



January 06, 2023
1535/37 Despard Avenue. DVP No. 00263

This variance request should be declined. The previous council's decision to request a restrictive covenant to prevent garden suites is irrelevant because both 1535/37 Despard Ave. have fully contained basement suites; therefore, neither property is allowed to build a garden suite under the present policy governing garden suites.

A practical concern, however, is how the redevelopment of land at 1535/37 Despard Ave. proceeded, over a decade ago, **without** site-specific zoning under the relaxed requirements outlined via *Design Guidelines for Attached and Semi-attached Dwellings in the Rockland Neighborhood*.

<https://www.victoria.ca/assets/Departments/Planning~Development/Development~Services/Documents/neighbourhoods-rockland-design-guidelines.pdf>

The *Design Guidelines* allows two or more homes built on a single R1-A lot without subdivision and with reduced setbacks; Rockland has many such developments. An endorsement by the City for this variance request would ignite a cascade of requests by other non-conforming properties, built under the same relaxed guidelines without subdivisions, to receive a financial windfall due to the increase in property valuation of free title property.

The RNA LUC asks Development Services if they can report on:

- How many such developments currently exist in Rockland?
- How many similar properties will benefit from a land lift in the future?
- What are the other potential consequences of endorsing this application?

Mr. Eden is a land developer of this lot. The Alger's purchased their multimillion-dollar property as sophisticated buyers and were aware of the strata details before purchasing their home.

The RNA LUC sought council from a licensed Strata Insurance Agent and concluded that the supposed hardship of having to insure this strata property is no more difficult than insuring any other duplex, triplex or other multiplex units in Victoria, BC. Additionally, the quoted insurance price in their proposal indicates that the insuring of "contents coverage" is well beyond average valuations.

We suggest Developments Services further:

- Ask the applicant for clarity and details of the cost to insure this specific property
- Report unusual cost issues specific to 1535/37 Despard Ave., which could inflate insurance costs
- Report whether Attached and Semi-attached developments have additional insurance impediments

The Rockland Neighborhood Association Land Use Committee requests that these points be addressed in any Development Services report and to share this letter with the Mayor and Council. We also ask that this application for a Development Variance Permit be declined, given its lack of clarity about hardship and land lift impacts.

Regards.

RNA LUC

Bob June, co-chair. Carollyne Yardley, co-chair.