

From: Public Hearings
Subject: FW: Development Variance Permit Application No. 00161 for property known as 1000 Chamberlain Street
Attachments: IMG_0383.jpg; Untitled attachment 00013.txt; IMG_0390.jpg; Untitled attachment 00016.txt; IMG_0396.jpg; Untitled attachment 00019.txt; IMG_0756.jpg; Untitled attachment 00010.txt; IMG_0757.jpg; Untitled attachment 00013.txt; IMG_0759.jpg

From: Vellella]
Sent: Sunday, February 21, 2016 7:31 PM
To: Public Hearings <PublicHearings@victoria.ca>
Subject: Development Variance Permit Application No. 00161 for property known as 1000 Chamberlain Street

To the City of Victoria:

Re: Development Variance Permit Application No. 00161 for property known as 1000 Chamberlain Street

The applicant seeks five variances. We oppose all but the variance to relocate an accessory building. We oppose the remaining variances on the grounds that Zoning establishes limits that ought to be maintained unless to do so creates a hardship. There is no hardship or other sufficient reason for granting the remaining variances.

Existing Main House

1. Increasing the maximum floor area by 27.25 sq. meters
2. Reducing front AND rear setbacks
3. Increasing allowable building height by 3.08 meters
 - a. The requested variances are not incidental or trivial and are in fact substantial. Alone, and especially collectively they will have a major impact on neighboring and surrounding properties.
 - b. In essence the variances seek to simply defeat the existing zoning and do not relieve any hardship.
 - c. The zoning sets a firm limit and this ought not be exceeded. Neighboring properties that are built within the permitted zoning would be treated unfairly if the variances are granted. First, neighboring and surrounding properties would not enjoy the same benefit of increased square footage, increased height and reduced setbacks as requested by the applicant. Second, neighboring and surrounding properties would suffer by having a neighboring property that is too large for the setting, taking away sight lines and green space. Neighboring properties would suffer directly from reduced side yards by the requested reduction in setbacks.

- d. In fairness to future applicants, granting the requested variances would establish a precedent that would lead to the destruction of the neighborhood as it is now established.
- e. Other redevelopment in the immediate area is successfully taking place without the need to increase height, increase square footage or reducing setbacks, thus preserving the neighborhood while still allowing for healthy redevelopment.
- f. Reducing setbacks increases potential for fire and reduces safety.
- g. Specifically the reduced setbacks will reduce the privacy we currently enjoy under the Zoning, and we request that the City enforce the Zoning in this respect.
- h. The applicant can achieve the objective of adding an allowable secondary suite within the Zoning and the variances requested are not necessary.
- i. The applicants' desire for financial gain should not be condoned at the expense of the use and enjoyment of neighboring properties, or the erosion of the amenities to the neighborhood created by the Zoning limiting building size, height and preserving setbacks.

Existing Accessory Building

1. Permitting relocation to front and side yard

2. Increasing allowable area by 3.3 sq. m

- a. The applicant is disingenuous in their request. The "existing" structure is a derelict building that is well past its useful life as an accessory building, is not built to code, cannot reasonably be brought up to code and is not worthy of restoration. SEE THE ATTACHED PHOTOGRAPHS. The attached photographs show the state of repair that the applicants have permitted. What reason do they now have for restoring a building that they neglected for so long? Simply as a vehicle to exceed permitted Zoning.
- b. It is noteworthy that the existing accessory building is currently encroaching on our property by about 1 meter. Despite our numerous requests to remove the building from encroaching on our property, the applicant refused. This necessitated commencement of proceedings currently before the Supreme Court of British Columbia.
- c. If the City is moved to grant a variance to build a garage (accessory building) in the front and side yard, then all other Zoning requirements as to setbacks, height and size ought to be rigorously observed.

Summary

The requested variances are solely for the economic benefit of the applicant alone. Granting the variances will not alleviate any hardship, and will negatively impact the neighboring properties that abide by the Zoning and will deteriorate the neighborhood that is enjoying healthy, vigorous redevelopment all within the Zoning. To grant the variances will only establish a negative precedent for future applicants.

