

## Alicia Ferguson

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**Subject:** RE: Neighbors Support Application for a Carriage House 229 Government St

**From:** Chuck Meagher

**Sent:** Tuesday, May 09, 2017 10:07 AM

**To:** Victoria Mayor and Council <mayorandcouncil@victoria.ca>

**Subject:** Neighbors Support Application for a Carriage House 229 Government St

Attached letters of support. We have made adjustments by lowering the height from 24 ft to 18 ft, to try and satisfy one neighbor's concerns, which we wonder about as our lot is 5 ft below their lot on St Andrews, so in effect the Carriage House height impact is the same as a 13 ft garage. (18-5= 13). The photo attached shows the tree cover in the corner in question, the trees vary from 20 to 30 feet high and stay in place.

Dear Mayor and Council,

Attached please find our plans and information for an application to acquire approval for a Carriage house on our property in James Bay which is currently zoned R2 as an up and down duplex on a 9200 sq.ft.lot. We occupy on the main floor and have a tenant (family) upstairs. In November of 2016 my wife and I starting thinking of building a garage for our cars and workshop purposes. As we explored that idea neighbors and friends suggested that we consider building something more like a Carriage House with a small suite above it. We explored this idea with planners at the City in November 2016 along with some preliminary plans drawn by our planner. What we heard was not very encouraging and the process seemed pretty engaging and drawn out over a long period of time. It appeared that the path of least resistance was to just apply for a building permit to build a garage and forget about any suites. We went away on a holiday and considered what path we should take, finally we decide to attempt to accomplish the approval for a Carriage House to make the best use of the land space. It was encouraging over the same period that we continued to work with our planner, our neighbors, and the JBCA to get our plans together that Mayor and Council have made some positive changes to encourage Garden Suites in the City. We are fully aware that what we are proposing is a variation on a Garden Suite, however we believe our property is suited to this use, and there are many examples of the same application that already currently exist in our immediate neighborhood. We are now at the 1<sup>st</sup> stage of our process and will be presenting to the JBCA on Wednesday May 10 2017.(6 months later). We would like to gain the support of Mayor and Council and the planning Department of the City of Victoria for our proposal. Any comments are welcome and any assistance to speed up the process would be appreciated.

Sincerely Jacquie and Chuck Meagher [REDACTED]  
1-229 Government St Victoria BC V8V2K8







**Comments on Application for Zoning and Variances**

**For a Garage/Carriage House at 229 Government St.**

Neighbor located at address: 217 Government

Name: Raj Sundher

Contact information 

**Comments on the proposed Garage /Carriage House:**

**We support this proposal, the space is being put to a beneficial use as more housing is needed**

**Signature and date:**



Feb 24 2017

Comments on Application for Zoning and Variances

For a Garage/Carriage House at 229 Government St.

Neighbor located at address: \_\_\_\_\_ 230 and 234 Government  
Street \_\_\_\_\_

Name: \_\_\_\_\_ Richard Iredale and Lael Whitehead \_\_\_\_\_

Contact information \_\_\_\_\_  
\_\_\_\_\_

Comments on the proposed Garage /Carriage House:

We are in favor of the proposed infill carriage house.

Signature and date:

Lael Whitehead LAEL WHITEHEAD.  
Richard Iredale RICHARD IREDALE.  
FEB 20 2017

Mayor Lisa Helps and Council Members  
Victoria City Hall  
1 Centennial Square  
Victoria, BC  
V8W 1P6

May 7, 2017

Dear Mayor Helps and Council,

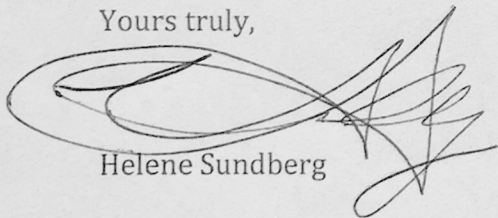
**Re: Carriage Suite application for 229 Government Street**

My Husband and I are one of the immediate neighbors to this property. We live at 223 Government Street.

We are very much in support of this application. From a land use planning point of view we support and welcome this type of increase in density. James Bay and the East part of Fairfield offer a great opportunity for land use changes that support the increase of rental accommodation. This is one way that we as a community can help with affordability for everyone.

As residents of Victoria we have been keenly watching the Council discussion on increasing affordable housing options. Your recently updated "Carriage Home" program will hopefully help inspire homeowners to make the investments needed to make this a success much like our neighbor.

