

## REPORTS OF THE COMMITTEES

### **3. Planning and Land Use Committee – February 5, 2015**

#### **1. Rezoning Application No. 00451 for 1049 Richmond Avenue**

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council:

1. Direct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00451 for 1049 Richmond Avenue.
2. Consider giving first and second reading to the *Bylaw Amendment* after the Bylaw has been drafted.
3. Schedule a Public Hearing after the bylaw has received second reading and the following condition has been met:
  - a. The provision of a Statutory Right-of-Way of 0.856m on Richmond Avenue to the satisfaction of the Director of Engineering and Public Works.

Carried Unanimously

#### **4. COMBINED DEVELOPMENT APPLICATIONS**

##### **4.1 Rezoning Application No. 00451 for 1049 Richmond Avenue**

Committee received a report regarding a Rezoning Application No. 00451 for 1049 Richmond Avenue. The proposal is to rezone the property to authorize a new small lot house and retain the existing house in the Fairfield-Gonzales neighbourhood.

**Action:** It was moved by Councillor Coleman, seconded by Councillor Loveday, that Committee recommends:

1. That Council direct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00451 for 1049 Richmond Avenue.
2. That Council consider giving first and second reading to the *Bylaw Amendment* after the Bylaw has been drafted.
3. That Council schedule a Public Hearing after the bylaw has received second reading and the following condition has been met:
  - a. The provision of a Statutory Right-of-Way of 0.856m on Richmond Avenue to the satisfaction of the Director of Engineering and Public Works.

CARRIED UNANIMOUSLY 15/PLUC035



## Planning and Land Use Committee Report

For the Meeting of February 5, 2015

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**To:** Planning and Land Use Committee **Date:** January 23, 2015  
**From:** Brian Sikstrom, Senior Planner, Development Services Division  
**Subject:** Rezoning Application #00451 for 1049 Richmond Avenue

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### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application #00451 for 1049 Richmond Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following condition is met:

- The provision of a Statutory Right of Way of 0.856m on Richmond Avenue to the satisfaction of the Director of Engineering and Public Works.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1049 Richmond Avenue. The proposal is to rezone the property from the R-1-G Zone, Gonzales Single Family Dwelling District, to the R1-G2 Zone, Gonzales Small Lot District, in order to permit the subdivision and construction of a new small lot single family dwelling in the side yard of an existing single family dwelling.

The following points were considered in assessing this application:

- This proposal is in keeping with the *Official Community Plan, 2012* and *Gonzales Neighbourhood Community Plan, 2002* objectives for sensitive infill development.
- The area and lot width of both proposed lots are greater than the minimum regulations in the Gonzales Small Lot District Zone.
- The floor area and floor space ratio for both the existing and proposed houses are less than the maximum regulations in the Gonzales Small Lot District Zone.

### LEGISLATIVE AUTHORITY

In accordance with section 903(c) of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of land, buildings and other structures, siting, size and dimensions of (i) buildings and other structures, and (ii) the uses that are permitted on the land, the location of uses on the land and within buildings and other structures.

## **BACKGROUND**

### **Description of Proposal**

This Rezoning Application would facilitate the subdivision and construction of a new small lot single family dwelling in the side yard of a property with an existing single family dwelling. The proposed new small lot single family dwelling would have three bedrooms and would be two storeys with a basement. The proposed combined first and second floor area, as well as the floor space ratio, is less than the maximum permitted in the R1-G2 Zone, Gonzales Small Lot District. The existing house is also proposed to be included in the R1-G2 Zone and it also has two storeys with a basement and a floor area and floor space ratio that are less than the maximum permitted in the R1-G2 Zone. The proposed lot area and lot width for both houses are greater than the minimum regulations in the Zone.

The following differences from the R1-G2 Zone, Gonzales Small Lot District, are being proposed and will be discussed in relation to the concurrent Development Permit Application:

- both houses would have two storeys and a basement, while the Zone permits one and half storeys with a basement
- the existing house would have front yard parking
- the south side yard of the proposed house and both side yards of the existing house would be less than the minimum zone standard
- the height of the existing house is above the maximum zone standard
- the site coverage of the proposed house would be above the maximum zone standard.

### **Sustainability Features**

The applicant has identified a number of sustainability features which will be reviewed in association with the concurrent Development Permit for this property.

### **Land Use Context**

The area is characterized by a mix of single family detached dwellings, conversions and duplexes.

Immediately adjacent land uses include:

- North – 4-suite conversion
- South – single family dwelling
- East – single family dwellings and four-suite conversion
- West (across Richmond Ave.) – single family dwellings.

### **Existing Site Development and Development Potential**

The site is presently occupied by a single family dwelling built in 1909.

Under the current R1-G Zone, Gonzales Single Family Dwelling District, the property could be developed with a new single family dwelling of up to 300m<sup>2</sup>, which could include a secondary suite. The lot size meets the criteria for consideration of a rezoning to a duplex.

### **Data Table**

The following data table compares the proposal with the R1-G2 Gonzales Small Lot District Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.



Zoning Criteria	Proposed House	Existing House	R1-G2 Zone Standard
Site area (m <sup>2</sup> ) – minimum	350	389	300
Total floor area (m <sup>2</sup> )	209	232	
1 <sup>st</sup> and 2 <sup>nd</sup> floors (m <sup>2</sup> ) – maximum	159	149	160
Basement (m <sup>2</sup> )	50 <sup>1</sup>	83 <sup>1</sup>	
Density (Floor Space Ratio) – maximum	0.45:1	0.38:1	0.55:1
Lot width – minimum	10.84	11.83	10
Height (m) – maximum	7.31	8.55 <sup>2</sup>	7.5
Storeys – maximum	2* (with basement)	2 (with basement) <sup>2</sup>	1.5 (with basement)
Site coverage (%) – maximum	33.04*	28.6	30
Open site space (%) – minimum			
Front Yard	60.3	63.5	50
Setbacks (m) – minimum			
Front	6	7.1 (front steps)	6
Rear	11.4	9.9	9.1
Side (north)	1.57	1.58* (bldg. face)/1.30* (cantilever)	1.5/2.40 (habitable room)
Side (south)	1.56*	1.61* (bldg. face)/ 1.20* (cantilever)	1.5/2.40 (habitable room)
Parking – minimum	1	1 (front yard)*	1 (side or rear yard)

Notes:

1. Basement floor area exempt.
2. The existing house is currently non-conforming with respect to height and storeys under the existing R-1-G Zone, Gonzales Single Family Dwelling District.

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield Gonzales CALUC at a Community Meeting held on April 22, 2014. A letter dated April 22, 2014, is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 85% support the Application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to this report.

## ANALYSIS

### Official Community Plan

The proposed development is consistent with the relevant land use policies of the *Official Community Plan, 2012* (OCP). The property is designated as Traditional Residential in the OCP,

where ground-oriented housing, such as small lot single family dwellings, is envisioned. In accordance with the OCP, the new small lot dwellings are subject to DPA 15A, Intensive Residential Small Lot.

### Local Area Plan

The *Gonzales Neighbourhood Community Plan, 2002* recommends consideration of small lot infill developments in compliance with the *Small Lot House Design Guidelines*, as well as the standards set out in the R1-G2 Zone, Gonzales Small Lot District. This small lot zoning differs from the R1-S2 Zone, Restricted Small Lot (Two Storey) District, by requiring larger lots (300 m<sup>2</sup> minimum), smaller houses (160 m<sup>2</sup> maximum), reduced site coverage (30% maximum) and an increased rear yard setback (9 m).

The proposal meets the Gonzales Small Lot District Zone standards with respect to lot size and density. A number of variances from the Zone standards are requested and will be discussed in relation to the concurrent Development Permit Application.

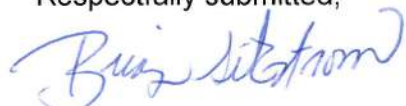
### CONCLUSIONS

The proposal is in keeping with the *Official Community Plan, 2012* and *Gonzales Neighbourhood Community Plan, 2002* objectives for sensitive infill development. Therefore, staff recommend for Committee's consideration that the Application advance to a Public Hearing.

### ALTERNATE MOTION

That Council decline Application #00451 for the property located at 1049 Richmond Avenue.

Respectfully submitted,




Brian Sikstrom  
Senior Planner  
Development Services Division

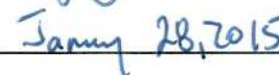


Alison Meyer, Assistant Director  
Sustainable Planning and  
Community Development Department

Report accepted and recommended by the City Manager:

  
Jason Johnson

Date:

