

Pamela Martin

From: Andrea Coulter [REDACTED]
Sent: Friday, April 07, 2017 1:57 PM
To: Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)
Subject: Proposal to consider removing the rezoning requirement for garden suites - feedback

Dear Mayor and Council,

I have been following the proposal to amend the Official Community Plan to consider the removing the rezoning requirement for garden suites. I am pleased to see that a privacy section has been added to the proposed Garden Suite policy based on feedback from the public. I do have one outstanding concern that makes me unable to support the removal of the requirement to rezone. I value the requirement to consult with those who are affected by a proposed development that is part of the rezoning process. I don't feel that what is proposed as a replacement to the rezoning process ensures that those who will be negatively impacted by a garden suite will have a way to voice their concerns.

I recognize the need for greater housing density in Victoria. I also do not have a problem with building garden suites. I do, however, firmly believe that consultation with neighbours who are affected should be a mandatory part of the development process for garden suites. In a perfect world, we could rely on the good will of our neighbours to ensure that this consultation happens, but we don't live in a perfect world. Garden suites have the potential to substantially affect up to five households (the three households that back the lot wishing to build a garden suite and the immediate next-door neighbours). It is important that a mechanism is built into the development process that ensures those five neighbours are consulted with.

I would be able to support the proposal to remove the rezoning requirement for garden suites if the replacement process included a mandatory consultation process with the immediate neighbours. Currently, the replacement process does not include this. I therefore cannot support the proposal to remove the rezoning requirement to build a garden suite.

Thank you,
Andrea Coulter
[REDACTED]
Victoria, BC

HOUSING MATTERS!

City of Victoria's New Garden Suite Policy:

A Tenant's Perspective

2017

*This document has been prepared by Victoria Adams, Housing Advocate, James Bay
New Horizons Society, Victoria, B.C. e: [REDACTED] – March 31, 2017.*

A TENANT'S PERSPECTIVE ON THE CITY OF VICTORIA'S PROPOSED GARDEN SUITE POLICY

Why is the City revising its Garden Suite Policy?

To address Victoria's severe housing crunch, near zero vacancy rate, and soaring land values, the City says it is trying to come up with novel ways to improve the quality of housing stock and increase the supply for tenants who represent 60 percent of households.

Sounds like a benevolent gesture on the part of elected officials. But, driving this policy are developers who see an opportunity to cash in on infill redevelopment opportunities in single-family home neighbourhoods. Streamlining the "onerous" (read lengthy and costly) consent process now means rezoning and consulting with neighbours will no longer be necessary. And, staff will be delegated the authority by Council to approve development permits for garden suites.

Housing in Victoria is out of reach for most first-time home-buyers. A growing proportion of renters (students, fixed-income seniors, and moderate-income working people) now spend more than half their monthly income on shelter costs. *"Making Victoria More Affordable"* remains a pipe dream.

"A Home for Everyone" is **not** the vision of City politicians. No surprise, therefore, that tenants don't count—even though they pay property taxes and face the highest housing burdens. And, face the greatest risk of being displaced by growth and redevelopment. When decent-paying jobs and homeownership prospects evaporate among millennials, the City will offer little to relieve them of a bleak future. The fact of the matter? On a national basis, about 20 to 30 percent of the Canadian population will remain lifelong renters. The message is written on every city wall: **Owners wanted; renters need not apply. Buy or leave!**

Downtown Victoria has been transformed into high-end multiple-storey glass condo towers for affluent baby-boomer retirees; and, absentee real-estate investment speculators using units as income-generating alternative hotels for tourists.

The City is now keen to create real estate investment opportunities through residential property commercialization to single-family homeowners in Victoria's 12 neighbourhoods. Fewer than 30 property owners have built garden suites over the past decade or more. However, the housing situation has changed dramatically since the Great Recession and there's now a gold mine to be exploited in underdeveloped single-family dwelling lots.

The City recently played host to the inaugural Real Estate Investment Network Expo. Why? To sell residents the idea of making money by: commercializing their real estate assets, or adding value to their properties by renting them as Executive Accommodations; luxury holiday houses; seasonal Snowbird nests; and home-stays for students from abroad.

What's Wrong With This Picture?

Garden suites, a.k.a coach houses, carriage houses, laneway homes and granny suites, are compact, self-contained ground-oriented units, often located behind single-family detached dwellings. Such units may increase housing diversity and choice, and/or improve housing affordability for home-owners and high-income renters; but, they are really just business ventures for property owners designed to capitalize on Victoria's "hot" overvalued real estate market.

