

REPORTS OF COMMITTEES

2. Committee of the Whole – December 14, 2017

1. Rezoning & Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday:

Rezoning Application No. 00578

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00578 for 1410 Myrtle Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00578

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00578, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit No. 00578 for 1410 Myrtle Avenue, in accordance with:

1. Plans date stamped October 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, R1-S2 Zone, Restricted Small Lot (Two Storey District) except for the following variances:
 - i. reduce the front yard setback for Lot A (new house) from 6.00m to 3.14m;
 - ii. reduce the rear yard setback for Lot B (existing house) from 6.00m to 2.40m.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

3. CONSENT AGENDA

3.4 Rezoning Application No. 00578 & Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue

Committee received a report dated November 30, 2017, from the Director of Sustainable Planning & Community Development regarding an application to create two small lots, retain the existing single-family dwelling on one lot, and construct a new small lot house on the other.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto:

Rezoning Application No. 00578

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00578 for 1410 Myrtle Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00578

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00578, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit No. 00578 for 1410 Myrtle Avenue, in accordance with:

1. Plans date stamped October 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, R1-S2 Zone, Restricted Small Lot (Two Storey District) except for the following variances:
 - i. reduce the front yard setback for Lot A (new house) from 6.00m to 3.14m;
 - ii. reduce the rear yard setback for Lot B (existing house) from 6.00m to 2.40m.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW



Committee of the Whole Report

For the Meeting of December 14, 2017

To: Committee of the Whole **Date:** November 30, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00578 for 1410 Myrtle Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00578 for 1410 Myrtle Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1410 Myrtle Avenue. The proposal is to rezone from R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, in order to subdivide the property and construct a small lot house and retain the existing house. Variances related to the front yard setbacks of the proposed house, and rear yard setbacks of the existing house, are considered under the concurrent Development Permit with Variances Application report.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill development, as described in the *Official Community Plan, 2012 (OCP)*
- the proposal is consistent with the objectives of the *Oaklands Neighbourhood Plan* which contains objectives to make provision for a range of housing types and sizes, and to encourage family housing through limited infill
- the proposal is generally consistent with the policies specified in the *Small Lot House Rezoning Policy, 2002*.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the subject property from the R1-B Zone, Single Family District, to the R1-S2 Zone, Restricted Small Lots (Two Storey) Dwelling District. The proposal is to create two small lots, retain the existing single-family dwelling on one lot, and construct a new small lot house on the other. Variances related to both the existing and new house would be required to facilitate this development, and will be discussed in relation to the concurrent Development Permit and Variances Application.

Affordable Housing Impacts

The applicant proposes the creation of one new residential unit which would increase the overall supply of housing in the area.

Sustainability Features

As indicated in the applicant's letter dated April 19, 2017 the following sustainability features are associated with this application:

- energy efficient heat pump
- energy star appliances
- thermal windows
- fiberglass shingle roof
- ICF foundation.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this application.

Public Realm Improvements

The following frontage works associated with this Rezoning Application would be secured as part of the building permit process, and include a new separated sidewalk and boulevard along Hamilton Road. A 0.76 m road dedication along Hamilton Road is required as a condition of subdivision.

Land Use Context

The immediate neighbourhood (Myrtle Avenue, Hamilton Road, and Holly Street) are predominately characterized by single-family dwellings. The subject property represents a transitional property in terms of density and land uses due to its proximity to Hillside Avenue where duplexes, townhouses, apartment buildings, and retail and commercial uses are concentrated.

Existing Site Development and Development Potential

The site is presently a single-family house. Under the current R1-B Zone, the property could be redeveloped as a single-family house with a secondary suite or garden suite.

Data Table

The following data table compares the proposed two lots with R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the proposed zone.

Zoning Criteria	Proposed Lot A New House	Proposed Lot B Existing House	Zone Standard R1-S2
Site area (m ²) - minimum	260.15	380.93	260.00
Density (Floor Space Ratio) - maximum	0.57:1	0.28:1	0.6:1
Total floor area (m ²) - maximum	148.70	104.88	190.00
Lot width (m) - minimum	14.84 (Hamilton)	17.53 (Myrtle)	10.00
Height (m) - maximum	6.71	5.07	7.50
Storeys - maximum	2	2	2
Site coverage % - maximum	31.87	28.96	40.00
Setbacks (m) – minimum:			
Front	3.14* (Hamilton)	8.00 (Myrtle)	6.00
Rear	6.00 (East)	2.40 * (North)	6.00
Side	1.50 (North)	n/a	n/a
Side	3.00 (South)	3.50 (East)	1.50 (non-habitable) 2.40 (habitable)
Side on flanking street	n/a	2.56 (Hamilton)	2.40
Parking - minimum	1	1	1

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Oakland's CALUC at a Community Meeting held on March 20, 2017. A record of this meeting is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 92% support the application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan (OCP)* Urban Place Designation for the property is Traditional Residential which contemplates small residential lots to diversify housing to create more

opportunities for home ownership. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential - Small Lot. The proposal is consistent with the objectives of DPA 15A to achieve new infill development that respects the established character in residential areas.

The Strategic Direction for the Oakland's Neighbourhood considers increased residential capacity within walking distance of the Hillside Avenue transit corridor, and the property is in close proximity to Hillside Avenue.

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. The proposed small lots meet the intent of the Neighbourhood Plan.

Small Lot House Rezoning Policy

The *Small Lot House Rezoning Policy* encourages sensitive infill with an emphasis on ground-oriented housing that is consistent with the existing character of development. The Policy refers to a "Small Lot House" with a minimum lot size of 260m² and a minimum lot width of 10m. The proposed subdivided lots would meet the minimum lot size and lot width requirements of the Policy. Importantly, the policy discourages the removal of existing homes to facilitate development, and in this case and the existing single-family dwelling would be retained, thus, maintaining the existing streetscape.

Tree Preservation and Urban Forest Management

As a condition of subdivision, a new separated sidewalk and boulevard are required along Hamilton Road. There are currently no city boulevard trees on this frontage. Within this new boulevard, two trees are proposed to be planted.

