

F.2 1737 Rockland Avenue: Rezoning Application No. 00755 and Development Permit with Variances Application No. 000585 (Rockland)

Council received a report dated October 14, 2021 from the Director of Sustainable Planning and Community Development regarding a Rezoning application and a Development Variance Permit application for the property located at 1737 Rockland Avenue in order to rezone from the R1-A Zone, Rockland Single Family Dwelling District to a site-specific zone to allow for the subdivision and construction of two single-family dwellings as strata units on one panhandle lot, and recommending that the applications be declined.

Committee discussed:

- *How infill on the property could be appropriate*
- *The desire to avoid sending the application to the public prematurely*
- *Protected trees on the property, and the status of trees to be removed or planted*

Moved By Councillor Isitt

Seconded By Councillor Andrew

That this matter be referred to staff to work with the applicant to achieve greater consistency in relation to setbacks, building height, and privacy of the new buildings.

Moved By Councillor Isitt

Seconded By Councillor Andrew

That the meeting be extended to 4:00 p.m.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That this matter be referred to staff to work with the applicant to achieve greater consistency in relation to setbacks, building height, ~~and~~ privacy of the new buildings, **and to maximize the retention of trees.**

CARRIED UNANIMOUSLY

On the main motion as amended:

That this matter be referred to staff to work with the applicant to achieve greater consistency in relation to setbacks, building height, privacy of the new buildings, and to maximize the retention of trees.

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of October 28, 2021

To: Committee of the Whole **Date:** October 14, 2021
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00755 for 1737 Rockland Avenue

RECOMMENDATION

That Council decline Rezoning Application No. 00755 for the property located at 1737 Rockland Avenue.

LEGISLATIVE AUTHORITY

In accordance with Section 479 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 the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

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 1737 Rockland Avenue. The proposal is to rezone from the R1-A Zone, Rockland Single Family Dwelling District to a site-specific zone to allow for the subdivision and construction of two single-family dwellings, as strata units, on one panhandle lot. The rezoning application pertains to both of the two proposed lots.

The following points were considered in assessing this application:

- The rezoning and development permit with variance applications (see concurrent staff report) is inconsistent with applicable policy and regulations and therefore the proposal is not supportable, despite the offer of designating the existing heritage registered house located on the subject site.
- The property is designated as Traditional Residential in the *Official Community Plan 2012* (OCP) which envisions ground-oriented housing of up to two storeys. The proposed use, height, and density are consistent with this designation.
- However, the proposal is inconsistent with the panhandle regulations and guidelines for sensitive infill development due to the impacts on the existing adjacent properties which result from decreased setbacks and increased heights.
- The proposal is for two single family houses on one panhandle lot (the zoning

regulations require a maximum of one building per lot) which results in only 644m² of lot area per building. This is lower than the minimum of 850m² which is required per lot. This exacerbates challenges associated with meeting the design guidelines that aim to achieve sensitive infill.

- The OCP and *Rockland Neighborhood Plan (1987)* have policies that focus on the retention of heritage and historic buildings, landscape and streetscape features and estate character ensuring that new development is complementary to nearby heritage sites. Staff consider the proposed infill development to be not sufficiently sensitive to the surrounding context to meet these policies.
- The current R1-A Zone requires a minimum site area of 1502.09m² for the existing house. The proposal would result in the existing house being on a lot that is only 1026.27m² in size.
- The increased accessory building floor area (from 37.00m² to 76.78m²) is not in keeping with typical accessory buildings in the neighbourhood.

On this basis, the recommendation of this report is to decline the application.

BACKGROUND

Description of Proposal

The proposal is to rezone from the R1-A Zone, Rockland Single Family Dwelling District to a site-specific zone to allow for the subdivision and construction of two single-family dwellings as strata units on one panhandle lot.

Differences from the R1-A Zone, Rockland Single Family Dwelling District that would be accommodated in the new zone for Lot 1 relate to site area and floor area for an accessory building. For Lot 2, they relate to the number of single-family dwellings permitted on a lot and the total floor area for the two buildings combined.

Heritage designation (HD000195) and development permit with variances (DPV000585) applications have also been submitted. The development permit with variances application is discussed under a separate concurrent report. The heritage designation application will be brought forward in the event Council advances the application to Public Hearing as the applicant has indicated they are only interested in pursuing designation if the property is rezoned and at this point staff recommend the application is not adequately consistent with other policies and regulations.

Affordable Housing

The applicant proposes the creation of three new residential units (two new single-family houses, one of which would have a secondary suite) which would increase the overall supply of housing in the area.

Tenant Assistance Policy

The proposal would not result in a loss of existing residential rental units and therefore the *Tenant Assistance Policy* would not apply.

Sustainability

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation

The application proposes bike racks for two bikes on Lot 1 which support active transportation.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this rezoning application. The applicant will be required to provide a road dedication on Rockland Avenue of approximately 4.33m² to support sidewalk improvements as a requirement of the subdivision.

Accessibility

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*.

Land Use Context

The surrounding low-density residential area has ground-oriented housing forms and the immediately adjacent land uses are single-family dwellings. The existing house at 1737 Rockland Avenue is on the heritage registry. The neighbouring property at 1745 Rockland Avenue is heritage designated.

Existing Site Development and Development Potential

The site is presently in the R1-A Zone, Rockland Single Family Dwelling District. Under this zone, the site could be subdivided to accommodate two single-family homes with secondary suites (one house on the panhandle lot and one on the principal lot), subject to Council's approval of a Panhandle Development Permit Application. Alternatively, the current zone would permit two semi-attached dwellings or three attached dwellings, subject to Council's approval of a Rockland Intensive Residential Development Permit Application. The current zoning also permits House Conversions and garden suites.

Data Table

The following two data tables compare the proposal with the R1-A Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. Two asterisks are used to identify where there are existing non-conformities. The differences related to Lot 2 for building height, number of storeys, setbacks, and site coverage require variances and are discussed in the concurrent development permit with variances report.

Lot 1 (Lot with Existing House)

Zoning Criteria	Proposal (Lot 1)	Existing Zone (R1-A)
Site area (m ²) – minimum	1026.27 *	1502.094
Density (Floor Space Ratio) – maximum	0.40	n/a
Combined floor area (m ²) – minimum	413.80	130.00

Zoning Criteria	Proposal (Lot 1)	Existing Zone (R1-A)
Lot width (m) – minimum	25.60	24.00
Height (m) – maximum	8.59 **	7.60
Storeys – maximum	2.5	2.5
Site coverage (%) – maximum	36.50	40.00
Setbacks (m) – minimum		
Front (west)	0.44 **	10.50
Rear (east)	16.16	8.72
Side (north)	4.55	3.00
Side (south)	1.35 **	3.00
Parking – minimum	2	1
Accessory Building (Schedule F)		
Location	Rear yard	Rear yard
Combined floor area (m ²) – maximum	76.78 *	37.00
Height (m) – maximum	3.29	3.50
Rear setback (m) – minimum	1.20	0.60
Side setback (m) – minimum	1.50	0.60
Separation space between an accessory building and the principal building – minimum	5.82	2.40
Rear yard site coverage (%) – maximum	22.67	25.00

Lot 2 (Panhandle Lot with Two New Houses)

Zoning Criteria	Proposal (Lot 2)	Existing Zone (R1-A Panhandle)
Site area (m ²) – minimum (without driveway)	1288.00 (644.00 per building)	850.00
Number single family dwelling buildings per lot – maximum	2 *	1

Zoning Criteria	Proposal (Lot 2)	Existing Zone (R1-A Panhandle)
Density (Floor Space Ratio) – maximum	0.30	N/A
Combined floor area (m ²) – maximum	256.53 (Building A) 296.91 (Building B) 553.45 (Total) *	280.00
Lot width (m) – minimum	29.52	24.00
Height (m) – maximum	6.87 (Building A) * 5.49 (Building B) *	5.00
Storeys – maximum	1.5 (Building A) * 2 (Building B) *	1
Site coverage (%) – maximum	25.70 *	25.00
Setbacks (m) – minimum		
West	2.27 (Building A – habitable window) *	
East	5.00 (Building B – habitable window) *	
North	9.59 (Building A – non-habitable window) 1.50 (Building B – habitable window) *	4.00 – non-habitable window 7.50 – habitable window
South	7.50 (Building A – habitable window) 3.41 (Building B – non-habitable window) * 3.66 (Building B – habitable window) *	
Building Separation	10.51 (between Buildings A and B)	N/A
Parking – minimum	2 per building	1 per building

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the development application plans were posted on the Development Tracker and an online comment form provided for feedback. A letter from the Rockland Neighbourhood CALUC dated September 11, 2020 is attached to this report. The comments received from the online comment form are also attached to this report.

ANALYSIS

The following sections provide a summary of the rezoning application's consistency with relevant City policies and regulations.

Official Community Plan

The *Official Community Plan 2012* (OCP) Urban Place Designation for the subject property is Traditional Residential, which envisions ground-oriented housing of up to two storeys. At the local area level, the OCP provides a land use policy vision and strategic directions for Rockland in the City-wide context, including several policies relevant to the subject property. The latter emphasizes conservation of historic architectural and landscape character, including urban forest on private lands, through sensitive infill that retains open and green space and overall estate character. The OCP also includes policies to support heritage through allowances, such as zoning, to achieve a balance between new development and heritage conservation through residential infill that is sensitive to context and innovative in design.

Although retaining the existing heritage registered house meets these goals, the proposed infill development is not sensitive to the surrounding context (see concurrent Development Permit with Variances Application report). Overall staff consider the proposal to not sufficiently meet the OCP policies, however, an alternate motion has been provided if Council chooses to move it forward. The alternate motion would also direct staff to move the heritage designation application forward to a Committee of the Whole meeting for Council's consideration which could occur quickly as to not hold up Council's consideration of the application should the desire be to advance the application as proposed.

Rockland Neighbourhood Plan

Aligned with the OCP, the *Rockland Neighborhood Plan (1987)* also has policies that focus on the retention of heritage and historic buildings, landscape and streetscape features and estate character ensuring that new development is complementary to nearby heritage sites. As explained under the OCP section above, staff consider the proposal to not sufficiently meet the *Rockland Neighbourhood Plan* policies.

Heritage Designation

The proposed heritage designation of the house is compatible with the *Official Community Plan, 2012* (OCP), and is consistent with the *Zoning Regulation Bylaw*. The applicant has indicated they are only interested in pursuing designation if the property is rezoned. At this point, staff recommend the application is not adequately consistent with other policies and regulations, and while heritage designation is desirable the negative impacts associated with the current proposal offset the benefit of designation.

Although the property could be redeveloped to replace the existing house if it is not heritage designated (see Existing Site Development and Development Potential section above), there are incentives to retain the house under current zoning regulations, including:

- The house could be converted into four dwelling units and if it is heritage designated it could be converted into seven dwelling units and no parking would be required.
- If the house were demolished in order to subdivide, it would need approval by Council because it would require a variance for minimum lot width or a development permit for a panhandle lot.

- The front and side setbacks of the existing house are non-conforming. A new building would need to have larger setbacks or seek Council approval for variances.

Regulatory Considerations

The application does not meet the R1-A Zone, Rockland Single Family Dwelling District, nor the standards specified in Schedule H that relate to newly created panhandle lots.

Proposed Lot 1 – Existing Single Family Dwelling

The applicant is requesting relaxation of the following regulations for Lot 1:

- decrease the site area from 1502.094m² to 1026.27m²
- increase the combined floor area for an accessory building from 37.00m² to 76.78m².

While the lot size could be supportable if it facilitates retention of the existing heritage registered building, staff consider the increased accessory building floor area to not be in keeping with typical accessory buildings in the neighbourhood. However, the increase would not have a substantial impact on existing adjacent properties and the building would not be visible from the street.

Proposed Lot 2 – Two New Single Family Dwellings

The applicant is requesting relaxation of the following regulations for Lot 2:

- increase the number of single-family dwelling buildings on a lot from one to two
- increase the combined floor area from 280.00m² to 553.45 m² (for Building A and B together).

The panhandle lot regulations under Schedule H for the R1-A zone establish a minimum lot area of 850m². The proposed lot area is 1288m², resulting in an average lot area per single family dwelling of 644m². The proposed combined floor area (553.45m²) exceeds the maximum of 280m² specified in the panhandle regulations because two houses are being proposed on one lot. Building A has a floor area of 256.53m² and Building B has a floor area of 296.91m². Increasing the number of single-family dwellings and the overall floor area creates challenges for siting the buildings without having impacts on adjacent properties. This is exacerbated by the request to increase the height of both new houses from 5.00m to 6.87m for Building A and to 5.49m for Building B. This is discussed in the concurrent Development Permit with Variances report.

Easement

The parking for Lot 1 is only accessible via the panhandle of Lot 2. An easement would therefore be needed to satisfy the requirements of Schedule C of the *Zoning Regulation Bylaw*.

Tree Preservation Bylaw and Urban Forest Master Plan

The proposal as it relates to trees will be reviewed in association with the concurrent Development Permit Application for this property.

CONCLUSIONS

The proposed housing forms and density are consistent with the land designation and OCP policies related to sensitive infill in Rockland on lots with an estate character. The proposed

buildings' siting, height, setbacks, and site coverage, however, are not in keeping with the panhandle lot regulations and guidelines and have impacts on the privacy of neighbouring properties. Staff recommend that Council consider declining this rezoning application because, overall, it does not sufficiently meet policy goals for integrating infill development into the neighbourhood.

ALTERNATE MOTION

That Council instruct staff to bring forward the Heritage Designation Application and prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00755 for 1737 Rockland 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: Preparation and execution of an easement that permits shared use between the two lots of the driveway, to the satisfaction of the City Solicitor.

Respectfully submitted,

Rob Bateman
Senior Process Planner
Development Services Division

Karen Hoesel, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated stamped October 8, 2021
- Attachment D: Letter from applicant to Mayor and Council dated June 5, 2021
- Attachment E: Community Association Land Use Committee Comments dated September 11, 2020 and Pre-Application Comments from Online Feedback Form
- Attachment F: Arborist Report dated May 9, 2021
- Attachment G: Correspondence (Letters received from residents).



