

Pamela Martin

From: JT [REDACTED]
Sent: Thursday, January 19, 2017 11:12 AM
To: Planning
Subject: rezoning application/ 90-92 Dallas Road

To City Planning : re a rezoning application to permit construction of a new duplex at the triple intersection of Dallas Road, Niagara Street and St. Lawrence Street in James Bay.

Kudos to the foresight of those putting this together. The existing property is an eyesore. A clean new duplex here is most welcome.

Respectfully, John

Tregurtha 21 Dallas Road.

Pamela Martin

From: webforms@victoria.ca
Sent: Thursday, January 12, 2017 5:35 PM
To: Victoria Mayor and Council
Subject: Mayor and Council email Re: Property at 90, 92 Dallas Rd

From: Bonnie Dale
Email : [REDACTED]
Reference :
Daytime Phone : [REDACTED]
Mayor and City of Victoria Council Members,

My concern is the proposed design for the property at 90,92 Dallas Road.

There has recently been a great deal of planning and effort to retain and highlight the heritage housing in the James Bay neighbourhood...

- (1) the restoration of the three historic houses which are now situated at 580, 584 and 588 Michigan Street as part of the Capital Park Heritage Homes project
- (2) the amazing land and sea voyage from Michigan Street which relocated two heritage houses to the corner of Dock Street and Dallas Road (222, 226 Dallas Rd).

Council should recall the renovation of the cottage at 152 Dallas Road (the corner of Dallas and Montreal Street which is directly across the road from where the cruise ship passengers enter our city). This property, unlike the proposal for 90, 92 Dallas, adds interest to the Dallas Rd walkway.

If two heritage homes built in the early 1900's can be successfully moved to Dallas Rd and restored for new owners, why can not the property at 90, 92 Dallas be restored? and if not restored then at least designed to "reflect" the heritage nature of the neighbourhood.

My concern is that with each new proposal planning to replace a home of some historic note with a modern design, we are steadily eroding the very heart and charm of our city.

Respectfully,

Bonnie Dale
#6 - 144 Dallas Rd

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[REDACTED]

Pamela Martin

From: John Fry [REDACTED]
Sent: Wednesday, January 04, 2017 7:01 PM
To: Victoria Mayor and Council
Subject: RE: Folder Number REZ00511 - Regarding Applications for: Rezoning, Setbacks and Site Coverage Variances for 90/92 Dallas Road - Response to Call for Public Comments

We, (Ulla Ressner and John Fry), had on December 30, 2016, submitted our comments (as neighbours to the subject property at 90 Dallas Road) regarding:

RE: Folder Number REZ00511 - Regarding Applications for: Rezoning, Setbacks and Site Coverage Variances for 90/92 Dallas Road - Response to Call for Public Comments

We write now to make one minor correction to that submission. On page 1 and under the heading 'Introduction', in the first paragraph and on second line: The word '**Registered**' should be corrected to read, '**Designated**'.

Please excuse our error.

Respectfully,

Ulla Ressner and John Fry

Pamela Martin

From: John Fry [REDACTED]
Sent: Friday, December 30, 2016 1:08 PM
To: Victoria Mayor and Council; Planning
Cc: jbna@vcn.bc.ca
Subject: Folder Number REZ00511 Rezoning, Setbacks and Site Coverage Variances for 90/92 Dallas Road - Response to Call for Public Comments
Attachments: 1.JPG; 2.jpg; 3.JPG; 4.jpg; 5.jpg; 6.jpg; 7.jpg; 8.jpg; 9.JPG; 10.jpg; 11.JPG; 12.jpg

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, British Columbia V8W 1P6
Email: mayorandcouncil@victoria.ca, planning@victoria.ca

December 30, 2016

RE: Folder Number REZ00511 - Regarding Applications for: Rezoning, Setbacks and Site Coverage Variances for 90/92 Dallas Road - Response to Call for Public Comments

To: The Mayor and Councillors; (Submitted via email and post)

Table of contents:

1. Introduction
2. The Proposal, Rationale and Due Diligence
3. Consequences for the Pleasure, Livability and Financial Value of our Home
4. Summary of our position on this application

Introduction:

We (Ulla Ressler and John Fry) have owned and lived in our bright south facing townhouse within a registered Victoria Heritage property (strata VIS 5549) since 2007. Abutting and with two floors of large windows, a porch and a balcony directly facing the subject property, we are immediately and profoundly affected by this proposal. The properties themselves (our own and the subject property) are the last two heritage buildings standing along this stretch of Dallas Road. Their fronting onto both St Lawrence and Dallas directly across from the Ogden Point Cruise Ship exit makes them the welcoming face of historic James Bay neighbourhood to hundreds of thousands of tourists each year.

