



Planning and Land Use Committee Report

For the Meeting on June 19, 2014

Date: June 5, 2014 **From:** Helen Cain, Senior Planner

Subject: **Rezoning Application #00417 and Development Permit with Variances for 1574 Bay Street** - Application to rezone from the R1-B Zone (Single Family Dwelling District) to the R1-S1 Zone (Restricted Small Lot One Storey District) to permit an existing one-storey house on a new small lot fronting Bay Street, and to rezone the rear portion of the property to the R1-S2 Zone (Restricted Small Lot Two Storey District) to permit one new two-storey small lot house fronting Victor Street, and a concurrent Development Permit for subdivision and design.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit with Variances for the property located at 1574 Bay Street. The applicant proposes to rezone the property from the R1-B Zone (Single Family Dwelling District) to the R1-S1 Zone (Restricted Small Lot One Storey District) to permit an existing one-storey house on a newly subdivided small lot and to the R1-S2 Zone (Restricted Small Lot Two Storey District) to permit construction of a new small lot house with three variances for front, rear and north side yard setbacks.

The following points were considered in the recommendation to Council for consideration:

- The subject site is designated as Traditional Residential in the *Official Community Plan, 2012* (OCP). The rezoning proposal is generally consistent with the uses identified for this Urban Place Designation.
- The proposal is compatible with the OCP objectives for sensitive infill and most aspects of the proposed design comply with the applicable guidelines in Development Permit Area 15A, Intensive Residential Small Lot Development.
- The proposal is generally consistent with the Design Guidelines for Small Lots. However, staff have concerns with respect to the visual prominence of a garage built into the front elevation and landscape design deficiencies.

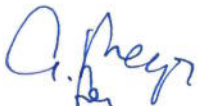
Given the proposal complies with OCP policy and design guidelines, staff recommend that Council advance the application to a Public Hearing, subject to design refinements to improve the landscape and street frontage of the new small-lot house.

Recommendations

1. a. That Council instruct the City Solicitor to prepare the necessary *Zoning Regulation Bylaw* amendments that would authorize the proposed development outlined in Rezoning Application #00417 for 1574 Bay Street.
- b. That Council consider giving first and second reading to the bylaw amendments.
- c. That Council schedule a Public Hearing after the bylaws have received first and second reading, subject to preparation, execution and registration of a Statutory Right-of-Way of 2.50 m along Bay Street to the satisfaction of the Director of Engineering and Public Works and City Solicitor.

2. a. That Council schedule a Hearing to consider a Development Permit with Variances for 1574 Bay Street, concurrently with Rezoning Application #00417;
- b. Following the Hearing, and subject to the adoption of the bylaw amendments for 1574 Bay Street, that Council authorize the issuance of the Development Permit with Variances for 1574 Bay Street, in accordance with:
- i. plans for Rezoning Application #00417 stamped May 21, 2014
 - ii. design refinements to the front elevation to reduce the visual prominence of the front garage and to increase green space, to the satisfaction of the Director of Sustainable Planning and Community Development
 - iii. development meeting all *Zoning Regulation Bylaw* requirements, except for relaxation of front, rear and side yard setbacks:
 - Part 1.22 – R1-S1 Zone, Restricted Small Lot One Storey District
 - minimum rear yard setback relaxed from 6.0 m to 5.49 m,
 - Part 1.23 – R1-S2 Zone, Restricted Small Lot Two Storey District
 - minimum front yard setback relaxed from 6.0 m to 4.00 m
 - minimum rear yard setback relaxed from 6.0 m to 4.40 m
 - minimum side yard setback from a habitable room relaxed from 2.4 m to 1.5 m;
 - iv. final plans to be in accordance with plans identified above.

Respectfully submitted,




Helen Cain
Senior Planner
Development Services Division



Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Jason Johnson
Date: June 13, 2014

HC:aw

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1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and a concurrent Development Permit with Variances for the property located at 1574 Bay Street.

2.0 Background

2.1 Description of Proposal

The subject site is a corner lot at the intersection of Bay Street and Victor Street. The applicant proposes to rezone the property from the R1-B Zone (Single Family Dwelling District) to permit subdivision with retention of the existing house on Lot A (Lot A House) and construction of a new small-lot house on Lot B (Lot B House). Lot A House would comply with all the criteria in the R1-S1 Zone (Restricted Small Lot One Storey District) except for the newly created rear yard (north) setback that would be 5.49 m rather than the standard 6.00 m. Lot B House would require three variances from the R1-S2 Zone (Restricted Small Lot Two Storey District). The proposed front yard and rear yard setbacks are 4.00 m and 4.40 m respectively, whereas the standard is 6.00 m. The third variance is to relax the north side yard setback, as measured from habitable windows, from 2.4 m to 1.5 m.

As part of this application, the City is requesting a 2.50 m Statutory Right-of-Way along Bay Street to secure public access to the portion of the parcel needed for future sidewalk expansion, cycling facilities and boulevard trees consistent with the standards in the *Victoria Subdivision and Development Servicing Bylaw, 2012*. It should be noted that the same frontage would be subject to a 0.856 m road dedication at the subdivision stage, should Council approve the Zoning Regulation Bylaw amendment. After road dedication, both of the proposed small lots would be larger than the zoning criteria for minimum site area (260m²).