Before the arrival of the new "home-sharing" business model: Airbnb, HomeAway, FlipKey etc., tourists stayed in hotels and licensed bed-and-breakfasts. Now, with globalization and access to capital via unprecedented low interest rates, rampant real estate speculation is taking place in the most desirable cities. By using peer-to-peer platforms such as Airbnb, tourists are finding cheaper accommodation alternatives in private residences. And property owners are now renting out entire condos, homes and garden suites—untaxed, unlicensed and unregulated to tourists which is more profitable than renting to local long-term tenants.

Victoria is no exception. It's a major tourist hub for cruise ship passengers, and an environmentally-friendly "lifestyle" mecca for outdoor enthusiasts and the mega-yacht crowd. No surprise that Victoria is now being promoted as a premium-priced playground for domestic and foreign visitors, and an exclusive enclave for seasonal homeowners.

Older multi-family housing properties are being demolished. Why? To make way for boutique, mid- and high-rise condos near the water—and within walking distance of a celebrity harbour pathway or an iconic bridge over the Gorge Waterway. In the meantime? Long-term renters by the hundreds are being displaced. Sadly, they have few places to go.

The City provides no guarantee of public land to secure affordable rental spaces for those living on modest incomes. Property owners are not obliged to build affordable rental units for long-term tenants or downtown housing for hospitality industry employees, retail clerks, or homecare workers. The highest return on property investment these days may be converting a residential property into a mini-hotel. Why not garner a return of three or four times what you could charge a local long-term tenant?

The City of Victoria is now streamlining the development process, rewriting its bylaws to reduce parking requirements and size of housing units while increasing housing density to accommodate 20,000 more people over the next three decades. Doesn't this gloss over the fact that it's primarily a monetary mechanism? To reward predominantly homeowners? Increase taxes for the City? Isn't this designed to invite residential property owners to invest in upgrading their homes for higher resale values? And send renters packing who can least afford to pay for living in a carriage suite or a quaint garden cottage? Or is this just a necessary consequence of a one-sided housing strategy?

Why Should You Be Skeptical of this Garden City Fairytale?

The City has devoted no resources to developing a housing inventory. No surprise! When did you last hear that hundreds of homeowners are leaving their homes because they can't afford to live in the neighbourhood? When did you hear about a homeowner obliged to live in her car because she could no longer afford to put a roof over her head? Did any impoverished homeowners join the ranks of last year's homeless population living in Victoria's infamous Tent City?

The City does nothing to protect the safety of tenants living in partially refurbished apartments; does nothing to curb the growth of short-term vacation rentals in gentrified neighbourhoods; does nothing to ensure that owners undertaking renovations also seismically upgrade their rental properties to protect tenants in the event of an earthquake.

You believe the City has your interests at heart? When Council does nothing to ensure—appropriate, affordable, and available housing units for the majority of its tenant households? When City Hall won't develop a Tenant Protection and Relocation Policy to mitigate the effects of displacement on tenants as a result of residential redevelopment? Makes you wonder about their commitment to building a diverse, healthy and sustainable City.

Does City Council's care and compassion extend only to supporting the interests of 'vulnerable' Fernwood taxpayers using their homes as short-term vacation rentals to pay their mortgage—at the expense of thousands of potentially displaced renters? Here's another question: When our condos, secondary suites and garden cottages have all been converted into unlicensed and untaxed tourist accommodation, who will be left in the City to provide services to all those vacationers and seasonal homeowners?

Victoria now has the third highest rents of any Canadian city. And, a dubious designation as Canada's 'medically-assisted death' capital. Better not to ask what Victoria can do for you. Better to ask what you can do for Victoria...by leaving—especially if you're a renter, and/or old and frail, ill and impoverished, or a student carrying huge student debt.

By sending the homeless and those living in unsecured rental housing to who knows where, decision-makers will be able to ensure that the doors to Canada's *"City of Gardens"* remain open only to privileged members of society.

Still think Victoria's City Hall sees you as part of their 21st century vision?

Think again.

Pamela Martin

From: Steve Bowker [REDACTED]
Sent: Tuesday, March 28, 2017 12:50 PM
To: Lindsay Milburn; Community Planning email inquiries
Subject: Feedback to Garden Suites easing

To: lmilburn@victoria.ca communityplanning@victoria.ca

RE: Feedback about easing the rules to encourage Garden Suites

Hello,

On the Victoria Facebook you were asking for comments about removing rezoning/hearing requirements prior to approval of garden suites with the justification of helping with the rental shortage.

https://www.facebook.com/CityofVictoriaPage/posts/10154750365018171:0?_fb_noscript=1

I have a few obvious questions which are not answered in your literature. These questions are my feedback questions.

