

Letter to Mayor and Council

Purpose:

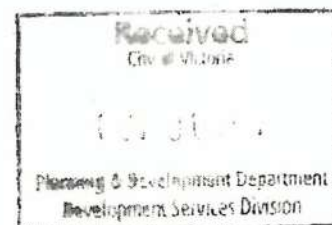
Regarding the small lot subdivision application for 2695 Capital Heights, the he following sets out the proponent's rationale for the request of a Development Variance Permit to vary the Subdivision Bylaw.

During the small lot rezoning process and as a result of extensive community consultation, it became clear that although the community was very supportive of the proponents subdivision application, there was very little support for the requirement to provide sidewalks as traditionally required by a rezoning.

After holding a second CALUC meeting to provide the community another opportunity to voice their concerns and present well received alternatives to the sidewalk construction, it was clear the community as a whole was very opposed to the implementation of sidewalks due the city of Victoria Bylaw which dictated such a requirement.

On the night of the public hearing many community members articulated their concerns and expressed their desire to initiate the "Oaklands Rise, Living Streets" project as an alternative to the sidewalks prescribed by the city of Victoria. Due to the fact that the residents value so highly their undeveloped frontages and the sense of community it affords them, they (the community, represented by 68+ signatures of members opposed the implementation of sidewalks) were very much opposed to the prescription of sidewalks. The situation Mayor and Council were then faced with was uncommon or unique and as a result it was difficult or impossible for Council to ratify the proponents application "on the fly" at the public hearing. Mayor and Council expressed that although there was strong support for the project, its approval would require further exploration into how such a Bylaw requirement could be varied. Mayor and Council requested staff do their best to expedite their efforts in consideration of the proponent. That request was largely met, on October 26th, 2017 Mike Angrove (City Planner) responded to the proponent with a list of requirements. On October 30th, 2017 the proponent submitted the DVP application and the letter to Mayor and Council to the planning department.

The proponent was asked to state "if/how" much he was willing to contribute to the potential greenway project. At the 2nd CALUC meeting in September, the proponent committed to the Oaklands community members in attendance that he was prepared to contribute \$15,000 in monetary funds, and \$10,000 "in kind" to further the goals of the "Oaklands Rise Living Streets" initiative. Since that time and after discussion with Jane Waters from the City of Victoria Parks Department the proponent was made aware of the parks departments desire to construct a split rail fence around two large Garry Oak trees on City Property in front of the subject property. The purpose of this fence is to protect the root systems of the trees from damage from cars and trucks parking near the trees. The proponent is willing to construct this fence and incur the associated costs involved in the fences construction, in addition to his prior commitments to the community. The split rail fence parks has requested is indicated on the revised site plan requested by the Planning Dept.



Thank you Mayor and Council for your consideration and thank you City of Victoria staff for your fast response. I am available to answer any questions, comments, or concerns at cam@brightconcepts.ca or can be reached at (250) 885-0911.

Regards,

Cam Brown