The proposed site plan, house design and landscaping would include:

- mixed materials with concrete fibreboard siding (painted dark grey) and concrete fibreboard panels (painted light grey)
- vinyl windows with wood trim (green) and aluminum door with wood trim (green)
- the Lot A House would retain the existing driveway but would be reduced in its length to enable the existing house to have a deeper rear yard but otherwise the existing landscaping would remain
- the Lot B House would have a new driveway constructed with exposed aggregate concrete and a new private patio surfaced in finished concrete, as well as two rock gardens with small clusters of plantings, and a new hedge and fencing along the north property line.

2.2 Existing Site Development and Development Potential

The data table (below) compares the proposal with the R1-S1 Zone (Restricted Small Lot One Storey District) and R1-S2 Zone (Restricted Small Lot Two Storey District). The proposal is less stringent than the zone standards in the criteria identified with an asterisk (*) as noted below.

Zoning Criteria	Proposed Lot A (Existing House)	Zone Standard R1-S1	Proposed Lot B (Proposed House)	Zone Standard R1-S2
Site area (m ²) – minimum	341.12	260.00	265.00	260.00
Lot width (m) – minimum	16.76	10.00	15.85	10.00
Total floor area (m ²) – maximum	69.64	160.00	123.20	190.00
Density (Floor Space Ratio) – maximum	0.2:1	0.6:1	0.46:1	0.6:1
Height (m) – maximum	4.00	5.00	5.32	7.50
Storeys – maximum	1	1	2	2
Site coverage (%) – maximum	36.4	40	31.9	40
Setbacks (m) – minimum				
Front	6.75 (Bay)	6.00	4.00* (Victor)	6.00
Rear	5.49* (north)	6.00	4.40* (east)	6.00
Side (west)	3.30 (east)	1.50	1.50* (north)	2.40
Side (east)	3.35 (Victor)	1.50	1.50 (south)	(habitable room) 1.5
Vehicle Parking – minimum	1 space	1 space	1 space	1 space

2.3 Land Use Context

The subject property is located at the corner of Bay Street and Victor Street where land use is primarily low-density residential in the form of single-family dwellings and duplexes. Haultain Corner Village, a small node of commercial and community services, is located three blocks (220 m) northwest and Jubilee Hospital is four blocks (620 m) to the east. New infill that is low-scale, ground-oriented housing is well-suited to this context of north Fernwood.

The immediate land use context includes:

- the 2500-block of Victor Street, 22 parcels are in the R1-B Zone (Single Family Dwelling District)
- the 1500-block of Bay Street between Victor Street and Shakespeare Street, two parcels are in the R1-B Zone (Single Family Dwelling District); two parcels are in the R-2 Zone (Two Family Dwelling District); one parcel is in the R1-S1 Zone (Restricted Small Lot One Storey District); and one parcel is in the C-1 Zone (Limited Commercial District).

2.4 Legal Description

Lot 11, Section 48, Victoria District, Plan 7812.

2.5 Consistency with City Policy

2.5.1 Regional Growth Strategy

The proposal contributes to the *Regional Growth Strategy* goal of adding to the supply of housing within the boundaries of the City.

2.5.2 Official Community Plan, 2012

The proposed development is consistent with the relevant land use policies of the *Official Community Plan 2012* (OCP). The property at 1574 Bay Street is designated as Traditional Residential in the OCP where ground-oriented housing, such as small-lot single family dwellings, is enabled as appropriate forms of new infill.

In accordance with the OCP, the new small-lot dwelling is subject to DPA 15A, Intensive Residential Small Lot. The objectives of DPA 15A are:

4. (a) *To accommodate 10% of Victoria's anticipated population growth and associated housing growth in Small Urban Villages and residential area to encourage and support future and existing commercial and community services.*
- (b) *To accommodate housing growth in Traditional Residential areas in a manner that is gradual, of a small scale and adaptive to the local contexts.*
- (c) *To integrate more intensive residential development in the form of single family dwellings on relatively small lots within existing Traditional Residential areas in a manner that respects the established character of neighbourhoods.*
- (d) *To achieve a high quality of architecture, landscape and urban design to enhance neighbourhoods.*
- (e) *To integrate infill development in Traditional Residential areas that is compatible with existing neighbourhoods through considerations for privacy, landscaping and parking.*

The proposal for 1574 Bay Street is generally consistent with DPA 15A objectives for new infill that respects any established character in neighbourhoods and also complies with most of the applicable design guidelines. However, there are some outstanding issues with the proposed house design and landscaping, as detailed in "Section 4 – Analysis".

2.6 Consistency with Design Guidelines

The proposal is subject to review under DPA 15A, Intensive Residential Small Lot Development. Building form, character, exterior finishes and landscaping details are controlled and regulated in relation to the *Design Guidelines for Small Lot Houses, 2002*. Staff assessment of this small lot house proposal for compliance with applicable guidelines is summarized below.

2.6.1 Siting, Location and Topography

The subject site is a corner lot with an existing house that has its front yard on Bay Street and a rear yard on Victor Street where a new small-lot house is proposed on a subdivided lot. This new dwelling (Lot B House) will front onto Victor Street with east rear yard and side yard setbacks separating the small-lot house from the adjacent property to the north and from the existing house (Lot A House).

The proposed north side setback (1.5 m) is substandard because a wider area (2.4 m) is normally required next to habitable windows, but a hedge is proposed along the property line and the north elevation of Lot B House would face the south side of a neighbouring house, where the latter is a "blank wall". On the south elevation of Lot B House facing Lot A House there would be one small upper window. The rear elevation of Lot B House would have several larger windows but views into the adjacent yard at 1580 Bay Street would be limited due to trees on that property and the existing fence along the east property line.