We had naively hoped due to that special location, the buildings heritage nature, the planned city green space at that now closed three street juncture, the likelihood of that juncture being the departure point for a cross harbour sewage pipeline to the proposed treatment plant at Mcloughlin Point, and the heavily used tourist and local recreational pedestrian walks along that strip of both Dallas and St Lawrence: That a more historically authentic and aesthetically attractive residence or thoughtful public purposed use might be have been found for the subject property.

However, while it is always sad to see yet another James Bay Heritage building fall, we are delighted that after decades of neglect, unsightliness and decline, this owner is finally intending to do something to improve the state of their property. No more rats running to and from the crawl spaces, no more raccoons scurrying across the rooftops, no more thick weeds and grasses and trees and mosses growing from the roofs and gutters, no more smells of raw sewage, no more piles of debris and garbage against the house, no more fire hazards, and no more recurring need for attendance by city officials to address accumulated problems of neglect, deterioration or hazard on the property. All these conditions existed when we became neighbours in 2007; and all have

continued in aggravated manner since this application was initially proposed in 2012 by the owner's facilitator. It is and has been a constant affront and disregard to both tenants and neighbours alike.

The Proposal, Rationale and Due Diligence

The development facilitator engaged by the long-time owners of this property, has, in a letter to neighbouring property owners on September 10, 2012 and with the subject line: "Re: Rezoning proposal at 90/92 Dallas Road, Victoria, British Columbia", stated:

"We have been retained by the owners of the property to design a new duplex on this site. We have been reviewing options with the owners and the City to determine what would best suit this property and still ***allow this project to be economically viable.***" (Italics added)

We view as nothing new under the sun, the property owner's desire to enhance the utilitarian and thereby the financial value of their own property through seeking re-zoning and set-back variances to allow increases to the property's allowable site coverage and building placement. We also understand, that just as we had carried out our own due diligence research regarding what could and could not conceivably be built on that neighbouring property prior to our own home purchase in 2007, so too, must the owners of that property have carried out their own due diligence when deciding to purchase the property in question.

The existing limitations on development of that subject property, the St. Lawrence Street scene, the high enveloping Dallas Road tree canopy and sky views above and around the subject property, as well the scene of the Dallas Road walkway with its grand trees and ocean view through that greenery, constitute the present lovely neighbourhood views from our home. They were the determining factors in our decision to purchase the home. Consequently, as stated above, we carried out our proper due diligence research regarding any allowable future changes that could occur on the subject property in terms of building height, street and property-line set-backs, and building siting and site coverage. After visiting the Victoria City planning department and discussing our queries and concerns at length with their helpful staff; we received answers which informed and reassured us in our decision to purchase our home facing the neighbouring subject property. Over our years of permanent residence, we have also taken the opportunity to revisit the matter with Victoria City planning department staff as well as through comments solicited from various city inspectors and officers who have attended our own and the subject property through the years, and to be absolutely certain of the correctness of the response we had first received. Consistently and uniformly, the current building constraints of the subject property were restated to be the case due to the historical development of this neighbouring heritage property, its size, location and irregular triangular shape.

If the owners of the subject property had carried out their own due diligence prior to purchase, as they should have and most likely did, they would have long known the precise building limitations of the property they purchased: In the simplest of terms, they, as we, got what they bought.

Consequences for the Pleasure, Livability and Financial Value of our Home

Despite all, we will in certain respects miss that old house. When all the trees were at their spring and summer fullest green, when the roof tops and eaves were overflowing with hanging flowers and weeds and trees and mosses, the old heritage home and grounds were shrouded in green and its charm shone through. We recall that, as we imagine what this proposed project will now bring to the views, spaces and light enveloping our cherished home.