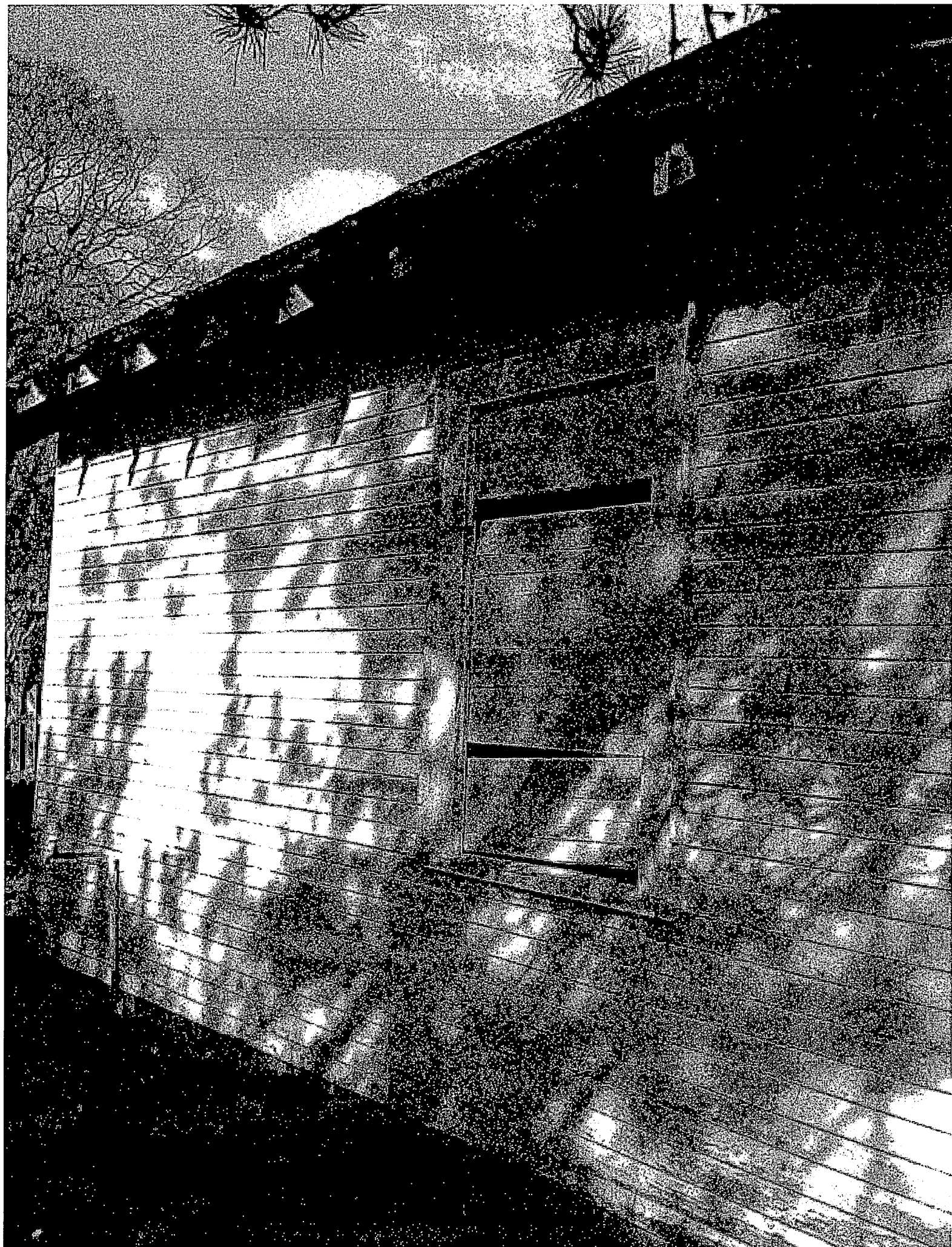
We respectfully request the City to courageously protect the neighboring properties and the neighborhood by upholding and enforcing the Zoning.

Thank you for your consideration.