  
January 28, 2015

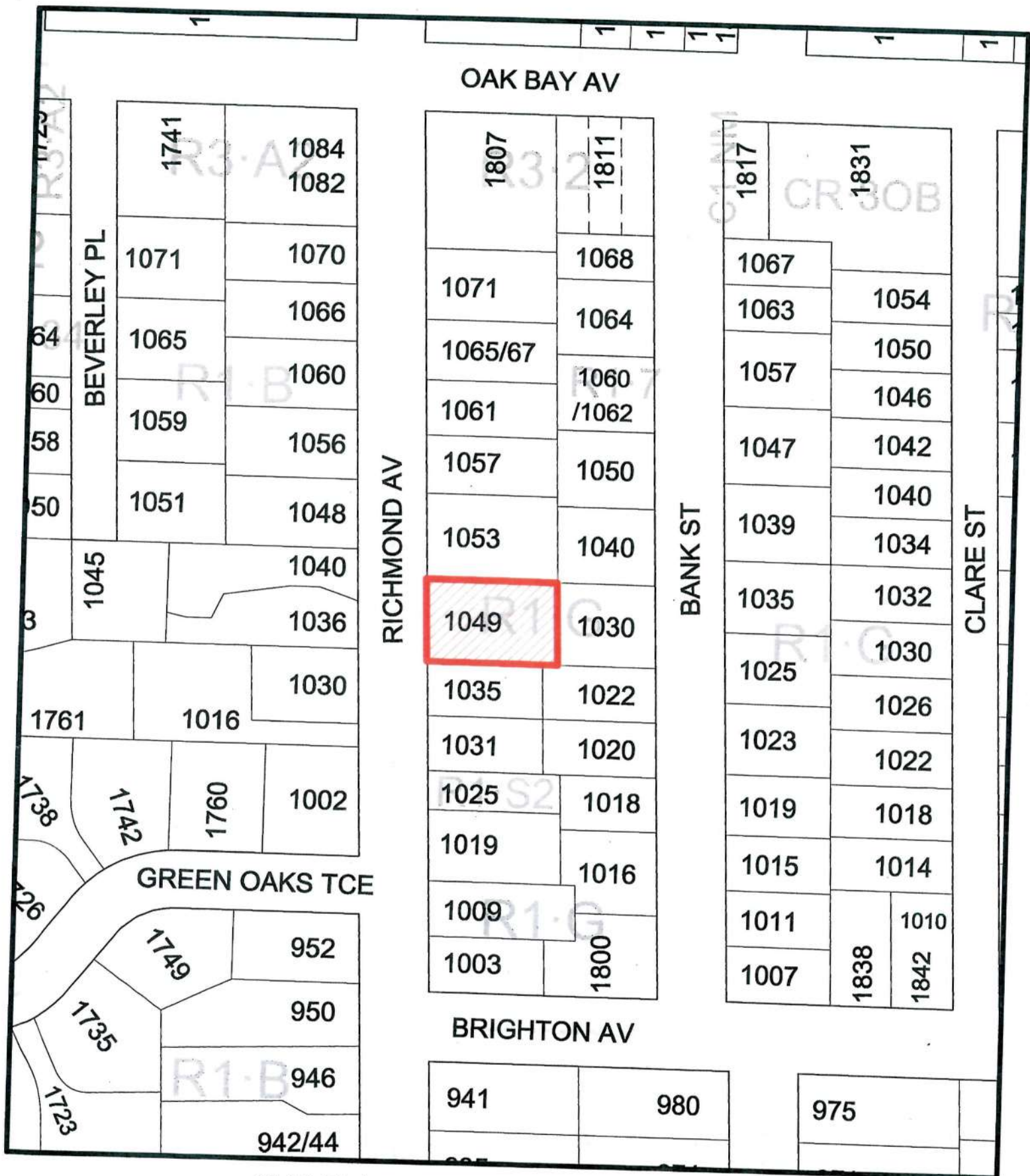
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### List of Attachments

- Zoning map
- Aerial photo
- Letter from Applicant dated January 12, 2015 (with notes on sustainable building features attached)
- Fairfield Gonzales CALUC meeting notes dated April 22, 2014
- Further consultation letters from the Applicant dated November 27, 2014, and November 10, 2014, and November 10, 2013
- Small Lot House Rezoning Petitions
- Objection document (undated) from adjacent property owner
- Plans for Rezoning Application #00451.

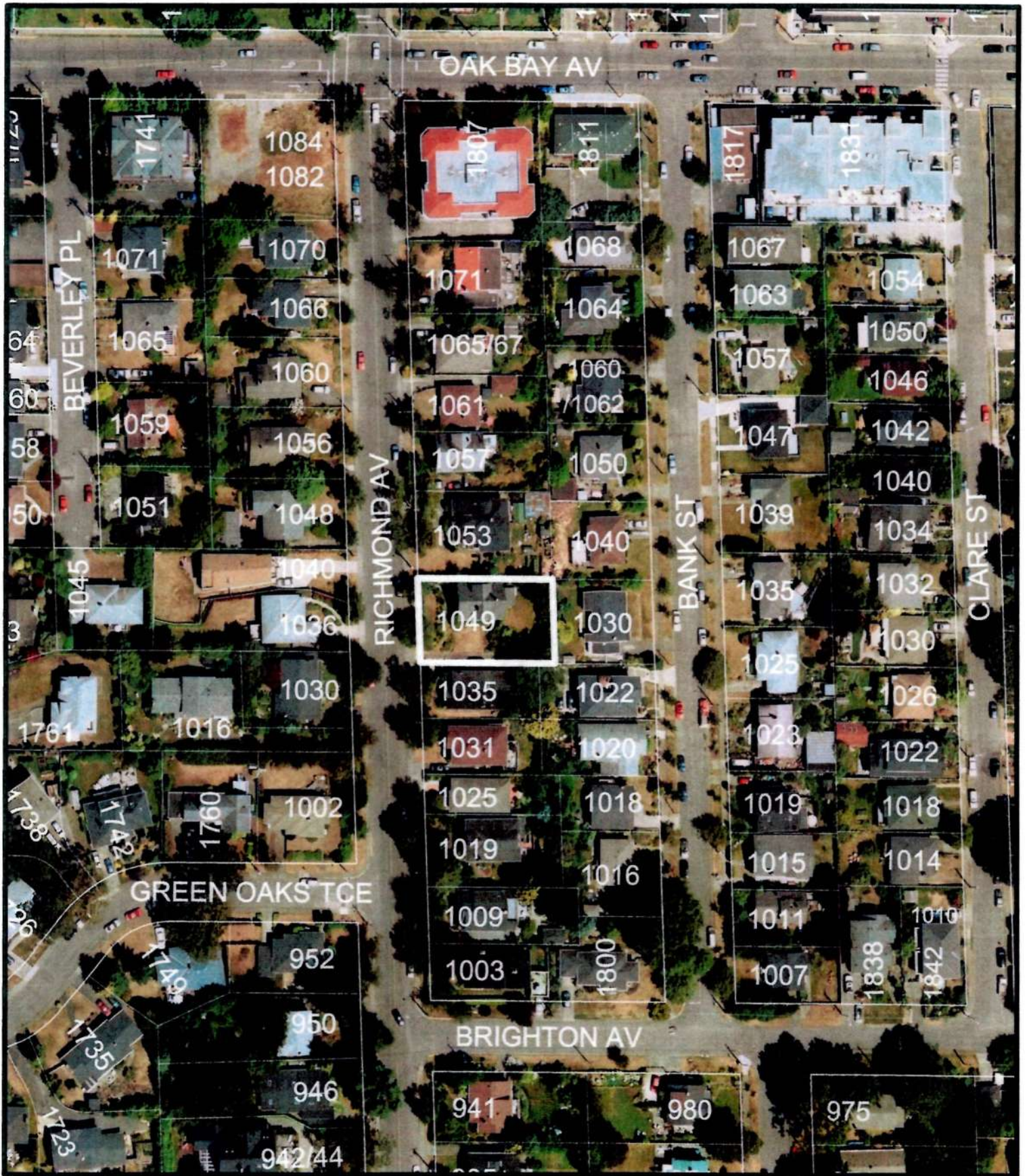




1049 Richmond Avenue  
Rezoning #00451  
Bylaw #







1049 Richmond Avenue  
Rezoning #00451  
Bylaw #







January 12, 2015

Dear Mayor Helps and Councillors,

**RE: Rezoning Application for a Small Lot Subdivision at 1049 Richmond Avenue**

We are pleased to submit our revised rezoning application to the City of Victoria that seeks your approval to subdivide our existing large lot at 1049 Richmond Avenue and build a new home for ourselves that is more suitable for us as retirees.

We have lived at 1049 Richmond Avenue since 1992 and have raised our two sons in this home while working in town. We have enjoyed the convenient location, the large yard, and traditional living space - the informal basement being a necessity for raising boys and entertaining their friends! With the boys increasingly independent and with us now planning for retirement, we have been thinking about our future housing needs. A house with fewer, larger rooms, a more modern layout and less yard to keep up will work better for us down the road.

We recognize our current personal situation and motivations for pursuing this rezoning may not be central to Council's decision, but we were pleased to discover that our proposal aligns well with the City of Victoria's land use policy. The Gonzales Community Neighbourhood Plan and City of Victoria Official Community Plan both support a small lot subdivision for properties like ours and a number of these have occurred in our neighbourhood. Our neighbourhood contains predominantly single family homes or duplexes, both owner-occupied and rental, but also includes in the immediate vicinity another small lot home (3 doors away), a panhandle lot (across the road) and two-small apartment buildings - one rental (next door on the North side) and the other stratified (immediately to the south-east on Bank Street).

Richmond Avenue is a larger, busier street than others nearby and potentially a good location for infill development. Most importantly, perhaps, the size of our lot and position of our early 1900s house allow us to retain the existing house while creating a small lot for a new two-storey house. If approved, the new house would help maintain the balance of single family homes in our block and in the evolving neighbourhood.

We have considered the City's Small Lot Rezoning Policy and Design Guidelines. We started our process with informal consultations with our neighbours, shared our early design ideas with them and then subsequently attended a community meeting with the Fairfield Gonzales Community Association. We also completed the required rezoning petition process and have support from 85% of our immediate neighbours.

The neighbourhood consultation provided us with valuable input and influenced our decision to pursue a traditional styled home. While our original application involved a proposal for an R1-S2 small lot, which allows for a larger home and greater lot coverage, advice from City staff and feedback from our neighbour on the south side of the proposed new lot have led us to change our application. Our revised proposal would rezone our current R1-G lot into two good sized lots with R1-G2 zoning.



The proposed new home features the following:

- “Traditional” styling with roof pitch, window proportions, trims, and finishes that complement the neighbourhood.
- A raised front porch and strongly visible entry, which are character defining elements of the neighbourhood. The front setback is greater than required and matches that of neighbour to the south.
- Retained rock wall in the front of the home and most of the significant mature front and back yard landscaping which we have cared for over many years.
- Adding a front yard parking stall to the lot of the existing house consistent with the front yard parking requirements in the R1-G Gonzales Single Family Dwelling District.
- Side window placements that consider privacy issues related to our existing home and our neighbours to the south.

While the project is consistent in all important respects with the scale and intent of the proposed zoning, it does require some minor variances. A number are needed for our current house due to its placement on the proposed smaller lot, its height and number of floors and the new parking stall (permitted by bylaw in R1-G Gonzales zones). With respect to the proposed new home on Lot B, the proposed side yard setbacks of 1.5 metres are permitted in the R1-G2 Zone if there are no windows that face neighbours’ habitable rooms. We believe, however, that fully blank walls on either side of the new home are inappropriate given that our proposed design allows for a front door entry in the middle of the building that fits well with others in the neighbourhood, rather than an entrance on the side. This design approach also allows for three upstairs bedrooms that will allow a broader range of possible occupants, such as families with children, when we no longer own the home. As documented by our proposal we have minimized the potential privacy and overlook issues with the careful choice of size, placement and type of glass in all of the windows facing neighbours.