2.6.2 Architectural Envelope

No exterior changes to the existing house are proposed. With respect to the new small-lot house, the scale, form and massing would be compatible with the block of Victor Street between Bay Street and Haultain Street where houses are small in size and streetscape character is varied. Generally the new small-lot house is influenced by mid-century Modern architectural styles as seen in features such as the flat and obliquely angled roof, horizontal form and a relatively high proportion of glazing to the solid-wall surfaces.

2.6.3 Openings

The main entrance of the new small-lot house would be a prominent feature of the Victor Street frontage, central to the façade with large windows on either side of the door. However, this elevation frontage would have a built-in front garage with a lower façade that is a lighter colour than the upper façade, which would draw visual attention to the garage door. On the rear elevation there would be both patio doors and windows facing the rear yard of the adjacent house to the east, but the proposed depth of the back yard (4.4 m) and the existing fence that separates the two properties would help to protect the privacy of adjacent neighbours.

2.6.4 Textures and Detail

The colour palette for the small-lot house would be neutral with some variety in the materials and textures such as dark grey concrete fibreboard siding and light grey concrete fibreboard panels with wood accent panels, vinyl windows and aluminum front door with wood trim and a painted aluminum garage door.

2.6.5 Landscaping

No new landscaping is proposed for the Lot A house. The landscape design for the Lot B House would include a new hedge along the north property line, rock gardens in the front and rear yards with small clusters of plantings, and a rear patio in finished concrete. There would also be a paved pathway with interspaced groundcover along the south property line, connected from the street through to the rear yard.

2.7 Community Consultation

The applicant consulted with the Fernwood Community Association on September 4, 2013. Correspondence from their Land Use Committee is attached to this staff report.

With respect to the Small Lot Housing Rezoning Policy petition, the required poll of neighbours (attached) was conducted in 2013 and it yielded 83% support.

3.0 Issues

The issues related to this application are:

- variances for setbacks
- landscaping deficiency
- front garage visibility.

4.0 Analysis

4.1 Variances for Setbacks

The relaxation of the rear yard setback for the Lot A House is reasonable because the front yard is fairly large and the total site coverage is less than the small-lot house standards. With respect to the Lot B House, the north side yard is substandard because this side of the new house would have habitable windows. However, the livability of the house occupants and neighbours would not be negatively impacted from the narrow setback because the north elevation windows are small and would face the “blank wall” of the adjacent house. The depth of the rear yard is also less than standard but adequate for an outdoor amenity area. The low height of the new house, and presence of an existing fence along the east property line, would mean that potential overlooks into the neighbouring yard to the east would be limited. Lastly, this block of Victor Street has some variety in front yard setbacks, some of which are deeper than the proposed small lot house, while others are similar to the proposal or closer to the street, including Lot A House, and the property on the west corner of Victor Street and Bay Street.

4.2 Landscaping Deficiency

Although the proposed site plan includes front and rear yards with room for plantings, the landscape plan is primarily rock gardens. To ensure there is a high quality of outdoor amenity space, the staff recommendation for the Development Permit with Variances includes a condition for design revisions to improve the amount of soft surfaces and green space provided through lawn, or generous shrubs and plants.

4.3 Front Garage Visibility

In this proposal, the garage does not protrude from the rest of the front elevation but would be somewhat visually prominent because of the design choices for materials and colour palette. These exterior finishes should be reconsidered to blend the garage with the upper façade.

5.0 Resource Impacts

There are no resource impacts anticipated.

6.0 Conclusions

This rezoning proposal for two small-lot houses is aligned with the OCP land use policy for sensitive infill in Traditional Residential areas. The proposed rear yard variance for the existing house on a new small lot is reasonable given that the total site coverage would be less than is normally allowed for this type of development and that the front yard would provide outdoor amenity space. Additionally, the relaxation of standards for the front, rear and north side yard setbacks for the new house would have little impact on adjacent neighbours and would result in a streetscape that is comparable with the existing pattern in the immediate vicinity. With respect

to the Development Permit with Variances, design refinements are needed to reduce the visual prominence of the garage and to improve the quality of landscaping. The staff recommendation to the Planning and Land Use Committee reflects these proposed changes and advances the application to a Public Hearing.

7.0 Recommendations

7.1 Staff Recommendations

1. a. That Council instruct the City Solicitor to prepare the necessary *Zoning Regulation Bylaw* amendments that would authorize the proposed development outlined in Rezoning Application #00417 for 1574 Bay Street.
- b. That Council consider giving first and second reading to the bylaw amendments.
- c. That Council schedule a Public Hearing after the bylaws have received first and second reading, subject to preparation, execution and registration of a Statutory Right-of-Way of 2.50 m along Bay Street to the satisfaction of the Director of Engineering and Public Works and City Solicitor.
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 - minimum rear yard setback relaxed from 6.0 m to 4.40 m
 - minimum side yard setback from a habitable room relaxed from 2.4 m to 1.5 m;
 - iv. final plans to be in accordance with plans identified above.

7.2 Alternate Recommendation

That Council decline Rezoning Application #00417 and the Development Permit with Variances for 1574 Bay Street.