Committee of the Whole Report For the Meeting of October 28, 2021

To: Committee of the Whole **Date:** October 14, 2021

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 000585 for 1737 Rockland Avenue

RECOMMENDATION

That Council decline Development Permit with Variance Application No. 000585 for 1737 Rockland Avenue.

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for property located at 1737 Rockland Avenue. The proposal is to rezone from the R1-A Zone, Rockland Single Family Dwelling District to a site-specific zone to allow for the subdivision and construction of two single-family dwellings on one panhandle lot (Lot 2). The proposal requires a development permit for Lot 2 because it is in Development Permit Area 15B: Intensive Residential – Panhandle Lot.

The following points were considered in assessing this application:

- The rezoning (see concurrent staff report) and development permit with variance applications are inconsistent with applicable policy and regulations.
- Staff consider the proposal to be inconsistent with the objectives for sensitive infill in Development Permit Area 15B: Intensive Residential – Panhandle Lot of the *Official*

Community Plan (OCP). The design of the proposal does not sufficiently mitigate the potential negative impacts of the panhandle lot on adjacent properties.

- The proposal is also inconsistent with the *Small Lot House Design Guidelines (2002)*. The proposed siting and scale of the buildings and placement of windows would have impacts on the adjacent existing properties.
- The proposed variances related to height, number of storeys, and setbacks would have substantial impacts on adjacent properties and therefore are not supportable.

On this basis, the recommendation of this report is to decline the application.

BACKGROUND

Description of Proposal

The proposal is to rezone from the R1-A Zone, Rockland Single Family Dwelling District to a site-specific zone to allow for the subdivision and construction of two single-family dwellings, as strata units, on one panhandle lot. Lot 2, the subject of this application, is a Panhandle Lot and therefore requires a development permit in accordance with Development Permit Area 15B: Intensive Residential – Panhandle Lot.

Specific details include:

- building A is a one and a half storey single-family dwelling
- building B is a two-storey single-family dwelling with secondary suite
- traditional design elements such as gable and hipped rooflines, covered front entryways, and multi-paned windows with trim and sills have been employed
- the exterior materials include hardi-shingle siding, batts on hardi-panel siding, fibreglass shingle roofing and aluminium guard rails
- new hard and soft landscaping would be introduced, including a porous asphalt driveway, large concrete slab entry walks, decorative concrete unit paver patios, trees, shrubs and ground cover.

The proposed variances are related to building heights, numbers of storeys, setbacks and site coverage.

Heritage designation (HD000195) and rezoning (REZ00755) applications have also been submitted. The rezoning application is discussed under a separate concurrent report. The heritage designation application will be brought forward in the event Council advances the application to Public Hearing as the applicant has indicated they are only interested in pursuing designation if the property is rezoned and at this point staff recommend the application is not adequately consistent with other policies and regulations.

Accessibility

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*.

Existing Site Development and Development Potential

The site is presently in the R1-A Zone, Rockland Single Family Dwelling District. Under this zone, the site could be subdivided to accommodate two single-family homes with secondary suites (one on the panhandle lot and one on the principle lot), subject to Council's approval of a Panhandle Development Permit Application. Alternatively, the current zone would permit two

semi-attached dwellings or three attached dwellings, subject to Council's approval of a Rockland Intensive Residential Development Permit Application. The current zoning also permits House Conversions and garden suites.

Data Table

The following data table compares the proposed Lot 2 with the R1-A Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal (Lot 2)	Existing Zone (R1-A Panhandle)
Site area (m ²) – minimum (without driveway)	1288.00 (644.00 per building)	850.00
Number single family dwelling buildings per lot – maximum	2 *	1
Density (Floor Space Ratio) – maximum	0.30	N/A
Combined floor area (m ²) – maximum	256.53 (Building A) 296.91 (Building B) 553.45 (Total) *	280.00
Lot width (m) – minimum	29.52	24.00
Height (m) – maximum	6.87 (Building A) * 5.49 (Building B) *	5.00
Storeys – maximum	1.5 (Building A) * 2 (Building B) *	1
Site coverage (%) – maximum	25.70 *	25.00
Setbacks (m) – minimum		
West	2.27 (Building A – habitable window) *	
East	5.00 (Building B – habitable window) *	
North	9.59 (Building A – non-habitable window) 1.50 (Building B – habitable window) *	4.00 – non-habitable window 7.50 – habitable window

Zoning Criteria	Proposal (Lot 2)	Existing Zone (R1-A Panhandle)
South	7.50 (Building A – habitable window) 3.41 (Building B – non-habitable window) * 3.66 (Building B – habitable window) *	
Building Separation	10.51 (between Buildings A and B)	N/A
Parking – minimum	2 per building	1 per building

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the development application plans were posted on the Development Tracker and an online comment form provided for feedback. A letter from the Rockland Neighbourhood CALUC dated September 11, 2020 is attached to this report. The comments received from the online comment form are also attached to this report.

This application proposes variances, therefore, in accordance with the City’s *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 15B: Intensive Residential – Panhandle Lot. Therefore, the *Advisory Design Guidelines for Buildings, Signs and Awnings, (1981)* and *Design Guidelines for Small Lot House (2002)* apply to the panhandle lot.

The proposed design of the buildings has traditional design elements such as gable and hipped rooflines, covered front entryways, and multi-paned windows, which fit in with the character of the neighbourhood. Although the two-car garage doors would be visually prominent on the houses, they would not be clearly visible from the public street. The addition of a second enclosed parking stall in each house does, however, drive the overall massing and site coverage.

Overall, staff consider that the proposal does not sufficiently meet the guidelines for sensitive infill development due to the impacts on privacy for the existing adjacent properties which result from window size, placement, and distance from property lines. The increased height beyond the standard panhandle single-family dwellings will also impact privacy as well as views towards the subject site. However, an alternate motion has been provided if Council chooses to move the application as proposed forward for consideration at a public hearing

Regulatory Considerations

Overall, staff consider the variances to not be supportable due to impacts on adjacent properties and the extent to which they differ from the regulations for panhandles which were designed to minimize potential conflicts and to encourage a sensitive fit with surrounding properties.

Proposed Building A – New Single Family Dwelling

The applicant is requesting variances for Building A as follows:

- increase the height from 5.00m to 6.87m
- increase the number of storeys from 1 to 1.5
- decrease the west setback (habitable window) from 7.50m to 2.27m.

The proposed increase in height and number of storeys would have minimal overlook impacts on the property to the south because there is only one window on the south facing second floor; however, the additional height, will be visible from the adjacent backyards. Although the variance to the west setback is substantial, it would primarily impact the proposed Lot 1 and would therefore be absorbed internally.

Proposed Building B – New Single Family Dwelling with Secondary Suite

The applicant is requesting variances for Building B as follows:

- increase the height from 5.00m to 5.49m
- increase the number of storeys from 1 to 2
- decrease the east setback (habitable window) from 7.50m to 5.00m
- decrease the north setback (habitable window) from 7.50m to 1.50m
- decrease the south setback from 4.00m to 3.41m (non-habitable window)
- decrease the south setback from 7.50m to 3.66m (habitable window).

The variance to the overall height is largely triggered because of the sloped site; however, it would still result in the eastern portion of the building appearing as two storeys, which is inconsistent with the regulations and guidelines' intent of reducing impacts on adjacent properties. Additionally, the variances to the setbacks will have impacts on the privacy of adjacent properties to the north, east, and south, particularly because these proposed elevations all have windows to habitable rooms.

Site Coverage for Buildings A and B

The applicant is proposing to increase the site coverage from 25.00% to 25.70%. Staff consider this to be a small amount which would have minimal impacts.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the *Urban Forest Master Plan* include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods. This application was received after October 24, 2019, so *Tree Preservation Bylaw No. 05-106* (consolidated November 22, 2019) applies, protecting trees larger than 30 cm diameter at breast height (DBH).

25 trees have been inventoried. 12 of these are located on the subject lot, nine of which are bylaw protected. 13 trees are located off-site, including two municipal trees and seven bylaw protected trees.

Of the nine bylaw protected trees on the subject lot, seven are proposed for removal. Trees #136, #137, #138, #139, #140 and #141 are required to be removed for construction of the proposed driveway and Building B. Removal of tree #278 would be required for underground

servicing to Building A. Most of the trees proposed for removal have been assessed to have poor structure. Two bylaw protected trees are proposed for retention with this development.

All off-site trees are proposed are proposed for retention.

The landscape plan shows 27 new trees for this development, including 14 replacement trees as required by the *Tree Preservation Bylaw*. Six of the proposed trees are also replacement trees required because of the removal of three dead Garry oaks which occurred in 2018.

Tree Impact Summary Table

Tree Status	Total # of Trees	To be REMOVED	To be PLANTED	NET CHANGE
On-site trees, bylaw protected	9	7	20	+13
On-site trees, not bylaw protected	3	1	7	+6
Municipal trees	2	0	0	0
Neighbouring trees, bylaw protected	7	0	0	0
Neighbouring trees, not bylaw protected	4	0	0	0
Total	25	8	27	+19

CONCLUSIONS

The proposed form, massing and character do not sufficiently meet the goals of the design guidelines for sensitive infill development and the variances to the height, number of stories, and setbacks will have impacts on the adjacent existing properties. Staff recommend that Council consider declining this application.

ALTERNATE MOTION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No.00755, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 000585 for 1737 Rockland Avenue, in accordance with:

1. Plans date stamped October 8, 2021.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the site coverage from 25.00% to 25.70%
 - ii. increase the height from 5.00m to 6.87m for Building A
 - iii. increase the number of storeys from 1 to 1.5 for Building A
 - iv. decrease the west setback (habitable window) from 7.50m to 2.27m for

- Building A
- v. increase the height from 5.00m to 5.49m for Building B
 - vi. increase the number of storeys from 1 to 2 for Building B
 - vii. decrease the east setback (habitable window) from 7.50m to 5.00m for Building B
 - viii. decrease the north setback (habitable window) from 7.50m to 1.50m for Building B
 - ix. decrease the south setback from 4.00m to 3.41m for Building B (non-habitable window) for Building B
 - x. decrease the south setback from 7.50m to 3.66m for Building B (habitable window) for Building B.

3. The Development Permit lapsing two years from the date of this resolution.”

Respectfully submitted,

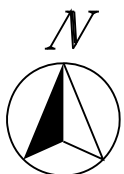
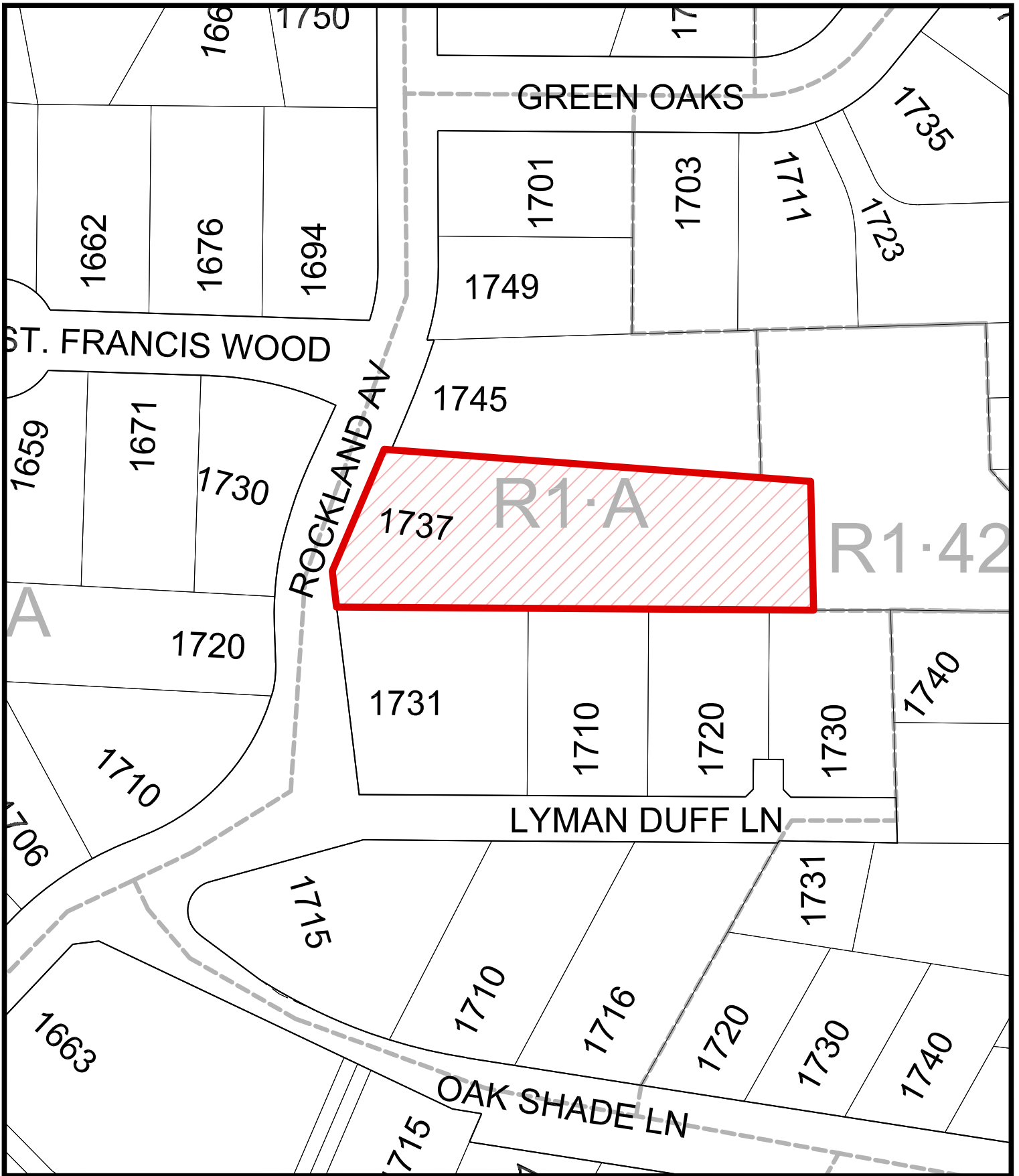
Rob Bateman
Senior Process Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

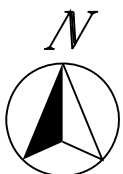
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dates stamped October 8, 2021
- Attachment D: Letter from applicant to Mayor and Council dated June 5, 2021
- Attachment E: Community Association Land Use Committee Comments dated September 11, 2020 and Pre-Application Comments from Online Feedback Form
- Attachment F: Arborist Report dated May 9, 2021
- Attachment G: Correspondence (Letters received from residents).