Throughout the neighbourhood consultation process we have received positive support for our proposal. The only real concern has been raised by our neighbours to the south at 1035 Richmond Avenue, who are worried about a potential loss of ambient light that could result from having a new home in what is now open yard. The current occupants of the house (it has been a rental property for 30 years or more) are used to indirect light in their North-facing windows where previously that side had been shaded by the leaves and branches of a very large English Oak. The tree unfortunately had to be taken down recently for safety reasons on the recommendation of the City arbourist when severe rot was discovered in its trunk. Even with the proposed placement of the new house, there will still be about 4 metres of space between it and the neighbours at 1035 since their driveway lies between their house and the existing property line.

In response to their concerns we have focused on a traditional styled home with a sloped roof to increase light from the East and West, lowered the height of the building by approximately one foot from our original design to help with northern light, ensured the setback at the front matches their house and are specifying a light colour for the siding, to better reflect light on to their house. To address any worries regarding privacy, we are proposing to have only two windows on the south side of the new house (one required for egress from a bedroom) and their size and glazing will minimize any oversight of the neighbour’s kitchen and dining room.

City Planning staff have indicated that the R1-G2 reference zone for small lot infill developments in our neighbourhood has a lot coverage ratio of 30% (compared to 40% in other City neighbourhoods). We have revised our submitted plans to this standard by downsizing the proposed house in both lot coverage and floor area. The City Engineering Department has indicated, however, that should this proposal be approved by Council, we will be required to transfer 0.86 meters of land across the front of both lots to the City to provide for right of way in case Richmond Avenue needs to be widened in future. In the case of the proposed new lot, this dedication will reduce its size to the point that, even with the proposed new house designed below the maximum in the R1-G2 zone, the lot coverage ratio *after* the requested dedication would be marginally over the maximum. City staff have indicated that this will necessitate a technical variance.

We believe our proposal is a sensitive small lot subdivision proposal that ensures the retention of our existing home for the foreseeable future and adds a complementary new home into the neighbourhood. We have canvassed all of the neighbours in our block of Richmond and adjoining properties on Banks Street to show them our final proposed design and have received good support for the new house. We look forward to the opportunity to present this application to Mayor and Council.

Yours sincerely,



Julian Paine and Ann Marr



• 1049 RICHMOND AVENUE •

SUSTAINABLE BUILDING FEATURES

HIGH EFFICIENCY GAS FURNACE, 'ON-DEMAND'  
WATER HEATER

HEAT RECOVERY VENTILATION

ENERGY STAR APPLIANCES

ADDITIONAL INSULATION/DRAFT PROTECTION.

LOW FLUSH TOILETS,

LOW FLOW SHOWERS,

ENERGY STAR WINDOWS

PERVIOUS PAVING AS SHOWN

RAIN BARRELS/RAIN WATER COLLECTION.

Received  
City of Victoria

JAN 22 2015

Planning & Development Department  
Development Services Division



**Minutes of Meeting  
Planning and Zoning Committee  
Fairfield Gonzales Community Association  
April 22, 2014**



**Members of FGCA Planning and Zoning Committee:**

George Zador (chair), Jim Masterton, Chris Schmidt, Bill Rimmer and Paul Brown  
Minutes recorded by Paul Brown

**Subject Property:**

1049 Richmond Avenue small lot subdivide  
Presenter: Julian Payne

9 interested parties including 3 representing the proponent

**Proponent Presentation, Attendee Questions & Comments from Attendees:**

- Proponent proposes to build a style of home on new lot that meets with approval of neighbours. Proponent presented two options: modern and more traditional design. Most seemed to prefer the traditional.
- Proponent did not believe any variances were required.
- An adjacent neighbour (1035 Richmond) questioned the closeness of the proposed new building to their home, that it would block the view and natural light from a main window on their main floor and that it would require a setback variance. Proponent indicate a willingness to mitigate such and was not certain whether a variance was required
- Another resident in close proximity questions providing variance and rezoning because it might set a precedent in the neighbourhood for similar small lot subdivides and impact on the character of the neighbourhood

**Subject Property:**

59 Cook Street (Corner Lot) small lot subdivide 5 interested parties including 2 representing the proponent  
Presenter: Peter Hardcastle

**Proponent Presentation, Attendee Questions & Comments from Attendees:**

- Proposal is to build a small home with a basement on the new lot, facing on Woodstock
- Existing building has six suites which would be reduced to five resulting in no change overall to the number of residences on the combined lots
- Both properties would use the same drive leading to the back of the properties. Permeable paving would be employed. The siting of the new building along with



November 27, 2014

Dear Reevean and Michelle,

As you know, it was just about a year ago that we wrote to you about our idea of building a new house next to our current one at 1049 Richmond Avenue. By creating a new small lot in the side-yard between our two houses we would be able to have a home still close to downtown and our usual stores but with a better setup for two people now that our two sons are on their way.

Since last November, we made the presentation to the Gonzales Neighbourhood Association that you attended and put in an application with staff at city hall. As I am sure you remember, I walked through our original proposal with you in detail along with our house designer, Nigel Banks. Since then we have been working to address the questions and concerns that have been raised by you and city staff. We wanted to let you know where we are with our thinking on a new house and the changes we have made in revising our proposal.

From our previous discussions and your comments on the neighbourhood canvas forms and those of Mr. McKay, the owner, you have indicated three main areas of concern. The first relates to the overall size and massing of a new house; the second is to do with the potential for a reduction in ambient light into the northern windows of your dining room and kitchen; and the third is the potential effect on current property values.

Since we last spoke we have thought hard about how we can accommodate your concerns and better meet the quite restrictive rules around creating small lot houses in our neighbourhood (the R1-G2 zone) while still having a home that meets our needs. We are hoping that our new proposal will be seen as a good addition to our street and neighbourhood. First, the floor area of the house has been cut by 33 sq. ft. so that the total area is less than allowed in the Gonzales zone. Also, the height has been decreased by over a foot. These changes, along with the overall design, both reduce the overall mass and increase potential ambient sunlight on the north side.



With the lot size quite a bit larger than required for the proposed zoning, the new house would still leave good sized yards for both proposed lots. As you can see from the attached street view diagram, the new house would be much lower than our existing house and should not have any appreciable effect on northern light. The "traditional" peaked roof design will also allow more light front and back than the modern one we also considered.

As you can see from the site plan and elevations, we would ensure that the front setback matches that of your house so that there will be no impact on westerly light and any sense of feeling "boxed in" by a new house will be greatly reduced. Also, we intend to use light coloured siding to maximize reflectivity onto your north side. At present, most of the ambient light from southerly directions is reflected from the south wall of our current house into your two rooms on the north. To ensure minimal impacts on your privacy, the new design has only two windows facing your house - the ground floor den and one upstairs bedroom. The size and placement of the windows and the glass to be used are meant to break up the look of the south wall while minimizing any overlook onto your house.

In terms of the view from your house onto our property, we plan to keep the rock wall that we built back in 1993 and as many of the existing mature plants and shrubs as possible so that the look of the property from the street and privacy from behind is maintained. To minimize any impacts on on-street parking, we would create a parking stall where the path to the front door now sits and widen the current driveway opening to allow access to the garage in the proposed new house. At present, we actually have to park on the street because the stonemasons built the driveway gates a bit too close together for comfortable entrance and exit in anything but a small car.

As far as the matter of property values goes, while we are no experts, any of the realtors we have talked to have indicated that property values virtually always go up not down when new investment is made in housing stock in a city block. Since our proposal is for a single family house, specifically designed to match the surrounding homes, I can only think that this will be the case on Richmond Avenue as well.

In terms of next steps, the city review process involves a presentation to the Planning and Land-Use Committee by staff and, if recommended by the Committee, a public hearing before city council. The timing for this is a bit uncertain but would probably be in the next few months.

If the proposal is approved, the city issues a development permit which ensures that all of the important design features that were subject to review are actually included in the finished house and lot and provides you with assurance that the things we have promised in the design proposal to address your stated concerns will actually be implemented.

I hope that you will recognize that, with our new proposal, we have tried to do our best to minimize impacts on your property and address your concerns as fully as possible. I am afraid no size, shape, siting or colour of new house could completely eliminate the potential effects you have identified. If you have any other ideas that would help accommodate you - short of no change at all - please let us know. For instance, if you think it would make a difference to the light entering your dining room, we would be prepared to help with the cost of installing a skylight while we are building the new house.

We would like to stay good neighbours and would be happy to have a chat about our proposal and your thoughts on it anytime. Please feel free to drop by and knock on our door or give us a ring. Our email address is also at the bottom of the first page.

Thanks for taking the time to review the new proposal.