We have therefor taken a number of measurements based on the eventual proximity, siting, site coverage and heights of the proposed construction, and in terms of sight-lines and spatial relations to our adjacent home. It is both a fact and our day-to-day view, that the consequences for our property's pleasure, livability and financial

value from the proposed project would be a substantial diminishment of the open space around our home, the obliteration of our views from dining room and porch and balcony of the Dallas walkway with its shimmering ocean view through the greenery and high tree canopies and western skies, a dramatic shrinkage of our views of southern skies and high green canopy from balcony and dining room and bedroom and front porch and study, as well as significant blockage of downstairs study and front porch views of St Lawrence. At a more general level, this proposal would substantially darken the entire adjacent sunny southern face of our home in specific and of our entire strata building in general, while at the same time restricting Dallas and St Lawrence sidewalk views of this beautiful well cared for heritage building.

See attached below: Estimated ‘before and after’ home sight-line photos with this proposal

Summary of our Position on this Application

Considering the dramatic reduction in the enveloping space, light, view, pleasure and financial value of our home as a consequence of granting the requested application, and further considering all our past cautious efforts at due diligence and the authoritative reassurances received on this matter: We fail to see in either principle or persuasive rationale, any reasonable logic, legitimacy or fairness in having the liveability and financial value of our own property substantially reduced, simply so that the utilitarian and financial value of a neighbour’s property may be enhanced to achieve what they have arbitrarily, by and for themselves, chosen to deem as ‘**economically viable**’^{i[1]}. Again, they got what they bought.

Further, if we were to consider the issue of property owner ‘hardship’ as a basis for such by-law variance decision making, as does at times the Victoria Board of Variance, let us then speak of the hardship that the subject property owner has year in and out, decade in and out, inflicted on both their tenants and neighbours alike by their utter lack of care and repair of this building and its grounds. But this of course is neither a matter of property owner nor of public hardship.

It is rather a straight forward request by one property owner to greatly enhance the utilitarian and thereby financial value of a property whose existing building constraints have long been known to both the owners of that property and of its neighbouring properties. It is a request that seeks a specific and undue increase of financial value of a property, while in the very process imposing further property livability and financial value depreciation and deprivation on neighbouring property.

It seems to us that a failure to perform due diligence research prior to property purchase, or to refuse to accept the facts of that property, or to leave a property in decades of decline and disrepair: Is no basis for a subsequent request for public assistance in enhancing the ‘**economic viability**’^{ii[2]} of a private project, and at the expense of the livability and financial value of neighbouring property

For these reasons, we are completely opposed to the granting of these applications for zoning change and bylaw variances at 90 and 92 Dallas Road.

Respectfully,

Ulla Ressner and John Fry

Owners and permanent residents of:

Townhouse 6 - 118 Saint Lawrence St.,

Victoria, B.C. V8V 1X8

1[1] See page 2 above with quotation from a letter to neighbouring property owners on September 10, 2012 with the subject line: “Re: Rezoning proposal at 90/92 Dallas Road, Victoria, British Columbia”,