Yours truly,

A handwritten signature in black ink, appearing to be 'Helene Sundberg', written over a large, loopy circular flourish.

Helene Sundberg



## James Bay Neighbourhood Association

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jbna@vcn.bc.ca  
Victoria, B.C., Canada

[www.jbna.org](http://www.jbna.org)

May 31<sup>st</sup>, 2017

Mayor and Council,  
City of Victoria

**Re: 229 Government – proposal for a garage with a one-bedroom suite above**

Dear Mayor and Councilors,

The proposal for a structure composed of a garage with a suite for 229 Government was heard at the May 10<sup>th</sup>, 2017 JBNA Community Meeting. There were 90-100 people in attendance at the meeting. Attached please find an excerpt of the General Meeting minutes regarding the proposal.

The proposal was not well received by nearby residents. Unfortunately, near-by residents and the proponent showed considerable impatience towards each other.

In the main, negative comments related to views, shadowing, parking (both on and off-site) and density. Again unfortunately, the requested shadow study was NOT available (proponent had technical problems). As per the request from the Chair, the proponent did forward the shadow study on to the Chair for distribution to neighbours, however, the file has not been forwarded on to neighbours as committed as the file was in a drop-box and not easily transferable to others.

Attached please find the excerpt of the minutes from the May 10<sup>th</sup> meeting. In a separate attachment you will find three letters of support from four neighbors, two letters of objection, and an e-mail of clarification from the proponent.

For your consideration,

Marg Gardiner  
President, JBNA

Cc: JBNA Board, Miko Betanzo, Planning  
Chuck Meagher, proponent

Attach: Excerpt from May 10<sup>th</sup>, 2017, JBNA General Meeting  
Resident letters and subsequent e-mail from the proponent

## **ATTACHMENT: Excerpt: May 10<sup>th</sup>, 2017, JBNA General Meeting Minutes**

### **5. CALUC: 229 Government Street**

#### **Development Review Committee (DRC) Meeting: presented by Wayne Shillington**

On March 10, 2017 JBNA DRC Committee members Tim VanAlstine, Wayne Shillington, Marg Gardiner, and Linda Carlson met with Jacquie and Chuck Meagher to review their proposed project.

The property is currently a large lot occupied by a single family dwelling with an outside entrance to the second floor suite which is rented on a long term basis. The proposed project is to construct a garage at the rear NE corner of the property at the end of an existing driveway along the property line and to construct a second story suite over the garage to be rented as a long term residence. The somewhat unique nature of the proposed project means it is likely to require site specific residential zoning. Current zoning is R-2.

While the planning was still at an early stage, the proponents have already discussed their plans with neighbours and made changes to reduce concerns regarding a preliminary height estimate of 24'. Height is the major zoning variance as the existing zoning garage height is 12' and the revised proposed structure is planned to be 17'. Opportunities to further reduce the height were discussed, such as lowering the floor of the garage. DRC members emphasized the need to consult with all direct neighbours and outlined the additional planning information required prior to a public community meeting, including a shadow study and a one-page handout sheet with specs on one side and schematics on other.

#### **Community Meeting presentation: Chuck Meagher, owner**

The proposal was described with emphasis on changes made to accommodate neighbour privacy needs including piano windows on the north side. Discussed with neighbours in February. The property is a legal duplex on an oversized lot. An addition was created almost 2 years ago.

Height on plans is 18 feet but is considering lowering floor by 2 ft.

#### **Q/A with near-by residents who are within the 100 meter notification area:**

Q: St Andrews resident (direct neighbour) - backs on to 229 Govt – coach house and no trees – plum trees were removed from 229 Govt – believes too much density on property

A: Building below density and area coverage permitted

C: St Andrews resident – concern increasing density of James Bay area and that the existing property has been developed to capacity, feels her views of legislature will be blocked with the building.

C: St Andrews – partner of earlier speaker believes there is a trend in neighbourhood to remove trees and black top – several properties on St Andrews where large trees have been removed – very concerned about this.

Q: Merryfield (direct neighbour) – bought a few years ago – likes the character homes in area – upgraded their home to original beauty and was congratulated by other neighbours and city. Being impacted by this development especially the height; by-laws states no roof top decks for garden suites – feels the deck on the proposed garage suite will allow for renters to view onto other properties – height big issue – also privacy – looking onto other neighbours properties. Shading also a concern will have 10ft of building above the existing hedge. Should be a survey conducted to determine who's property hedge is on. Finally is concerned about the density of the neighbourhood with another garden suite on property.