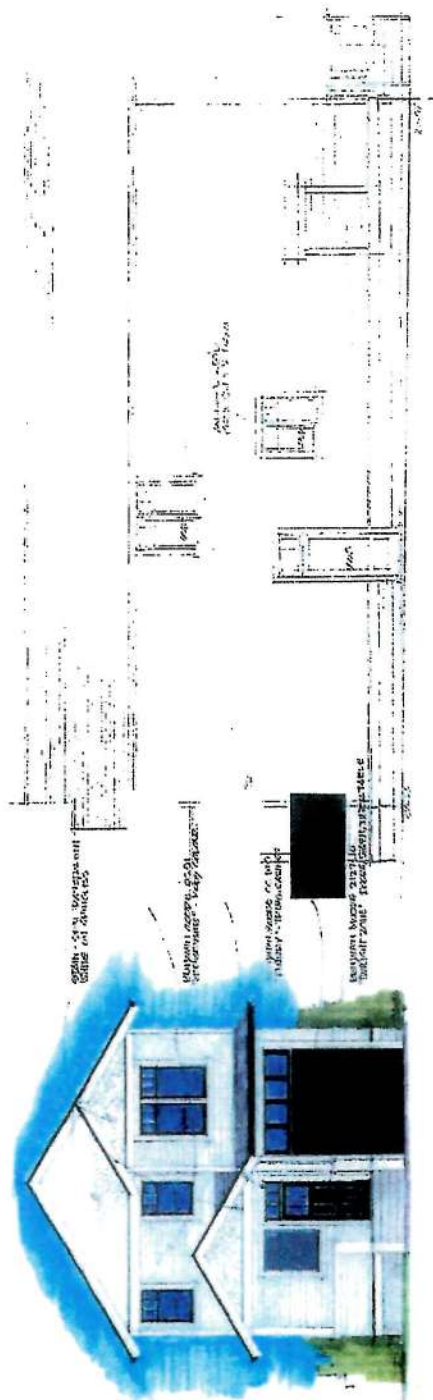
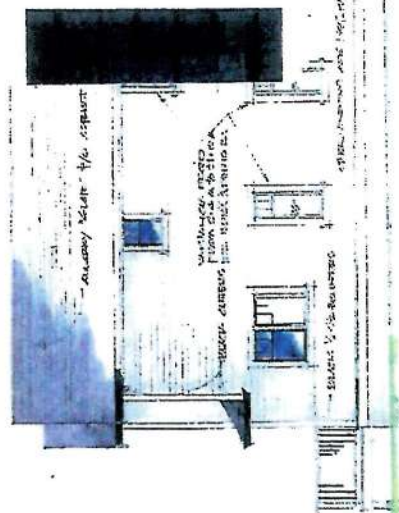
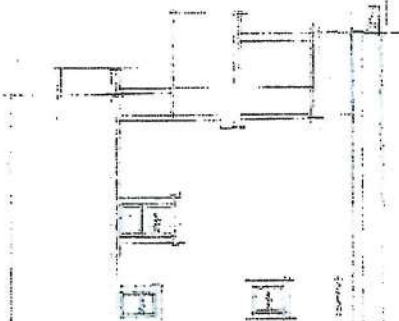
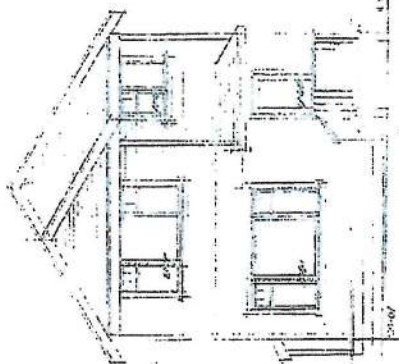
Yours sincerely,

ORIGINAL SIGNED BY:

Julian Paine & Ann Marr

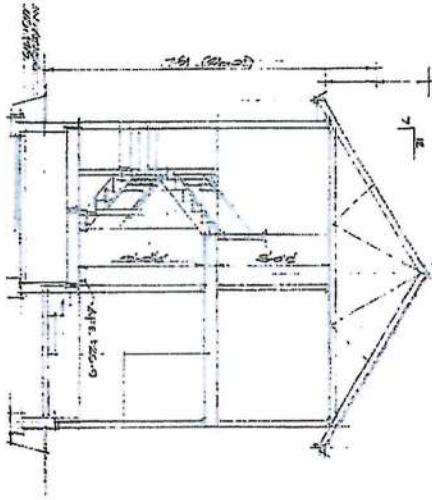




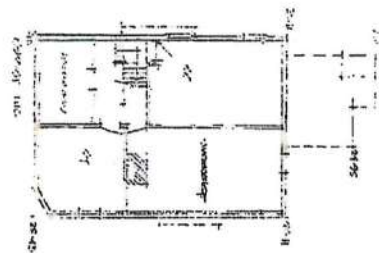


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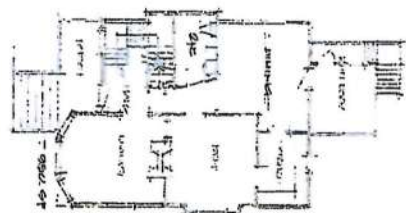
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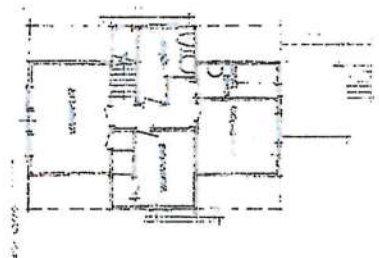
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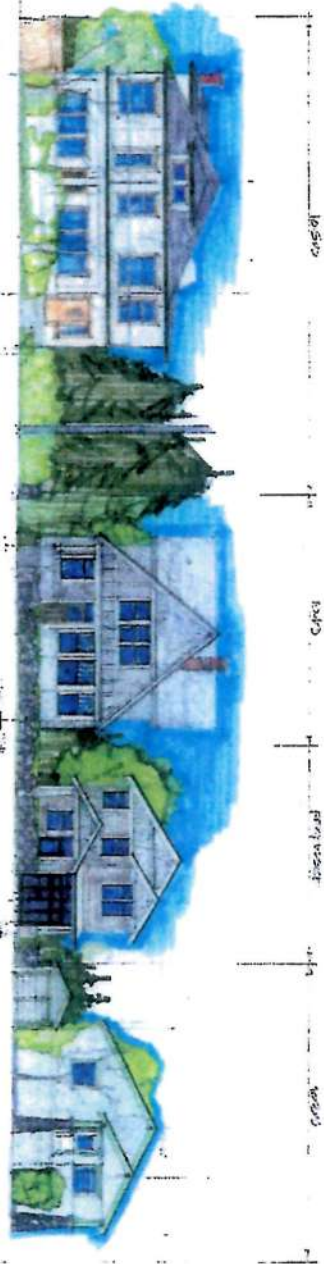
FIRST FLOOR PLAN



SECOND FLOOR PLAN



THIRD FLOOR PLAN



FRONT ELEVATION



**banks  
design**

Victoria 250-395-3331

PROPOSED RESIDENTIAL REDEVELOPMENT

1000 RICHARD AVE. E.

1000 RICHARD AVE. E.

1000 RICHARD AVE. E.

1000 RICHARD AVE. E.

1000 RICHARD AVE. E.

1000 RICHARD AVE. E.

1000 RICHARD AVE. E.







November 10, 2013

Dear Neighbour,

For those of you who don't know us, we are Julian Paine and Ann Marr, and we have lived at 1049 Richmond Avenue since 1992. We have been in our home for over 21 years now, raising our two sons while working in town. We have enjoyed the convenient location, the large garden, and three stories of living space (the basement being a necessity for raising boys and entertaining their friends!).

With the boys increasingly independent and us planning for retirement, we have been thinking about our future housing needs. We hope to travel more in future and a smaller house with fewer stairs, larger rooms (anyone who has seen our galley kitchen would understand why!) and less garden to keep up will work better for us down the road. This narrowed our search to newer houses on smaller lots which are quite difficult to find in or around this neighbourhood in our price range.

Last year, after a major windstorm, the large oak tree at the side of our house was assessed by the City of Victoria arbourist and he advised, due to significant rot at the base of the trunk, that it should be removed for safety. We were very sad to see the tree go, and it has been quite an adjustment looking at the empty space left behind. However, it has opened up the possibility of building a new home next to our present house that better meets our needs including a smaller garden.

As a first step in exploring this option, we would like to get your input. A number of years ago, the Gonzales Neighbourhood Association included small lots as part of the Community Plan. There are now a few of these homes in place and they seem to fit nicely into their streets. We have included a photo below as an example, although we have not done any design work or planning ourselves. We are very much at the exploratory stage and would appreciate your perspective.



- 2 -

We would like to connect with you either in person or by phone. This would mean knocking at your door sometime over a weekend, or please feel free to drop by. If you would prefer chatting on the phone, our numbers are: 250 595 5671 or 250 514 4766.

Look forward to hearing from you.

Sincerely,

ORIGINAL SIGNED BY -

Julian and Ann





November 10, 2014

Dear Neighbour,

Just about a year ago we wrote to a number of you about our idea of building a new house next to our current one at 1049 Richmond Avenue. This would be on a small lot created in the south side-yard by sub-dividing our current 78 foot wide property. After 22 years and with our boys leaving home, our 1908 house seems a bit big and the yard work feels onerous when we hope to do more travelling in retirement. A new house would let us stay close to downtown and our usual stores but have a better setup for two people.

Since last November, we have made a presentation to the Gonzales Neighbourhood Association and put in an application with staff at city hall. We wanted to let you know where we are with our thinking on a new house and seek your views in finalizing our proposal.

The rules around creating small lot houses in our neighbourhood (the R1-G2 zone) are quite restrictive in terms of size of both the lot (minimum required) and house (maximum allowed) plus parking, landscaping etc. For the past six months, we have been working with a designer and the city planning staff to arrive at a proposal that meets zoning requirements and we hope will be seen as a good addition to our street and neighbourhood. First, based on feedback we received from our canvas of our closest neighbours, we have decided on a "traditional", two story design with a peaked roof and a front porch. Second, we plan to keep the rock wall that we built back in 1993 and as many of the existing mature plants and shrubs as possible so that the look of the property from the street and privacy for houses behind is maintained. To minimize any impacts on on-street parking, we would create a short driveway where the path to the front door now sits and widen the current driveway opening to allow access to the garage in the proposed new house. At present, we actually have to park on the street because the stonemasons built the driveway gates a bit too close together for comfortable entrance and exit in anything but a small car.

We have attached some design drawings for you to get a sense of what a new house might look like. As you can see from the street view, the design looks quite a bit like the adjoining houses and we think creates a good fit for the block. The house will have siding and shingles in a light colour to maximize reflected light to neighbouring properties. The proposed design is much lower than our current house and is set well back from the street to maintain access to sunlight for nearby properties especially from the north, east and west. As you can see from the coloured lot plan, each house would still have a pretty good sized yard with lots of greenery.

The city review process involves a presentation to the Planning and Land-Use Committee by staff and, if recommended by the Committee, a public hearing before city council. The timing for this is a bit uncertain but would probably be in the next few months. If the proposal is approved, the city issues a development permit which ensures that all of the important design features that were in the drawings and subject to review are actually included in the finished house and lot.

