

From: [Correspondence Group, City Clerk's Office](#)
To: [s. 22\(1\) Personal and Confidential](#)
Subject: FW: Comments with respect to December 11, 2012 Public Hearing
Date: Monday, December 10, 2012 11:31:41 AM
Attachments: [Comments - 833 & 837 Keefer Street heritage designation and HRA By-Laws.doc](#)

Thank you for your comments.

All public comments submitted for the public hearing that are received not more than 15 minutes after the close of the speakers list for that public hearing will be distributed to members of Council for their consideration. The public comments must include the name of the writer.

In addition, these public comments will also be posted on the City's website (http://vancouver.ca/ctyclerk/councilmeetings/meeting_schedule.cfm).

Please note that your contact information will be removed from the comments, with the exception of the writer's name. Comments received after the start of the public hearing should not exceed 1500 words.

Public comments submitted for the public hearing that are received more than 15 minutes after the close of the speakers list, will not be distributed until after Council has made a decision regarding the public hearing application and the related bylaw is enacted, if applicable.

For more information regarding Public Hearings, please visit vancouver.ca/publichearings.

Thank you.

From: Jenny De Castris [s. 22\(1\) Personal and Confidential](#)
Sent: Monday, December 10, 2012 10:33 AM
To: Correspondence Group, City Clerk's Office
Subject: Comments with respect to December 11, 2012 Public Hearing

Dear Vancouver City Council,

I have attached my written comments with respect to agenda items #2 and #3 for the public hearing on December 11, 2012, for your consideration. Please let me know if you have any questions or if there is a problem with the attachment. Thank you for your time in reviewing this matter.

Sincerely,

Jennifer De Castris

[s. 22\(1\) Personal and Confidential](#)

To Vancouver City Council,

Re: 837 Keefer Street - McLellan Property - and 833 Keefer Street - Christenson Property - Heritage Designation and Heritage Revitalization Agreements

We own and reside at s. 22(1) Personal and Confidential, which is the north half of the duplex located at s. 22(1) Personal and Confidential. Our residence is directly next door (to the east) of the McLellan property (837 Keefer Street), where a development permit application for a 2 story infill building has been submitted and is being considered in return for the heritage designation of the existing residence on the property. This is in conjunction with a similar application being made for a 3 story infill building at the Christenson property (833 Keefer Street), which will also affects our property.

We believe that our quality of life and the value of our home will be negatively affected as a direct result of the proposed developments, and we are opposed to both of the applications as they currently exist. In addition, upon review of both Policy Reports dated November 15, 2012, it appears that there have been exceptions made with respect to the development permit applications that do not make sense, and we are in question of these allowances that have been made.

Both Policy Reports dated November 15, 2012 state that, "The General Manager of Planning and Development Services notes that reasonable impacts on surrounding properties are often considered to be acceptable in return for the broader public benefit of heritage conservation and protection." It is our view that the potential impacts on our property would not be reasonable and would force us out of a home that we love.

Our home is located at the north end of our property and backs onto the lane. The west facing side of the house is where our kitchen and dining room windows are, on the second level of the home (as illustrated in Appendix E, Page 5 of the Policy Report dated November 15, 2012 with respect to 837 Keefer Street). There are no windows on the east facing side of the house. Through our windows we currently have an open view of the lane, the neighbourhood around us and towards downtown Vancouver, as our dwelling is set so far back on our property. In addition, the windows provide us with our only access to direct sunlight in the main living area of the home. Part of the appeal in purchasing our home was that it was not built directly beside the house on the McLellan property, which gave it a bright and open feel. The parcels of land in Strathcona are very narrow, and if there were to be a 2 story infill building constructed at 837 Keefer Street, it would be only a few metres from our home and our main windows. The construction of both infill buildings would deprive us of that bright open feeling, our view

of the neighbourhood and the warmth of the afternoon sunshine, leaving us boxed-in and looking out at a wall.

