

MOLTO BENE ENTERPRISES

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April 5, 2023

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC,
V8W 1P6

ATTENTION: Chelsea Medd: Planner - Development Services Division

RE: 1905 Lee Avenue: Rezoning Application No. 00710 and Development Permit with Variances Application No. 000563 (South Jubilee)

Dear Mayor and Council,

This letter outlines our response to the resolution from the December 2, 2021 Council meeting where our application is referred back to staff to try to meet the Development Permit Option 1 motion. We have proposed the following in response to your letter dated December 7, 2021.

1. Provide a shadow study for the proposed house in context with neighboring properties.

I am not authorized to provide a shadow study to demonstrate the shadow impact of the proposed house. My client has indicated the cost for this study is out of budget for them. They have spent approximately \$30,000.00 to date to move forward with this application. They are a young, working family and costs have become a burden.

There is a significant shadow impact to the northerly neighbour at 1909 Lee Avenue from the house and trees on 1905 Lee Avenue. This will be reduced with removal of the 0.70m fir tree at the south-east corner of our lot. (This tree must be removed to retain the hydro pole in its current location on the Bouchier Street boulevard.) There will also be shadow impact from the new building. The proposed house has been reduced in height by one foot and repositioned closer to the front property line to reduce the net shadow impact to 1909 Lee Avenue. This is the fifth redesign of the proposed house. This design minimizes the shadow impact to the northerly neighbor all things considered.

2. Revisions to the plans to address various considerations to the satisfaction of the Director of Sustainable Planning and Community Development. See revised plans dated August 24, 2022. These include to the following changes:

- Existing house usable outdoor space has been incorporated into the front yard (Sheet A2 - Permeable Paver Patio)
- Hydro pole relocation has been resolved and the pole will remain where is further to our consultation with BC Hydro and the City Engineering Department
- The north wall windows are eliminated and repositioning and resizing the east and west wall windows provides more privacy to the northerly neighbour (Sheets A4 and A5)
- Landscaping has been added around the proposed deck in the side yard (Sheets A1 and A2)
- Pathway material has been identified (Sheets A1 and A2)
- Window wells have been identified (Sheet A5)
- Entry overhang is already part of the design (Sheets A4 and A5)
- Upper level has been reduced in height 1'-0" to reduce shadow impact in lieu of stepping back as the upper floor plan would not be functional with less area (Sheets A3, A4 and A5)
- Entry overhang angled wall has been left in place as the foundation is within the requested setback. However, we can address this at building permit stage if the eave projection is an issue. (Sheets A4 and A5)
- Materials for entry overhang and supporting angled wall have been labeled on corresponding elevations (Sheets A4 and A5)
- Materials for deck and screening have been labeled
- 1 metre offset from property line to parking stall has been shown and dimension provided for minimum 6.1m total length is included (Sheet A1)
- Walkway has been separated from driveway and material has been indicated (Sheets A1 and A2)
- 2 replacement trees (for the removal of the 0.7m fir tree) have been indicated on site and landscape plans (Sheets A1 and A2)
- Driveway slope has been increased from 0.00% to 0.60% (Sheet A1)

All the issues in your December 7, 2021 letter have been addressed.

3. The immediate neighbors have been repetitioned and responded to the revised plan dated August 24, 2022. We have two letters of support, three letters of objection and one neutral or no response. I have attached the 2022 small lot petition map, neighbor information letter and the small lot housing rezoning petition letters collected.
4. We have revised the Tree Management Report in consideration of our revised plan, our repositioned house and retaining the hydro pole in its current location as required by BC Hydro. The TMP is prepared by Dunster and Associates and dated August 29, 2022


The proposal provides a fulsome multi-generational detached house on an economical single-family lot. It appeals to those median income households who might otherwise not be able to own a house in the third most expensive real estate market in Canada.

It is located in a mixed density neighbourhood well serviced by transit, schools, and retail/office/employment uses. It increases the tax base assessment and improves the streetscape on Bourchier Street. It reuses and redevelops fully, carefully, and sustainably residential land within the urban containment boundary; a scarce and diminishing resource. The proposal has site and context fit and is designed to minimize the impact to the northerly neighbor at 1909 Lee Avenue.

This application is consistent with the OCP and the Neighbourhood Plan. It represents good city planning, urban design, landscape design, building form and character. It represents neighbourhood planning best practice in 2023. It deserves to be approved on its own merits.

Thank you for your consideration of our revised plans. We look forward to returning to Council with a staff recommendation of approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joseph A. Calenda', with a long, sweeping horizontal line extending to the right.

Joseph A. Calenda, MCIP, (Rtd.), DTM
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