We would be very interested in hearing what you think of our proposal - especially if you have any concerns or ideas on how to improve it. Please feel free to drop by and knock on our door or give us a ring. Our email address is also at the bottom of the first page.

Thanks for taking the time to review the proposal.

Yours sincerely,

ORIGINAL SIGNED BY:

Julian Paine & Ann Marr



# SUMMARY SMALL LOT HOUSE REZONING PETITION

I, LUCIAN PAINE, have petitioned the adjacent neighbours\* in compliance with  
(applicant)

the Small Lot House Rezoning Policies for a small lot house to be located at 1049 RICHMOND AVE  
(location of proposed house)

and the petitions submitted are those collected by MAY 9 / 2014 \*\*  
(date)

Address	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
1030 RICHMOND AVE	✓		
1036 " "	✓		
1040 " "	✓		
#1 - 1053 RICHMOND AVE	✓		
#2 - " "	✓		
#3 - " "	✓		
#4 - " "	✓		
OWNER 1053 RICHMOND AVE			✓
#1 1022 BANK ST. - TENANT	✓		
#1 " " - OWNER			✓
#2 " " - TENANT	✓		
#2 " " - OWNER			✓
#3 " " - OWNER	✓		

SUMMARY	Number	%
IN FAVOUR	12	85.7
OPPOSED	2	14.3
TOTAL RESPONSES	14	100%

\*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.

# SUMMARY SMALL LOT HOUSE REZONING PETITION

I, JULIAN PAINE, have petitioned the adjacent neighbours\* in compliance with  
(applicant)

the Small Lot House Rezoning Policies for a small lot house to be located at 1049 RICHMOND AVE  
(location of proposed house)

and the petitions submitted are those collected by MAY 9 / 2014.\*\*  
(date)

Address	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
1030 BANK ST.	✓		
1040 BANK ST.	✓		
1035 RICHMOND AVE - TENANT		✓	
1035 " " - OWNER		✓	

SUMMARY	Number	%
IN FAVOUR		
OPPOSED		
TOTAL RESPONSES		100%

\*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,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) LYNNE Moorhouse (see note above)

ADDRESS: 1030 RICHMOND AVE

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:

Would like to continue to be  
part of the on-going process.

April 7, 2014  
Date

LMoorhouse.  
Signature

## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) PAUL MARYNATH SR. (see note above)

ADDRESS: 1036 RICHMOND AVE

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:

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5/4/14  
Date

P. Marynath  
Signature



## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) PAUL MARYNAK (see note above)

ADDRESS: 1040 RICHMOND AVE

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:

TRADITIONAL STYLE  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2019, 09, 05  
Date

P. Marynak  
Signature

## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) DEAN OWEN (see note above)

ADDRESS: #1 - 1053 RICHMOND AVE

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:

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Apren 09/2014  
Date

Dean Owen  
Signature



### SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) KAREN KNOWLTON (see note above)

ADDRESS: #2 - 1053 RICHMOND AVE  
BANKS 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:

Both look great! Would be  
happy with either design!

Apr. 5/14  
Date

Karen Knowlton  
Signature

## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) Dee Perkins (see note above)

ADDRESS: #3 - 1053 RICHMOND AVE

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:

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Apr. 6/14  
Date

[Signature]  
Signature



## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) Denica Griffin (see note above)

ADDRESS: #4 - 1053 RICHMOND AVE

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:

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4/5/14  
Date

[Signature]  
Signature

## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) Shannon Goodrich (see note above)

ADDRESS: #1 - 1072 BANKS 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:

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6/5/14  
Date

Shannon Goodrich  
Signature



## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) CHERYL GAUTHIER (see note above)

ADDRESS: #2 1022 BANK 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:

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07/04/14  
Date

Cheryl Gauthier  
Signature

### SMALL LOT HOUSE REZONING PETITION

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

LUCIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE

to the following Small Lot Zone: R1-G2

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) Rebecca Wong (see note above)

ADDRESS: #3 - 1022 BANK 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:

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April 29, 2014  
Date

Rebecca Wong  
Signature



## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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Please review the plans and indicate the following:

NAME: (please print) KATE FITCHETT (see note above)

ADDRESS: 1030 BANKS 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:

I prefer the traditional plan.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

April 5/14  
Date

K. Fitchett  
Signature

## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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Please review the plans and indicate the following:

NAME: (please print) Trevor Kissinger (see note above)

ADDRESS: 1040 BANKS 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:

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April 5, 19  
Date

[Signature]  
Signature



Outlook.com

Proposal

Derek McKay Sign out

?

FILE



DOWNLOAD

PRINT

FIND

## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE, am conducting the petition requirements for the  
(print name)

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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Please review the plans and indicate the following:

NAME: (please print) DEREK MCKAY (see note above)

ADDRESS: 1035 RICHMOND AVE

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:

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APRIL 16, 2004  
Date

Derek McKay  
Signature

• RICHMOND AVENUE •

## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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) Michelle Frey (see note above)

ADDRESS: 1035 RICHMOND AVE

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:

The rezoning and variances applied for will be  
invasive to the privacy, access to light and resale  
value of the 1035 property. The proposed construction  
will be taller and wider than currently allowed greatly  
diminishing green space, streetscape and  
character of the neighbourhood.

6 April 2014  
Date

[Signature]  
Signature



## SMALL LOT HOUSE REZONING PETITION

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

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

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Please review the plans and indicate the following:

NAME: (please print) REEVAN MCKAY (see note above)

ADDRESS: 1035 RICHMOND AVE

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:

I AM OPPOSED TO THE SCALE OF THE PROPOSED CONSTRUCTION.  
IT WILL BLOCK ALL NATURAL LIGHT & SKY VIEW FROM  
OUR MAIN HABITABLE SPACE. THE MULTIPLE SIDE SETBACK  
VARIANCES INDICATE THE BUILDING IS TOO LARGE FOR THE  
SITE AND IT ENCRUCHES TOO CLOSELY TO NEIGHBOURING  
PROPERTIES, HARMING THE CHARACTER OF THE DISTRICT & LOWERING  
RESALE VALUES.

APRIL 6, 2004  
Date

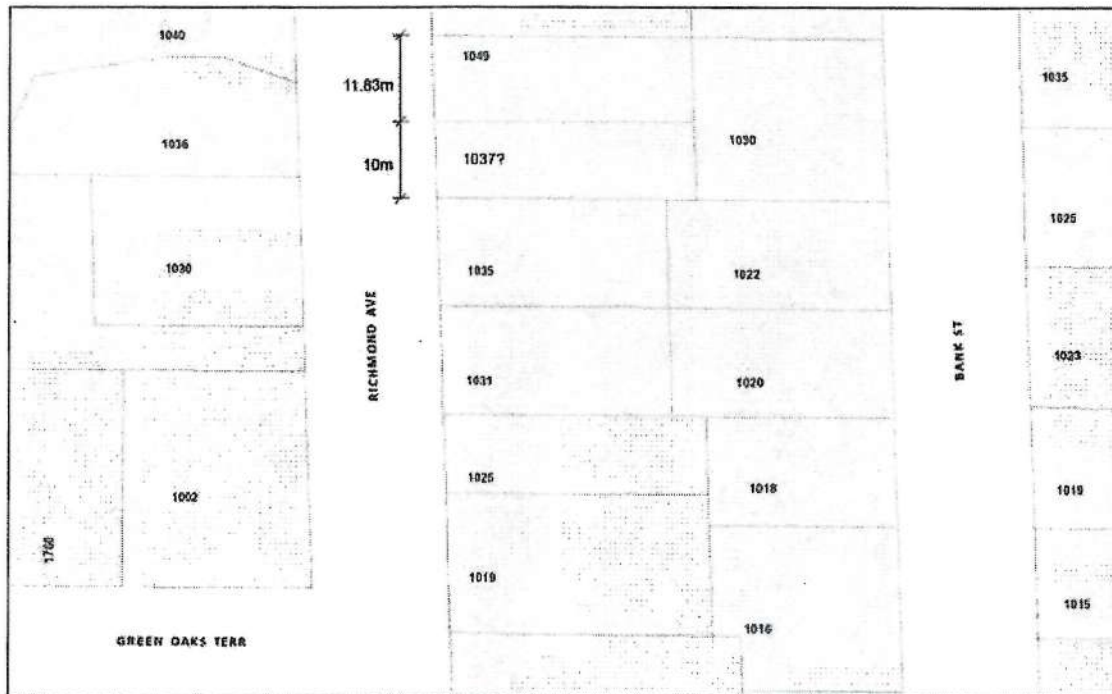
[Signature]  
Signature

# Objection to Proposed Rezoning and By-Law Amendment of 1049 Richmond Ave (REZ-00451)

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## Opposition to the Proposal

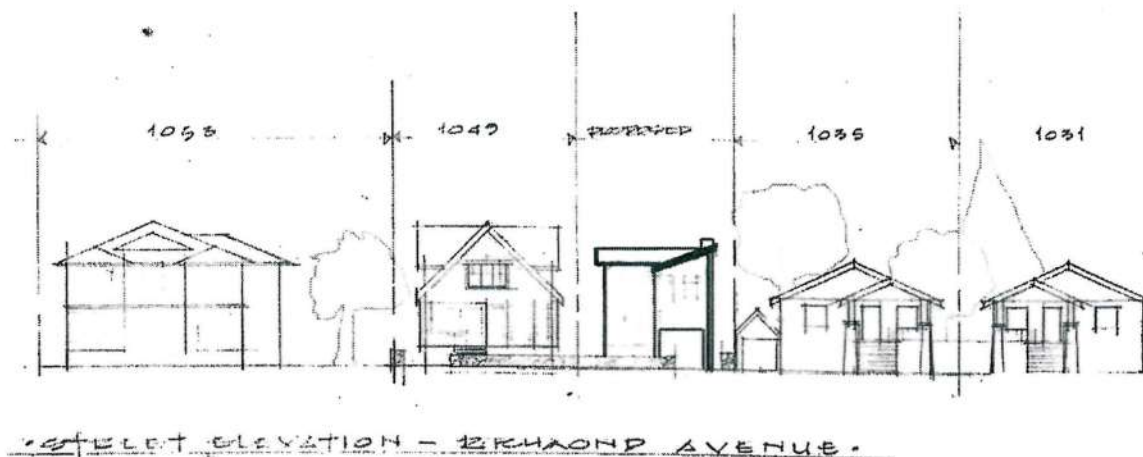
The residents -Reevan McKay and Michelle Frey - and owner - Derek McKay - of 1035 Richmond Ave. are opposed to the proposed rezoning and by-law amendment of 1049 Richmond Ave. which would see lot 1049 rezoned from R1-G<sup>1</sup> into two R1-S2(or R1-G2)<sup>2</sup> Small Lots. This proposal requires several variances to the R1-S2/G2 code just to make it possible. We submit that the lot at 1049 is too narrow to support this subdivision into two Small Lots and the proposed construction is out of proportion and character for the neighbourhood. It is taller, wider and closer to neighbouring properties than other construction in the area. This proposal is invasive to the privacy, access to light, peace & quiet and resale value of the 1035 property and other homes in the area.