1. How many of the existing 18 garden suites are rented to Victorians, and how many of them are rented out over AirBNB.COM, VacationRental.Com, etc as illegal bed & breakfasts and as high priced short term rentals??? RSVP.

<===

Your planning department and council need to know this, and be prepared for this before going any further.

2. Have you ever read the provincial statutes regarding zoning, variances, and changing density? If so then you will know that you cannot use a variance to change density, and that all changes of density must go through a public hearing process (whether by rezoning or other). If your plan is to remove the need for those wanting to build a garden suite to discuss it with their neighbours and other interested public, then you have entered into a conspiracy to break provincial law.

3. The cheapest garden suite is a prefabricated one (factory made, CSA approved). If you allow cheap prefabricated ones, then that includes trailers, mobile homes, doublewides. If you allow those then a person could buy an old travel trailer for \$1,000, put it on blocks, and then pay \$5,000 for plumber, electrician, and permit to hook it up. Voila, for \$6,000 he has a garden suite. I doubt that the neighbours will like it. How are you going to control this?

4. Have you ever read the BC Building Code? Under that code an outbuilding suite is not allowed if:

- there is a suite in the main building
- there is a business or home business in the main building How do you intend to enforce this?

Thank you,

Steve Bowker

2125 Quimper St, Victoria, BC

Pamela Martin

From: The Sky is the Limit Design [REDACTED]
Sent: Tuesday, March 28, 2017 2:21 PM
To: Lindsay Milburn
Subject: comments on garden suite

Just wanted to say that I am very much for a process that makes the addition of garden suites in Victoria easier and provides a speedier permit process. 😊

Personally I would not restrict any rooftop space, but of course glazing towards neighbours depending on the setback distance. I would, however, be concerned about parking solutions.

With warm regards from the desk of

Ines Hanl
THE SKY IS THE LIMIT DESIGN

780 Humboldt Street
Victoria, BC
V8W 4A1

www.theskyisthelimitdesign.com



Virus-free. www.avast.com

Pamela Martin

From: Shirley MacEachern [REDACTED]
Sent: Friday, April 07, 2017 3:41 PM
To: Lindsay Milburn
Subject: Garden suites

I am so pleased that the city is looking at abolishing the rezoning requirement for Garden suites. I am exactly in the middle of this scenario. My son and daughter-in-law have sold their house which was a financial burden for them. One perfect housing solution is for them to build a Garden suite on my large property. As a family we want to help support each other while remaining in private space, hence a garden suite is the perfect solution and most affordable. I have considered selling my house because the yard is becoming too onerous for me to handle. I fully support this initiative of the city to provide people with more affordable housing options for our children. Thank you for your consideration.

Shirley MacEachern
3155-Fifth Street
Victoria
V8X 1E8
[REDACTED]

Pamela Martin

From: Robin Bayley [REDACTED]
Sent: Thursday, March 23, 2017 1:42 PM
To: Lindsay Milburn
Subject: FW: garden suite policy

I am responding to *Tell Us What You Think About the Proposed Garden Suite Policy*.

I live in south Fairfield, a neighbourhood that has many lots identified by the City as appropriate for garden suites and some have already been built nearby. Infill is also happening and the two elicit similar concerns.

Residents often have their formal, seldom-used rooms at the front of the house, facing the street. They put their more private living spaces in the back, quite often in more modern extensions with larger windows and private outside space like decks and patios. Garden suites can affect privacy and quiet enjoyment by causing headlights to illuminate those private spaces. Sight lines might currently take advantage of the garden space of one's own backyard plus the yard of neighbours. Significant investment might have been made into rear or side-facing yards, only to have them turn into bunkers from a fence or wall that cuts the aspect in half. I applaud your consideration of privacy in terms of windows, but please also consider placement of driveways and the use of outdoor space. Neighbours of suites may no longer be able to carry on a private conversation outdoors.

Thank you for the opportunity to comment.

Robin Bayley

Attention: Ms Lindsay Milburn, Senior Planner, City of Victoria

RE: Proposed Garden Suite Policy Changes

Dear Ms. Milburn,

Firstly, may I say that I support the inclusion of “garden suites” in the permitted use of the “single-family” zones within the City. I myself had applied for and gone through the rigorous and expensive ordeal of rezoning to allow one on our property in Fairfield . As it turned out, outside reasons kept us from proceeding but I thought I would throw my “two cents” in to the many comments and suggestions I sure you will go through in order to shape a final policy suggestion.