8.0 List of Attachments

- Zoning map
- Aerial photo
- Letters from Martin and Patrice Holman, stamped November 14, 2013, and February 5, 2014
- Plans for Rezoning Application #00417 stamped May 23, 2014
- Summary and Responses to Small Lot House Rezoning Petition completed October 2013
- Letter from Fernwood Community Association Land Use Committee, stamped October 24, 2013, and associated correspondence.





1574 Bay Street
Rezoning #00417
Bylaw #



Martin & Patrice Holman
1254 Kings Road
Victoria BC
V8T1X7
Canada



Mayor and Council
City of Victoria
No 1 Centennial Square
Victoria
V8W1P6
Canada

12th September 2013

Dear Mayor and Council

1574 BAY STREET – PROPOSED REZONING

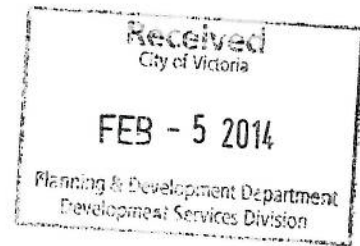
In regards to the Rationale for rezoning :

- **Government Policies** – yes we believe this conforms to official community plan, neighbourhood plan and relevant Design Guidelines.
- **Project Benefits** – good land use, gives an increase tax base and creates needed work.
- **Need & Demand** – creating “In Fill” Lots.
- **Services** – Yes.
- **Neighbourhood** – corner lot.
- **Impacts** – we believe it will compliment the street and not have any negative effects on the street.
- **Design** – The street is an eclectic collection of homes and our contemporary design should enhance the street. We are proposing to sink the house into the ground thus lowering the height and blending better into the street scape. Once the landscaping grows it will be a soft affect.

Yours faithfully

A handwritten signature in blue ink, appearing to be "MH" or similar initials, with a long horizontal stroke extending to the right.

Martin & Patrice Holman



January 23, 2014

Mayor Fortin and Council
City of Victoria
#1 Centennial Square
Victoria, BC

Mayor Fortin and Members of Council,

RE: 1574 BAY STREET - REZONING APPLICATION

I respectfully request your consideration of a proposal to rezone my property at 1574 Bay Street from R1-B, Single Family Dwelling District to R1-S2, Restricted Small Lot (Two Storey) District so that I can subdivide the 620 m² lot into two separate lots and build a new small lot single family house facing onto Victor Street. The existing one storey house facing onto Bay Street will be retained.

The proposal is in keeping with policies for infill housing in the *Official Community Plan*, the *Fernwood Neighbourhood Plan* and the *City's Small Lot House Rezoning Policy and Design Guidelines*.

The 620 m² lot, which is on the north-east corner of Bay and Victor Streets, has a small (69 m²), 2 bedroom, single storey, house facing onto Bay Street. The surrounding properties also have smaller single family houses for the most part built in the 1940's and 1950's. A number of other properties in the neighbourhood, similar to this, facing onto Bay Street, have been rezoned to permit duplexes and small lot houses.

The proposed subdivision will create 2 new lots; a 355 m² lot for the existing house and a 265 m² lot for the new house. Both lots are above the 260 m² lot area required for small lot rezoning. The new single storey, 123.2 m² home will have 2 bedrooms and a den. The house, with its modern style and quality materials, is specifically designed, given the grade change across the property from north to south, to minimize its street profile and fit into the neighbourhood. Parking is tucked under the building in a one car garage.

The proposed house is well under the R1-S2 zone maximum floor space (123 m² compared to 190 m²), height (5.58 m compared to 7.5 m) and site coverage (37.7% compared to 40%). However in order to achieve this unique design a number of relaxations are requested:

- *Relaxation of the front and rear yard setbacks from 6.0 m to 4.3 and 4.0 m respectively.* The one storey, low profile nature of the design requires a larger floor plan than a two storey design and pushes the building walls further into the front and rear yard setbacks. The decision to keep the house well below the maximum permitted height (5.58 m as opposed to 7.5 m) makes it a better fit for the neighbourhood and reduces potential shadowing of adjacent properties. Additionally, the 4.3 m front yard setback provides for a transition along Victor Street (from the 3.35 m flanking side yard of the existing house on Bay Street to the

possible front yard setback on the property to the north on Victor Street). The proposed rear yard provides a large and usable private patio and garden area for the homeowners.

- *Relaxation of the north and south side yards from 2.4 m to 1.52 m.* The R1-S2 zone actually allows side yards of 1.5 m, as proposed, where walls do not have any windows into habitable spaces. The purpose of this is to minimize concerns over privacy between adjacent properties. Given that the proposed house includes habitable space with windows in the side walls every effort has been made to minimize any concern for privacy. All of the proposed windows in the side walls are either small "piano" windows (placed higher up to still allow light into the room but prevent people looking in or out) or are below grade. The existing house to the north has no windows in the side wall.
- A further relaxation is requested for the proposed rear yard setback for the existing house from 6 m to 5.49 m. This relaxation, which requires the removal of a small porch, does not reduce the usability of the rear yard and is mitigated by the large side yards and low site coverage.

The design of the new home fits well with the neighbourhood and as an infill project, the modest increase in number of units on this property helps the City move forward, albeit in a small way, towards its continued goal for a more sustainable community.

I thank you for your consideration of my application and look forward to discussing it with you.