C: Merryfield (direct neighbour) – small yard the garden suite will impact and shade his property

C: Merryfield (direct neighbour) – hedge is 8ft tall half of garden now is in shade, if garden/garage suite constructed will completely eliminate any sun he has now in his garden. Density concerns him – concerned about number of cars in back parking as his bedroom abuts parking area – noise and emissions – also the garage suite windows would face his bedroom – and the suite's light would potentially shine into his bedroom – garage doors opening and closing (noise)

Q: St Andrews – View of legislature and James Bay Inn will be eliminated with construction – value of proponent's property will increase substantially – is there any intention to sell?

A: value has increased without benefit of new construction as have other property values – no intention to sell.

Q: Are you operating an AirBnB at present time

A: No, only have renters

Q: Avalon St resident – shading is a concern – has a shading study been done.

A: Shade study is being done – started but height of neighbour's building wrong in the schematic so didn't show it – need to redo.

COMMENT from Chair: Shadow study was requested at pre-meeting and was to have been included

Q: 247 St Andrews – not affected directly but concerned about neighbour who is unfortunately not here tonight, his existing backyard will be affected by the building – and is not in favour of this application. what is the motivation to build a suite on garage ? Doesn't see the need for this. Will have a severe effect on neighbouring properties.

A: Why not – why waste the land and not have a suite above – will be building a garage regardless

C: 235 Govt St resident – owns B & B - Issue with the current tenant parking – parking in front of property – has a BnB concerns about shadowing of their property and their garden – also concerned about existing hedge and does not want it growing large – the existing renters look onto our property – doesn't feel it is necessary and will impact on the quality of life of our property.

### **Residents beyond 100 meters:**

Q: Already has a suite – where will cars for 3<sup>rd</sup> suite go?

A: Wife has retired – will no longer need her car – two cars existing garage and existing parking will satisfy parking needs.

C: Concerns about the Beckley farm land and flooding – issue with the paving of the backyard - where will the water go? Many properties surrounding your property have water issues how will you address this.

A: Interesting point - 229 Govt hasn't had any water issues – has had water issues from run off from other properties so has put in curtain drains all around his property.

C: Chair – before going forward – survey needs to be done

A: Survey has been done

C: Chair – Shadow study needs to be done and forwarded to Marg – she will forward the shadow studies on to those who request it by email. Deck will be looked at by City as there is a concern often raised about upper level decks.

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**JAMES BA**  
**MINUTES -**  
**Governme**

229 Govern

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Mayor Lisa Helps and Council Members  
Victoria City Hall  
1 Centennial Square  
Victoria, BC  
V8W 1P6

May 7, 2017

Dear Mayor Helps and Council,

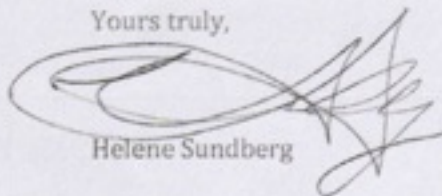
Re: Carriage Suite application for 229 Government Street

My Husband and I are one of the immediate neighbors to this property. We live at 223 Government Street.

We are very much in support of this application. From a land use planning point of view we support and welcome this type of increase in density. James Bay and the East part of Fairfield offer a great opportunity for land use changes that support the increase of rental accommodation. This is one way that we as a community can help with affordability for everyone.

As residents of Victoria we have been keenly watching the Council discussion on increasing affordable housing options. Your recently updated "Carriage Home" program will hopefully help inspire homeowners to make the investments needed to make this a success much like our neighbor.

Yours truly,

A handwritten signature in black ink, appearing to read 'Helene Sundberg', with a large, stylized flourish extending to the right.

Helene Sundberg

JUDITH MILLIKEN  
224 St. Andrews  
Victoria, B. C. V8V 2N2  
Tel: [REDACTED]  
E mail: [REDACTED]

May 8, 2017

Marg Gardiner  
James Bay Neighbourhood Association

Re : 229 Government St. Victoria

I am writing to express my opposition to the proposed variance sought by Jacquie & Chuck Meagher in respect of their present home at 229 Government St.