There are no bylaw protected trees affected by this project.

Resource Impacts

There are no resource impacts identified with this development.

CONCLUSIONS

This proposal to subdivide and rezone the subject property, retain the existing house, and construct one new small lot house is consistent with the objectives in the OCP and the *Small Lot House Rezoning Policy* for sensitive infill development. Staff recommend for Council's consideration that Council support this Application.

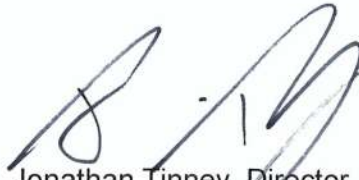
ALTERNATE MOTION

That Council decline Application No. 00578 for the property located at 1410 Myrtle Avenue.

Respectfully submitted,




Lucina Baryluk, Planner
Sustainable Planning and Community
Development Department



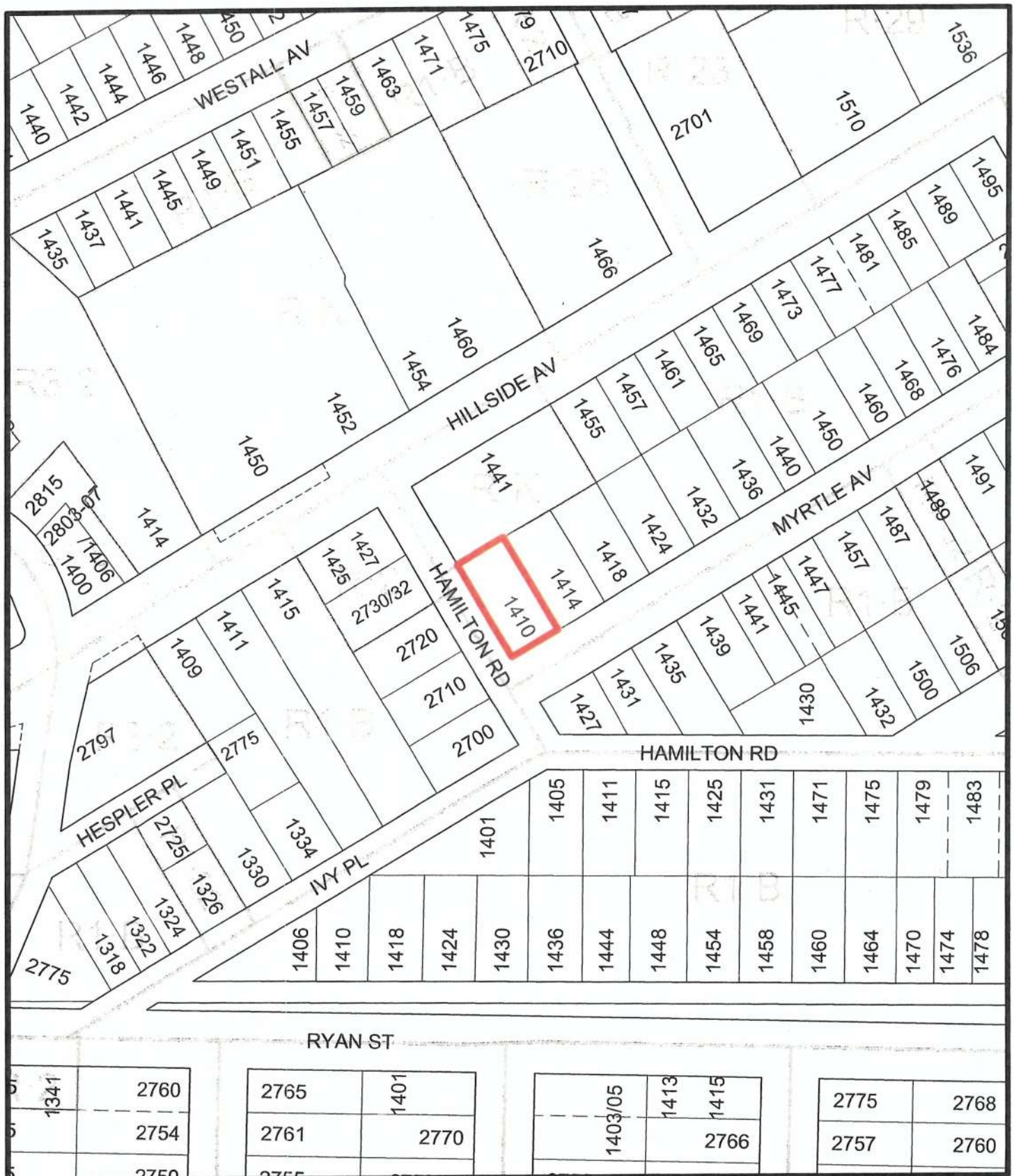
Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager


Date: Dec 7, 2017

List of Attachments:

- Attachment A - Subject Map
- Attachment B - Aerial Map
- Attachment C - Plans dated/date stamped October 16, 2017
- Attachment D - Letter from applicant to Mayor and Council dated April 19, 2017
- Attachment E - Community Association Land Use Committee Comments dated March 20, 2017
- Attachment F - Correspondence (Letters received from residents)



1410 Myrtle Avenue
Rezoning No.00578





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OCT 16 2017

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 Development Services Division



Hamilton Road

INTERIOR ELEVATION 400 MARSUE AVENUE VICTORIA, BC	 T-SQUARE	T-SQUARE 1000 MARSUE AVENUE VICTORIA, BC V8M 1A1 TEL: 250-363-1111 FAX: 250-363-1112 WWW.T-SQUARE.CO DRAWING NO.
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ATTACHMENT C

