

PUBLIC AND STATUTORY HEARINGS**1. Development Permit with Variances Application No. 00003 for 944 Heywood Avenue****1. Hearing****Development Permit with Variances Application No. 00003**

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 944 Heywood Avenue, in Development Permit Area 15A: Intensive Residential – Small Lot, for purposes of constructing two small lot houses.

The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw*:

Proposed Lot A

- Reduce the front yard setback of the from 6.00m to 3.20m
- Reduce the rear yard setback of the from 6.00m to 1.61m
- Permit parking to be located between the building and the front lot line

Proposed Lot B

- Reduce the front yard setback from 6.00m to 3.50m
- Reduce the rear yard setback from 6.00m to 4.57m

L. Taylor (Senior Planner): Provided information regarding the application, which proposes that the existing house be demolished and the construction of two small lot houses.

Mayor Helps opened the public hearing at 6:57 p.m.

Vernon Andres (Heywood Avenue): Provided information regarding the application, how the houses would be situated in relation to its neighbours, and why the variances are being requested.

Dan Kell (Vancouver Street): Expressed concerns regarding the application, which does not have immediate neighbour support as it encroaches on the neighbouring properties and would affect the quiet enjoyment.

Frances Rhett (Pendergast Street): Expressed concerns relating to the trees on the property, street parking, and the encroachment on neighbouring properties.

Lawrie Cherniak (Heywood Avenue): Expressed concerns related to the application and the effect the development would have on his property, in particular the sun and privacy issues that would be caused by proposed Lot B.

Council discussed the following:

- *The mitigation of privacy issues, through window placement.*
- *Concerns regarding the removal of trees on the lot.*
- *Whether the size of the lot is sufficient for the small lot requirements.*
- *Steps that have been taken with the proposal to mitigate neighbour's concerns.*

Mayor Helps closed the public hearing at 7:23 p.m.

2. Development Permit with Variances Approval**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council authorize the issuance of Development Permit Application No. 00003 for 944 Heywood Avenue, in accordance with:

1. Plans date stamped May 18, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot A

- i. Part 1.23 (8)(a): Reduce the front yard setback of the from 6.00m to 3.20m;
- ii. Part 1.23 (8)(b): Reduce the rear yard setback of the from 6.00m to 1.61 m;
- iii. Schedule "C" (3): Permit parking to be located between the building and the front lot line;

Proposed Lot B

- i. Part 1.23 (8)(a): Reduce the front yard setback from 6.00m to 3.50m;
- ii. Part 1.23 (8)(b): Reduce the rear yard setback from 6.00m to 4.57m;

3. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- *Whether further consultation with neighbours and staff is required.*
- *Concerns regarding the proposed variances.*
- *Whether an application for a duplex would also require variances.*

Motion to refer:

It was moved by Councillor Isitt, seconded by Councillor Young, that the motion be referred back to staff to work with the applicant, with a view towards greater mitigation of concerns raised by residents of 940 Heywood Avenue.

Amendment:

It was moved by Councillor Young, seconded by Councillor Isitt, that the amendment be amended as follows:

That the motion be referred back to staff to work with the applicant, with a view towards greater mitigation of concerns raised by ~~residents of 940 Heywood Avenue~~ neighbours.

On the amendment:
Carried Unanimously

Main motion as amended:

That the motion be referred back to staff to work with the applicant, with a view towards greater mitigation of concerns raised by neighbours.

On the main motion as amended:
Carried Unanimously