iii[2] See same reference as footnote 1 above

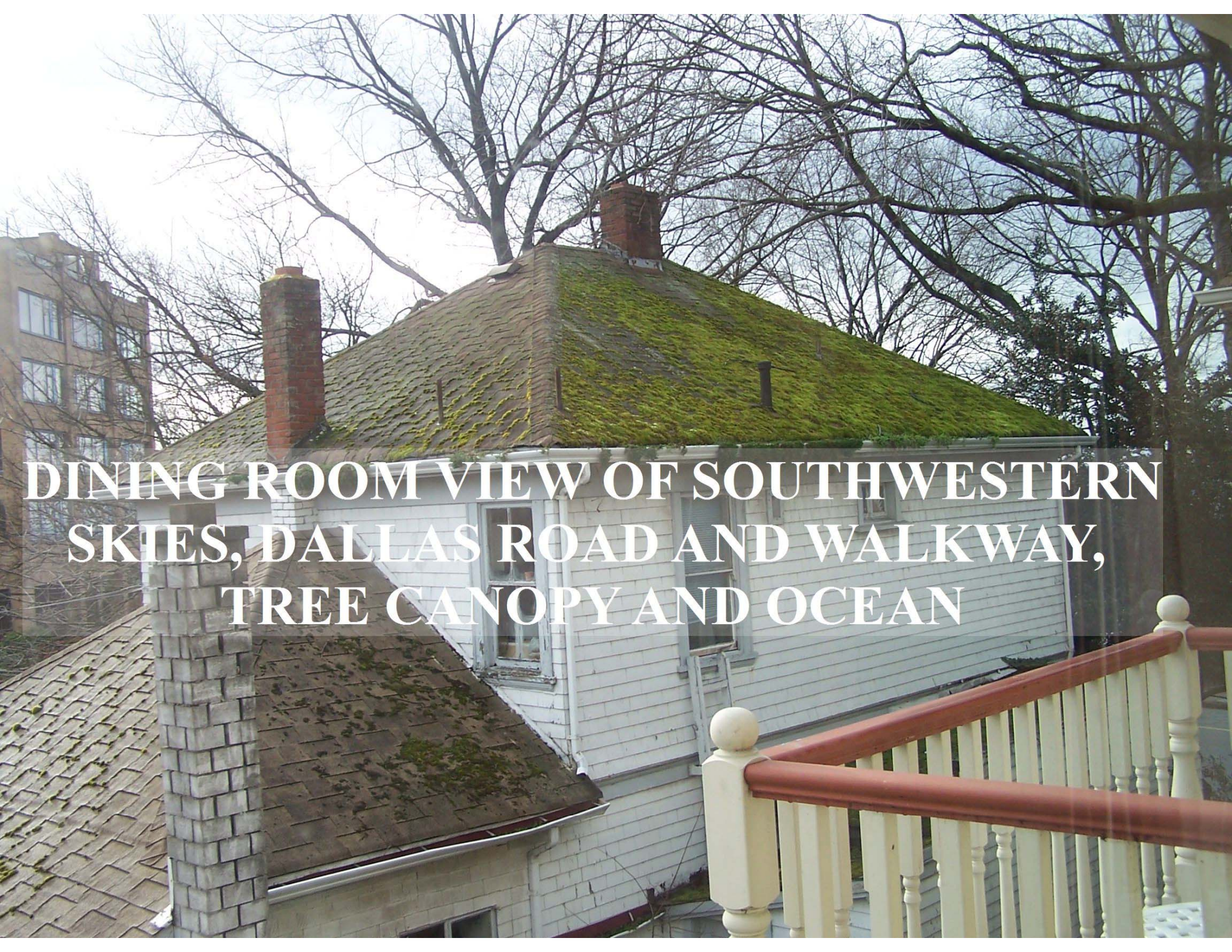
LIVING ROOM VIEW OF SOUTHERN SKY AND TREE COVER





**SAME LIVING ROOM
VIEW AFTER**

STUCCO



DINING ROOM VIEW OF SOUTHWESTERN
SKIES, DALLAS ROAD AND WALKWAY,
TREE CANOPY AND OCEAN



**SAME DINING ROOM
VIEW AFTER**

STUCCO





**BALCONY VIEW OF
WESTERN SKY, TREE
COVER, OCEAN AND DALLAS
ROAD**

**SAME BALCONY
VIEW AFTER**

STUCCO



A photograph taken from a veranda looking down St. Lawrence Street. In the foreground, a red car is partially visible behind some greenery, and a grey shingled roof of a nearby building is in the lower right. The middle ground features a multi-story, light-colored building with several windows and balconies. A utility pole with wires is visible in the background. The sky is overcast.