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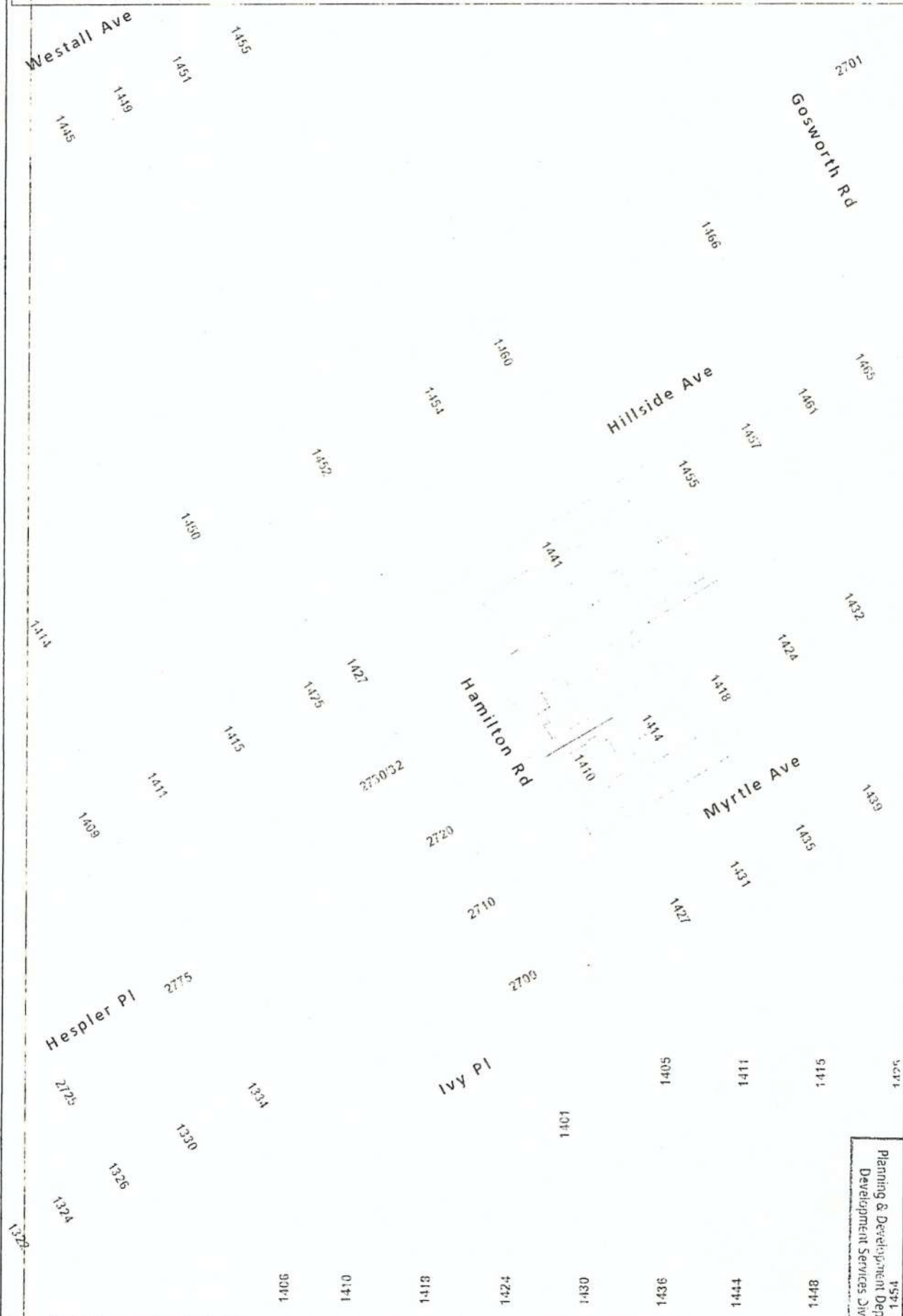
Planning & Development Department
Development Services Division



Hamilton Road

BARRON CONSTRUCTION 1910 MYRTLE AVENUE STREETSCAPE	 T-SQUARE ARCHITECTS	T-SQUARE Design & Consulting design@t-square.ca 2850 Lakemhurst Drive, Victoria, BC 250-312-2893	
		DATE	DESIGNED BY DJM
		SCALE 1/8"=1'-0"	DRAWN BY J.L.
		DRAWING No. 050-17-000000	

050-3-SF



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SEP 01 2017
Planning & Development Services Division

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City of Victoria

OCT 16 2017

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Development Services Division

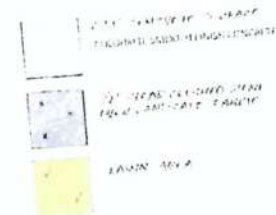
DRAWING

1. AC ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
1. ET EXCEPT WHERE SHOWN OTHERWISE

THESE
2. AZ UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE
7. BM UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE
10. CP UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE
11. DS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE
12. LR UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE: 10/16/2017
BY: [illegible]
FOR: [illegible]
PROJECT: [illegible]

LEGEND



NOTES

DRAWING NOT TO BE USED FOR CONSTRUCTION PURPOSES WITHOUT THE WRITTEN APPROVAL OF THE CITY OF VICTORIA.
ALL BUILDING MATERIALS, INCLUDING LANDSCAPE MATERIALS, SHALL BE OF THE HIGHEST QUALITY AND SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST VERSIONS OF THE CANADIAN STANDARDS FOR CONSTRUCTION.
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Ken Lyden Enterprises Ltd.
2018 Warden Road
Victoria BC
V8A 6Z1 phone 250-383-1105
fax 250-383-1106
proposed landscape for [illegible] 100 [illegible] Ave.