I note the application is the name of Jacquie Meagher and that she and her husband, Victoria realtor Chuck Meagher, currently live in that home. My view from my home looks across the back of their yard.

The address has already been fully developed—there is paved parking outside the home basically the entire lot, both front and back yard. There are at least 2, if not 3, separate residences in their home and parking for several vehicles, as it is.

I understand the Meaghers now seek to build, in addition, a garage with living quarters overhead and build it right next to the fence with little, if any set back from the neighbours yard.

Building a two storey building in that area will spoil my current view of gardens, the James Bay Inn & Legislature. In my view, it would be one more step to spoiling the charming character of this residential area. I was very surprised, upon seeing the pavement of their lot, that the city has permitted that given the concern of their neighbours with the run off of ground water into their yard.

I am unable to attend on May 10, but will hope to attend any hearing of the Board of Variance to express my opposition in person.

Yours truly,



Judith Milliken

May 8, 2017

Mayor and Council (cc. M. Betanzo; J. Handy)  
City of Victoria  
City Hall  
1 Centennial Square  
Victoria B..  
V8W 1P6

Re: Proposal for Variance by J. Meagher, 229 Government St.

Please note my following objections to the above proposal whereby J. Meagher is seeking a variance to change the current land use of the above property from the current R2 zoning to a Site Specific Zoning in order to: "build a garage with a one bedroom suite above it".

1. The site is already over-developed in that there has been a very recent addition built onto the rear of the house, thus extending the main structure a further distance and encroaching yet further upon the former back garden.
2. The back garden is already paved over to provide additional parking.
3. This is a duplex-zoned lot being utilized now as a triplex.
4. The set back, by necessity, will need to be excessive.
5. My views will be blocked of some of James Bay's historic sights, mainly the Parliament Buildings and James Bay Inn.
6. Nature itself will also be compromised owing to yet more trees being sacrificed to the construction - apart from the already excessive removal of trees on the property.
7. This is a proposal which lacks sensitivity in very many ways - adds greatly to density and disregards the inherent charm for which James Bay is notable.

I am, therefore, totally opposed to this venture.

Kate Hanley,  
228 St. Andrews St.  
Victoria, B.C.

[REDACTED]

V8V 2N2

[REDACTED]



**From:** Chuck Meagher [REDACTED]  
**Sent:** May-10-17 11:18 PM  
**To:** 'Marg Gardiner, JBNA'; 'Timothy Van Alstine'  
**Subject:** 229 Government St

Margaret and Tim

I have to apologize; I did a terrible job of presenting. I should have plugged in my own computer which I had with me and it would have been better. I had part of the sun study which I could have shown, but from the mood of the neighbors I am not sure they were ready for it in any event. I was completely blindsided by Robert Buckle who had indicated to me that he would support the application but in fact seemed to have gone to some extent to organize some opposition. I also know that David Helme was involved with Robert, but they sat far apart so as not to appear that they collaborated. I would like to go on record with the following notes and I did leave letters of support with your assistant.

For anyone to make statements that our property is over developed is not only wrong but it is also misleading, we did everything according to our zoning with permits. We have not over built; in fact we are below our allowable sq.ft. and we could have built 2 storeys instead of just one level out the back. We added over 85 mature plantings of 6 ft to the property and have continued to plant, to soften the property. We came from a very mature landscaped property and one of our biggest concerns was to get 229 Government St to that stage as quickly as possible. We grow enough veggies to supply ourselves, our tenants upstairs and my aunt and uncle across the Beacon Hill Park with spinach, arugula, tomatoes, beans, potatoes, cucumbers, garlic, onions, 5 different herbs, and apples. We will not lose any garden production with the proposal. The tree cover in the corner where we are looking to build is substantial and you will hardly see the building. That picture was shown at the presentation, but ignored by the negative people to change of density. ,

At the end of the day if we can't get a carriage house there will be a garage, I only need to apply for a permit. I won't have to do anything to appease neighbors and we move on. I won't have to provide trees or any other type of foliage.