The good thing is that the City is not starting from scratch and has quite a bit of experience in order to be able to tweak the existing guidelines into something quite workable. Also, I suggest, and you may have already done this, that you view many of the Vancouver examples and get feedback from the appropriate Planners involved in that City.

As for me, there are four specific items I would like to comment on: Design Guidelines, Minimum floor area, maximum building height, and second storey living space.

DESIGN Guidelines; In the current garden suite policy under item 4 “Character” it says “ Quality in design; high quality architectural expression and unique individual identity of a garden suite are encouraged “ PERFECT, but unfortunately it then continues : “However, the garden suite should relate to the principal building on site in terms of materials, roof form, and general architectural expression.”

This, in my opinion flies in the face of the first sentence. When one closely examines the as-built neighbourhoods in Victoria the vast examples of single family homes are pretty basic and more driven by trends and cost limitations of that particular time in history. The last thing the legislation should do is perpetuate poor or dated design.

The additional problem is that the enforcement of this statement is so subjective and likely to cause the biggest headache for applicants and planners. It is too subjective and depending on who is deciding can have unfortunate results ..a horse designed by a committee looking like a camel !

MINIMUM FLOOR AREA: Right now any single family house can add a secondary suite within the existing structure and I believe this unit can be up to a maximum of 900 square feet. So if an owner who does not have a secondary suite or does not want one within their single family residence wants to build a free standing “secondary” unit outside the dwelling what is the rationale for them being so small? If the goal is to create a decent size living unit that will satisfy need in our neighbourhoods then I suggest the following:

- 1) for lot area up to 6000 sq feet : maximum floor area 400sq feet
- 2) for lot sized 6000 – 10,000 sq feet and up maximum floor area 600 sq feet
- 3) for lot sizes 10,000 sq ft and up – maximum floor area 900 sq feet

When you factor in the high cost of building a new free standing structure with all the servicing, access, and landscaping issues it only makes sense to allow larger living areas. After all adding a suite in a basement is usually a fraction of the cost of a brand new free standing housing unit. so why penalize so much?

MAXIMUM BUILDING HEIGHT: A little history , years ago an accessory buildings could have a height much greater than the current 3.5 m. Unfortunately, perhaps 12-15 years back the change in accessory building roof height was reduced too much to its current 3.5m. (ironically as the City worried that someone would add living accommodation over). If one imagines a dead level lot and only 8 ft interior wall height and a very low slope roof you can just meet a 3.5 m max as long as the building is not too deep as the deeper the building the higher the roof becomes. When these regulations were passed they were only thinking of garages as an accessory building. Now , however, if you are thinking about attractive , interesting living spaces the City needs to be a little more generous on building height.

For example 9 foot walls are much more common in living spaces for single family homes now and the difference between living in a smaller box with low ceilings and a more generous ceiling height can be substantial. So while you say you want “high quality architectural expression and unique individual identity” you cannot obtain that by being over restrictive on height. I’m not suggesting a huge increase but enough to give a little more flexibility in design , perhaps 4.5m?

SECOND STOREY LIVING SPACE: Right now the existing guidelines permit some living space on a second level on “plus lots” . The second floor space has to be max 50 % of the main floor and have maximum 7 ft ceilings. While I understand the fear that resulted in this original policy (ie potential impact of height on neighbours) when one tries to have guidelines that fits all applications it just doesn’t work. Consider for example someone wanting to make a coach house design...basically a living space over a garage which would be attractive and functional to a number of applicants. Right now the fact that the second floor could only be half of the first floor and the space could only have 7 foot headroom basically rules this type of structure out. How about something like this for dealing with anything over a single level garden suite: “Designs for garden suites where second floor living space is proposed require City Council approval”...not a rezoning but a formal City Council vote.

I believe that single level garden suites will receive little opposition and be readily accepted but second level living space justifies an extra level of scrutiny.

Good luck as this zoning amendment moves forward. I’ll be a keen observer of the final regulations.

Regards, Paul Osborne



Pamela Martin

From: mike washington [REDACTED]
Sent: Thursday, April 06, 2017 2:40 PM
To: Lindsay Milburn; Michelle Washington; mike washington
Subject: Re: Garden Suite Policies

Hi Lindsay,

Just a quick note to say I think the City of Victoria (COV) Garden Suite guidelines are solid except that the maximum size (400 sq. ft.) is too small. The size should be expanded to 500 sq. ft. as long as the lot size is sufficient.

OR

400 sq. ft. Garden Suites should be allowed in tandem with existing and/or proposed Basement Suites (for a *total* allowable space that is reasonable).