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PLANT LIST





TREES

1 AC	ACER PALMATUM DISSECTUM ATROPURPUREUM 'CRIMSON QUEEN'	JAPANESE MAPLE	#15
1 FP	FAGUS SYLVATICA 'PURPUREA PENDULA'	WEeping PURPLE BEECH	#15

SHRUBS

3 AZ	PHODOPENDRA NORTHERNLIGHTS 'LEMON LIGHTS'	NORTHERN LIGHTS AZALEA	#1
7 BM	BUXUS MICROPHYLLA 'COMPACTA'	KOREAN BOXWOOD	#1
16 EP	ESCALONIA 'PINK PRINCESS'	PINK PRINCESS ESCALONIA	#3
9 HS	ERICA CARNEA 'SPRINGWOOD WHITE'	HEATHER	#1
6 LH	LAVANDULA ANGUSTIFOLIA 'HIDCOTE'	ENGLISH LAVENDER	#1

LEGEND

	C.I.P. CONCRETE SURFACE
	COLOURED, SMOOTH FINISH CONCRETE
	1/2" CLEAR CRUSHED STONE OVER LANDSCAPE FABRIC
	LAWN AREA

NOTES

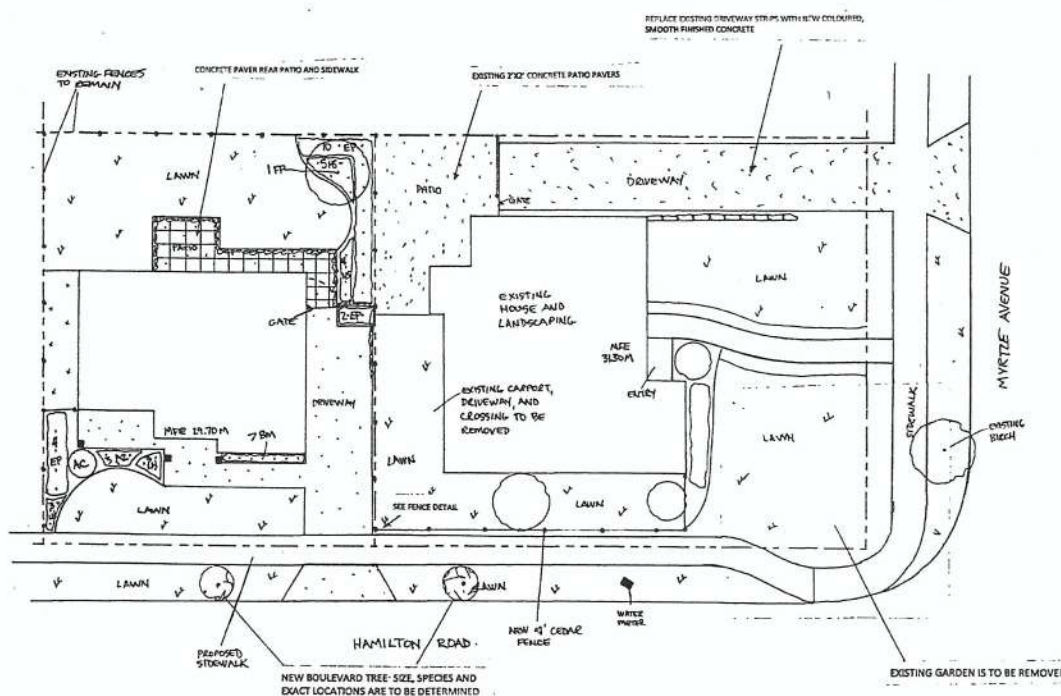
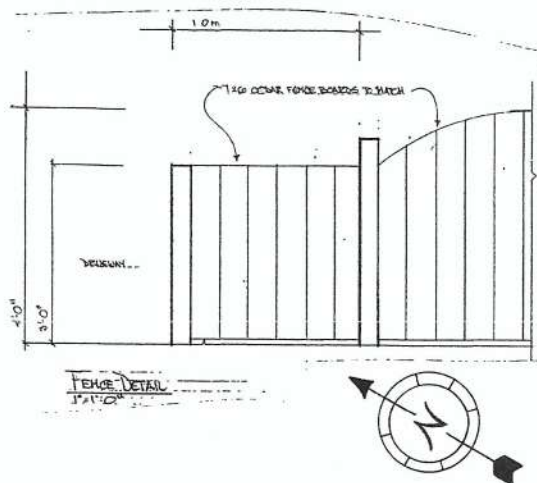
DRAWING NOT TO BE SCALED - OWNER MUST VERIFY ALL DIMENSIONS, DATUMS, AND LEVELS PRIOR TO COMMENCEMENT OF WORK

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

PLANTING MATERIAL AND INSTALLATION TO CONFORM TO BCSPA/BCNA 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 BCSPA/BCNA STANDARD DESIGNATION "1P-LEVEL 1 WELL GROOMED AREAS"



Kai Dragon Enterprises Ltd 924 Mesher place Victoria BC V9A 6Z1 phone 250-383-0285 cell 250-704-8338	scale: 1:100 date: JUL 11 2015 drawn by: BL proposed landscape for: BARBON CONSTRUCTION 1410 MYRTLE AVENUE
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 OCT 16 2017
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1410 MYRTLE ROAD



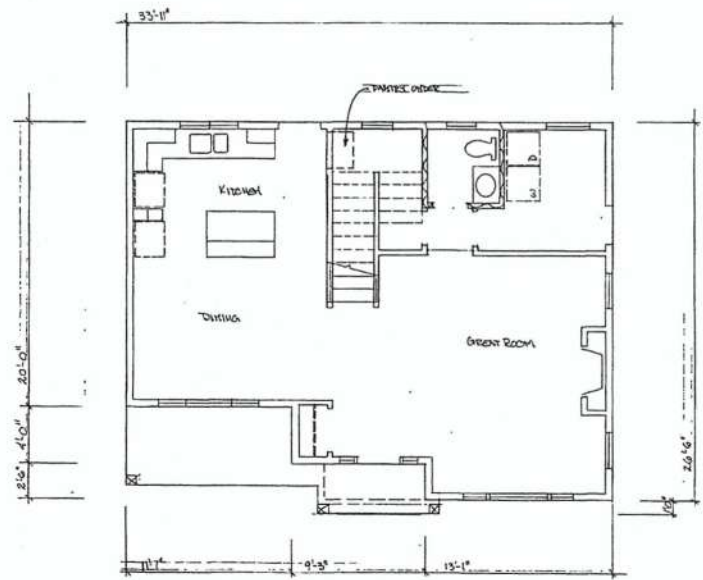
FROM	TO	TOTAL
100 FT	100 FT	100 FT
100 FT	100 FT	100 FT
100 FT	100 FT	100 FT
100 FT	100 FT	100 FT
100 FT	100 FT	100 FT
100 FT	100 FT	100 FT
100 FT	100 FT	100 FT
100 FT	100 FT	100 FT
100 FT	100 FT	100 FT
100 FT	100 FT	100 FT