VERANDA VIEW OF ST LAWRENCE STREET



**SAME VERANDAH
VIEW AFTER**

STUCCO

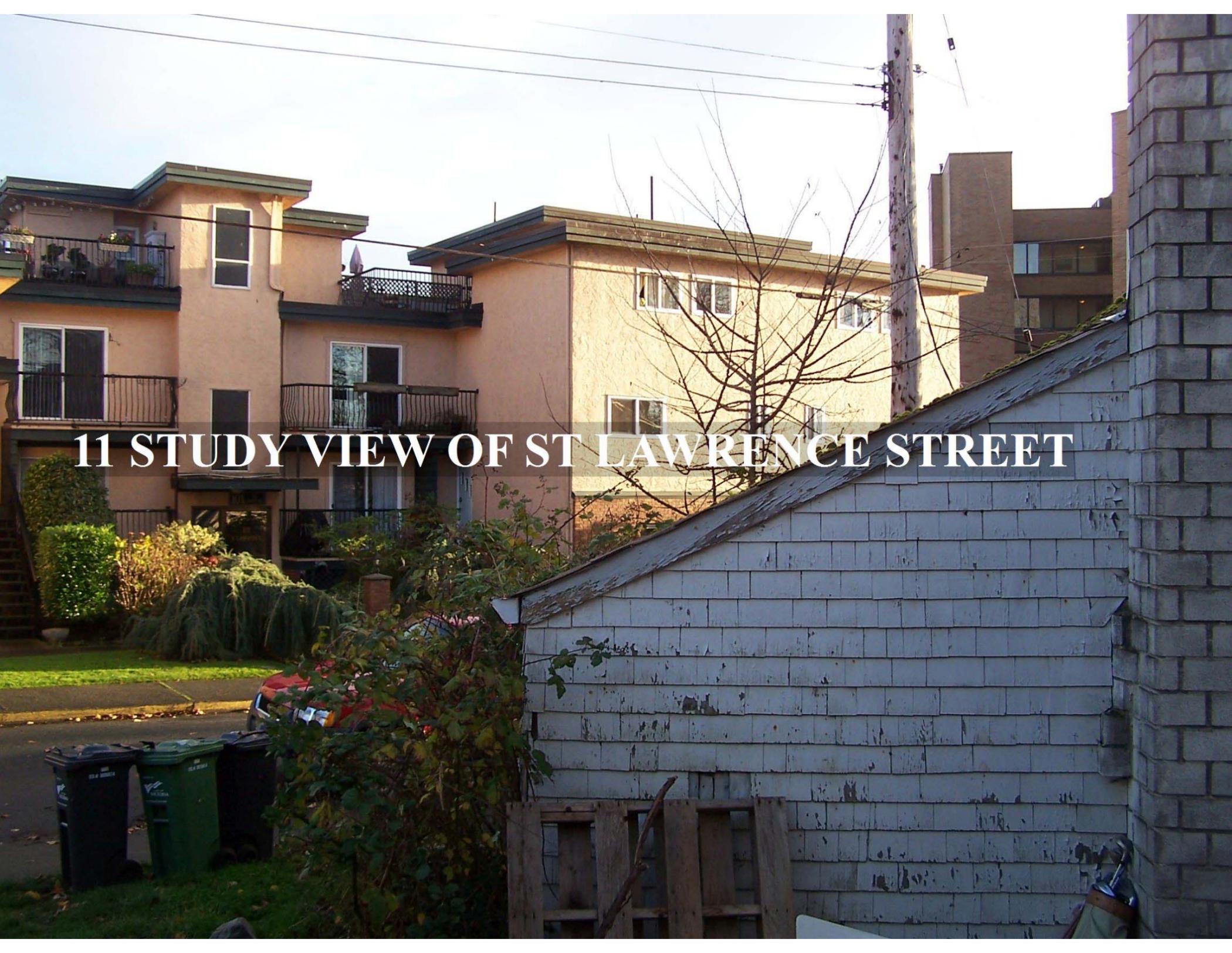


9 VERANDAH VIEW OF WESTERN SKY, TREE
COVER, OCEAN AND DALLAS ROAD

**SAME VERANDAH
VIEW AFTER**

STUCCO





11 STUDY VIEW OF ST LAWRENCE STREET



**SAME STUDY
VIEW AFTER**

STUCCO

Pamela Martin

From: elizabeth johnson [REDACTED]
Sent: Saturday, December 31, 2016 1:31 AM
To: Lisa Helps (Mayor)
Subject: 90-92 Dallas Road

Dear Mayor and Councillors of the City of Victoria.

I am writing to you about the proposed development proposal for 90-92 Dallas Road, and the proposed demolition of the 1906 building currently on the site.

There are very few houses of this age left on Dallas Road, and to lose one of the last of these old beauties would truly be a tragedy.

I would strongly encourage Council to preserve this unique older home.

Sincerely,
Elizabeth Johnson