As a homeowner considering investing in a garden and/or basement suite, I won't risk spending the time and money to build housing that will be subject to a limited market and/or constant unit turnovers.

A 25% larger (500 sq. ft.) rental would cost 10% (est.) more to build as a 400 sq.ft. but it would attract a wider market and encourage long-term tenancies.

The associated time, money, stress, and risk involved with building a 400 sq. rental would be practically the same as a 500 sq. rental. Unfortunately, the 400 sq. will always have a relatively minuscule rental pool. Homeowners considering pre-made or modular structures would still face a limited market and regular unit turnovers.

If the COV officials want homeowners to help alleviate the housing crisis they should rightfully ask themselves if they would personally take on the liabilities and risks for such marginal benefits.

I believe that most homeowners will pass on this 400 sq. ft. option. I urge you to reconsider the size limitations and/or allow tandem Garden and Basement Suites. Please feel free to contact me any time you would like to discuss this matter further.

Respectfully,

Mike Washington
Harriet Rd.
[REDACTED]

Pamela Martin

From: Max [REDACTED]
Sent: Friday, April 07, 2017 3:30 PM
To: Lindsay Milburn
Subject: Proposed Garden Suite Policy

Morning Ms Milburn,

I wanted to send a quick note about the proposed garden suite changes to urge council to relax the regulations and allow for garden suites to be built more easily in our city.

My family and I currently live in Vancouver, but are in the process of moving home to Victoria where both my wife and I grew up. We have a one year old daughter now and would like nothing more than for her, and hopefully her siblings, to grow up in an amazing city like Victoria. We are a professional couple with above average income and we have found that Victoria has become unaffordable for families like ourselves. Our friends that have remained in Victoria are struggling to find solutions for their growing families as millionaires continue to retire to our city driving the house prices up as they come. With a growing family myself we have decided to purchase a portion of my fathers property and do what can be done to build a garden suite on his property in Fairfield. The home is very small and not large enough for all of us to live in, but the property is large enough to accommodate one of these garden suites and would make a perfect inlay suite for my father as he grows older, with the ability to spend plenty of time with his grandchildren as time goes by.

I hope that council will use this opportunity to relax some of the regulations that are in place currently. In the future I would love to see larger square footage depending on lot size as well as the ability to have a basement suite in addition to a garden suite. There is a serious shortage of rental space in our city, many of my neighbours would love the extra income to be able to more fully enjoy their properties but less financial burden and would welcome these sorts of changes.

Thank you for your role in our community and I look forward to seeing you around our great city,

Madeline, Clare and Max Ryan

Pamela Martin

From: Matthew Arthur Terence Busby- O'Connor [REDACTED]
Sent: Sunday, April 02, 2017 11:10 AM
To: Lindsay Milburn
Subject: housing

I think removing barriers to allow for more garden houses is fantastic. As someone who has lived in Vancouver its great seeing how people are making the most of the access space some larger lots provide.

As someone who is concerned about their long term ability to stay in Victoria, I think this would be a fantastic idea as the rental market is pricing me out of anything beyond my current set it. If something were to happen to me here, I'd probably have to leave the city behind.

Thanks

Matthew

Pamela Martin

From: mhornel [REDACTED]
Sent: Tuesday, March 28, 2017 10:23 AM
To: Lindsay Milburn
Subject: Proposed new garden suite policy

Hi Lindsay,

We met briefly in the crosswalk at Fisgard and Government, introduced in passing by John Reilly. I hope all is going well for you at the City.

I have reviewed the proposed new policy with respect to garden suites and I want to express my whole hearted support. Making garden suites a permitted housing form as of right in zoning is long overdue. I'm encouraged also by the capacity to relax the limitations in "plus site" locations.

I would further support initiatives to permit both garden suites and a secondary suite inside the main house as of right, as is currently permitted in Vancouver. Further I hope to see the City take action to broaden the range of ground oriented attached housing throughout the traditional residential designated areas, where site size and configuration and access conditions are suitable. This is a direction indicated in policy in the OCP and moving forward to establish clear physical standards where such uses would be acceptable would go a great distance towards opening up the largest part of the city to these "missing middle" forms of housing.

Best of luck in moving these initiatives forward.

Sincerely,

Mark Hornell

Sent from my Samsung Galaxy smartphone.

Pamela Martin

From: Kim Kennedy [REDACTED]
Sent: Tuesday, March 21, 2017 2:24 PM
To: Lindsay Milburn
Subject: Garden suite plan question - How does it apply to portable micro-houses?