<sup>1</sup> The Victoria Development services site lists the property as R1-G zoning. The Development Proposal Notice of Community Meeting lists the site as R1-B zoning.

<sup>2</sup> Some confusion appears to exist over the exact zoning designation of the new lot – it is listed as R1-S2 and R1-G2 on different documents.





## Multiple Variances Required

The lot on 1049 is currently zoned as R1-G (single family dwelling-Gonzales district) according to the Victoria Planning & Development Services department. To create the new R1-S2 lots, the proposal relies on a total of almost four meters of setback variances across two lots (See Figure 1)

- The existing side setback on 1049 north is already too small. It is apparently 1.3 meters instead of the ~3.15 meters required for a ~21 meter-wide lot according to code R1-G, and less than the 2.4m required for an R1-S2/G2 lot for habitable space with windows.
- The south setback on the newly rezoned 1049 is proposed to be between 1.3 and 1.5 meters instead of the required 2.4 meters for habitable space with windows.
- The north setback on the newly created 1037(?) lot is proposed to be 1.5 meters instead of the required 2.4 meters for habitable space with windows. If granted and combined with the small setback on the south of 1049, this will have an impact on the view, light and privacy received by the purchasers of 1049 which currently has most of its fenestration on the south elevation. The windows of the two houses will now be 2.8 meters away from *each other*, which has obvious implications for privacy, light and fire safety.
- The south setback on the newly created 1037(?) lot is proposed to be 1.5 meters instead of the required 2.4 meters for habitable space with windows. Since the main living space fenestration of 1035 is on the north elevation, the owner and residents of 1035 are opposed to this variance for reasons of privacy, light, view and safety.

Normally, the rezoning of 1049 and 1037(?) should not occur without the granting of the south setback variance on the existing 1049 building scheduled to become R1-S2, or else the newly created 1037(?) lot would be too narrow (~9 meters) to qualify for the minimum lot width for an R1-S2 zoning (10 meters). See Figure 2.

## **Confusion Regarding Existing and Proposed Zoning Impact on Floor Area**

The Victoria city map database lists the existing site as R1-G zoning. while owners and designers assert that it is R1-B zoned. With regards to the new zone, it is listed as R1-G2 on the Community Petition handed out by the proponents, but it is listed as R1-S2 on the Community Development Proposal meeting. If it is to become R1-G2, then the allowable floor area is reduced to 160 m<sup>2</sup> instead of 190 m<sup>2</sup>, making the existing proposal (at approximately 190 m<sup>2</sup>) too large for the site.

## **Difference between this proposal and other Small Lot subdivisions in the Neighbourhood**

The existing 1049 lot is only ~21.8 meters wide. A previously subdivided lot in the neighbourhood (1019/1025) was approximately 28 meters wide before subdivision. When it was subdivided, 1019 remained an R1-G lot (approx. 18 meters wide) while 1025 became R1-S2 (10 meters wide). The proposed division of lot 1049 will produce two R1-S2/G2 lots (both less than 15m wide), one of which will already be in violation of the Small Lot zoning by-laws based on the existing construction (setbacks and height).

## **View, Light and Privacy Impact on Neighbouring Lots**

- The existing construction at 1049 is more than 10m tall at the peak according to drawings produced by Banks Design. While the drawing don't show the official building height (midpoint of peak to eaves), it is likely about 8.5m since the eaves are at the height of the 1035 property which measures 7.1m at the peak. This is already taller than what is allowed on an R1-G, R1-B or R1-S2 lot. The proportions of this existing building on a Small Lot will have an impact on light and view for the newly created 1037(?) lot.
- The proposed construction of 1037(?) is more than 7m tall according to the illustrations provided by Banks Design. Which this is allowable for an R1-S2/G2 lot, the requested south side setback variance causes unreasonable view and light obstruction for 1035, which currently receives all of its sky views and natural light from the north side. See **Figure 3** and **Figure 4** *(These images are rendered using the Banks Design measurements and plans provided to us with the Community Petition on April 6, 2014).*
- The requested side setback variances mean that the upper bedroom and den of 1037(?) will end up looking into the living room of 1035 from a short distance, having an impact on privacy.
- The single sloped roof angled away from the 1035 property presents the residents of 1035 with an unreasonably tall elevation. While the official height of the building (midpoint of peak to eaves) is within the limits, the sheer wall facing 1035 is the height of the peak, effectively expanding the height of the building for shading and obstruction purposes.



## Loss of Green Space for Front Parking

The updated designs proposed at the April 22<sup>nd</sup> community meeting indicated what appeared to be a large concrete parking pad in the front of the houses, shared between the two properties (not shown in Figure 1). If this is indeed the case, it would appear to go against the R1-G design guidelines (1.6.7a). It's unclear whether the design guidelines on front parking are similar for R1-G2 zoned lots? It also appears to contradict the guidelines in Schedule C.3 regarding front parking.

## Conclusion

The owners and residents of 1035 are opposed to this rezoning proposal due to the scale of construction, the large number of variances required to make it feasible, and the short and long term impacts on neighbouring properties' privacy, light and safety.

Our concern is that this proposal appears to represent an attempt to maximize sale revenue by permanently sacrificing the character of a beautiful and unique piece of land and green space.

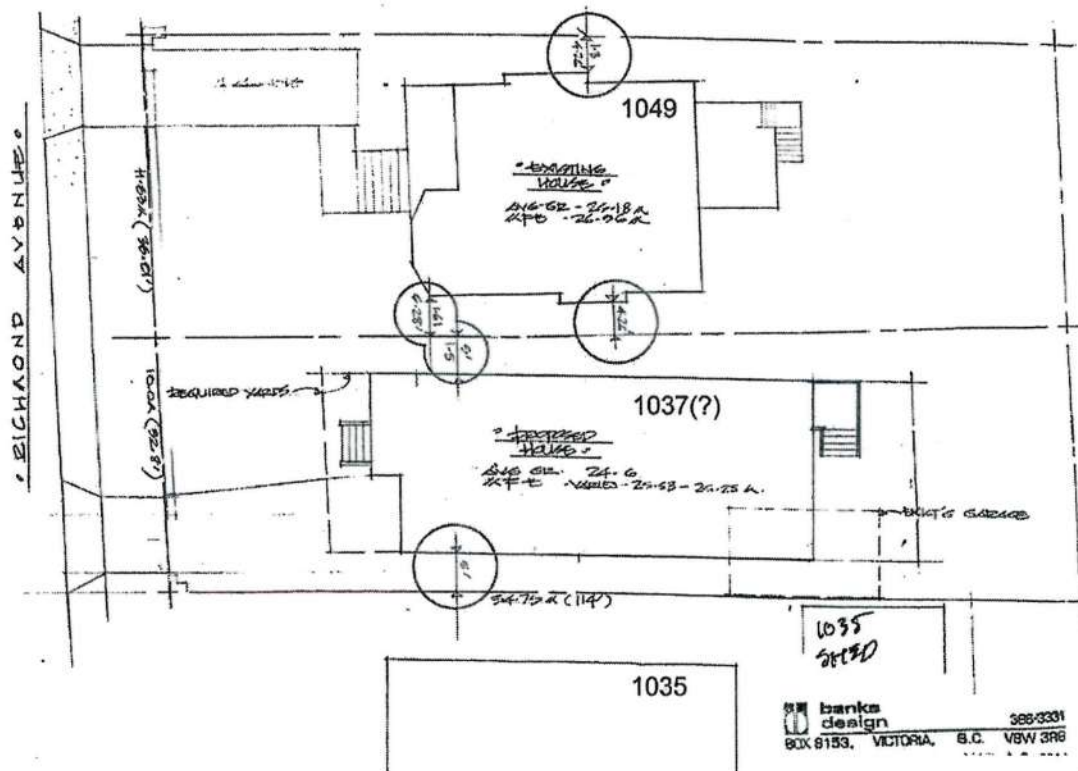


Figure 1-Proposed lot with existing and proposed variances marked in red<sup>3</sup>

<sup>3</sup> Drawings from April 6. Note that these drawings do not reflect modifications made by the proponents since then, including revised parking layouts.

