in trench excavated by permit in 1982 and can be upgraded if needed without any disruption to the existing Garry Oak and landscape (plan attached).

2. As evidence of this, the existing outbuilding (Building A) was upgraded by permit to laundry use in 2011 with sewer and water servicing through the existing trench with no impact on the Garry Oak
3. No disruption of streetscape or designated landscape will occur during creation of new units – all activity to take place on and be accessed from the lane
4. Any additional service for carriage house will run from the rear of the main house under the current gravel parking area at rear of property fronting the lane to the new dwelling
5. Nonetheless, the suggested consultant input including infrastructure servicing plan and arborist report will be completed prior to Building Permit submission to ensure that services do not impact existing landscaping
6. Property currently under three legal restrictions (2 x heritage and 1 x provincial rent control) which ensure heritage protection and modest rents.

The City of Victoria and Fairfield neighbourhood stand to gain significantly from this application:

- Continued maintenance of a landmark heritage property at owner's expense
- Continued maintenance by the owner of front gardens and a park-like setting which serve as a "public amenity" for passers-by and area residents
- A legally protected and unaltered streetscape (house and garden designated)
- Gentle densification and sensitive infill aligned with goals of OCP and proposed Fairfield Community Plan
- Additional rental accommodation in Fairfield taking advantage of existing built infrastructure, sewer, water, schools, shops and parks and contributing to the vitality of the neighbourhood and the city.
- Animation of the laneway in a pivotal site, providing "eyes" on the lane and encouragement of further laneway infill and upgrades
- Proposal consistent with immediate neighbourhood – Su'it Street currently has many building conversions to multiple units and 2 apartment buildings (Su'it at Collinson and Su'it at Fairfield) with greater site coverage and density
- City's affordable rental housing stock increased in a manner that does not put burden on existing services or facilities yet contributes financially to the City's tax base
- A financially viable future for a valuable heritage asset characterized by modest rents and long-term tenants
- A Transportation Development Management Plan with covered and locked tenant bicycle parking, guest bicycle storage and 5 Carshare memberships and five \$50 start-up credits.

Peter F Walton
October 20, 2022