Martin Holman

1574 bay street
LANDSCAPE CONCEPT PLAN

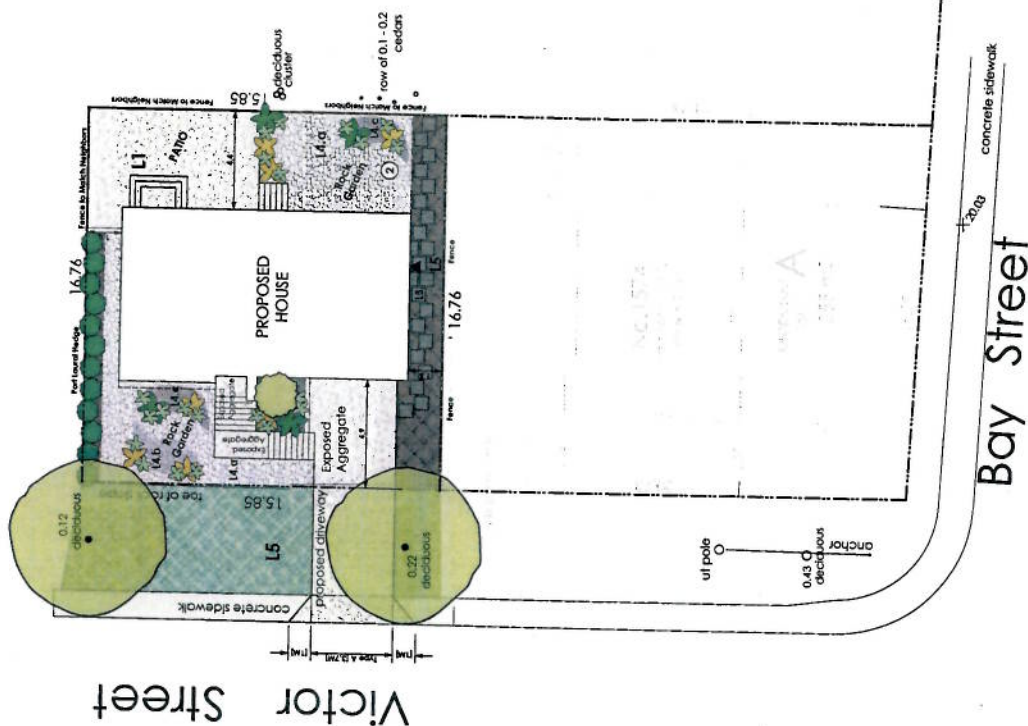


proposed rezoning
1574 BAY STREET
VICTORIA B.C.

17

drawing # 7398

scale
1:100

drawn by
JDFVICTORIA
DESIGN
GROUP

PLANT LEGEND

Paul Leonard Madsen

100

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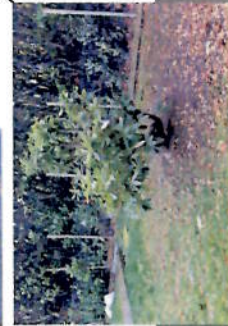
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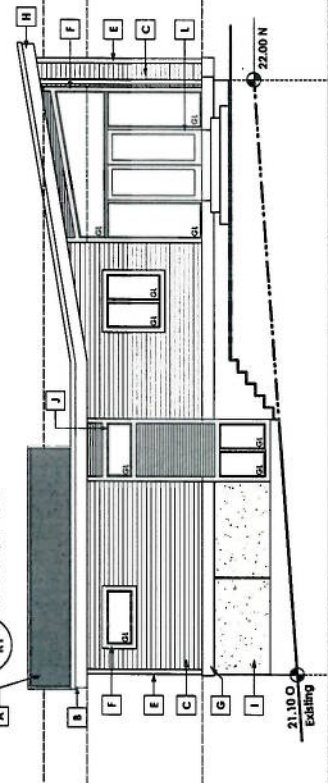
1574 bay street LANDSCAPE CONCEPT PLAN

#103 891
ATREE AVENUE
VICTORIA, B.C.
V9B 0A6
PH: 250.382.7374
FAX: 250.382.7364

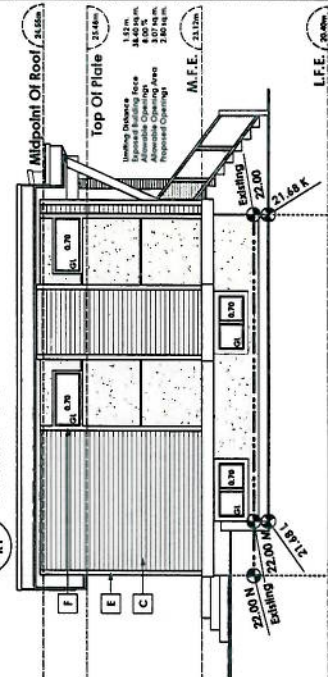
EXTERIOR FINISHES

- A S.E. BOILING
- B WHITE GUTTER
- C COMB. BITE LAY SIDING
- D WOOD PANEL SIDING
- E 1"x4" CORNER TRIM
- F 1"x4" WINDOW / DOOR TRIM
- G 1"x4" WINDOW / DOOR TRIM
- H 1"x4" WINDOW / DOOR TRIM
- I 1"x4" WINDOW / DOOR TRIM
- J 1"x4" WINDOW / DOOR TRIM
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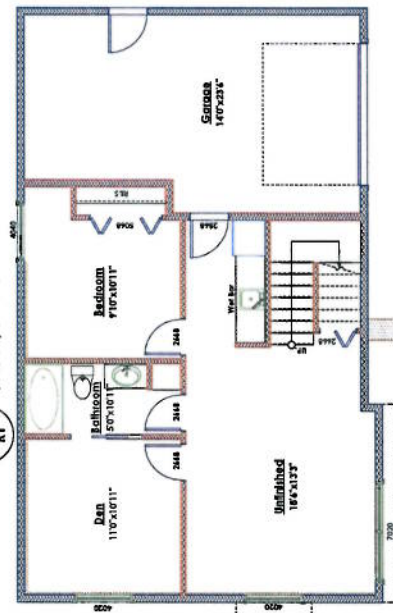
1 Front Elevation Scale: 1/4" = 1'-0"