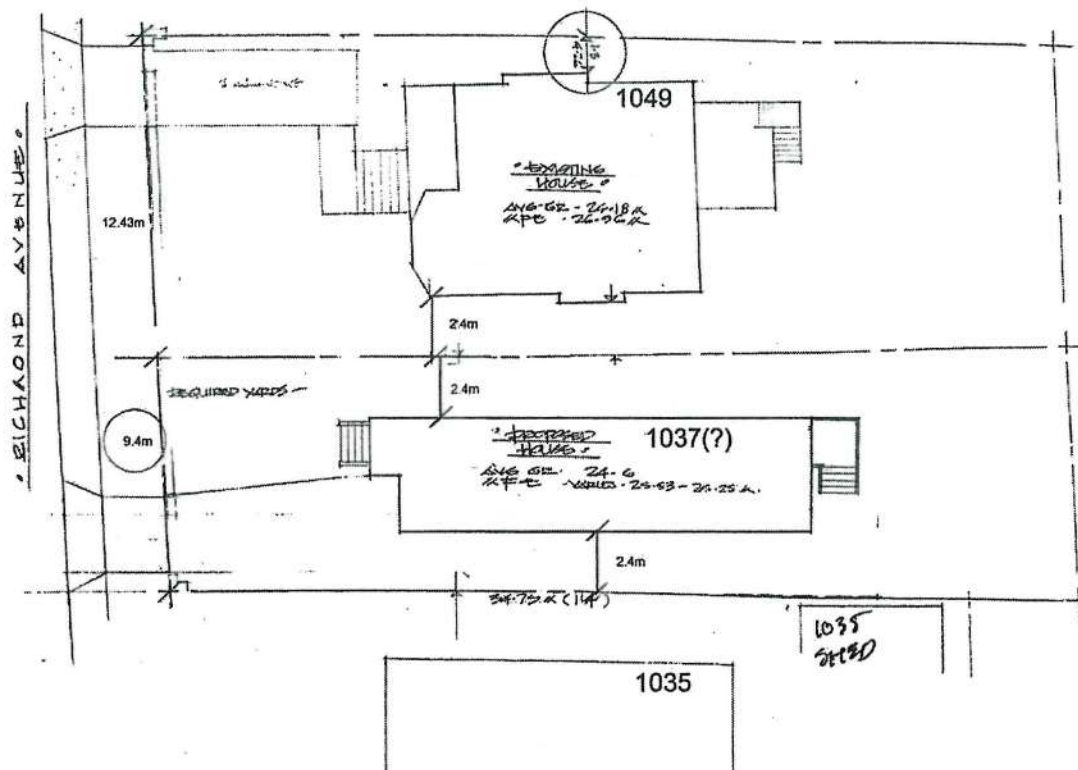


Figure 2-Site map with correct side setbacks; 1037(?) site is now too narrow to comply with R1-S2 minimum width. The existing side setback variance at 1049 north remains circled in red. Maximum width of construction at 1037(?) is now 4.6m instead of 7m.



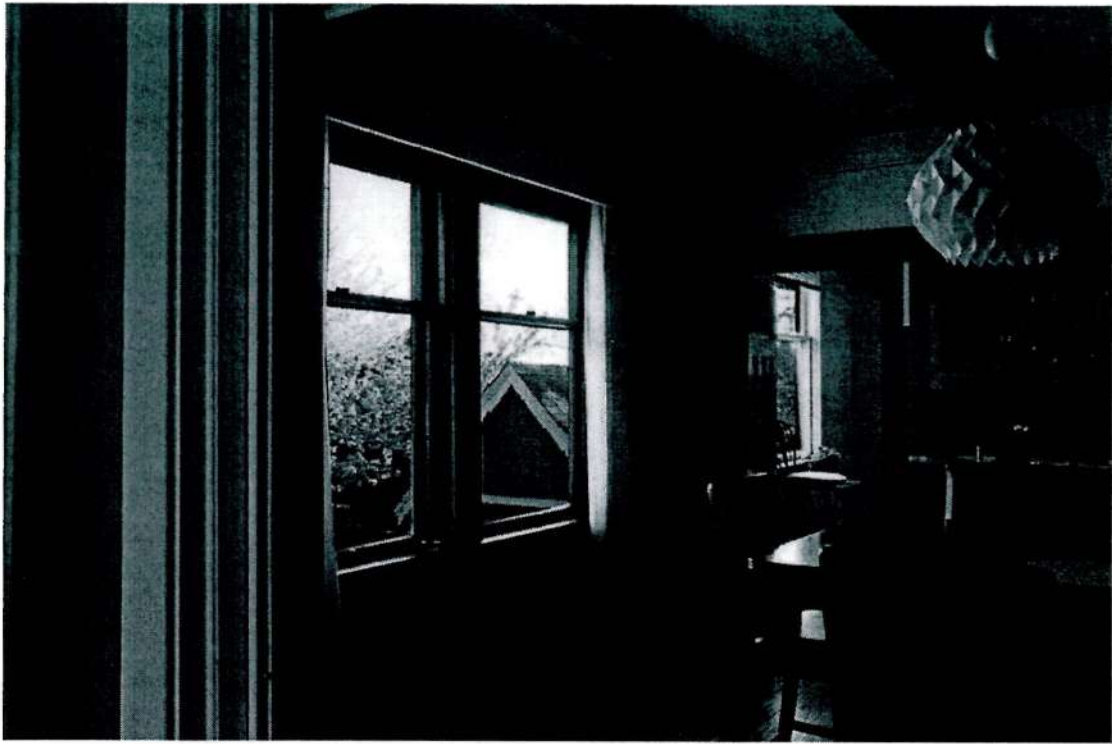


Figure 3-View North-East from 1035 (current)

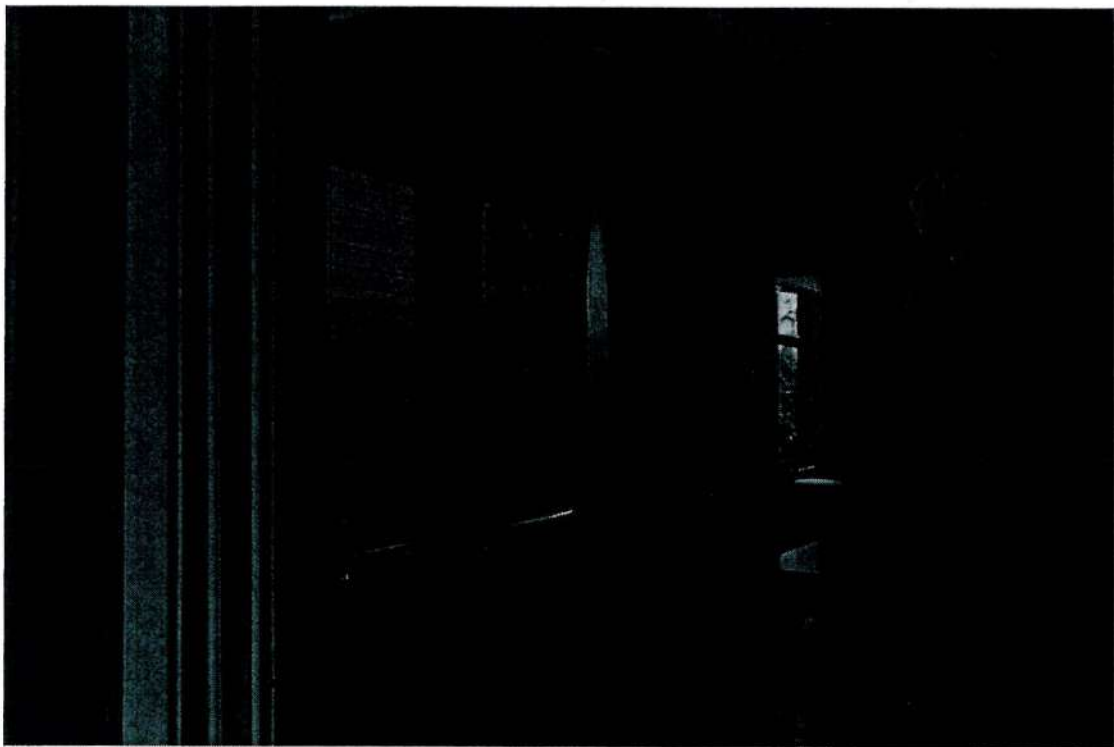
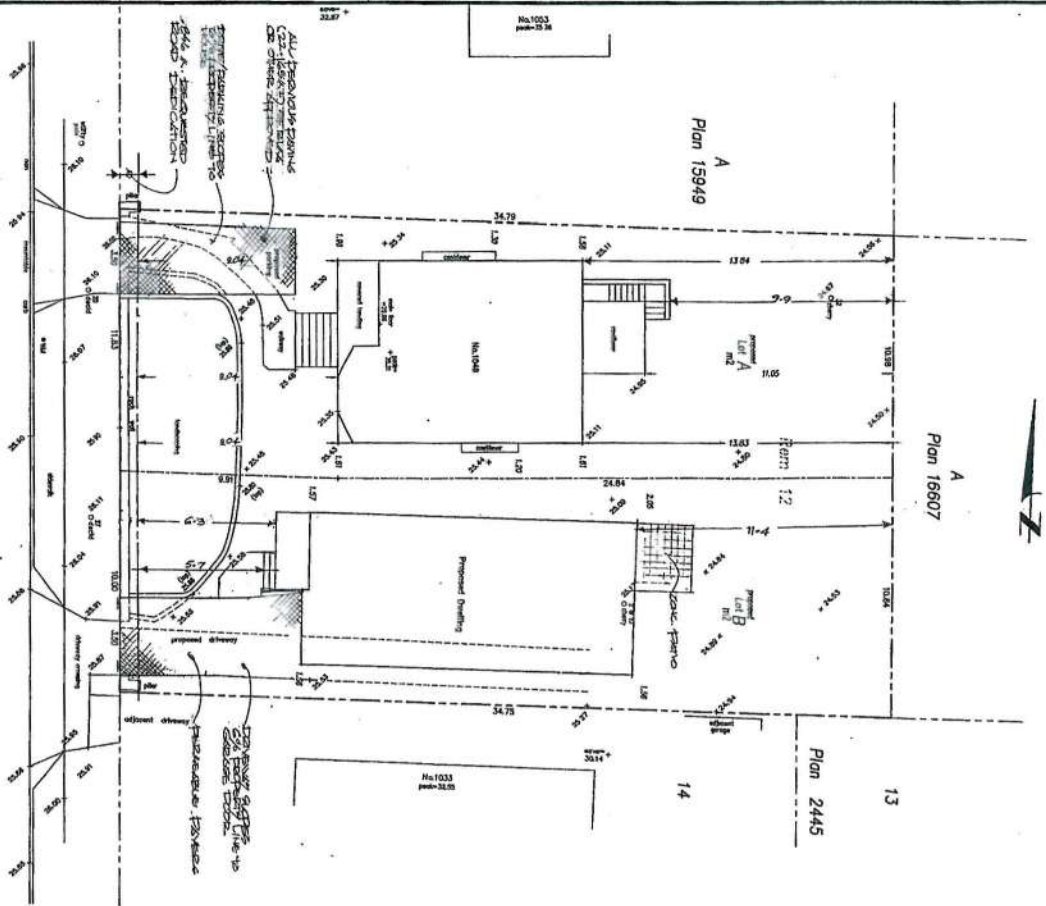


Figure 4-View North-East from 1035 (after proposal)

BC LAND SURVEYORS SITE PLAN OF:  
 CMC: 1049 Richmond Avenue  
 Legal - Lot 12, Section 7A, Victoria District,  
 Plan 2445, Except Part in Plan 18607

Project Number: 006-073-037  
 S.E. 1/4 - 1/4 - 1/4  
 All dimensions are given in metres.  
 The horizontal scale is 1" = 24' (6.1m).  
 The vertical scale is 1" = 12' (3.0m).  
 The site area is 757 m<sup>2</sup>.