Follow Up Flag: Follow up
Flag Status: Completed

Hello Lindsay,

I was just reading over the draft garden suite policy and it looks great!

I was left with some questions regarding how the garden suite policy applies or does not apply to portable tiny houses and micro-homes that are growing in popularity right now.

For more information on portable micro-houses see:
<http://thetinylife.com/what-is-the-tiny-house-movement/>
<http://www.rewildhomes.com/>
<https://www.tumbleweedhouses.com/>

It would be nice to have a little sidebar with some direction/policy/clarification on:

- Does a portable micro-house count as a garden suite?
- Whether a homeowner could opt to host a portable tiny house rather than build a garden suite?
- If both a garden suite and a portable micro-house would be permitted on the same property?
- Whether portable micro-houses are exempt and classified more like an RV?
(Does the classification of the portable dwelling change if power/sewer hook-up is provided on-site or if effort is made to ensure the dwelling is held stationary for a significant length of time? (i.e. more than two weeks), and if the dwelling looks more like a house than a vehicle)?
- It might also be good to include some direction on the appropriate “parking spot” on a property for where a portable micro-house should be parked and how many would be allowed per lot, just as there is clear direction for the locating of a garden suite on a property.

As portable micro-houses have many similar characteristics to garden suites, I thought you might want to address them.

I love all forms of garden suites and tiny houses, I hope they can become a more common part of our neighborhoods, and I hope that with good policy we can promote harmony between neighbors.

Thank you for taking the time to consider my questions.

Have a great day!
Kim Kennedy

Pamela Martin

From: Joanna [REDACTED]
Sent: Monday, March 27, 2017 9:35 PM
To: Lindsay Milburn
Subject: Garden Suites

As a resident/homeowner in the Gonzales neighbourhood I have some strong concerns about Garden Suites. I think neighbour/neighbourhood consultation is a must for each applicant.

We have had the challenges of living next door to a home with 2 illegal suites . The owner then doubled the size of a garage in the backyard, turning part of it into habitable space (without permits) and the City of Victoria has been extremely unresponsive to enforcing their own bylaws. We have be dismayed at the city of Victoria's handling (or rather lack of handling) the issues , and after over 3 plus years, appears to not care, despite complaints from ourselves and another neighbouring property.

If the city won't enforce current bylaws regarding suites, especially illegal ones when there are complaints, it is crazy to me to allow garden suites to be allowed without at minimum neighbourhood consultation. We live in a single family dwelling designated neighbourhood with absolutely no protection from having an illegal garden suite, in addition to 2 illegal suites, next to us.

Sadly our faith in the city to deal with current issues and bylaws is non-existent.

Sincerely,
Joanna

Sent from my iPhone with my iThumbs

Pamela Martin

From: JENNIFER RIECKEN [REDACTED]
Sent: Saturday, April 01, 2017 9:32 AM
To: Lindsay Milburn
Subject: Garden Suite policy change feedback

Hello,

I am writing to say that I am in favour of the proposed change to remove rezoning requirement for building a garden suite in Victoria. My sister, brother-in-law and I purchased a little house last year on a "super" lot and are in the process of making plans to build a garden suite for me to live in. Buying a place together was the only way they could manage leaving a basement suite rental (that they had lived in for 11 years with their daughter) and me to own more than a tiny sized condo in this city. We are both excited to have the opportunity to live in a quiet neighborhood, "above ground" and have some green space to enjoy. However, the costs to building the garden suite will be significant for us and stretch our budgets. Therefore, any ways to cut the costs would be appreciated as well as the timeline for planning/building. I think having good parameters in place that must be met in terms of potential impact on neighbors are important and have been considered already in requirements. We are also pleased that we are helping increase the density of the city in a way that doesn't significantly change the appearance of the neighborhood and into the future will potentially provide a quality rental for an individual or couple with green space. Removing any barriers for us and for others to do this is appreciated. Thank you for considering my feedback, Jennifer

Sent from my iPhone

From: James Davison [REDACTED]
Sent: Thursday, April 06, 2017 11:22 AM
To: Lindsay Milburn
Subject: Garden suite policy feedback

Ms. Milburn, Mayor and Council,

My name is James Davison. My wife and I own our house at 1637 Amphion St, on a 'plus site' lot. In my professional capacity I'm a land use planner for a CRD municipality, a Registered Professional Planner and a full member of the Canadian Institute of Planners.