The Policy Report dated November 15, 2012 with respect to 837 Keefer Street illustrates that there had been some shadow testing done on March 21, 2012 at 2 pm. We do not feel that shadow testing on one day of the year at one time of day is sufficient. As well, it is the issue of losing direct sunlight into our home that we are concerned with. If the two infill buildings were to be constructed as proposed, we believe that we would no longer receive direct sunlight into our home, especially during the summer months in the late afternoon when the sun is positioned almost directly west of us. Without question, the 3 story building proposed for 833 Keefer Street would block a good majority of the late afternoon sun into our dwelling.

We have attached photographs of our kitchen and dining room windows in order to illustrate the above points, at the conclusion of this letter.

We do not feel that we could continue to reside happily in our home if the proposed infill buildings at 837 and 833 Keefer Street were constructed. This possibility has forced us to consider selling our home in the immediate future, which we would not have done otherwise. We believe that the construction of the infill buildings next to us would decrease the value of our property, as we would be losing a fantastic view of the surrounding neighbourhood and to downtown Vancouver, as well as access to direct sunlight. The proposed Heritage Revitalization Agreements would allow the owners of the McLellan and the Christenson properties to be compensated for potential financial loss in designating their dwellings as Heritage buildings, however, there would be no compensation to our family for the loss of value in our property. It does not seem fair that our family should suffer financially as a direct result of such actions.

In reading the Policy Reports dated November 15, 2012, we were perplexed by the matter addressed in Appendix B regarding the consolidation of the parcels of land at 837 and 833 Keefer St. The Report states that, *"one HRA for both parcels is not permissible. As consolidation is not possible ...two separate development permit applications are required, with separate HRAs for each parcel."* The report then goes on to state that the two parcels of land do not meet the minimum requirements for infill development as separate parcels, but that they would be eligible for infill development if they were to be consolidated. As such, it would seem to follow that because consolidation of the two parcels is not currently possible and that the two parcels do not meet the minimum requirements separately, that the City would be unable to approve the applications for development. On the contrary, the City's Planning and Development Services department has gone ahead and allowed this blatant contravention of the regulations, and the City staff, "...have reviewed the application at 833 Keefer Street as if it were a part of a consolidation with 837 Keefer Street" despite the fact that they are not consolidated at this point in time and that consolidation is apparently not possible. We are in disbelief that the City has proceeded in such a manner and feel that reconsideration is required, as well as some kind of logical reasoning as to why the City would disregard its own regulations.

While we appreciate this opportunity to submit our comments to City Council, it feels somewhat like an exercise in futility, as it would seem that the decision has already been made and that the Policy Reports dated November 15, 2012 have made recommendations to the Council regardless of many of the concerns raised by the surrounding residents. As an example, one of my original main concerns was that the construction was going to be extremely disruptive to our lives. Our circumstances are that my husband works nights and usually arrives home at 5 am. He requires sleep from 5 am until 11 am. This would not be possible with construction going on beside us. As well, we have an infant who requires naps throughout the day, which, I believe would be greatly disrupted by the noise of construction. The City of Vancouver's response to this concern was that Section 16 of the City's Noise Bylaw states that, "construction noise is not permitted except from 7:30am to 8pm any weekday that isn't a holiday and from 10am to 8pm on any Saturday that is not a holiday." We are aware that there are noise bylaws in place, however, they do not aid in our circumstances. This would be another main reason for the construction forcing us to sell and move from our home.

We understand the importance of preserving the integrity of the community's historic structures, however, to do so at the cost of other families' well being is outrageous and unjust. We ask that the Council seriously reconsider the recommendations made in the Policy Reports with respect to the proposed developments at 837 and 833 Keefer St. Thank you for your attention to this matter.