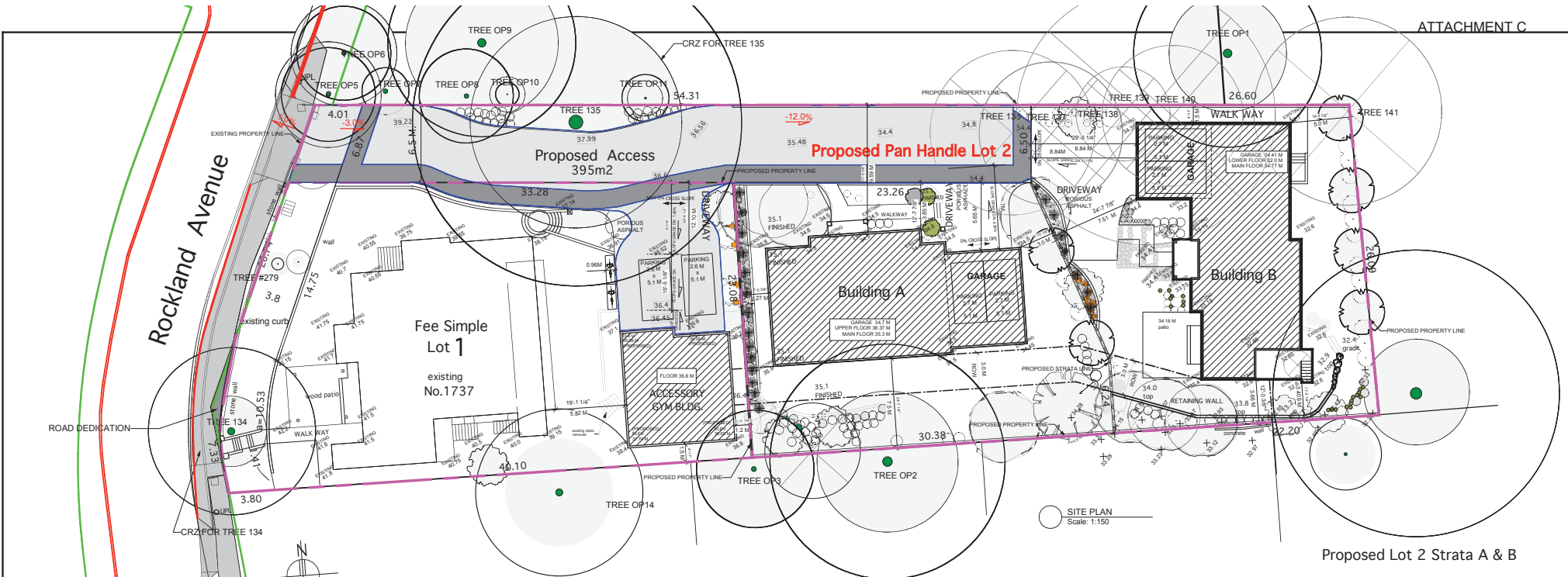
1737 Rockland Ave
Rezoning No.00755





1737 Rockland Ave
Rezoning No.00755





ACCESSORY

GRADE CALCULATIONS

(36.69+36.38) ÷ 2 X 19 = 694.165
 (36.38+36.38) ÷ 2 X 2 = 72.76
 (36.38+36.2) ÷ 2 X 11 = 969.19
 (36.2+36.69) ÷ 2 X 30 = 1093.35
 (36.69+37.74) ÷ 2 X 30 = 1116.45
 (37.74+36.69) ÷ 2 X 32 = 1190.88

4566.795 ÷ 124 = 36.828
 AVG. GRADE = 36.828

EXISTING MAIN

LOWEST GRADE CALCULATIONS

(39.15+40) ÷ 2 X 7.75 = 306.70
 (40+40) ÷ 2 X 3.33 = 53.2
 (40+40.5) ÷ 2 X 11.25 = 452.81
 (40+40.5) ÷ 2 X 1 = 40.5
 (40.5+40.75) ÷ 2 X 7.75 = 274.21
 (40.75+40.75) ÷ 2 X 5.5 = 224.125
 (40.75+41.8) ÷ 2 X 3.33 = 132.713
 (41.8+41.8) ÷ 2 X 6.83 = 285.494
 (41.8+41.5) ÷ 2 X 9 = 374.85
 (41.5+41.5) ÷ 2 X 5.5 = 228.25
 (41.5+42.2) ÷ 2 X 20 = 857
 (42.2+42.15) ÷ 2 X 16.68 = 702.63
 (42.15+41.7) ÷ 2 X 14 = 586.95
 (41.7+41.75) ÷ 2 X 10.66 = 444.788
 (41.75+41.75) ÷ 2 X 5.75 = 240.009
 (41.75+40.7) ÷ 2 X 13.75 = 566.84
 (40.7+40.55) ÷ 2 X 1 = 305
 (40.55+40.55) ÷ 2 X 8.5 = 263.575
 (40.55+39.75) ÷ 2 X 8.5 = 260.975
 (39.75+39.75) ÷ 2 X 1.33 = 82.86
 (39.75+39.55) ÷ 2 X 13.5 = 535.275
 (39.55+39.55) ÷ 2 X 1.33 = 82.86
 (39.55+38.15) ÷ 2 X 22.5 = 874.125
 (38.15+39.15) ÷ 2 X 54.66 = 2112.639

11478.14 ÷ 283.55 = 40.48
 AVG. GRADE = 40.48

Proposed Lot 1

Lot 1

SITE DATA	PROPOSED ACCESSORY BUILDING
OWNER	KIM COLEMAN
ADDRESS	1737 ROCKLAND AVENUE
ZONE	R1-A ZONING
LEGAL DESCRIPTION	1
LOT	2437
PLAN	74
SECTION	2437
DISTRICT	VICTORIA
SITE AREA	11046.68 SQ.FT. (1026.27 SQ.M.)
SITE COVERAGE	
EXISTING	3099.578 SQ.FT. (287.86 SQ.M.) 28.05%
PROPOSED	838.507 SQ.FT. (77.42 SQ.M.) 8.23%
TOTAL	4037.578 SQ.FT. (375.1 SQ.M.) 36.5%
REAR LOT COVERAGE	838.507 SQ.FT. (77.42 SQ.M.) 22.87%
LOT WIDTH	155.117/2 = 265.1 M

ACCESSORY

TOTAL FLOOR AREA	826.531 SQ.FT. (76.78 SQ.M.)
SETBACKS	
FRONT	12.10 M
SIDE	1.5 M
REAR	3.2 M
LOT FRONT BUILDING	4.84 M
BUILDING HEIGHT	10' 3 1/2" 3.289 M

EXISTING MAIN

TOTAL FLOOR AREA	4454.109 SQ.FT. (413.8 SQ.M.)
SETBACKS	
FRONT	0.44 M (SEE PAGE 12)
SIDE	18.16 M
REAR	4.56 M
SIDE	1.35 M
BUILDING HEIGHT	28'-2 1/4" 8.59 M

Proposed Lot 2 (STRATA LOTS A & B COMBINED)

Lot 2 (PANHANDLE)

SITE DATA	PROPOSED
OWNER	KIM COLEMAN
ADDRESS	1737 ROCKLAND AVENUE
ZONE	R1-A ZONING (PANHANDLE)
LEGAL DESCRIPTION	LOT 2
LOT	2437
PLAN	2437
SECTION	2437
DISTRICT	VICTORIA
SITE AREA	W/PANHANDLE 18113.51 SQ.FT. (1682.8 SQ.M.)
W/O/PANHANDLE	13888.92 SQ.FT. (1288 SQ.M.)
SITE COVERAGE	4671.625 SQ.FT. (434.0 SQ.M.) 25.7%
TOTAL FLOOR AREA	5567.265 SQ.FT. (513.488 SQ.M.)
SETBACKS	
WEST (FRONT)	2.27 M
EAST (REAR)	5.0 M
NORTH (SIDE)	1.8 M
SOUTH (SIDE)	3.6 M
LOT WIDTH	95'-10 3/8" 29.52 M

Comments: ZONING PLAN CHECK:

1. The parking stall on lot 1 does not have adequate clearance behind it. Move the stall over so that the full 7.0m is behind the stall.
2. Ensure that the lower of the existing or proposed grade is used at each point for the accessory building average grade calculations. At some points the existing grade are lower than the proposed grade used. Ensure the height is updated. (ALSO SEE SHEET 4)

Land Development Review:
 Conditions to be met prior to Committee of the Whole:

3. change the arrow with the wording to be to the left to denote the red line.
4. correctly show the road dedication area to match Sheet 4 of 5 and C1.

Revisions
 Received Date:
 October 8, 2021

LOWEST GRADE CALCULATIONS

(34.45+34.5) ÷ 2 X 20.5 = 705.73
 (34.5+34.5) ÷ 2 X 15 = 61.75
 (34.5+35.1) ÷ 2 X 49.5 = 1722.6
 (35.1+35.1) ÷ 2 X 32.5 = 1140.75
 (35.1+34.8) ÷ 2 X 12 = 419.4
 (34.8+34.8) ÷ 2 X 2.5 = 87
 (34.8+34.5) ÷ 2 X 15 = 100.575
 (34.5+34.5) ÷ 2 X 3.5 = 120.75
 (34.5+34.5) ÷ 2 X 11 = 379.5
 (34.5+34.5) ÷ 2 X 3.5 = 120.75
 (34.5+34.5) ÷ 2 X 14.5 = 500.25
 (34.5+34.5) ÷ 2 X 4 = 139
 (34.5+34.5) ÷ 2 X 6.5 = 224.25
 (35+34.5) ÷ 2 X 3 = 103.5
 (34.5+34.5) ÷ 2 X 20.5 = 707.25
 (34.5+34.5) ÷ 2 X 28.5 = 913.58

7526.635 ÷ 217 = 34.68
 AVG. GRADE = 34.68

LOWEST GRADE CALCULATIONS

(32+32.6) ÷ 2 X 3 = 97.8
 (32+32.6) ÷ 2 X 0.85 = 27.098
 (33+33.4) ÷ 2 X 27.5 = 407.5
 (33+33.15) ÷ 2 X 18.5 = 615.58
 (33+33.15) ÷ 2 X 3 = 99.45
 (33+33.15) ÷ 2 X 11 = 398.35
 (33+33.6) ÷ 2 X 4.75 = 158.53
 (33+33.6) ÷ 2 X 11 = 398.35
 (33+33.15) ÷ 2 X 4.75 = 158.53
 (33+33.2) ÷ 2 X 11 = 364.525
 (33+34.4) ÷ 2 X 14.75 = 498.55
 (34+34.35) ÷ 2 X 21 = 721.875
 (34+35.7) ÷ 2 X 42.25 = 1416.431
 (32+32.6) ÷ 2 X 31.95 = 1043.168
 (32+32.6) ÷ 2 X 3 = 97.8
 (32+32.6) ÷ 2 X 20.5 = 686.15
 (32+32.6) ÷ 2 X 3 = 97.8
 (32+32.6) ÷ 2 X 31.25 = 297.475

8256.572 ÷ 248.655 = 33.20
 AVG. GRADE = 33.20

Proposed Lot 2 Strata A & B

Building A

SITE DATA	PROPOSED
OWNER	KIM COLEMAN
ADDRESS	1737 ROCKLAND AVENUE
ZONE	R1-A ZONING (PANHANDLE)
LEGAL DESCRIPTION	LOT 2
LOT	STRATA LOT A
PLAN	2437
SECTION	74
DISTRICT	VICTORIA
SITE AREA	6767.236 SQ.FT. (628 SQ.M.)
SITE COVERAGE	2284.26 SQ.FT. (212.21 SQ.M.) 33.75%
TOTAL FLOOR AREA	2716.292 SQ.FT. (252.83 SQ.M.)
SETBACKS	
NORTH	8.8 M
EAST	2.5 M
WEST	2.2 M
BUILDING HEIGHT	22'-5 5/8" 6.87 M

Building B

SITE DATA	PROPOSED
OWNER	KIM COLEMAN
ADDRESS	1737 ROCKLAND AVENUE
ZONE	R1-A ZONING (PANHANDLE)
LEGAL DESCRIPTION	LOT 2
LOT	STRATA LOT B
PLAN	2437
SECTION	74
DISTRICT	VICTORIA
SITE AREA	7104.151 SQ.FT. (660 SQ.M.)
SITE COVERAGE	2387.476 SQ.FT. (221.79 SQ.M.) 33.6%
TOTAL FLOOR AREA	3193.971 SQ.FT. (296.91 SQ.M.)
SETBACKS	
WEST	8.8 M
EAST	4.0 M
SOUTH	3.6 M
NORTH	1.5 M
BUILDING HEIGHT	18'-0 1/2" 5.49 M

HARTMANN'S
 DRAFTING & DESIGN
 340 MAPLEWOOD RD VICTORIA, BC
 V8P 1G9 PHONE: 363-1200

DATE APRIL 2021
DRAWN BY TMAR
CHK BY KMAR
PLAN # 1482
REVISED OCT. 2021

PROPOSED DEVELOPMENT FOR 1737 ROCKLAND AVE SITE PLAN



○ FRONT ELEVATION
Scale: 1/4" = 1'-0"
(WEST)



○ REAR ELEVATION
Scale: 1/4" = 1'-0"
(EAST)

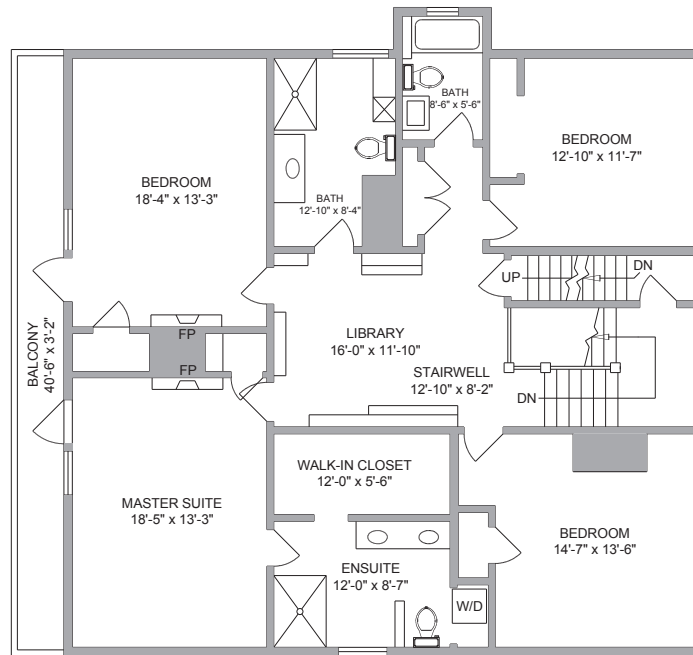


○ LEFT ELEVATION
Scale: 1/4" = 1'-0"
(NORTH)

HEIGHT MEASUREMENTS ARE TO SCALE
(COORDINATES FROM POWELL & ASSOCIATES BURNIVY)

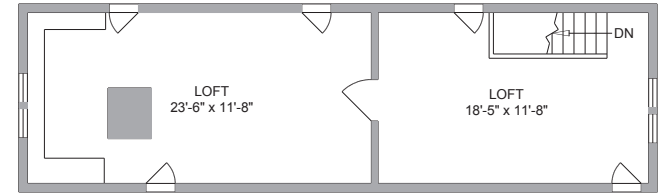


○ SOUTH / EAST ELEVATION
Scale: 1/4" = 1'-0"



○ UPPER FLOOR PLAN
Scale: 1/4" = 1'-0"
1717.513 SQ.FT.
159.56 SQ.M.