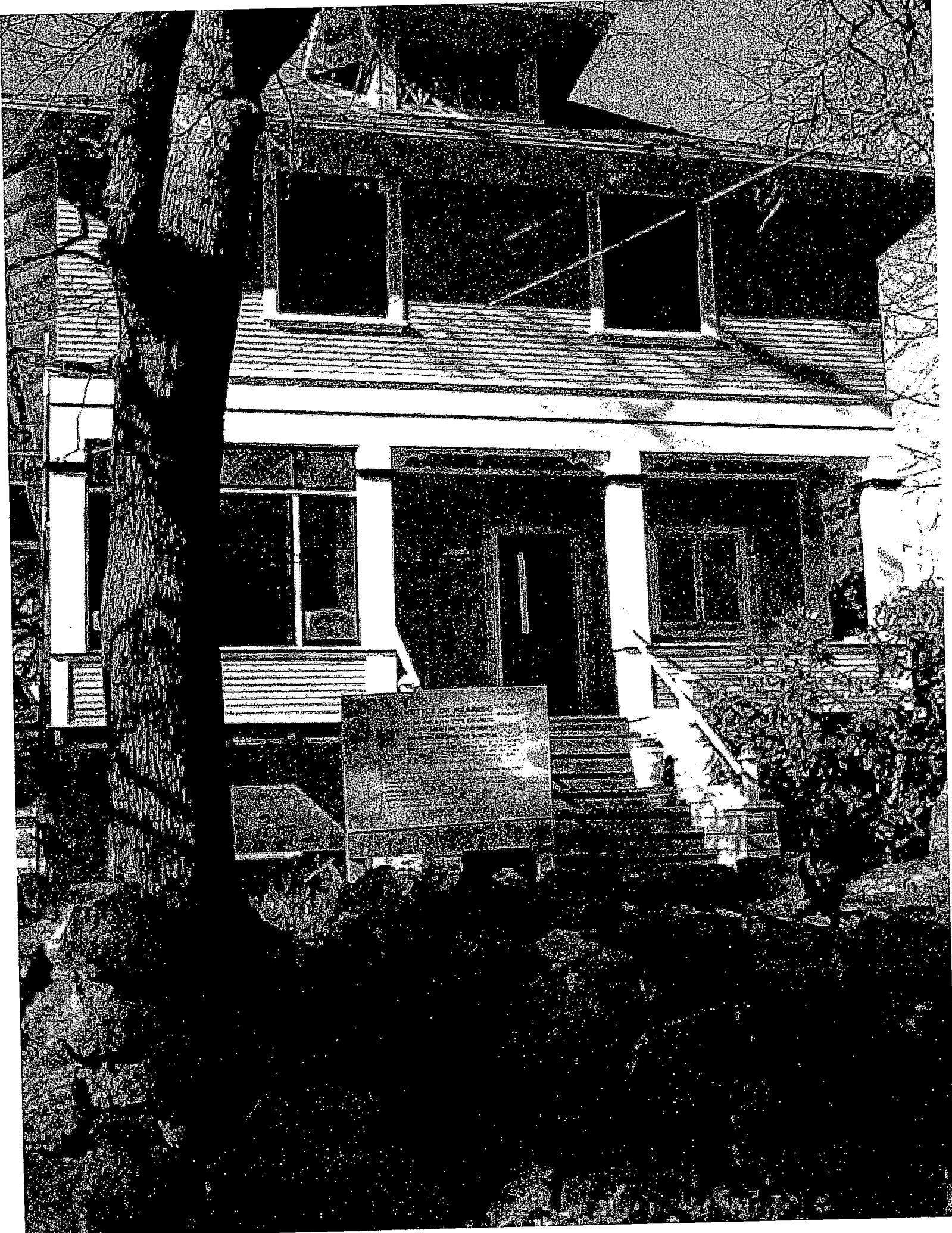
Respectfully submitted by:

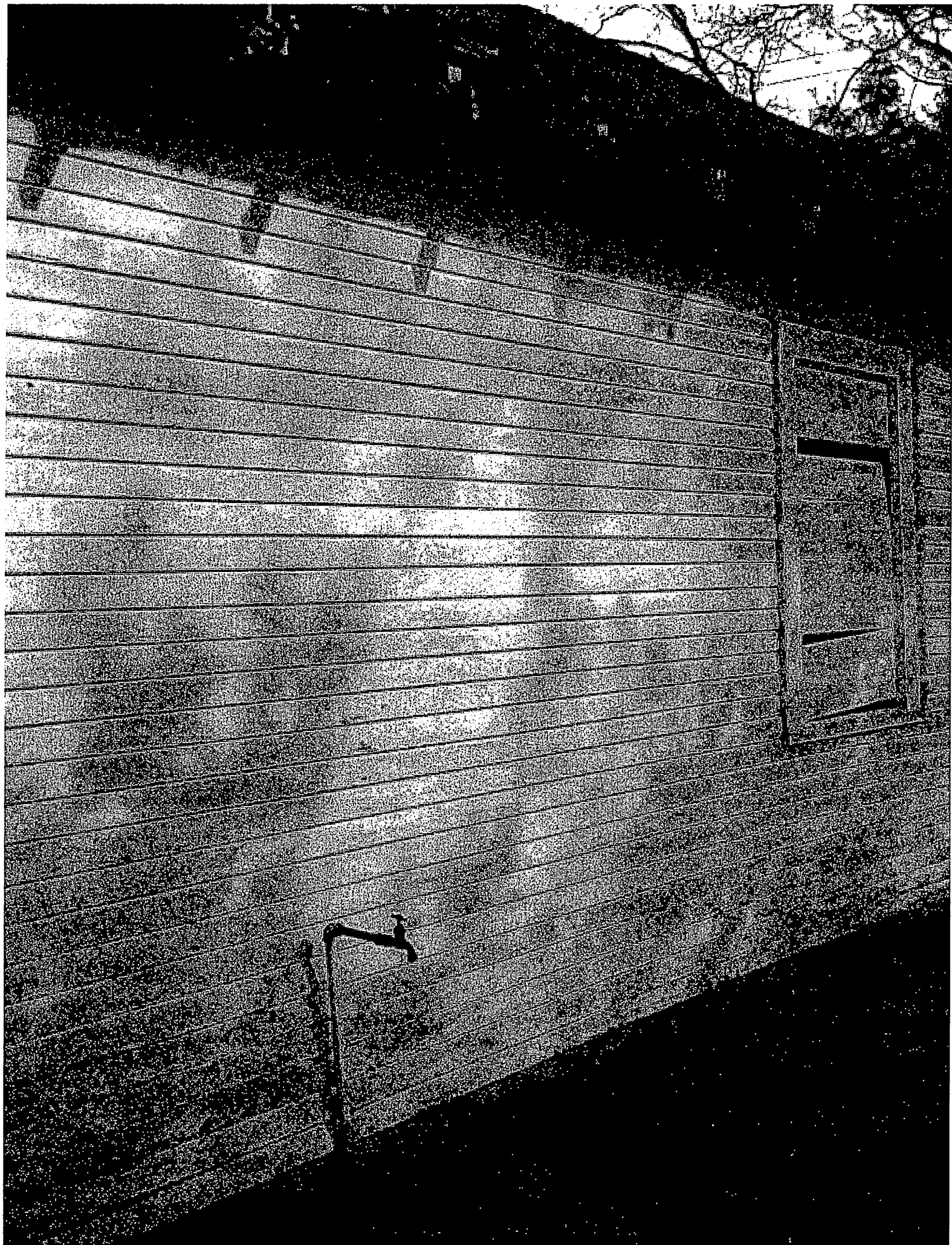
Michael and Carmen Velletta

1005 and 1007 Clare Street











Christine Havelka

From: Public Hearings
Subject: FW: Development Variance Permit Application # 00161

-----Original Message-----

From: John Doughty [mailto:]
Sent: Monday, February 22, 2016 10:05 PM
To: Public Hearings <PublicHearings@victoria.ca>
Subject: Development Variance Permit Application # 00161

Feb. 22, 2016

I live at #1009 Chamberlain St. which is across the street from #1000.

With regard to the variance permit application for this property, I would like to go on record as being completely in favour of the work that is being done there. I have no concerns about the variances.

The homeowner is doing a great job of restoring this house and maintaining the character of our neighbourhood. I have lived at this address since 1995 and have seen the loss of older houses in our area and poor developments that do nothing for our neighbourhood. When a homeowner goes to the trouble of preserving a character house, I believe the city should be doing everything possible to assist them.

Yours truly John Doughty

FOUL BAY PROPERTIES LTD.
663 RADCLIFFE LANE
VICTORIA, BC V8S 5B8

February 23, 2016

City of Victoria
1 Centennial Square
Victoria, BC

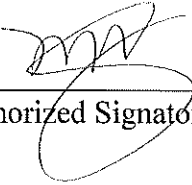
Attention: Mayor and Council

**Re: Development Variance Permit Application No. 00161
for property known as 1000 Chamberlain Street**

We own property at 1003-1005 Chamberlain Street and are fully in support of this application.

Yours truly,

Foul Bay Properties Ltd.

Per: 

Authorized Signatory