Sincerely,

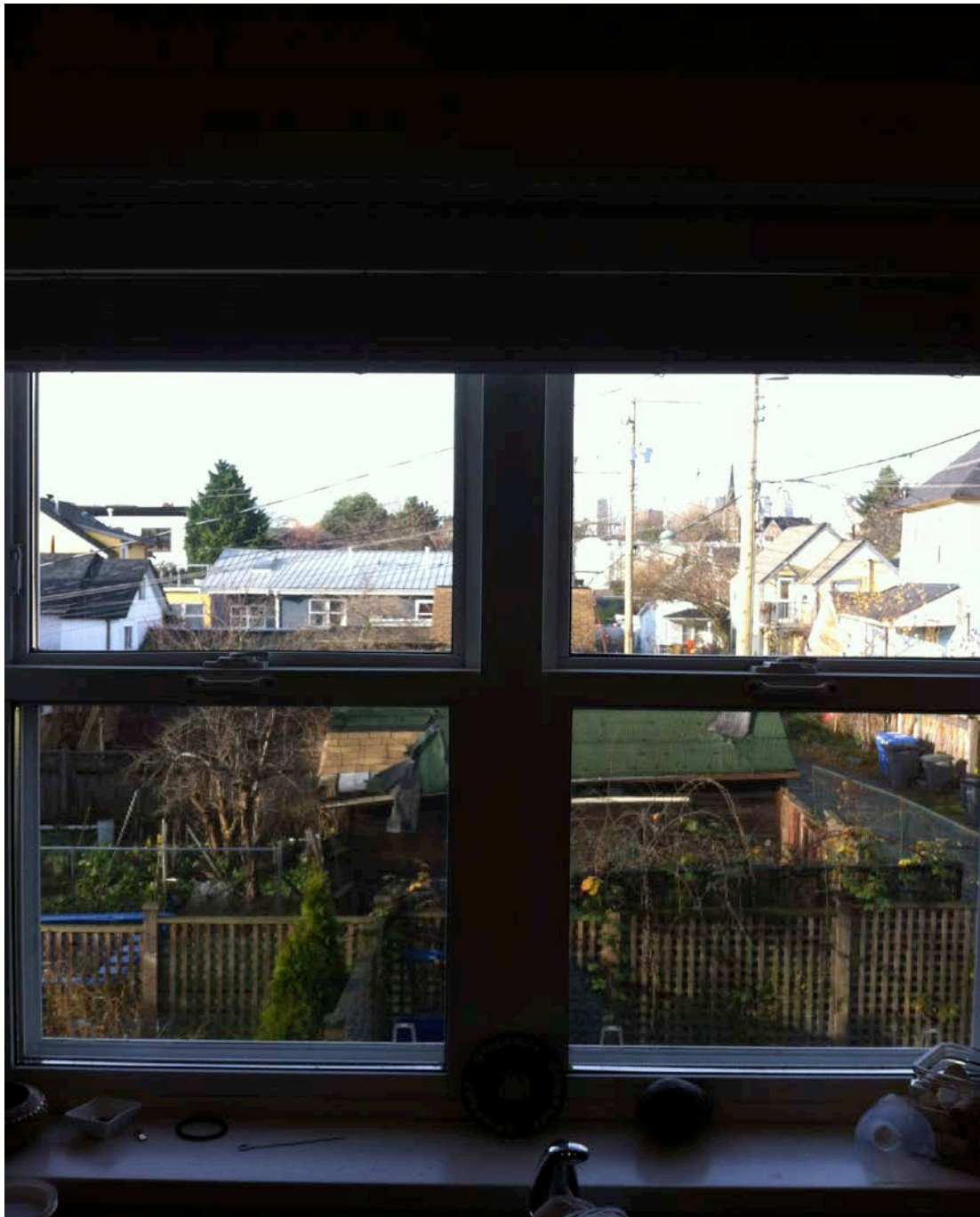
Jennifer De Castris

Photographs:

1. Dining room window view. The yard in the foreground is that of 837 Keefer Street (McLellan property) and the proposed site for a 2 story infill building. The yard on the other side of the fence where the trampoline is located is that of 833 Keefer Street (Christenson property) and the proposed site for a 3 story infill building. Both buildings would deprive us of everything you see out this window.



2. Kitchen window view. The fence in the foreground lies between the 837 and 833 Keefer Street properties. The area seen from our window to the shed/garage with the green tar paper roof are the sites where both buildings are proposed to be located. Both buildings would deprive us of everything you see out this window.



3. Overall living area showing the dining and kitchen windows described above - our only sources of direct sunlight on this level of the home.