Randy Storey the owner of 605 and 607 had the only legitimate concerns. I did have a survey done when we did our addition and even though we knew the hedge bordering his property was on our property as we planted it 25 years ago, it was reconfirmed with a survey. At that time I asked him if he wanted me to prune it back to our property line when we fenced and with discussion I agreed to leave it intact and jog our fence around the hedge without disturbing his side. If we move forward with only a garage, the hedge goes as we will be building to the setback of 1.92 feet, the roof peak of the garage will be 12 ft, and walls will be 9 ft. Unfortunately Mr Storey himself implied I was lying about the conduit that he saw in our yard near the back corner, that was in fact put in under the driveway to allow the sprinkler company to bring lines to the other side of the driveway. I can provide a written statement to confirm this. I have tried to contact and work with Randy on our issue and he just does not offer any constructive input.

The most disappointing aspect of what I heard tonight were the misrepresentations of neighbors claiming to have a view which they would lose if we built the carriage house. There is no view through the 30 ft high Cypress Hedge on 223 Government St from those properties, and even if the 30 foot hedge was gone there is no view through my existing house. The location of the Carriage House would not possibly block the so called views they spoke of.

The statement about cars coming and going and me running a business out of my house is wrong and misleading. This statement was made by a person who lives at 224 St Andrews, who has no view of our property. At the same time the tenant at 605 Marifield which is directly next to our property stated that it was currently so peaceful and quiet, and he has a concern about garage doors making noise at 2 am in the morning! So a direct neighbor who isn't trying to look through a 30 ft Cypress hedge feels like he backs on a park? I don't have anyone to my home on business, most of our guests arrive by foot and when we entertain most of our guests take a cab so they can enjoy some fine wine, again another fabrication to people in the meeting. Our tenants have one or two parties a year and are extremely quiet.

In response to the garage door opening and shutting at odd hours as a concern of the tenant at 605 Marifield when the Garage gets built, with or without a Suite, it will be my wife or I that use the garage. I can assure you that I am at home by 7 pm or earlier every day and never leave the house before 10 am in the morning, not to mention today's garage doors are super quiet and they will be because we live there too!

The comment about ground water was a joke, again from the person from 224 St Andrews, not even credible and certainly not a problem that has anything to do with our property, we installed curtain drains last year on our property to deal with all the runoff that came from St Andrews on to 223 Government St and from the neighbors property at 228 St Andrews, legal advice indicated we had a case, but I prefer to not waste time and money on negative ventures.

At the end of the day, the density is not even close to numerous properties in the neighbor hood and I believe the city of Victoria is interested in better land use.

There was a comment from the Chair that decks are not allowed in garden suites, the zoning says "roof top decks are not allowed" we are not showing any roof top decks, the entrance to the proposed suite is also a small deck area that overlooks our "own back yard" and no one else's

All that being said I am not sure that my wife and I want to subject ourselves to much more negativity. Although it is an opportunity lost, we don't need the money and we do want a garage. Once the garage is built we won't turn the clock back and another rental suite will be lost. We will wait for the report back from the JBCA, and any suggestions and I will have the Sun Study to you by the end of the day.

I have to commend the JBCA for your support to get these issues out to the community and all the work you guys do. I must say I do feel like I am out of touch. The property owners in the area just don't seem to care about adding new rental suites in and using the land properly. None of them grow food on their lots, with the exception of David at 235 Government St.

It looks like James Bay is now the New Oak Bay, Yuk!

Best Regards

Chuck Meagher (when and if we move forward I will hire a professional presenter, and we will have the sun study, no wonder it costs so much and we have such a rental shortage)

RECEIVED

JUL 18 2017

Mayor Lisa Helps and Council Members  
Victoria City Hall  
1 Centennial Square  
Victoria, BC  
V8W 1P6

12 July 2017

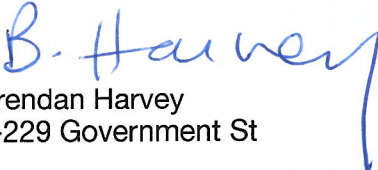
Mayor Helps and Council Members,

**Re: Carriage Suite application for 229 Government Street**

My wife and I currently reside at 2-229 Government Street in a long term rental suite on the second floor of the applicant's house.

We are very much in support of this application. As renters ourselves, we have seen the challenges that renters face in finding suitable and affordable long term accommodation in Victoria, especially close to the downtown core. The popularity of vacation rental sites such as Airbnb have incentivized landlords to eschew long term renters in favour of short term ones to the detriment of locals who cannot afford to buy in Victoria.

The proposed suite would provide an additional long term unit close to downtown and would make good use of some of the large backyard space available to the owners. We are supportive of their request and would like you to support this application as well.

  
Brendan Harvey  
2-229 Government St