

# **MOLTO BENE ENTERPRISES**

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July 27, 2020

Mayor and Council  
City of Victoria  
1 Centennial Square  
Victoria, BC, V8W 1P6

**ATTENTION:** Chelsea Medd, - Planner - Sustainable Planning and Community Development

**RE: A SMALL LOT HOUSE AND SUBDIVISION AT 1905 LEE AVENUE – REVISED PLANS – July 2020**

Dear Mayor and Council,

On July 29, 2019, we filed application for a zone change and development permit at 1905 Lee Avenue to provide for a small lot subdivision and the construction of a new house. We have made the following changes to our plans further to the staff review and comments.

## **THE NEW LOT**

This property is a 497m<sup>2</sup> corner lot with an older raised bungalow fronting onto Lee Avenue. Upon subdivision the parent Lot A will be 262m<sup>2</sup> fronting onto Lee Avenue and the new Lot B will be 235m<sup>2</sup> fronting onto Bouchier Street. We acknowledge that Lot B is 25m<sup>2</sup> or 9.6% smaller than the 260m<sup>2</sup> minimum lot area required in the R1-S2 Small Lot Residential Zone. And so we request a specialized R1-S2 Zone to accommodate the new lot size and variances as required.

## **THE NEW HOUSE**

While we took some inspiration from the Small Lot House Design Guidelines we also undertook an Architectural Character Study of the neighbourhood and selected samples of ‘good fit’ small lot houses from other Victoria neighbourhoods. Our new house design of July 2019 was particularly inspired and informed by 118 Superior Street in James Bay and 1909 Lee Avenue in South Jubilee.

We have since redesigned the house further to the staff review. The redesigned house is 186.38 m<sup>2</sup> (2006 sq. ft.) on three levels. It is an 8.2m square shape with about 67 m<sup>2</sup> of ground floor area and an 11m<sup>2</sup> deck on the east wall. There are four bedrooms (one in the lower level and three on the top/upper floor) and 3 bathrooms plus a powder room.

There is one kitchen on the main level and other family oriented space throughout the house. There is no secondary suite proposed or intended.

We have repositioned the house so it has a smaller front yard, larger side yards and a much larger rear yard than proposed in our original plan. This increases the privacy to 1909 Lee Avenue and allows us to better protect the roots of the western white pine tree located on 1909 Lee Avenue.

### **THE EXISTING HOUSE**

Our revised plan A6 includes floor plans for the existing house upgrade showing the removal of the rear deck and replacement with a window to comply with BCBC spatial separation regulations. (See the appendix for further improvements to the existing house.)

### **LANDSCAPE PLAN AND TREE PROTECTION**

We have provided an arborists report as required by Parks and Recreation : **Tree Management Plan – Dunster and Associates – July 16, 2020.** We resurveyed the lot and trees further to the staff comments and our Tree Management Plan and revised our site plan and landscape plan accordingly.

The western white pine tree on 1909 Lee Avenue is a shared tree with proposed Lot B. We will retain and carefully prune it to reduce the existing shadow impact onto 1909 Lee Avenue and to increase access and function of the new back yard at Lot B. The 50 cm douglas fir tree on Lot B, not bylaw protected at the time of application, will be removed. The 70 cm douglas fir tree on the southeast corner of Lot B is bylaw protected. It is in good condition and we are advised by City of Victoria arborists that it is a co-stem douglas fir which may need to be carefully pruned to ensure its safety and longevity. We will secure pruning permits as required and implement the directions in our Tree Management Plan. With respect to construction on site, we will install barrier fencing around the douglas fir and the western white pine, ensure that service connection laterals are aligned to protect all critical root zones, maintain arborist supervision during excavation and construction as required and construct and install the new driveway as specified in the Tree Management Plan by Dunster and Associates.

We acknowledge the benefit of two arborists from the City of Victoria examining, measuring and commenting on our trees (June/July 2019) and one consulting arborist commenting on construction methods to ensure the preservation of the bylaw protected tree on our site.

### **SHADOW IMPACT TO 1909 LEE AVENUE**

1909 Lee Avenue sits directly north of 1905 Lee Avenue in an east/west orientation. Accordingly, the three big trees on Lot B cast considerable shadow onto the rear yard and garden of 1909 Lee. This will be reduced considerably with the removal of the 50cm

douglas fir tree and the careful pruning of both the 70 cm douglas fir and western white pine tree. The new house has been redesigned from a rectangle to a square and repositioned southerly with a much larger rear yard than first proposed. This too will reduce the shadow impact from the original design.

### **VARIANCES**

The existing house lot, which fronts onto Lee Avenue, requires variances to the rear yard and the northerly side yard. The new house lot, which front onto Bouchier Street, requires variances to the front yard and the rear yard. It is impossible to provide a properly sized second house on this corner lot without variances of some sort. As it is the variances are minimal and for the most part minor. The trade off is a new lot 25m<sup>2</sup> smaller than the required minimum lot size. That is an area of about 270 square feet, the size of a master bedroom with an ensuite bathroom and lots of closets.

### **APPROVING ON MERIT**

This application deserves to be approved on its own merits. It is consistent with the OCP and the Neighbourhood Plan, has high ERD values and exhibits good city planning, urban design, landscape design, building form and character.

The application provides attainable housing for those median income households who might otherwise not be able to own a single family house in the third most expensive real estate market in Canada.

It is located in a mixed density neighbourhood well serviced by transit, schools, retail/office/employment services and opportunities. We are increasing the tax base assessment and improving the streetscape and vitality of Bouchier Street and Lee Avenue. The proposal has site and context fit.

It does NOT under utilize the site. Rather it reuses and redevelops fully, carefully, completely and sustainably residential land within the urban containment boundary; a scarce and diminishing resource.

Respectfully submitted,



Joseph A. Calenda, MCIP, RPP (Rtd.), DTM  
MOLTO BENE ENTERPRISES

## **APPENDIX TO LETTER**

The Owner, Maria Perri Weeks, advises as follows:

The property at 1905 Lee is a corner lot and as such provides greater opportunity to support the City's intention to utilize land more creatively and build additional housing in an area where there is an acute shortage. More importantly, this property is a block away from the Royal Jubilee, and the new house will provide an additional home for a family whose workplace is a stone throw away.

Saving the existing house is important to the neighbourhood and in keeping with the City's policy to upgrade rather than demolish them. The house is structurally very sound but needs exterior refurbishment. The process will include:

- New roof
- New gutters and downspouts
- Removal of the back porch and reconfiguring the backdoor stairs
- Painting house and trim
- New thermal windows, where required
- New fencing
- Upgraded landscaping

The current tenants have been in the home since November 2016 and have no intention in moving. Construction of the new home will not displace tenants nor will home improvements to the existing home.

### **Tree Protection in the City of Victoria – Arborist Comments**

Here are the comments from Ryan Senechal, Technical Field Arborist, City of Victoria, regarding the large trees on our property.

“I attended the property of 1905 Lee Ave. this afternoon (July 9, 2019) to inspect trees and determine protection status. The protection status of the 3 large trees on your property in the back yard is as follows:

71cm diameter at breast height (DBH) Douglas fir (south east corner of property) – **PROTECTED**

49cm DBH Douglas fir – Undersized (middle tree, east property line) **not protected**  
61cm DBH Western white pine – Undersized (straddles property line, shared tree) **not protected**

There are boulevard trees that are City-owned on the south and west frontages, and are the responsibility of the City to maintain. Please let me know if you have any other questions or concerns.”