

July 4, 2017

Meghan and Jeff Day
3 Briar Pl
Victoria, BC
V8S 3J5

Re: Rezoning and Small Lot Subdivision at 335 Moss St, Victoria BC

We are residents of the above address. Our property is immediately adjacent to the proposed rezoning and small lot subdivision at 335 Moss St.

We have many concerns regarding the proposal that will be presented to Council this week. Foremost is the total lack of communication with the affected residents on Briar Place. It was a complete surprise to me reading through this week's COW agenda to see a report recommending rezoning and a small lot subdivision of 335 Moss St. It was also a shock to see that the developer claims to have petitioned our address. We have never met the proponent nor have we been invited to review the any of the many iteration of the proposal. Neither have others on Briar.

Neighbours at 1311 Fairfield were provided plans and information in 2016 by the developer. Our neighbours kindly shared this information with us. The residents of Briar attended a CALUC meeting in October where two of the Briar residents voiced concerns. None of the Briar residents were not notified of this or subsequent CALUC meetings – one resident spotted it on the Oct 2016 agenda at the last minute and alerted the other Briar residents. Only two were able to attend on such short notice.

During the intervening months, it appears that several iterations of the proposal with substantial changes were presented to the City. At no point were Briar residents consulted. We are surprised that the four Briar Pl properties would not have been identified as impacted. All four share title in the easement that traverses through 335 Moss.

Easement

Underground utilities easement granted to the Briar residents through 335 Moss will be disrupted. They were installed at great cost to the Briar residents over the past few years. I know the issue of service disruption was raised at the CALUC meeting by the residents of Briar, however, there has been no attempt to communicate a mitigation plan.

Setbacks and Shade Study

When we designed and built our house at 3 Briar, adjacent to 335 Moss, it was our assumption that rules are rules and we designed within the parameters of the bylaw and guidelines set out by Planning and City Council. We planned window placements etc based on existing shade plans and built form. We knew the setbacks for the lot at 335 Moss were too narrow to accommodate for a narrow lot rezoning and subdivision. It is our feeling that because rules set by the City were established after extensive community consultation and consideration just 5 years ago we would be safe to assume they would be applied equitably. I expect that if exemptions are granted the current property owner will profit by selling the opportunity to build to another developer. Although the proponent is seeking exemptions for the existing house, it is the proposed house that is not in compliance.

Fire Safety

The highly flammable cladding of the existing house is too close. More substantial steps would need to be taken to ensure adequate firewall exists between the properties.

We respectfully submit this letter for consideration by the Committee of the Whole meeting on July 6, 2017.

Jeff Day and Meghan Day