LOT 1 EXISTING MAIN RESIDENCE



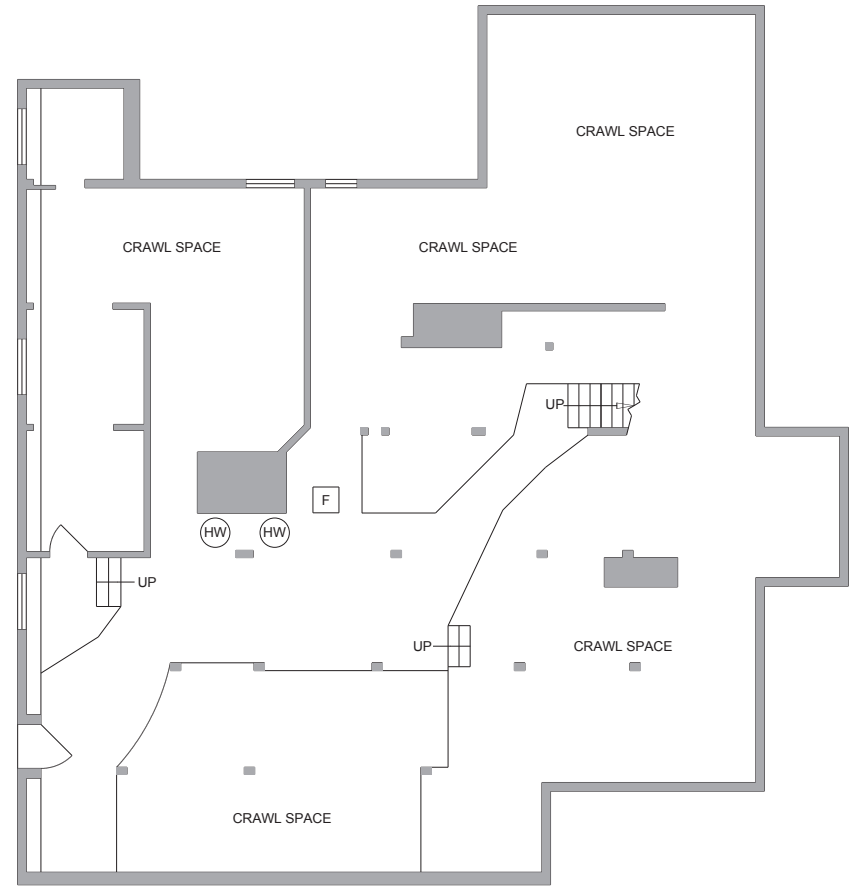
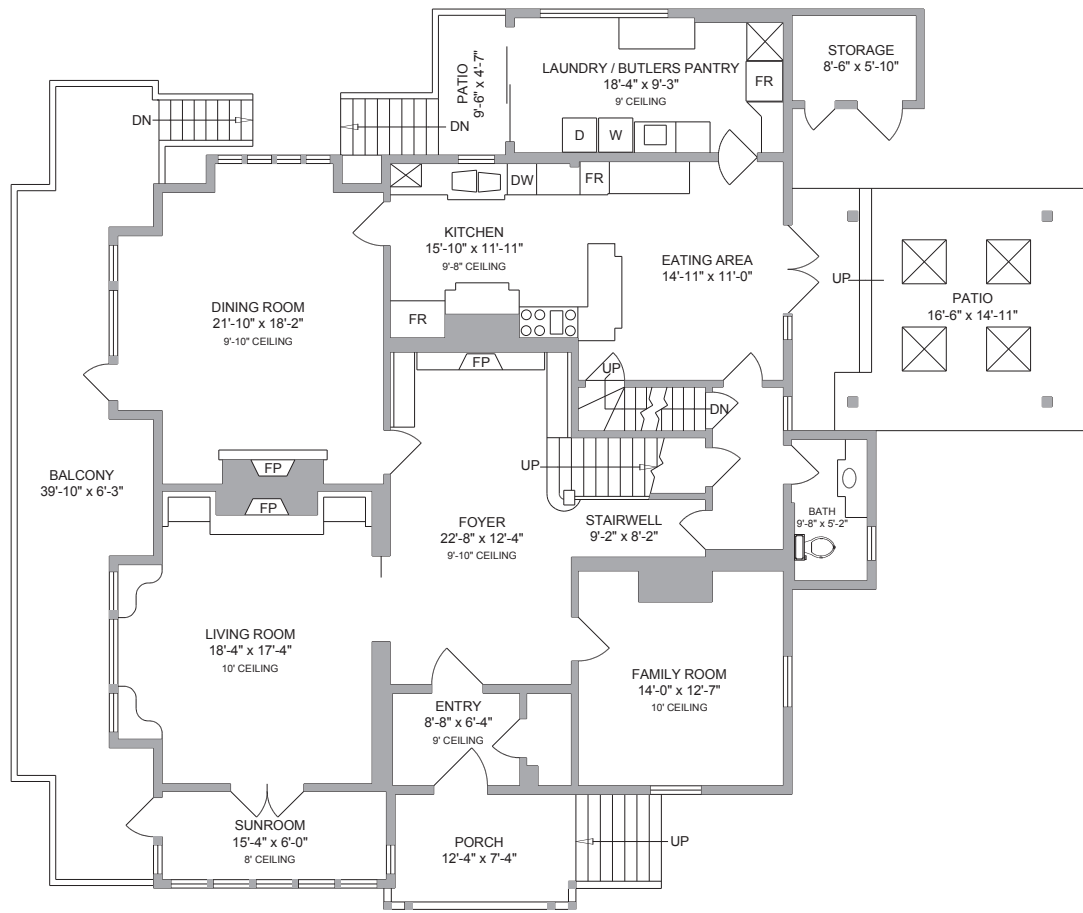
○ LOFT FLOOR PLAN
Scale: 1/4" = 1'-0"
493.828 SQ.FT.
45.878 SQ.M.



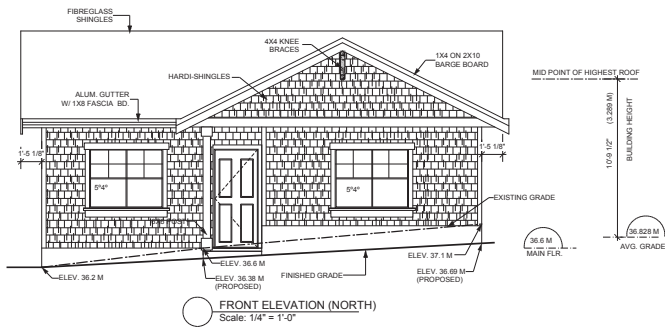
HARTMANN'S
DRAFTING & DESIGN
DATE APRIL 2021
DRAWN BY TMAR
CHK BY KMAR
PLAN # 1482
REVISED OCT. 2021

**PROPOSED DEVELOPMENT
FOR 1737 ROCKLAND AVE
LOT 1 ELEVATIONS, UPPER FLR, LOFT**

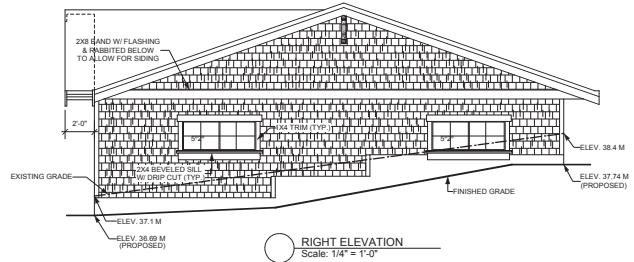
SHEET
CF 12
2



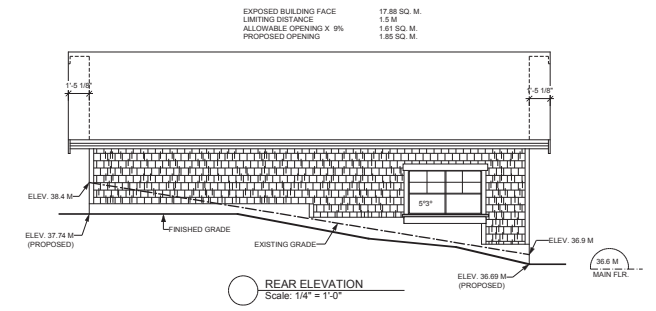
LOT 1
EXISTING MAIN RESIDENCE



FRONT ELEVATION (NORTH)
Scale: 1/4" = 1'-0"

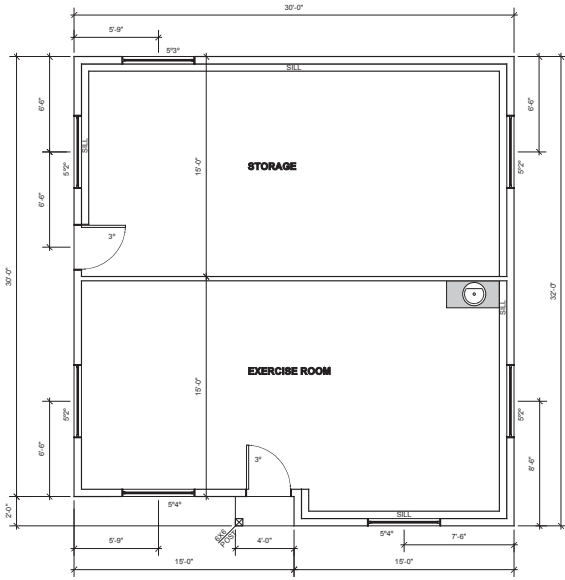


RIGHT ELEVATION
Scale: 1/4" = 1'-0"



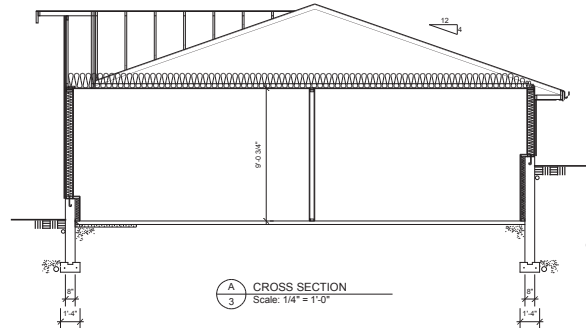
REAR ELEVATION
Scale: 1/4" = 1'-0"

LOT 1 PROPOSED ACCESSORY BUILDING



FRONT ELEVATION
Scale: 1/4" = 1'-0"

830 SQ. FT.
86.39 SQ. M.



A
3
CROSS SECTION
Scale: 1/4" = 1'-0"



LEFT ELEVATION
Scale: 1/4" = 1'-0"

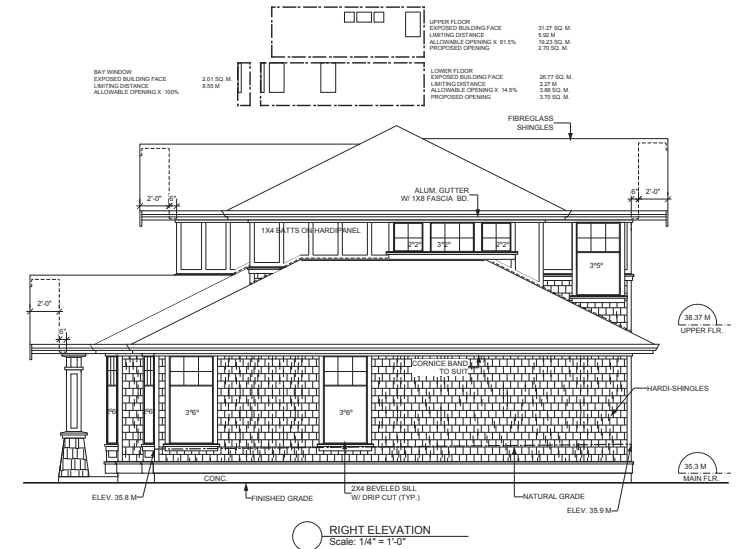
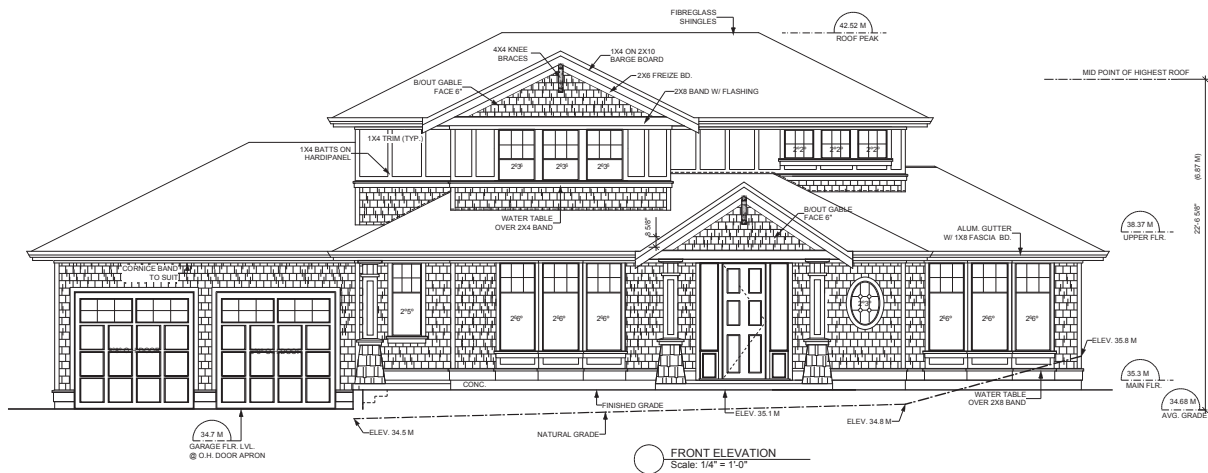