Average Grade - Lot B

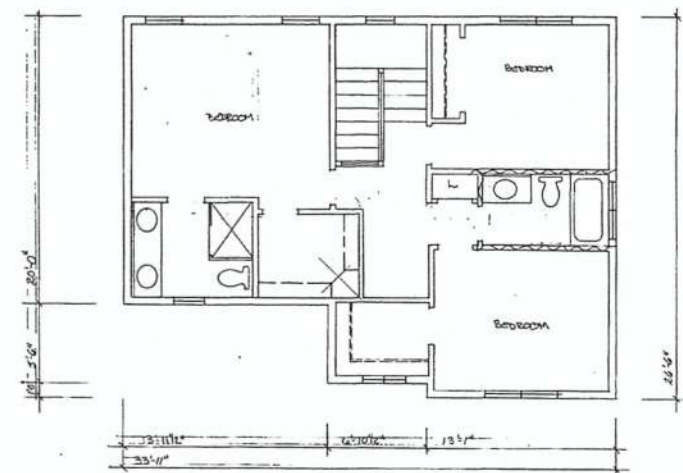
A+B	29.70 + 29.90	=	29.80 x 7.0	=	207.55
B+C	29.80 + 29.80	=	29.80 x 6.1	=	18.05
C+D	29.80 + 29.90	=	29.85 x 2.18	=	64.73
D+E	29.80 + 29.90	=	29.85 x 1.93	=	53.98
E+F	29.80 + 29.90	=	29.85 x 2.26	=	66.67
F+G	29.80 + 29.90	=	29.85 x 7.77	=	229.15
G+H	29.80 + 29.90	=	29.85 x 7.30	=	216.81
H+I	29.80 + 29.90	=	29.85 x 1.70	=	50.80
I+J	29.80 + 29.90	=	29.85 x 4.11	=	122.88
K+A	29.80 + 29.90	=	29.85 x 10.67	=	317.96
			45.54		1348.56

1348.56
 45.54 Average Grade 29.70m

FAR Calculations-Lot B
 Main Floor 100 sq m
 Lower Floor No FAR
 Ceiling 31.07m - Air Grade 29.70m = 1.37m
 TOTAL FAR 100.30 sqm



Proposed Main Floor Plan
 100.30 sqm (1074.55 sq ft)



Proposed Upper Floor Plan
 100.30 sqm (1074.55 sq ft)

T-SQUARE

T-SQUARE Design & Consulting
 2850 Lakehurst Drive, Victoria, BC
 250-382-2893

DATE: 08/08/17
 SCALE: 1/8" = 1'-0"
 DRAWING No: 050

T-SQUARE

DESIGNED BY: J. L. L. L.
 DRAWING BY: J. L. L. L.

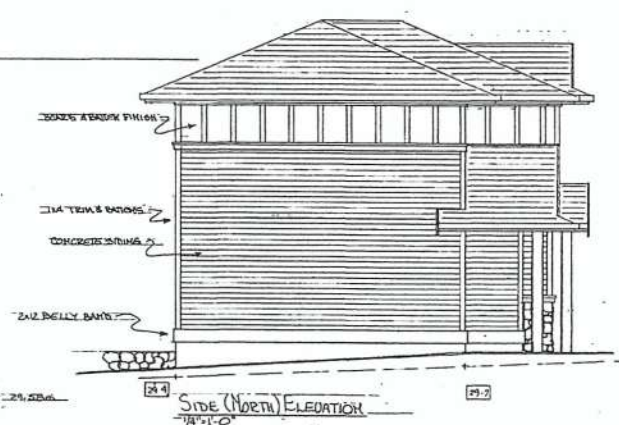
James
 Tomorrow 4:00

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City of Victoria

OCT 16 2017

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Development Services Division

SPATIAL SEPARATIONS	
LIMITING DISTANCE:	3.02 m
AREA OF EXPOSED BLDG FACE-area A	44.68 sq m
ALLOWABLE UNPROTECTED OPENINGS	9.04 sq m
44.68 sq m X 2025	3.34 sq m
PROPOSED UNPROTECTED OPENINGS	3.34 sq m



196

BARRON CONSTRUCTION

T-SQUARE
DESIGN

T-SQUARE Design & Consulting design@tsquare.ca
2850 Lakehurst Drive, Victoria, BC 250-362-2893
DATE: 10/16/2017 PREPARED BY: DMM/ES
SCALE: "AS SHOWN" DRAWN BY: JDL
DRAWING No. 050-B

1410 Myrtle Avenue



Weichenwood



Roofing



Stone



Trim



Board & Batten



Siding

April 19, 2017

Lisa Helps
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor and Council:

Re: 1410 Myrtle Avenue Small Lot Rezoning Application

On March 20, 2017, the Oaklands Community Association hosted a CALUC community meeting that was advertised to a 100 meter radius, to discuss the proposal to rezone 1410 Myrtle Avenue from R1-B (Single Family Dwelling) into two separate R1-S2 (Restricted Small Lot Two Storey) lots. Prior to the meeting, adjacent lots were polled to gather feedback from the immediate neighbourhood. The general feedback was positive with most questions being directed towards parking and construction noise. In total, 13 petitions were collected with 12 petitions in favour of the development and 1 petition not in favour, resulting in 92% approval from adjacent lots. At the community meeting, questions surrounding building height, parking and the general rezoning process were answered. One neighbour voiced negative comments while the remainder appeared to be in favour.

Parking

As in most areas, parking is a topic of interest. Street parking on Hamilton can become fairly occupied after working hours, mainly due to the neighbouring eight unit townhouse. The existing house at 1410 Myrtle Avenue currently has two driveways; one at the front of the house on Myrtle Ave, and one on the side of the house on Hamilton Rd. The existing driveway on Hamilton would be removed and a new driveway for the proposed lot on Hamilton would be created, thus preserving the amount of street parking while still maintaining the two car drive way for the existing home, and creating a new two car driveway for the proposed home.