While well-intentioned, I think you're going about this garden suite situation the wrong way. I'll outline the reasoning here:

1. Rezoning is a terrible tool to regulate garden suites. There are conditions attached to the Garden Suite policy which function as de-facto Development Permit guidelines. I also understand that building plans are required. To require plans or conditions as part of a rezoning is illegal; it runs counter to Section 479(1) of the Local Government Act, which requires that only use, density, siting, size and dimensions can be regulated through zoning. Should someone oppose the requirement to submit building plans or form and character information with their rezoning application, your requirements would not hold up to legal challenge. I feel a more reasonable approach would be to amend the Zoning Bylaw to permit them within the zones of your choice up-front, for reasons to follow.
2. Most garden suites will require variances to the requirements of the garden suite regulations, which will provide the neighbour input that the rezoning process desires. My lot is a bog-standard 40' x 120' with a 2400 sq. ft. 1910-ish arts and crafts house. It's about as archetypal as it gets for inner-city housing. I was doing the calculations recently for a deck addition and concluded that with a reasonably-sized deck my site coverage of 40% is already pretty close to being maxed-out, and I probably don't meet the parking requirement either. That means that even with you requiring a rezoning, I then have to go through a variance application on top of that. Do you want to bog your staff with all these applications? All you'll meet is NIMBY objection regardless; it won't provide meaningful feedback. You must be bold and simply move forward. Don't waste time on a meaningless process.
3. You're not looking at this from the perspective of a homeowner/investor. Currently there are prohibitive barriers to development: conditional zoning, variances, and the high cost of construction all paint a rather poor investment picture - because that's what it is to me. I'm not some altruistic housing provider; I want to see benefit from giving up my back yard, my privacy, my reason for having a detached residence in the first place. I'm a capitalist; I want a net benefit. Why would I saddle myself with a non-titled \$100k dwelling in my rear yard that will take a decade to pay off when I could choose other investments (condo, equities) with much more liquidity than this. You need to make the barrier to developing these things low. It's too high right now, and that's why you're not seeing uptake. Under your current living-in-vehicles proposal I could buy and rent out an RV and park it next to my house with no permissions required. Why wouldn't I do that instead? (Note: I'm not actually going to do this, but people will).
4. It's not providing good quality housing. A family can't live in a 400 sq. ft. dwelling. If I build a garden suite, it sterilizes my property for a long time - property that could be developed into a duplex, or three row houses, or another form of housing that could suit a family rather than me sitting in my earthquake-prone 110 year old house with a single medical resident in the backyard dying to get out of school and live in a real place. I'd really like to be in a position where I could re-develop my property with a safe,

solid, new-build for myself and at least one other family that would actually have a fighting chance of surviving an earthquake.

We need quality, family-friendly housing. This garden suite policy is just a band-aid solution designed to save face with the SFH protectionist crowd and will effectively sterilize whole blocks to new development for decades. It will create a two-tiered society instead of an egalitarian one where safer, cleaner, higher-density housing (and the jobs that go with the construction) is provided. You need to be promoting the building of freehold rowhouses, strata townhouses, three bedroom suites and other family-friendly units instead. Please abandon these small initiatives and be bold enough to lift us into a situation where good housing stock is both achievable and realistic. Those who want to live in pastoral splendour can certainly move further out; the city needs city housing.

Thank you for taking the time to listen.

Regards,

James Davison MCIP RPP
1637 Amphion St

From: Gloria Back [REDACTED]
Sent: Thursday, April 06, 2017 1:32 PM
To: Lindsay Milburn
Cc: Jonathan Tinney; Leanne Taylor
Subject: Proposed Revised Garden Suites Policy

Lindsay,

I am writing in response to your request for community feedback to the City's proposed changes to the Garden Suites Policy and Guidelines. Thank you for your time earlier this week in responding to my questions. I am ccing other Senior Planning officials in this email, for their information.

The City has established stringent set-back policies for main residential dwellings, in order to address key issues such as *privacy and noise*. While I understand that the City is trying to expand the provision for Garden Suites to help alleviate our housing shortage, the key issues of privacy and noise concerns for neighbours become even more important given the smaller set-back requirements for Garden Suites.

I believe that privacy and noise are not adequately addressed in the current, as well as the proposed, policies for Garden Suites. Furthermore, your proposal to eliminate the re-zoning process for Garden Suite Applications provides for no formal communication/consultation mechanism with neighbours who will be directly impacted.