HARTMANN'S
DRAFTING & DESIGN
360 MAPLEWOOD RD VICTORIA, B.C.
V8P 3K6 PHONE: 383-1200

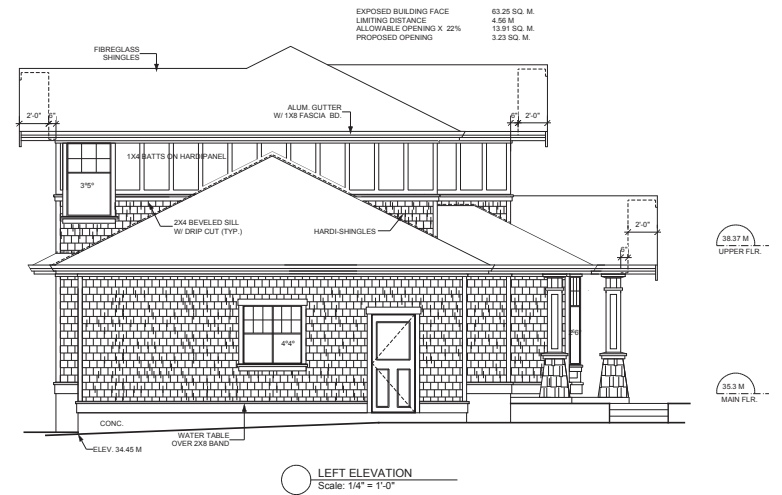
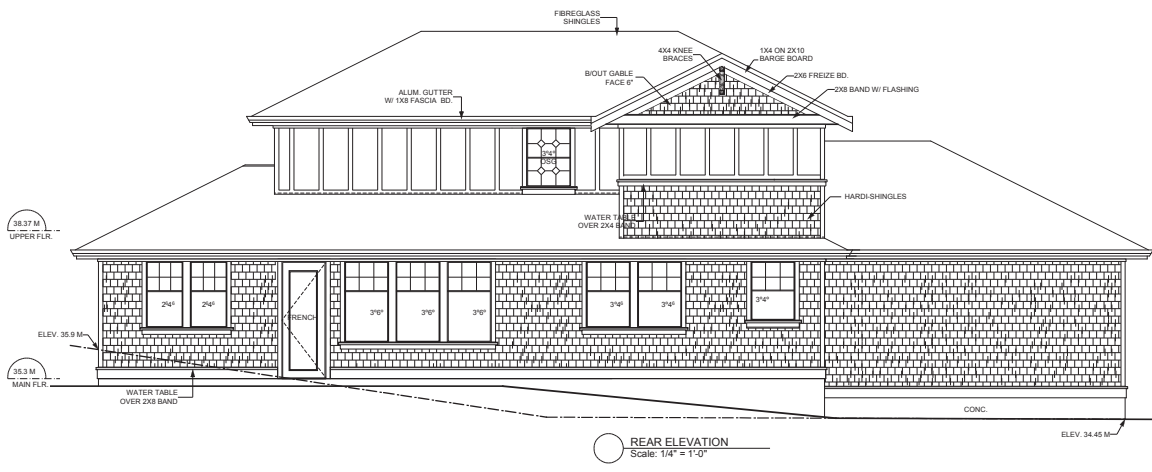
DATE APRIL 2021
DRAWN BY TMAR
CHK BY KMAR
PLAN # 1482
REVISED OCT. 2021

**PROPOSED DEVELOPMENT
FOR 1737 ROCKLAND AVE
LOT 1 ACCESSORY BUILDING**

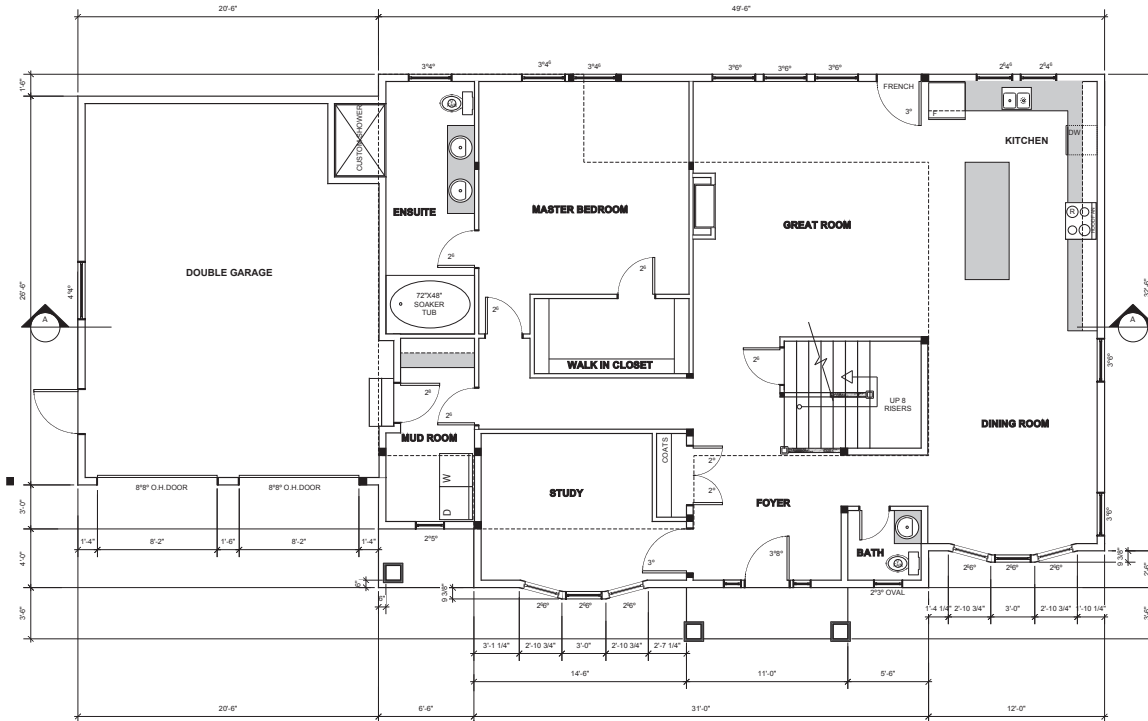
SHEET
OF 12
4



STRATA LOT A



<p>HARTMANN'S DRAFTING & DESIGN 360 MAPLEWOOD RD VICTORIA, B.C V8P 3X6 PHONE: 383-1200</p>	<p>DATE APRIL 2021 DRAWN BY TMAR CHK BY KMAR PLAN # 1482 REVISED OCT. 2021</p>	<p>PROPOSED DEVELOPMENT FOR 1737 ROCKLAND AVE STRATA LOT A ELEVATIONS</p>	<p>SHEET OF 12 5</p>
---	--	--	-------------------------------------



○ MAIN FLOOR PLAN
Scale: 1/4" = 1'-0"

MAIN FLR. AREA 2125.327 SQ. FT. (TAKEN TO DRYWALL)
ACTUAL FLOOR AREA
(LESS GARAGE 200 SQ. FT. ALLOWANCE) 1925.327 SQ. FT.

STRATA LOT A



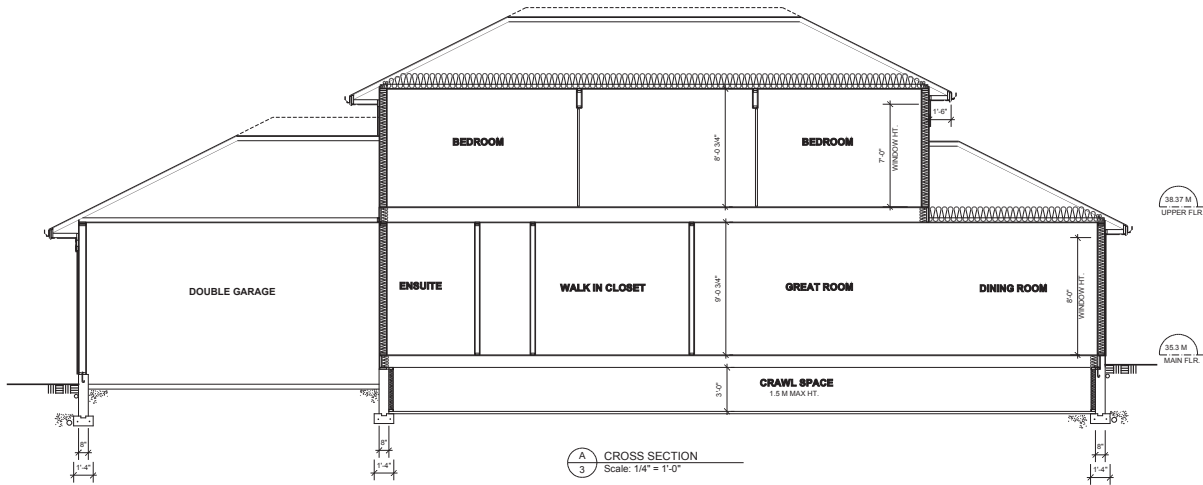
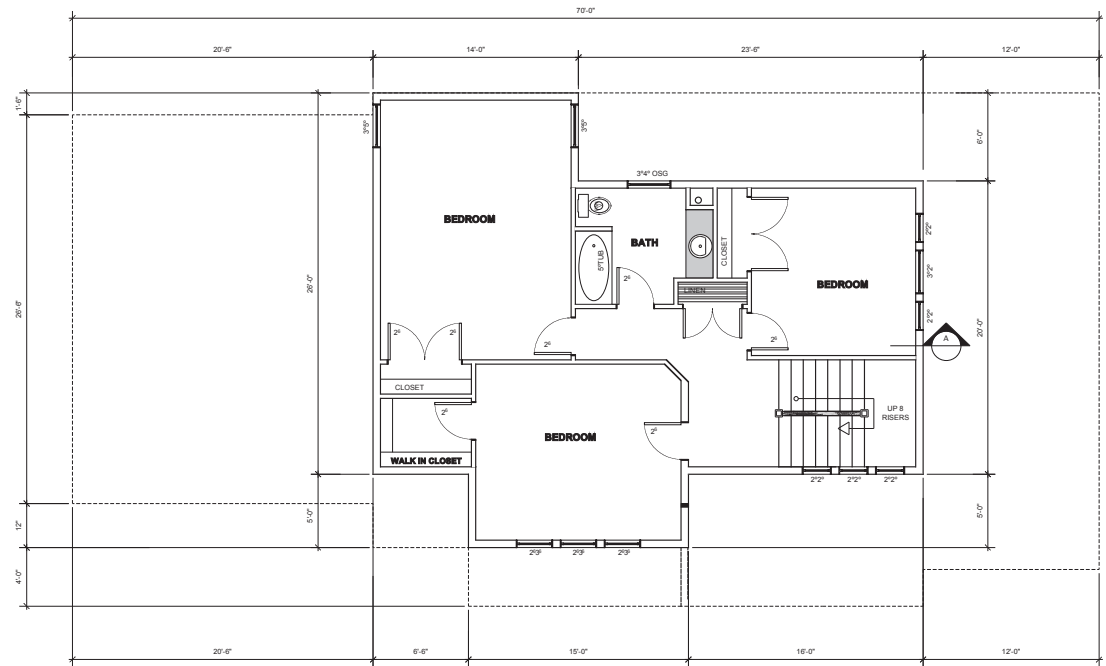
HARTMANN'S
DRAFTING & DESIGN
340 MAPLEWOOD RD VICTORIA, B.C.
V8P 2K6 PHONE: 363-1320