Landscaping

One non-fruit bearing pear tree is currently located on the north end of the property, which will be preserved. All existing garden areas of the present home will also remain undisturbed. Additional garden beds, shrubs and small trees will be added to the proposed landscaping for curb appeal. The existing narrow and uneven asphalt walkway along Hamilton Rd. will be replaced with a modern curb and sidewalk to adjoin the existing curbs from the end of 1440 Hillside Ave. to the corner of Hamilton Rd. and Myrtle Ave. Many neighbours have expressed positive feedback particularly for this aspect of the development.

Building(s)

The existing home would be left as is. The proposed home is a 3 bedroom, 2 story, 1484 square feet house, with a footprint of 740 square feet and a height of 6.5 meters. The main floor features an open layout between the kitchen, living and dining area, as well as the laundry/mudroom and 2-piece washroom. The upstairs features a master bedroom with ensuite and walk-in closet and two additional bedrooms with a shared 3 piece washroom. The new home will have an energy efficient heat pump, energy star appliances, thermal windows, fiberglass shingle roof and ICF foundation.

Setback(s)

The one **variance** that is requested for this proposal is in regards to the **front setback**. We are requesting a variance of 2.9 meters to allow the front of the home to be set back 3.1 meters in comparison to 6.0 meters. To compensate for this variance, we have designed the house to blend with the surrounding buildings and gave the proposed home a stepped back front face. The shallower depth is setback just farther than the side of the neighbouring 1410 Myrtle Ave home, and then increases to a setback of approximately 5.2 meters on the side that neighbours the town homes. The remaining setbacks are within the R1-S2 zoning guidelines.

This lot is ideally situated for the City of Victoria's guide for Small Lot Rezoning. The large open yard area of 1410 Myrtle Ave, which fronts Hamilton Rd., no longer makes sense as a useable space in its current capacity due to the surrounding density of the neighbouring lots, which include: an eight unit townhouse, a triplex, two duplexes, and a single family home with a large outbuilding with garage and loft space. The neighbourhood aesthetic would benefit from the addition of a new single family dwelling and a finished sidewalk. The proposed lot is a perfect home for a young family which suits the family oriented Oaklands community with its great schools and parks.

Thank you for your time and consideration.

Sincerely,



Cara Keck

and



Mike Barbon

**Mission**

Strengthening the Oaklands community by providing programs, services and resources for its residents, businesses and visitors.

Oaklands Community Association Land Use Committee

Date: March 20, 2017

Location: Oaklands Neighbourhood House - 2629 Victor Street

Meeting Chair: Ben Clark

Time: 6:30 – 8:00 pm

Contact: landuse@oaklandsca.com

Note Taker: Kim Walker

In attendance: approx. 36 community members; 2 proponents for Myrtle Ave; 1 proponent for Shelbourne St; 2 proponents for Haultain St.; 2 Fernwood Land Use Committee members

Meeting Summary

1. Community Meeting: 1410 Myrtle Ave small lot subdivision

- Proposal for a small lot subdivision is to add an additional R1-S2 lot behind 1410 Myrtle Avenue which will front Hamilton Street. Proponent prefers two-single family dwellings instead of a duplex. A variance is requested for smaller setback on the street frontage.
- Questions were asked regarding the sidewalk, parking allowance, the size of the lot, height and window placements, and estimated construction start-up time.
- The proponent explained that there is space to park a vehicle beside the house without a carport or garage. The new house will be looking into the neighbour's back yard. The proposed height is two-stories with a crawl space but proponent stated that the new home will not be bigger than adjacent homes and shadowing will fall on the neighbour's garage. The proponent has owned this property for four years and wishes to start building as soon as possible, likely by the end of this year.
- Concerns included: privacy and blockage of open space/sunset views from neighbour's home.

Additional comments from community:

- The previous owner also tried to subdivide this lot and failed. A community member wanted to know how the current owner believes she will be successful.
- The most concerned people said they would support 1 or 1 ½ story home, but not a 2 story home. Main concerns were privacy and access to current light/sunset views. Noise was also cited as a more general concern in the conversation around increasing density in the neighbourhood.



Search...



Ryan

With St

2775

2765

1413

1403/05

Ave

2755

Street 8

A vertical scale bar with markings at 0, 20, and 40m.

<http://vicmap.victoria.ca/Html5Viewer/index.html?viewer=Public>

**SUMMARY
SMALL LOT HOUSE REZONING PETITION**



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

the *Small Lot House Rezoning Policies* for a small lot house to be located at 1410 (location of proposed house)

Myrtle Ave and the petitions submitted are those collected by _____ (date) **

Address	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
1441 - UNIT 1 Hillside	✓		
1441 - UNIT 2 Hillside	✓		
1441 - UNIT 3 Hillside			✓
1441 - UNIT 4 Hillside			✓
1441 - UNIT 5 Hillside	✓		
1441 - UNIT 6 Hillside			✓
1441 - UNIT 7 Hillside	✓		
1441 - UNIT 8 Hillside	✓		
1427 UNIT A Hillside			✓
1427 UNIT B Hillside			✓
1425 Hillside			✓
2732 Hamilton	✓		
2730 Hamilton	✓		
2720 Hamilton			✓

SUMMARY	Number	%
IN FAVOUR	12	92
OPPOSED	1	8
TOTAL RESPONSES	13	100%

* MORE ON BACK.

*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 Favou	Opposed	Neutral.
2710 Hamilton	✓		
2710 Hamilton	✓		
2700 Hamilton	✓		
1427 Myrtle Ave	✓		
1431 Myrtle Ave	✓		
1431 Myrtle Ave		✓	
1414 Myrtle Ave			✓

Nov 27/16.

SMALL LOT HOUSE REZONING PETITION

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

CARA KELK, am conducting the petition requirements for the
(print name)

property located at 1410 MYRTLE AVE

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) Bruce Hillierington (see note above)

ADDRESS: 2 - 1441 HILLSIDE AVE

Are you the registered owner? Yes ☒ No ☐

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

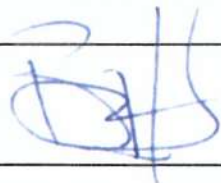
☒ I support the application.