Prepared by: J. Paine  
 Date: 11/15/2014  
 Project: 006-073-037  
 Site: 1049 Richmond Avenue  
 Plan: 2445, Except Part in Plan 18607



PROPOSED BUILDING DATA (Zone R1C2) 2

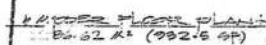
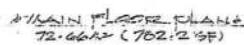
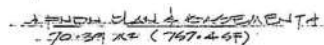
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3. LOT AREA	80%	20.67 A. (1000 S)	20.67 A. (1000 S)
4. LOT AREA	160 A.	146.76 A. (1000 S)	146.76 A. (1000 S)
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NOT TO SCALE - SEE PLAN 2445  
 REVISED - REVISED TO 1/2" SCALE  
 DATE: 10/24/2014



PROPOSED RESIDENTIAL DEVELOPMENT  
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 ANN RABE & JULIAN PAINE  
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 VICTORIA, B.C.

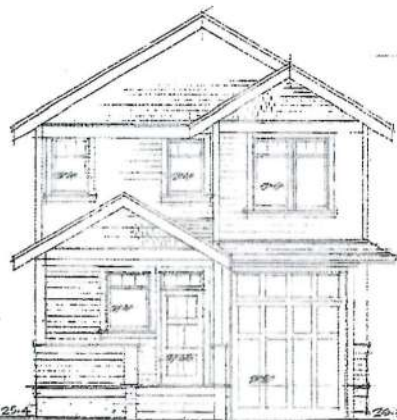
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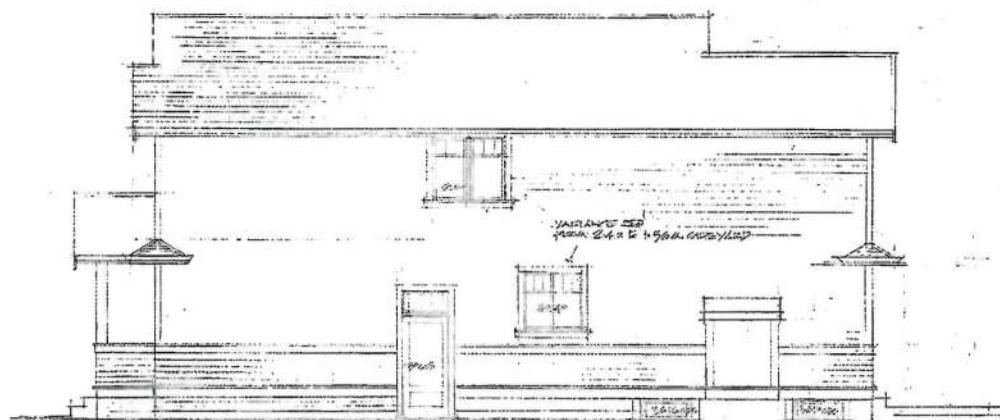
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Development Services Division

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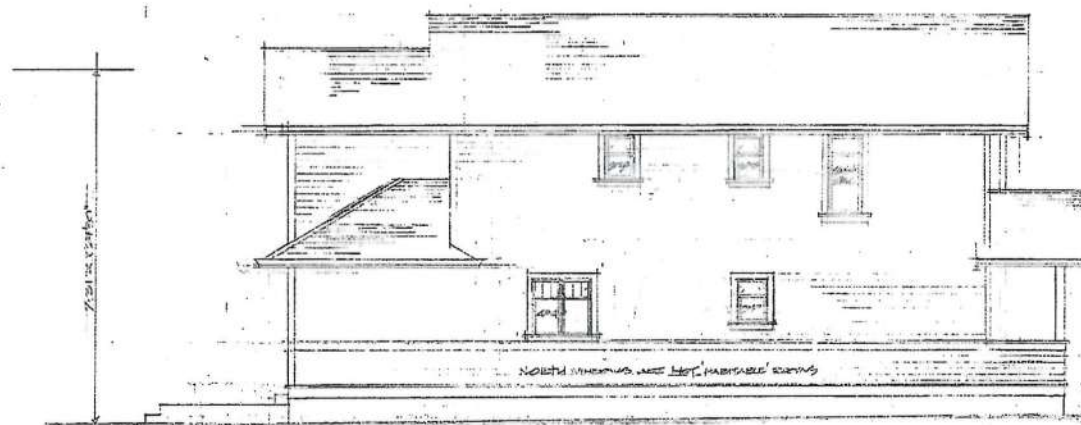




WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION

CONCEPT ONLY  
2012

Received  
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NOV 26 2014  
  
Planning & Development Department  
Development Services Division

REVISION - DRAFTED TO 2192 STANDARD - NOV 24 14

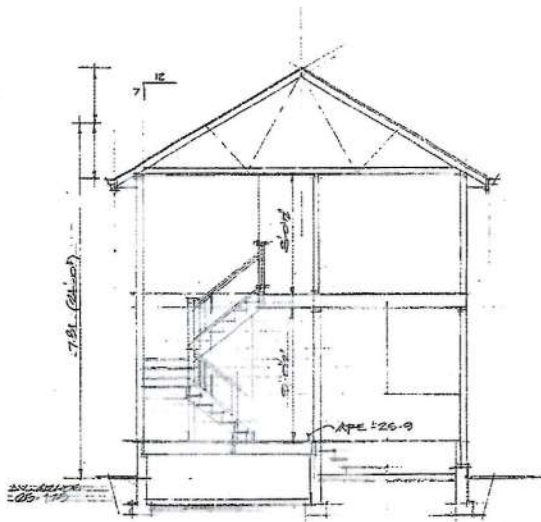
banks  
design

RESPONSED RESIDENTIAL DEVELOPMENT  
FOR  
ANN MARRIS & JULIAN PARRIS

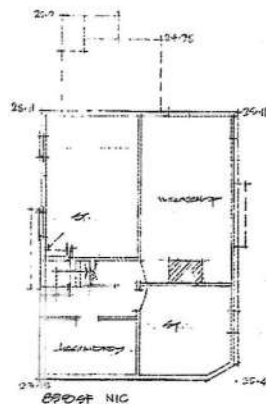
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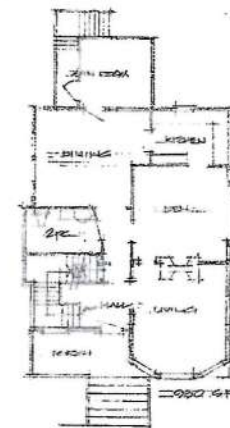
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DATE 10/10/14  
OWNER - JULY 11, 2014  
DATE 10/10/14



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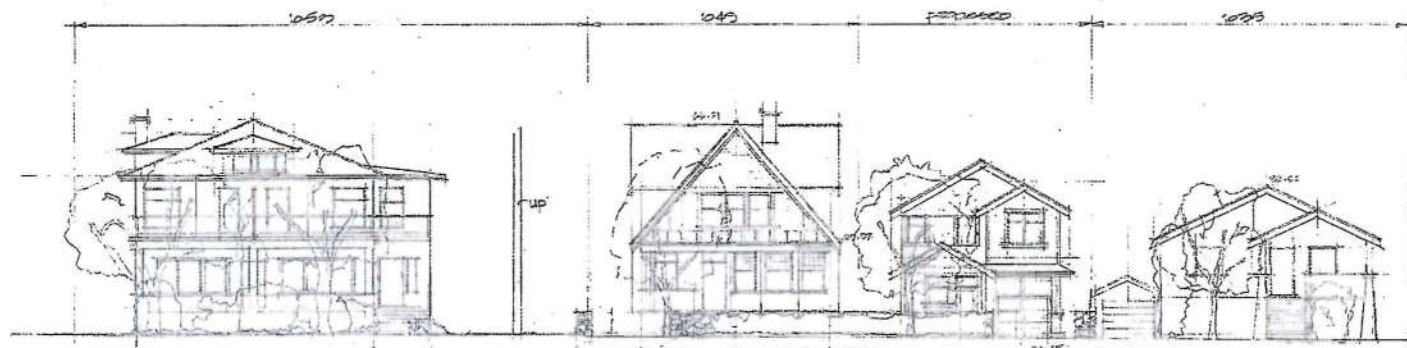
BASEMENT FLOOR PLAN  
1000 RICHMOND AVE EXISTING RESIDENCE



MAIN FLOOR PLAN



UPPER FLOOR PLAN



STREET ELEVATION 1000 - 1005 RICHMOND AVENUE &  
2010-1100

Received  
City of Victoria

NOV 26 2014

Planning & Development Department  
Development Services Division

banks  
design

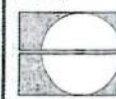


PHOTO MOUNTED ESSENTIAL REDEVELOPMENT

FOR

THE VICTORIA CITY OF VICTORIA

1000 RICHMOND AVE EXISTING RESIDENCE

2010-1100

PREPARED BY

banks design

DATE: 10/17/14

PROJECT: 1000 RICHMOND AVE EXISTING RESIDENCE

DATE: 10/17/14

PROJECT: 1000 RICHMOND AVE EXISTING RESIDENCE

DATE: 10/17/14