DATE APRIL 2021
DRAWN BY TMAR
CHK BY KMAR
PLAN # 1482
REVISED OCT. 2021

**PROPOSED DEVELOPMENT
FOR 1737 ROCKLAND AVE
STRATA LOT A MAIN FLR**

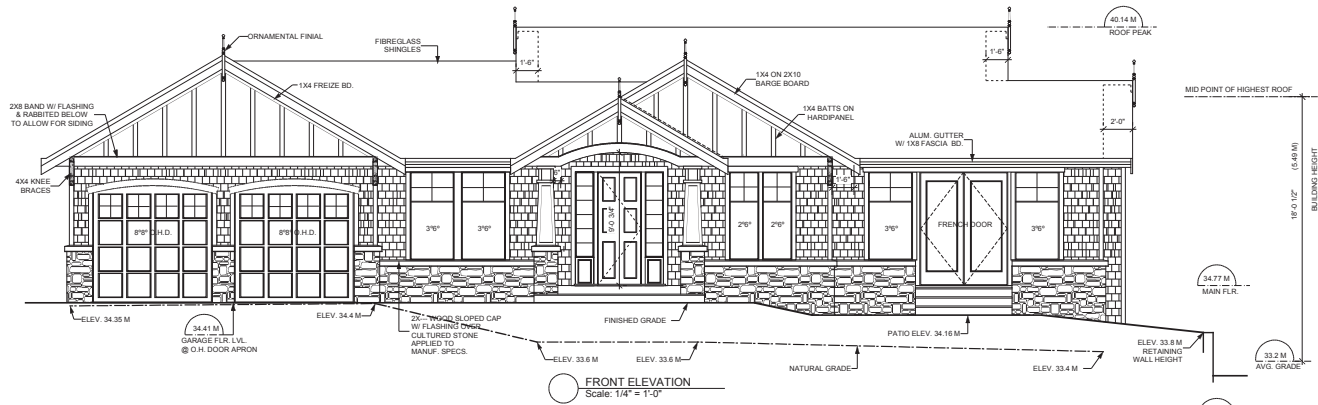
SHEET
OF 12
6

STRATA LOT A

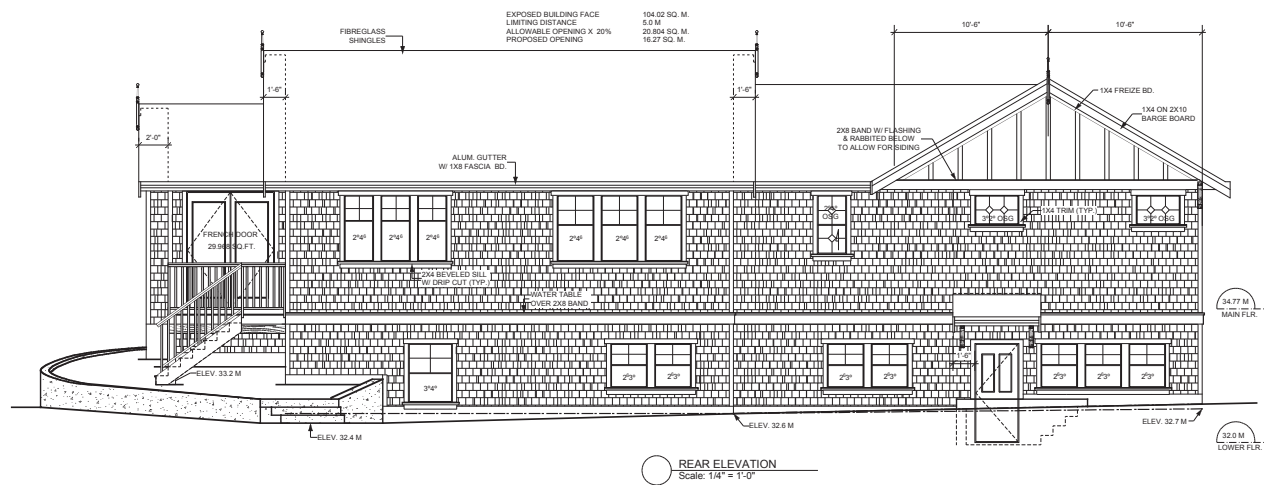


DATE APRIL 2021
DRAWN BY TMAR
CHK BY KMAR
PLAN # 1482
REVISED OCT. 2021

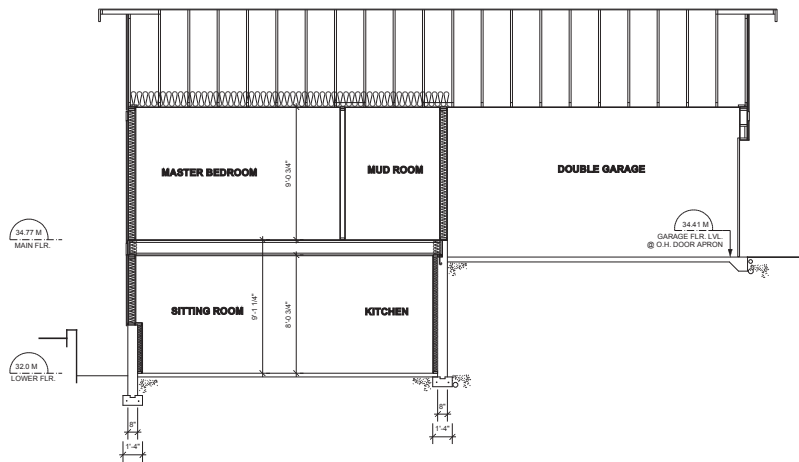
**PROPOSED DEVELOPMENT
FOR 1737 ROCKLAND AVE
STRATA LOT A UPPER FLR, X-SEC**



STRATA LOT B

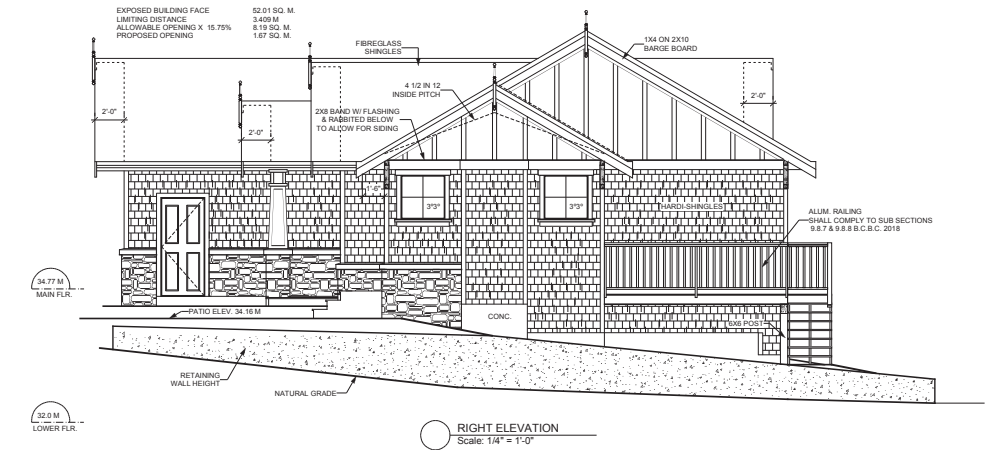


 <p>HARTMANN'S DRAFTING & DESIGN 360 MAPLEWOOD RD VICTORIA, B.C. V8P 2K6 PHONE: 360-330</p>	<p>DATE APRIL 2021 DRAWN BY TMAR CHK BY KMAR PLAN # 1482 REVISED OCT. 2021</p>	<p>PROPOSED DEVELOPMENT FOR 1737 ROCKLAND AVE STRATA LOT B REAR & FRONT ELEV.</p>	<p>SHEET OF 12 8</p>
---	--	--	-------------------------------------

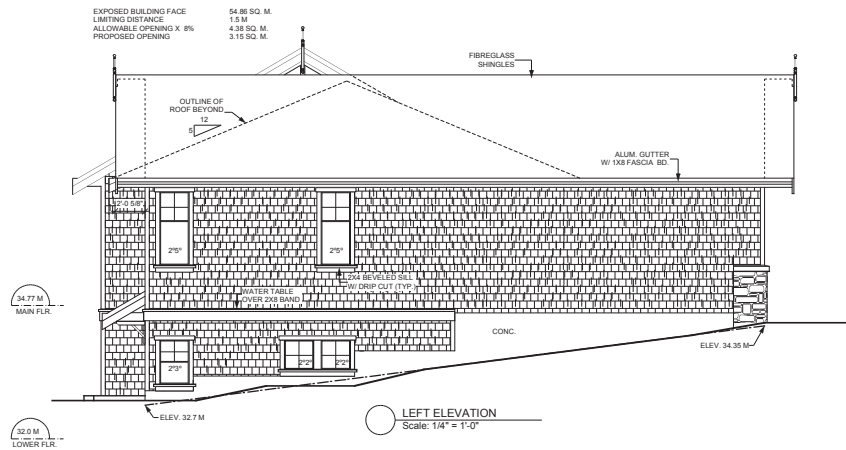


A
3 CROSS SECTION
Scale: 1/4" = 1'-0"

STRATA LOT B



RIGHT ELEVATION
Scale: 1/4" = 1'-0"



LEFT ELEVATION
Scale: 1/4" = 1'-0"

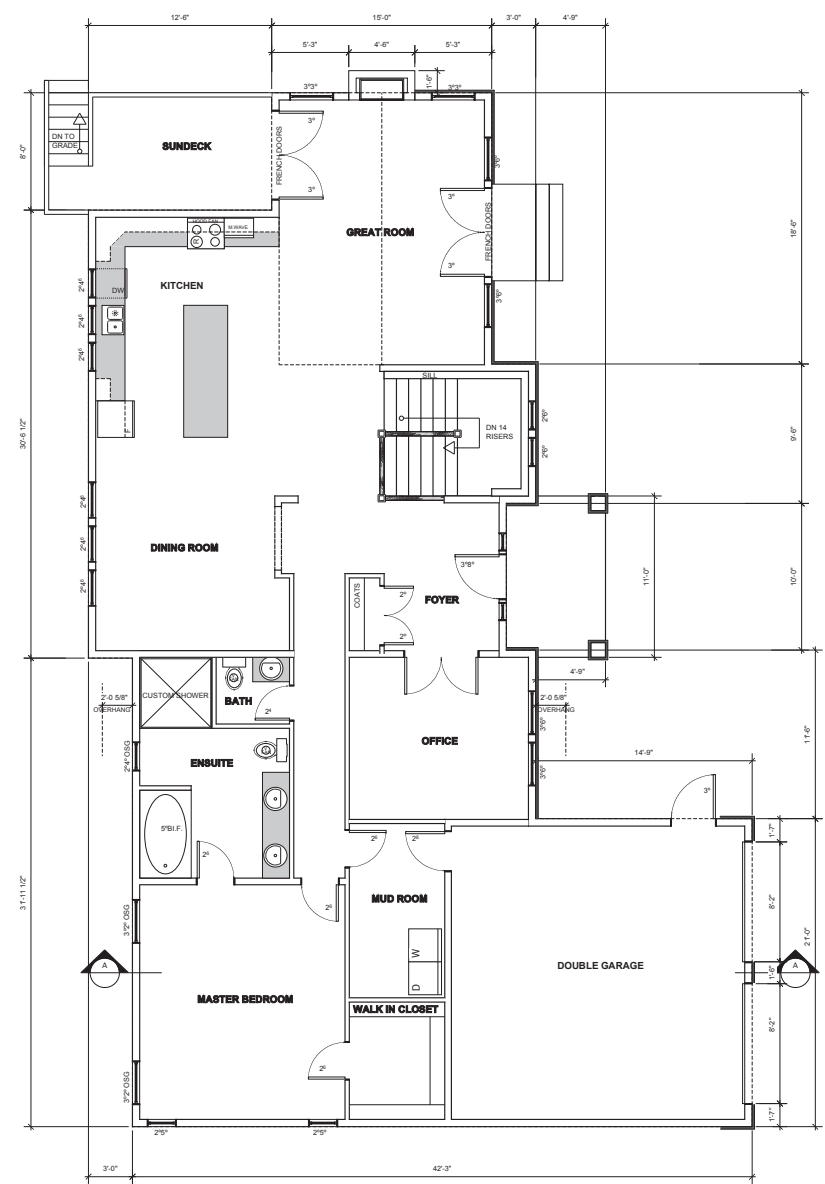
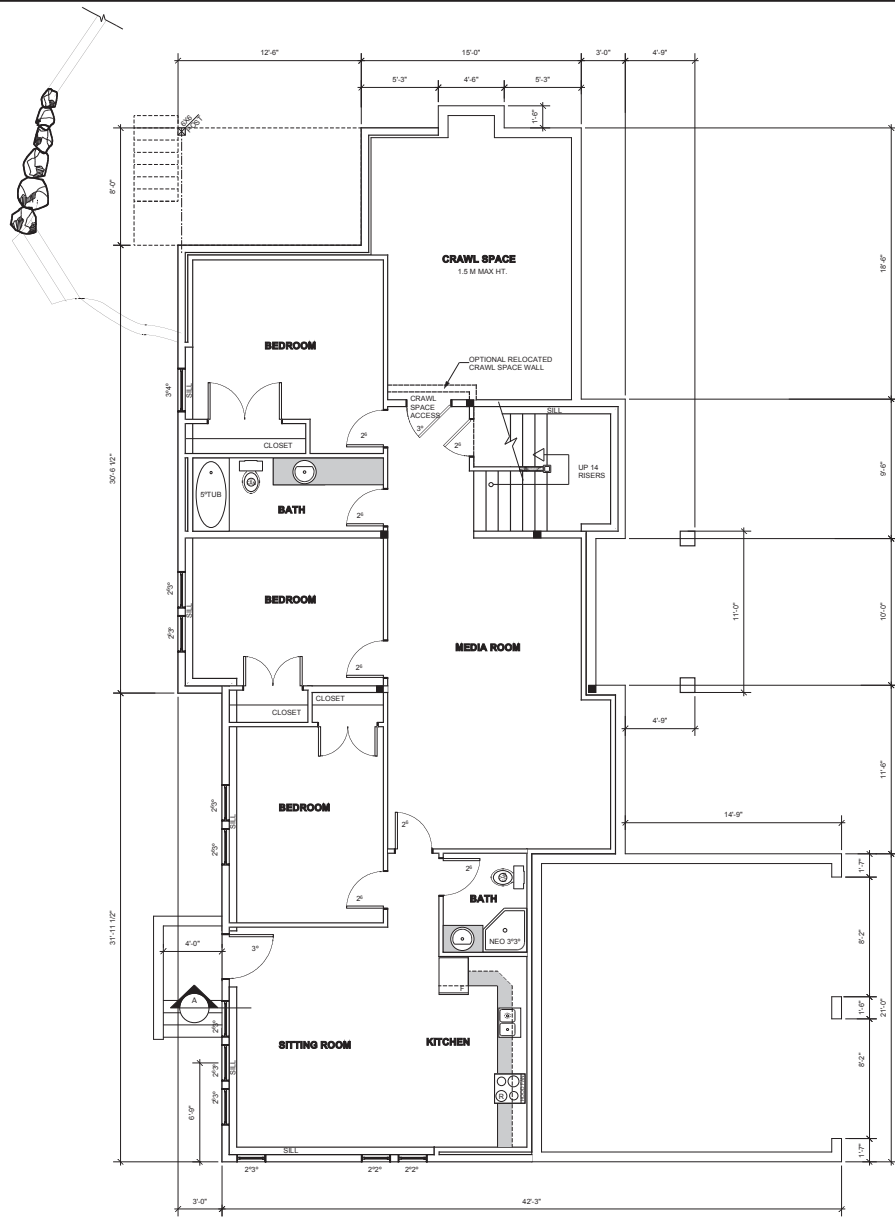