☐ I am opposed to the application.

Comments:

29 NOV 16

Date



Signature

NOV 27/16

SMALL LOT HOUSE REZONING PETITION

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 1410 MYRTLE AVE

to the following Small Lot Zone: R1-S2

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Please review the plans and indicate the following:

NAME: (please print) Sierra Eddison (see note above)

ADDRESS: #5 1411 Hillside Ave Victoria, BC

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:

27 / NOV / 2016
Date


Signature

SMALL LOT HOUSE REZONING PETITION

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 1410 Myrtle Ave

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) 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:

05.29/2013

Date

Steve Wilcox

Signature

SMALL LOT HOUSE REZONING PETITION

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 1410 Myrtle Ave.

to the following Small Lot Zone: R1S2

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Please review the plans and indicate the following:

NAME: (please print) Jenna Steinberg (see note above)

ADDRESS: 8-1441 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:

Oct 27, 2016
Date

Jenna Steinberg
Signature

SMALL LOT HOUSE REZONING PETITION

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 1410 Myrtle Ave.

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) Bikram 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:

Oct. 29/16

Date

B. Grewal

Signature

SMALL LOT HOUSE REZONING PETITION

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 1410 Myrtle Ave.

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) Sandra Govender (see note above)

ADDRESS: 2730 Hamilton Rd, Victoria, BC

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:

Oct 29/16
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

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 1410 Myrtle Ave.

to the following Small Lot Zone: R52

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) TOM JENKINS (see note above)

ADDRESS: 2710 HAMILTON ROAD

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:

Oct 29/2016
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

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 1410 Myrtle Ave

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) CONNIE THOMAS (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:

IT WILL BE A GOOD INFILL
PROJECT.

Nov. 1 2016
Date

C. Thomas
Signature

SMALL LOT HOUSE REZONING PETITION

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 1410 Myrtle Ave.

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) ANDREW SHAND (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:

Oct 29 / 16.
Date

[Signature]
Signature

NOV. 27 / 16

SMALL LOT HOUSE REZONING PETITION

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 1410 MYRTLE AVE

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) BERNICE HUTTON (see note above)

ADDRESS: 1427 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:

Nov 27 / 16
Date

B. Hutton
Signature

SMALL LOT HOUSE REZONING PETITION

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 1410 Myrtle Ave

to the following Small Lot Zone: R152

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) Laura Warwick (see note above)

ADDRESS: 1431 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:

Nov 2, 2016
Date

Laura Warwick
Signature

SMALL LOT HOUSE REZONING PETITION

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

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

property located at 1410 Myrtle Ave

to the following Small Lot Zone: RIS2

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) Devin Warwick (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:

I would prefer the road Hamilton be come the width that it
is at the town houses at the corner of Myrtle Hamilton
and Hillside. It is very narrow at Myrtle and Hamilton

2016/11/07
Date

[Signature]
Signature

From: Jessica Lea <[REDACTED]>
Sent: Friday, April 28, 2017 7:57 PM
To: Victoria Mayor and Council
Subject: Concerns with 1410 Myrtle Development

Dear Mayor and Council,

Please find this letter of opposition, expressing concerns about the proposed development at 1410 Myrtle Avenue (in the Oaklands neighbourhood).

The proposal is for the subdivision of a property (equally sized to majority of Myrtle addresses), resulting in two very small lots, along with a new home. This property shares our property line. We are long-term owners of 1414 Myrtle Avenue. At the community meeting on March 20, 2017, concerns were raised by multiple neighbours - these concerns included privacy, parking, density, building height, shadowing, lot size. Many of these apply directly to us, as the immediate neighbor.

Our concerns are as follows:

Lot size. This subdivision introduces a much smaller lot, as compared to all adjacent properties, especially properties located at our end of the 1400 block of Myrtle Avenue street.

Lack of consultation. The owner, Cara Keck, has at no time over the last 4 years mentioned the plans to subdivide and build. There has been no consultation up unto this point. The first we heard of this plan was through the mail notice of a community meeting, which was held March 20, 2017. The owner had already prepared house plans, and lot plans, and did not seem responsive to feedback whatsoever.

Privacy – our personal privacy will be negatively impacted by the introduction of a new 2-story house in (what is now) their backyard (proposed to be the new lot). The new home will look directly into our backyard. This will essentially eliminate privacy in our backyard and patio. Two full stories of living space will create multiple windows and doors, at varying heights, will create the feeling of a “fishbowl” backyard.

- There was no mention at the community meeting, of ANY consideration to privacy. In fact, when the concern was raised, the homeowner Cara began a personal attack towards us, which is of no relevance.
- The applicant made no effort to contribute towards resolution of the privacy concerns, or even to acknowledge our concerns.

Shadowing – The proposed height of the house will introduce shadowing of natural sunlight. The sun that shines into the rear-facing windows of our house will be blocked by the proposed structure, especially in winter months when the sun is low. In particular, we have concern about the height. A lower height would not be as imposing.

- At the community meeting, we asked if they had considered building 1.5 stories (half-subterranean basement) and they said No. They only have a crawlspace underneath, then two full stories above ground.
- At the community meeting, Cara challenged our concern of height because (as she says) the proposed house height was “similar to that of [our] garage”. I’m not sure why she made the comparison, since our garage is uninhabited, only has a loft space (used for storage) with a single small window on the end,

and the structure has a very steep roof pitch; much different than if the sides went straight up to accommodate full-height 2nd story and living space. It also does NOT block sunlight to anyone's home.

View – the two story house height will block our only view of the sunset from our back-facing windows, and blocking the sunlight on our back patio. Daily, I can be found looking out our dining room windows, checking the weather, watching the birds, and feeling connected to the outdoors.

It should be noted, that as an effort to work with the applicant, we advised our support for a 1.5 story house (with half basement below grade) which aligns nicely with the neighbourhood – nearly all homes are built this way. There was no comment from the applicant.

There was also no information provided at the community meeting as to how the applicant will address the aesthetic of the current property. We have made considerable aesthetic improvements to our home, as have many nearby neighbours. This homeowner has not. Building a brand new home next door is a good opportunity for the applicant to also address deficiencies in the current home, either by updated exterior materials or at least modern paint colours.