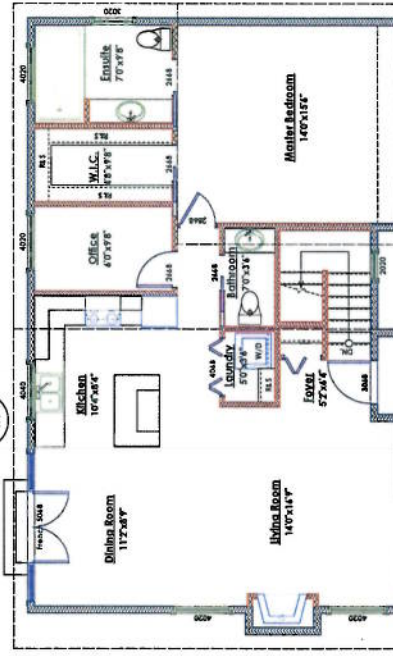
2 Right Side Elevation Scale: 1/4" = 1'-0"



3 Rear Elevation Scale: 1/4" = 1'-0"



4 Left Side Elevation Scale: 1/4" = 1'-0"



5 Lower Floor Plan Scale: 1/4" = 1'-0"

Garage 302.27 sq.ft. (65.23 sq.m.)

Unfinished 18'6" x 13'2"

Bedroom 11'0" x 10'11"

Bedroom 11'0" x 10'11"

Garage 14'0" x 23'4"

6 Main Floor Plan Scale: 1/4" = 1'-0"

1023.07 sq.ft. (95.12 sq.m.)

Ensuite 7'0" x 7'8"

W.C. 5'0" x 7'8"

Office 10'0" x 9'8"

Kitchen 10'0" x 9'8"

Dining Room 11'7" x 8'5"

Living Room 14'0" x 14'5"

Master Bedroom 14'0" x 18'4"

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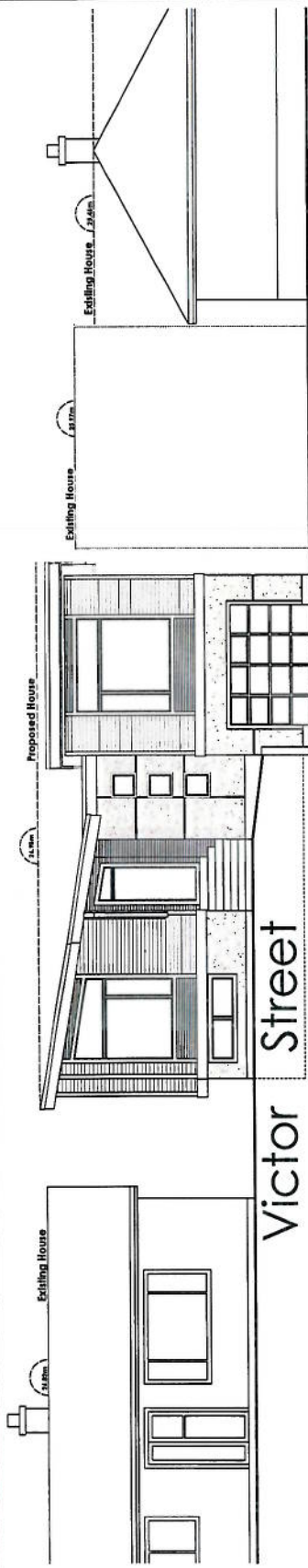
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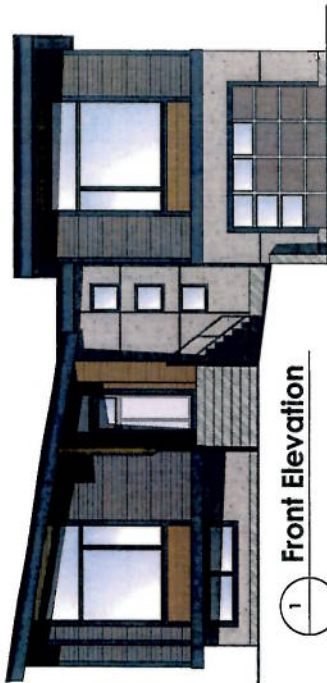
Victor Street



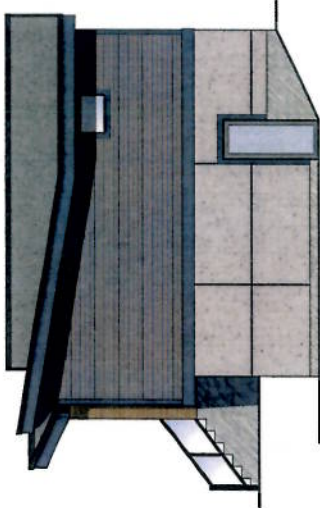
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VICTORIA DESIGN GROUP
 7398
 R2 OF R4
 May 14, 2014
 As Shown
 J.D.F.
 1574 Bay Street
 Victoria, B.C.