HARTMANN'S
DRAFTING & DESIGN
360 MAPLEWOOD B.D VICTORIA, B.C.
V8P 3K6 PHONE: 363-1350

DATE APRIL 2021
DRAWN BY TMAR
CHK BY KMAR
PLAN # 1482
REVISED OCT. 2021

**PROPOSED DEVELOPMENT
FOR 1737 ROCKLAND AVE
STRATA LOT B X-SEC LEFT & RIGHT ELEV.**

SHEET
OF 12
9



STRATA LOT B



DATE APRIL 2021
DRAWN BY TMAR
CHK BY KMAR
PLAN # 1482
REVISED OCT. 2021

**PROPOSED DEVELOPMENT
FOR 1737 ROCKLAND AVE
STRATA LOT B LOWER & MAIN FLR.**

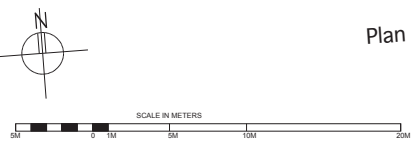
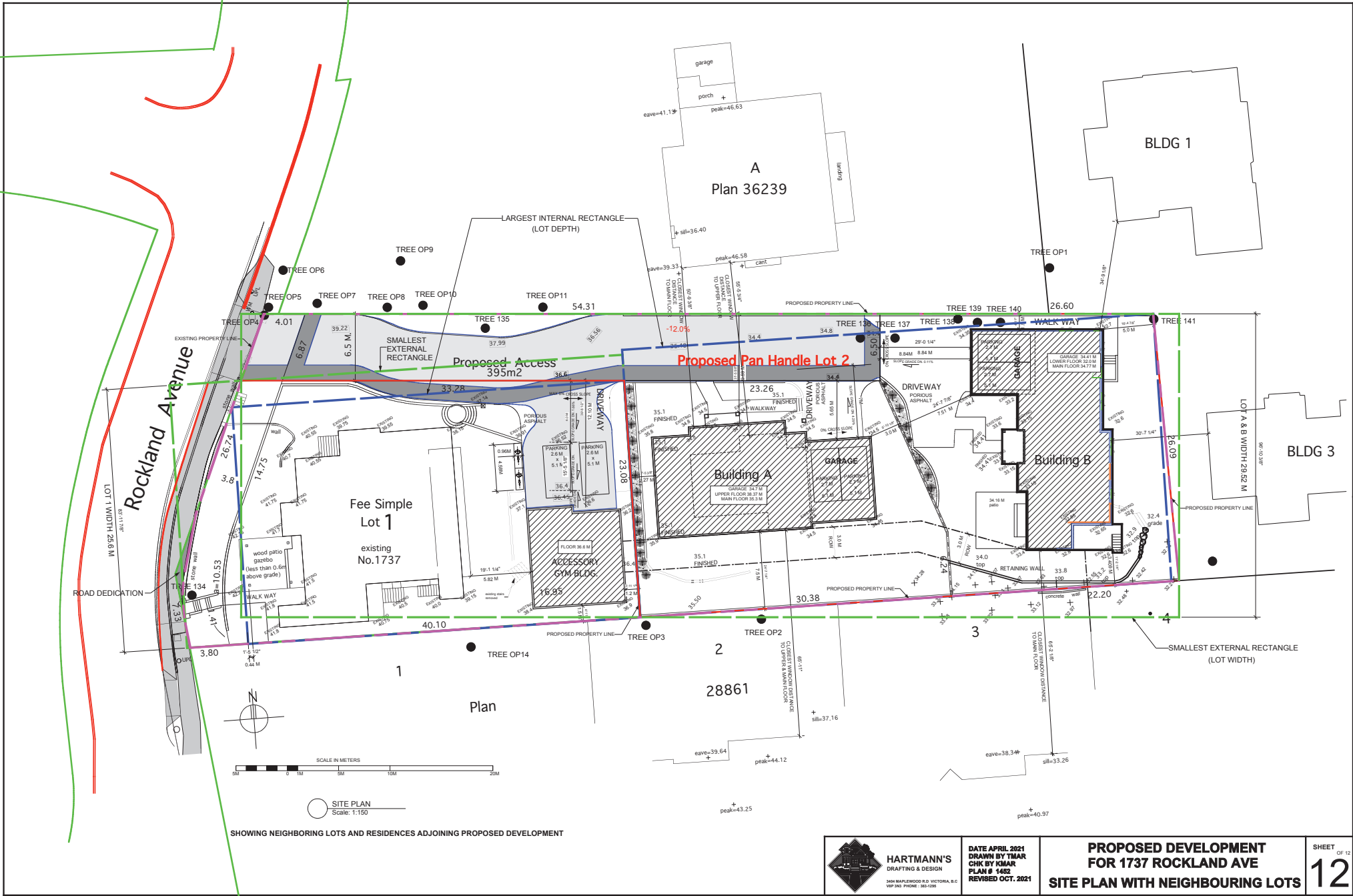


HARTMANN'S
DRAFTING & DESIGN
360 MAPLEWOOD RD VICTORIA, B.C.
V8P 3K6 PHONE: 250-1220

DATE APRIL 2021
DRAWN BY TMAR
CHK BY KMAR
PLAN # 1482
REVISED OCT. 2021

**PROPOSED DEVELOPMENT
FOR 1737 ROCKLAND AVE
SITE ELEVATION FOR LOT 1 & 2**

SHEET
OF 12
11



SITE PLAN
Scale: 1:150

SHOWING NEIGHBORING LOTS AND RESIDENCES ADJOINING PROPOSED DEVELOPMENT



DATE APRIL 2021
DRAWN BY TMAR
CHK BY KMAR
PLAN # 1482
REVISED OCT. 2021

**PROPOSED DEVELOPMENT
FOR 1737 ROCKLAND AVE**
SITE PLAN WITH NEIGHBOURING LOTS

SHEET
OF 12
12



LANDSCAPE CONCEPT PLAN
SCALE 1 : 125



Materials Legend:

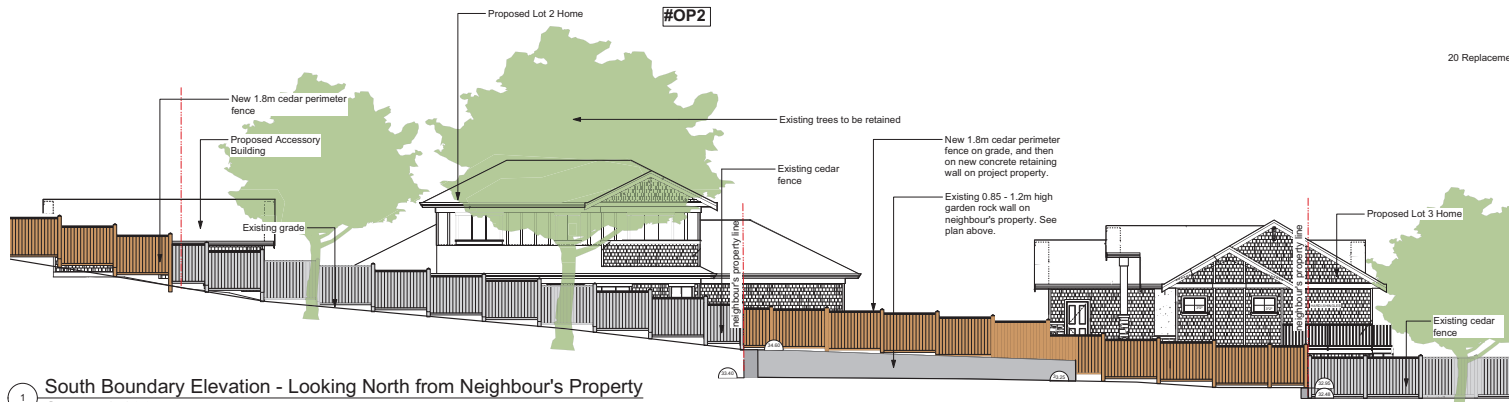
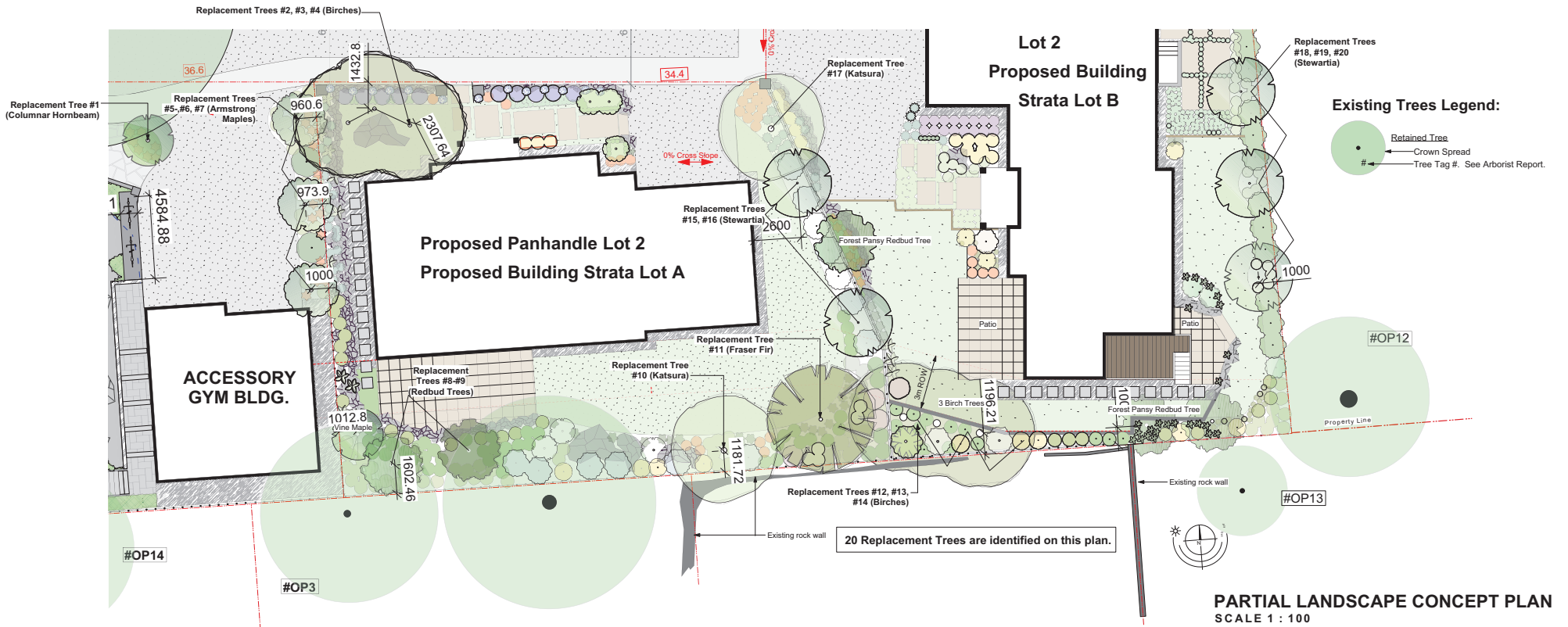
Existing flagstone path and stairs	Decorative concrete unit pavers at strata lots A + B	Grass lawn
New flagstone path and stairs	Porous asphalt shared driveway and lots 1 & 2 driveways (grey colour)	Concrete pavers, 0.6mx0.6m
New concrete stair and concrete pad for bike parking	Porous asphalt portion of shared driveway visually identified for pedestrians (light grey colour)	Aggregate border
	Large concrete slabs used for entry walks at strata lots A + B, and for secondary suite patio on strata lot B.	Retained vegetation (may include bedrock)

Retained Trees Legend:

- Retained Tree (tree on project site)
 - Crown Spread
 - Tree Tag #. See Arborist Report.
- Retained Tree (tree off project site)
 - Crown Spread
 - Tree Tag #. See Arborist Report.

See sheet L3, **Tree Preservation /Removal Plan**, for additional information on tree retention and removal.

Landscape Concept Plan - 1737 Rockland Avenue - L1



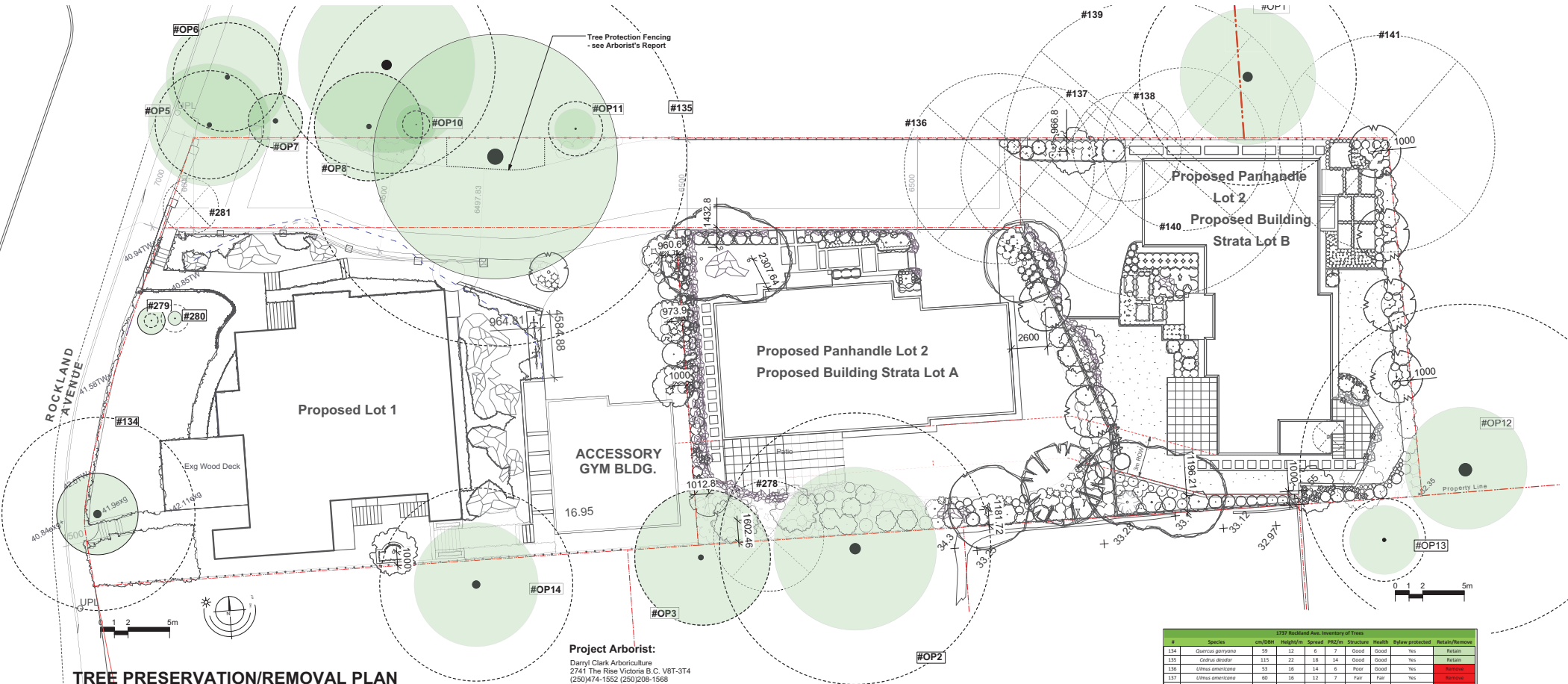
1 South Boundary Elevation - Looking North from Neighbour's Property
Scale: 1:100