Other considerations regarding this proposal - and specifically the applicant - would be the general lack of respect for their neighbours. Multiple residents in the area have been significantly disrupted by Cara and her roommates – whether it be from a late-night rave, many loud backyard parties, incessantly barking dogs, or frequent outdoor smoking of marijuana - the list goes on. Fortunate for Cara (perhaps unfortunately now for us, as her neighbours), we never called in bylaw complaints. But there have been multiple occasions where we did discuss the issues directly with the owner (Cara) or whoever was home at that time. (Multiple tenants have resided over the years.)

In closing, it may be worth sharing, that if this proposed 2-story house existed at the time we purchased, we would not have bought 1414 Myrtle. We feel it reduces the value of our home. It is also probable that future potential buyers of our property will be considering things like sunlight, privacy, proximity to neighbouring homes, etc. and this development negatively impacts those factors.

We appreciate your consideration of these concerns regarding a 2-story house being built in the adjacent property to ours.

Sincerely,
Jessica Lea
Owner, 1414 Myrtle Ave



1410 Myrtle Avenue
Existing house



Location of proposed small lot



Proposed small lot

Myrtle Adjacent lot



Hillside Avenue - Adjacent lot



Proposed small lot Transition to multi-family



Location of proposed small lot

Existing house (south)



Townhouse (north)



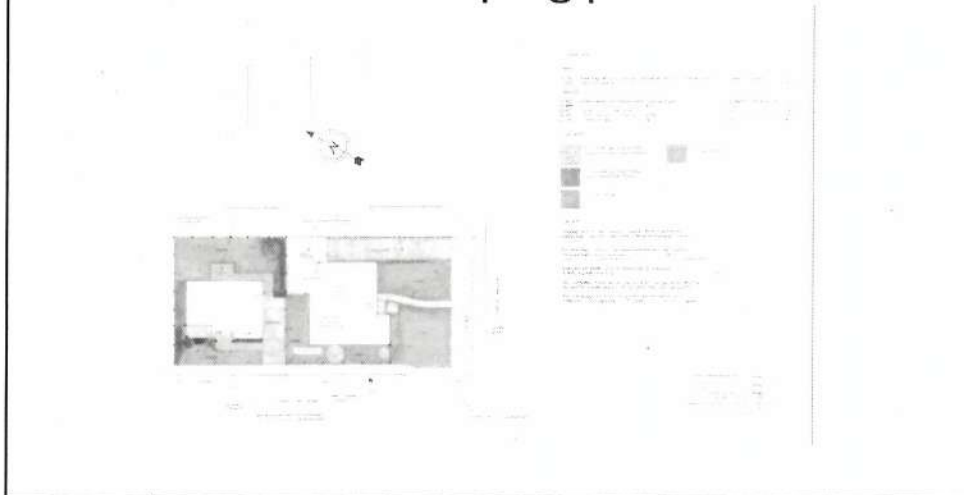
Location of proposed small lot house
Myrtle (north)



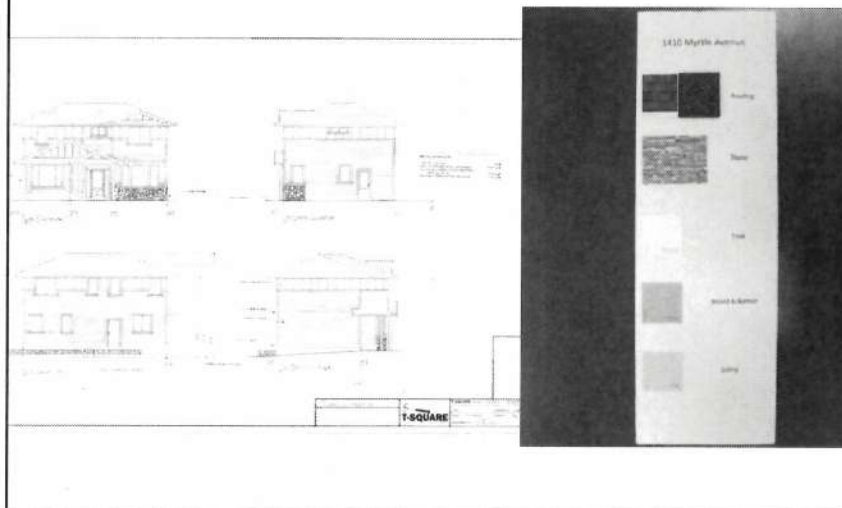
1410 Myrtle
Proposed small lot house



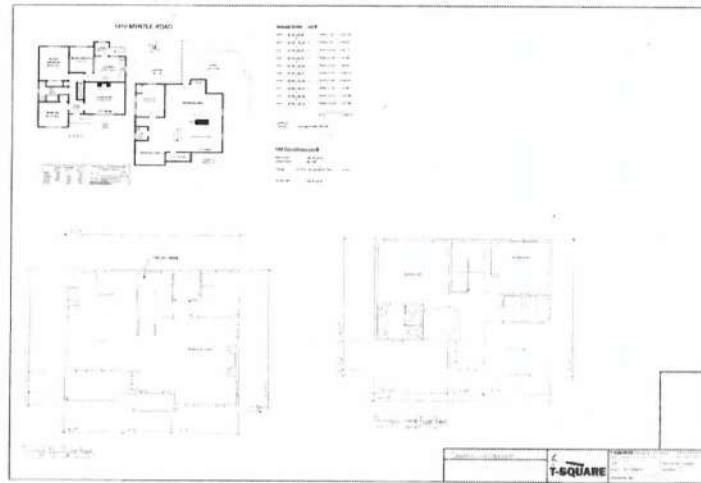
1410 Myrtle Landscaping plan



1410 Myrtle – elevations and materials



1410 Myrtle – Floor plans



Neighbourhood Context Hamilton Street



Neighbourhood Context Myrtle Avenue



Neighbourhood context Belmont Avenue



1410 Myrtle - Elevations



1410 Myrtle – site plan



Hamilton Road
Existing condition