Scale: 1/8" = 1'-0"
 Date: 05/14/14
 Sheet: 123113 PM



1 Front Elevation



2 Right Side Elevation

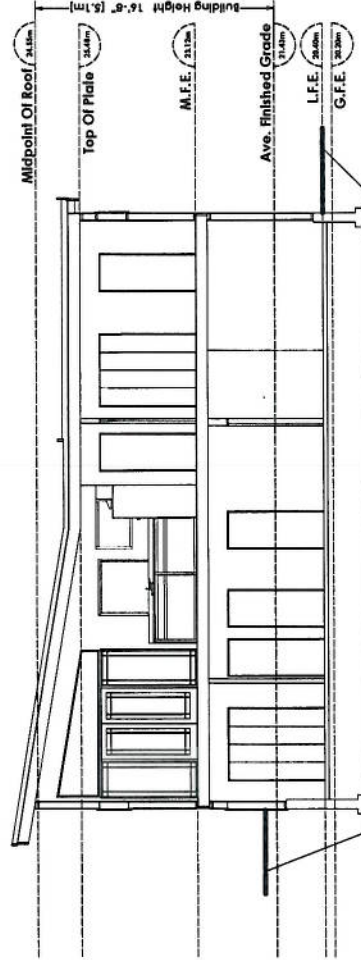


3 Rear Elevation



4 Left Side Elevation

COLOR/PAINT INFO	
COUCH (REAR) PANELS	IMAC 187 Country Gray
COUCH (FRONT) PANELS	IMAC 187 Country Gray
AS (Front) and Door Trim	IMAC 133 Yorkstone Green
ROOF	Dark on Roofing
TRIM	TRIM
DOORS AND WINDOWS	Dark
WOOD FINISHING	Dark



1 Section A-A

Scale: 1/8" = 1'-0"
Date: 12/21/13

PROFESSIONAL SEAL

CONSULTANTS

LIST OF REVISIONS

NO. DATE DESCRIPTION

11/11/13

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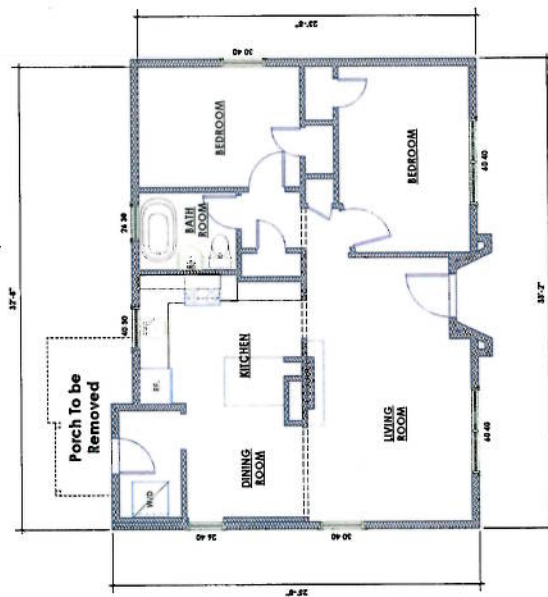
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VICTORIA DESIGN GROUP
7398
R3 OF B4
May 14, 2014
As Shown
J.D.F.
1574 Bay Street
Victoria, B.C.

Proposed Residence
Martin & Patrice Holman
1574 Bay Street
Victoria, B.C.

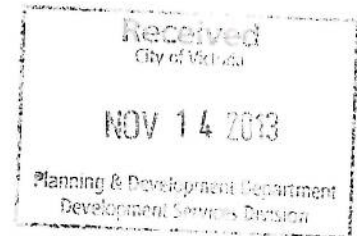


Scale: 1/4" = 1'-0"

Date: 23/5/14
Time: 12:31:14 PM

[illegible]

**SUMMARY
SMALL LOT HOUSE REZONING PETITION**



I, MARTIN HOCHAN, have petitioned the adjacent neighbours* in compliance with
(applicant)

the Small Lot House Rezoning Policies for a small lot house to be located at 1574 BAY ST
(location of proposed house)

and the petitions submitted are those collected by OCT 29 8:27 AM / 11/13 **
(date)

Address	In Favour	Opposed	Neutral (30-day time expired)
1551 BAY ST	✓	✓	✓
1545 BAY ST	✓		
2506 VICTOR	✓		
1580 BAY	✓		
2515 VICTOR	✓		
2512 VICTOR		✓	

SUMMARY	Number	%
IN FAVOUR	5	83
OPPOSED	1	17
TOTAL RESPONSES	6	100%

NO RESPONSE

*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.