Eliminating the Requirement for Re-zoning

I appreciate the onerous requirements of re-zoning and why the City is proposing to do away with this requirement for new Garden Suites. However, if approval is to be delegated to City Staff, the following needs to be in place:

- Clear and detailed guidelines on all elements of building Garden Suites, with a standard of a "blank rear wall" for all Garden Suites
- Clear processes for monitoring compliance at all stages of design and construction
- While neighbourhood consultation is not needed, there should be a clear, documented requirement for consultation with directly impacted neighbour(s), including a mechanism for neighbour concerns to be addressed. The comment "It is advisable to discuss the proposal with your neighbours", as the only communication requirement, is totally inadequate, and is not in the interests of good neighbourly relations.
- As part of the Garden Suites Policy, City Staff should be able to independently hear neighbours concerns and require the Garden Suite applicant to address them where appropriate.
- City staff should be prepared to mediate disputes, working towards a compromise for both parties.

Windows: Privacy and Noise concerns

Since privacy and noise impacts on neighbours should be prime considerations in approval of a Garden Suite, I believe that no windows whatsoever should be allowed on the rear side of a Garden Suite building. The suggestion in the updated draft guidelines to enhance the wording to "strongly discourage" windows does not go nearly far enough.

- The City suggestion that a window could be opaque as a design measure does address privacy, but this measure does not deal with potential noise.
- A prime concern is noise resulting from any windows on the rear wall. Even windows that are fully closed allow more noise to escape than a solid wall
- If the City wishes to include the possibility of rear windows in the policy (or allow existing structures to retain their windows) the following is recommended:
 - Windows are to be triple glazed (my research is that this is not significantly more expensive than double glazed)
 - Windows must be opaque, not clear
 - Windows must not be openable (i.e., sealed shut)

If neighbours concerns are not addressed with these measures, and the City deems their concerns reasonable, the applicant must take steps to mitigate the concerns (for example, by building a fence higher than the top of the Garden Suite window—bylaw exemptions for fence heights may need to be relaxed but should be warranted in such situations).

Other noise concerns

The policy also does not address potential noise issues emanating from the building infrastructure. While this is a harder issue to measure, it still needs to be addressed in the Garden Suites Policy. Dryer vents, kitchen vents, heating vents, heat pumps can all contribute to noise.

Under normal setbacks for main dwellings, these types of noises tend to be irrelevant or significantly lessened. With the setbacks for Garden Suites, the City policy needs to address this issue by guidelines such as:

- No heat pumps allowed (many are so noisy)
- Venting out of the rear wall should be avoided, and should instead be done through another wall and/or the roof.

Thank you for giving the public an opportunity to comment on the upcoming changes to the Garden Suites Policy and Guidelines.

Gloria Back

Pamela Martin

From: Gerry S [REDACTED]
Sent: Thursday, April 06, 2017 1:38 PM
To: Lindsay Milburn
Subject: Garden suites

I am retired and a condo home owner and would never be living in one of these but I think building them is an excellent idea. Several were built in the Vancouver Kerrisdale neighbourhood where I lived before moving to Victoria and they served to provide much needed living space within the city and were very attractive. I would not restrict rooftop use, however, as having outdoor space is healthful and soul restoring after working all day. If people sign a lease agreeing to behaviour guidelines it should not be a problem. They should agree in the beginning that they automatically forfeit the space if they do not comply.

Just another opinion.

Sincerely

Geraldine Swayze

Pamela Martin

From: Colin Grainger [REDACTED]
Sent: Tuesday, March 28, 2017 4:59 PM
To: Lindsay Milburn
Subject: Garden suite feedback

I am all-for removing the rezoning requirement for garden suites.

Thanks
Colin

Pamela Martin

From: Cameron White [REDACTED]
Sent: Saturday, March 25, 2017 9:30 AM
To: Lindsay Milburn
Subject: Garden Suite Feedback

Hi Lindsay,

I am a homeowner in the Hillside-Quadra area, and I fully support the proposal to remove the rezoning requirement. In fact, I don't think it goes far enough.

The requirement that garden suites be located in the rear yard is unnecessarily restrictive and unfair. My own home is set quite far back on the lot. I could easily fit a unobtrusive garden suite in my front yard and make it all but invisible to my neighbours and the street with some basic landscaping, but I could never fit one in my rear yard. Even if I could, it would be more intrusive to my neighbours than one located in the front yard, as the houses behind us are also set well back.

Please consider replacing this stipulation with something that takes the location of the main building into account. Perhaps suites could be permitted in the front yard if the distance from the street to house exceeds the distance from the house to rear property line by a defined amount, 50% for example. The same rule could apply in reverse with respect to rear-yard suites.

I wholeheartedly support garden suites as a means of increasing housing supply, but I think that an open-minded review of all the current requirements would be beneficial.

Thanks for considering my input.

Cameron White