SMALL LOT HOUSE REZONING PETITION

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

MARTIN HOLMAN (print name), am conducting the petition requirements for the

property located at 1574 BAY ST

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) IAN MUNRO (see note above)

ADDRESS: 2506 VICTOR ST

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:

DAED OCT 24/13 SIGN. [Signature]



SMALL LOT HOUSE REZONING PETITION

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

MARTIN HOLMAN (print name), am conducting the petition requirements for the

property located at 1574 BAY ST

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) JOYCE GRANT (see note above)

ADDRESS: 2515 VICTOR ST

Are you the registered owner? Yes ☒ No ☐

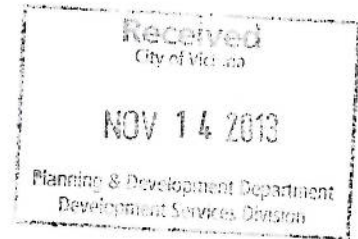
I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

DATE OCT 24 / 13 SIGN [Signature]



SMALL LOT HOUSE REZONING PETITION

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

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Please review the plans and indicate the following:

NAME: (please print) JOHN BYRNE (see note above)

ADDRESS: 1545 BAY ST

Are you the registered owner? Yes ☒ No ☐

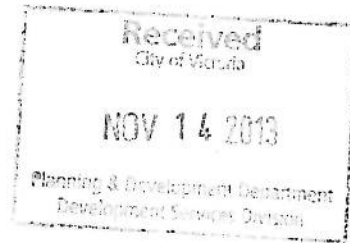
I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

DATE Oct 24 /13 SIGN [Signature]



SMALL LOT HOUSE REZONING PETITION

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

MARTIN HOLMAN (print name), am conducting the petition requirements for the

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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) ELIZABETH DEVOLDER (see note above)

ADDRESS: 1551 BAY STREET, VICTORIA BC

Are you the registered owner? Yes ☒ No ☐

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

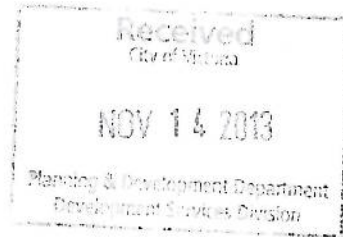
☒ I support the application.

☐ I am opposed to the application.

Comments:

ACROSS THE BAY IS ALREADY R2.

DATED OCT 24th / 13 SIGN. BED Devolder



SMALL LOT HOUSE REZONING PETITION

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

MARTIN HOLMAN
(print name)

, am conducting the petition requirements for the

property located at 1574 BAY ST

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) Chris Bigelow-Nuttall (see note above)

ADDRESS: 1580 Bay St U8R2124

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:

DATE OCT 24/13 SIGN. [Signature]



Land Use Committee
Fernwood Community Association
1923 Fernwood Road Victoria, BC V8T 2Y6
Phone/Fax: (250) 384-7441
Email: landuse@fernwoodvic.ca

October 22, 2013

Mayor and Council
City of Victoria



Re: Rezoning Application #00417 for 1574 Bay Street

Dear Mayor and Council:

On September 4, 2013 the proposed redevelopment of 1574 Bay Street was presented at the Fernwood Community Association Land Use Committee meeting. This Official Community meeting was attended by ten people where the proponent and his architect presented their plans and answered questions. A Preliminary Community Meeting was also held for the property on August 7, 2013.

Enclosed is a letter received from Elizabeth Martin who was unable to attend the meeting. Ms. Martin lives on Victor Street across from this property.

Generally the comments made at both community meetings did not support this rezoning. The front and rear variances requested for the building proposed for the new small lot were considered excessive. It was the opinion of some at the meeting that the small lot zone already gives people a break on lot size and setback requirements and that a minor variance would be OK but this is asking for too much. The combined square footage of the two variances was estimated to be 42.3 m² (462 sq. ft.) or 45% of the buildings footprint.

The proposed house will not align with the other houses on Victor Street. The City's Small Lot House Design Guidelines address this issue by saying 'Unless handled carefully, a setback that varies significantly from the established pattern may be disruptive to the streetscape.' This point is raised by Elizabeth Martin in her letter.

Someone else felt that sometimes a corner lot just doesn't work for two small lot houses. It was suggested that a house that meets the required setbacks be built instead.

The Land Use Committee is concerned that variances of this magnitude will set a precedent for other small lot rezoning applications. As a result the committee will be approaching the Fernwood Community Association and seeking support for a policy statement that reflects this concern. Unfortunately this work was not able to be concluded by the time this letter was needed.

Sincerely,

A handwritten signature in cursive script, reading "David Maxwell". The signature is fluid and stylized, with a large, sweeping "D" and a long, horizontal tail stroke.

David Maxwell, Chair
Land Use Committee
Fernwood Community Association

Pc: Sustainable Planning and Community Development Department, City of Victoria
Board of Directors, Fernwood Community Association

September 4, 2013.

David Maxwell,

Land Use Committee Chair,

Fernwood Community Association,

Since I am unable to attend the Fernwood Community Meeting on September 4, 2013, I decided to write a letter expressing my views.

I am opposed to Martin Holman's development proposal for the lot at 1574 Bay Street. I have several reasons for this as follows:

- 1) A new zone is requested which is quite out of character with the other single family dwellings on the 2500 block of Victor Street. He is planning to build a number of units/residences on a very small lot.
- 2) The proposed new house is very large and will project out close to the street. It will not fit in with the surrounding houses.
- 3) I am concerned that blasting could damage the neighbouring houses.
- 4) The corner of Bay and Victor is already a very crowded and busy place.

-There is a day-care at 2506 Victor which accommodates up to 5 children.

-The traffic coming and going from Victor to Bay Street is formidable.

5) Martin Holman plans to be an absentee landlord. He will not have to deal with any of the congestion and traffic issues.

I believe that if Mr. Holman is allowed to go through with his proposal, he could seriously undermine the quality of life in this neighbourhood. For many years now Victor Street has been a pleasant place to live and very favourable to young families. My hope is that it will stay this way.

Respectfully submitted,

Elizabeth Martin