Partial Plan & Elevation - 1737 Rockland Avenue - L2

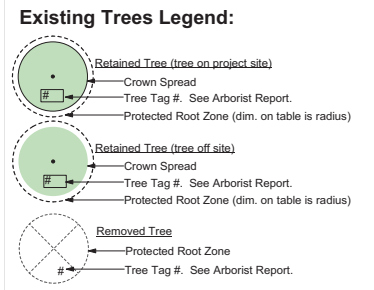


Project No: 1939 Nov.16, 2020 #3-864 Queens Ave. Victoria B.C. V8T 1M5
 Phone: (250) 588-9105
 Rev A Feb.22, 2021
 Rev B Apr. 14, 2021
 Rev C July 17, 2021 (dim. of new trees off p.l. and buildings added)
 Rev D October 14, 2021 (adjust property line adjacent road dedication on Rockland; no changes this sheet)

20 Replacement Trees identified. Additional revisions noted on L1 & L3.



TREE PRESERVATION/REMOVAL PLAN
SCALE 1 : 125



Project Arborist:
Daryl Clark Arboriculture
2741 The Rise Victoria B.C. V8T-3T4
(250)474-1552 (250)208-1568
clarkarbor@gmail.com
www.dclarboriculture.com
Certified Arborist PN-6523A
TRAQ Certified
ISA Tree Risk Assessor CTRA 459

TREE SUMMARY
Number of bylaw protected trees potentially impacted by project: 9 on site and 13 off-site
Number of bylaw protected trees to be removed: #136- #141, & #278 all on-site (total 7)
Number of bylaw protected trees to be retained on-site: #134 & #135 (total 2)
Two non-bylaw protected tree will also be retained on-site: #279 and # 280
Number of bylaw protected trees to be retained off-site: OP#1 - OP#3, and OP#5 - OP#14 (total 13)
Tree replacement: At a ratio of 2:1, 14 trees are required to replace the 7 bylaw protected trees being removed. An additional 6 replacement trees are required to replace Garry oaks removed on Tree Permit TP001403
Total 20 replacement trees required. See Partial Plan on L2 for replacement tree selections.
Number of trees proposed for the site: 27

#	Species	dbh/DBH	Height/m	Spread	PRZ/2x	Structure	Health	Bylaw protected	Retain/Remove
134	Quercus garryana	50	13	17	7	Good	Good	Yes	Retain
135	Cedrus deodora	155	22	18	14	Good	Good	Yes	Retain
136	Ulmus americana	53	16	14	6	Poor	Good	Yes	Remove
137	Ulmus americana	60	16	12	7	Fair	Fair	Yes	Remove
138	Ulmus americana	25	16	6	4	Poor	Fair	Yes	Remove
139	Ulmus americana	90	20	15	11	Fair	Fair	Yes	Remove
140	Ulmus americana	50	15	12	6	Poor	Fair	Yes	Remove
141	Pseudotsuga menziesii	65	10	19	8	Poor	Poor	Yes	Remove
178	Lithiumum angustifolium	33	9	5	4	Poor	Fair	Yes	Remove
279	Pinus nigra	6	4	2	1	Good	Good	No	Retain
280	Magnolia grandiflora	6	3	1	1	Good	Good	No	Retain
281	Cornus kousa	16	5	7	2	Good	Good	No	Remove
OP1	Quercus garryana	70	15	10	8	Good	Good	Yes	Retain
OP2	Azocaulus hippocastanum	80	16	12	10	Good	Good	Yes	Retain
OP3	Alexis grandis	40	14	10	5	Good	Good	Yes	Retain
OP5	Betula pendula	35	20	9	4	Good	Good	Yes	Retain
OP6	Cedrus deodora	35	20	9	4	Good	Good	Yes	Retain
OP7	Sorbus aucuparia	20	6	4	2	Fair	Good	No	Retain
OP8	Prunus laurocerasus	37	8	8	4	Fair	Good	Yes	Retain
OP9	Ulmus garryana	70	16	13	9	Good	Good	Yes	Retain
OP10	Saxifraga oppositifolia	8	5	3	1	Fair	Poor	No	Retain
OP11	Thuja plicata	15	8	3	2	Fair	Good	No	Retain
OP12	Thuja plicata 'obovata'	96	9	9	12	Fair	Good	Yes	Retain
OP13	Betula papyrifera	25	8	5	3	Fair	Good	No	Retain
OP14	Azocaulus hippocastanum	50	9	9	7	Fair	Good	Yes	Retain

DBH: Diameter at Breast Height. Measured at 1.4m from the point of germination. Where the tree is multi-stemmed at 1.4m the DBH shall be considered 100% of the 3 largest stems rounded to the nearest cm.
PRZ: Protected Root Zone. The PRZ shall be considered 12x the DBH, rounded to the nearest whole meter.

Tree Preservation/Removal Plan - 1737 Rockland Avenue -L3



Project No: 1939 Nov 18, 2020
Rev A Feb 22, 2021
Rev B Apr 14, 2021
Rev C July 17, 2021 (dim. of new trees off p.l. and buildings added)
Rev D October 14, 2021 (adjust property line adjacent road dedication on Rockland)

#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 568-9105

Recommended Nursery Stock

Trees

ID	Quantity	Botanical Name	Common Name	Size
AaF	1	Abies fraseri	Fraser Fir	6cm cal; min. 3 stem
AcCi	1	Acer circinatum	Vine Maple	6cm cal; min. 3 stem
AcRA	3	Acer rubrum 'Armstrong Gold'	Armstrong Gold Red Maple	6cm cal.
BeP	6	Betula nigra 'Cully'	River Birch	6cm; clump
CdFFF	1	Casearia delavayi 'Frans Fontaine'	Columnar Hornbeam	6cm cal.
CJ	2	Cercidiphyllum japonicum	Katsura Tree	7cm cal.
CeCa	7	Cercis canadensis 'Forest Pansy'	Forest Pansy Redbud	6cm cal.
SPs	6	Stewartia pseudocamellia	Japanese Stewartia	6cm cal.

Large Shrubs

ID	Quantity	Botanical Name	Common Name	Size
AkUn	3	Abutilon unedo 'Compacta'	Compact Strawberry Bush	#5 pot
HyA	1	Hydrangea arborescens 'Abetwo'	Incrediball Hydrangea	#7 pot
HyQ	12	Hydrangea quercifolia 'Snow Queen'	Oak Leaf Hydrangea	#7 pot
OeC	1	Oemleria cerasiformis	Indian Plum	#7 pot
VSS	6	Viburnum plicatum l. 'Summer Snowflake'	Summer Snowflake Viburnum	#7 pot

Medium Shrubs

ID	Quantity	Botanical Name	Common Name	Size
ChTe	3	Choisya ternata	Mexican Orange Blossom	#7 pot
ESL	9	Erkianthus campanulatus 'Showy Lantern'	Showy Lantern Erkianthus	#7 pot
FMA	3	Fothergilla gardenii 'Mount Airy'	Mount Airy Fothergilla	#5 pot
HyMB	11	Hydrangea macrophylla 'Bleuemeas'	Teller Blue Lacecap Hydrangea	#7 pot
MaAq	5	Mahonia aquifolium	Tall Oregon Grape	#3 pot
RiN	6	Rhododendron 'Nancy Evans'	Nancy Evans Rhododendron	#7 pot
RiSa	4	Ribes sanguineum 'King Edward VII'	King Edward VII Flowering Currant	#5 pot
SaRr	22	Sarcococca nissifolia	Sweet Six	#3 pot
VaOv	3	Vaccinium ovatum	Evergreen Huckleberry	#5 pot

Small Shrubs

ID	Quantity	Botanical Name	Common Name	Size
GSh	72	Gaufferia shallon	Satal	#1 pot
Malle	82	Mahonia nervosa	Low Oregon Grape	#1 pot
NaWD	53	Nandina domestica 'Wood's Dwarf'	Wood's Dwarf Heavenly Bamboo	#1 pot
SyAl	9	Symphoricarpos albus	Snowberry	#3 pot

Groundcovers

ID	Quantity	Botanical Name	Common Name	Size
IaF	265	Isotoma fluviatilis alba 'White Star Creeper'	White Star Creeper	10cm pot
ThPr	82	Thymus praecox arvensis Coccineus	Thyme	10cm pot

Perennials, Annuals and Ferns

ID	Quantity	Botanical Name	Common Name	Size
AsCa	25	Asarum canadense	Wild Ginger, Canadian Wildginger	#1 pot
BIS	26	Blechnum spicant	Deer Fern	#1 pot
CaCa	17	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	#1 pot
Ciba	31	Cissocoma 'Babyton'	Babyton Montbretia	#1 pot
FeG	5	Festuca glauca 'Elijah Blue'	Elijah Blue Fescue	#1 pot
FAH	13	Fuschia 'Alice Hoffman' (Hardy Fuschia)	Alice Hoffman Fuschia	#1 pot
HeSe	42	Helictotichon sempervirens	Blue Oat Grass	#1 pot
Lav	16	Lavandula officinalis	English Lavender	#1 pot
Phk	10	Perovskia atriplicifolia	Russian Sage	#1 pot
PoM	15	Polystichum munitum	Sword Fern	#1 pot
PoSe	26	Polystichum setiferum	Alaskan Fern	#1 pot
ST	44	Stipa tenuissima	Mexican Feather Grass	#1 pot

Notes:

1. All work to be completed to current BCSLA Landscape Standards
2. All soft landscape to be irrigated with an automatic irrigation system
3. Perennials at base of driveway wall for existing lot (Lot 1) to be selected and planted by owners.

Reference Images for Proposed Trees



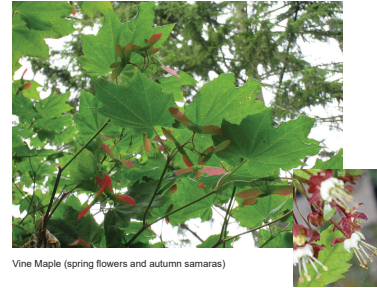
'Forest Pansy' Redbud (early spring flowers)



Katsura (early fall colour)



River Birch



Vine Maple (spring flowers and autumn samaras)



Fraser Fir



Armstrong Gold Red Maple (red fall colour)



CHARACTER IMAGES

Reference Images - 1737 Rockland Avenue



June 05, 2021

Mayor Lisa Helps and Councillors
1 Centennial Square
Victoria, B.C. V8W 1P6

For the past 2 ½ years we have been working with City staff and the community to bring you a proposal that retains and designates this 1899 Samuel McClure home, adds an accessory building to its rear yard and allows construction of 2 new, 2 storey homes on the remaining land.

1 Background

1737 Rockland is an 1899 Samuel McClure home that has been lovingly restored and its original character well maintained. It is the private residence of Earl Large, Founder of Large and Co. – a family owned business in Victoria since 1962.

Earl's home remains a single-family residence - probably one of the few in Rockland that has not been broken into smaller units. It is truly a community treasure which is why, as part of this rezoning process, we are proposing to designate the home as well as the interior foyer and stairwell areas.

Designation can be a difficult decision since heritage designated homes result in significant decreases in market value. Owners are restricted in what they are allowed to do to their home and have an ongoing financial commitment to maintain its heritage standard and quality.

But, because these heritage assets are so important to everyone in the community, these decisions are often made in partnership with the City where additional housing density is granted to support the designation and offset some of the costs.

Our goals for this proposal are to:

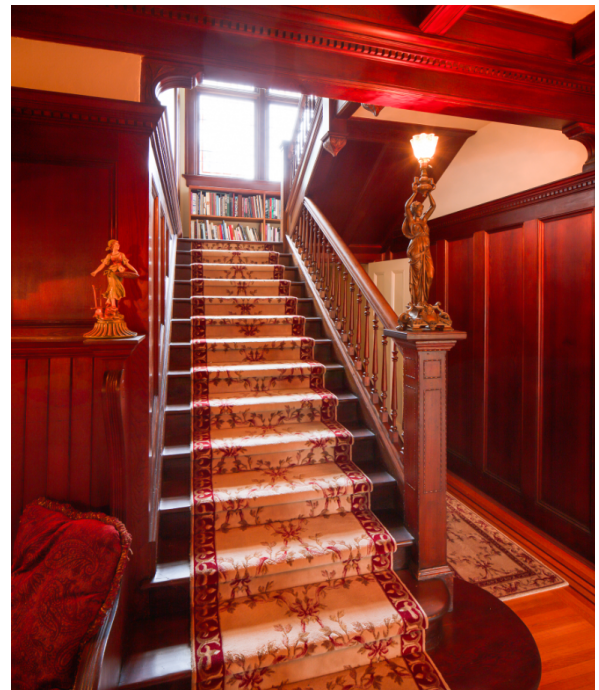
- Create a historical landmark for the community.
- Provide more housing knowing there is a crisis at *all* levels of consumption.
- Meet both these goals with a design that positively integrates with the surroundings and is sensitive to neighbours, the community and to the significance of this home.



Front Entrance



Rear View



Foyer and Stairwell

2 Description of Proposal

2.1 Buildings

This magnificent home sits on 2,713 m² (29,202 ft²) of land, high in the top south-west corner facing Rockland Avenue, leaving a large part of the property in the rear ‘unused’.

Note: lines are not exact and provided only for context.



Our proposal is to subdivide the land into two parcels. Lot 1 for the existing home would be 921m² (9,913ft²). An accessory building for a gym and storage would be added to the rear of this property. This is needed as the basement is rocky and essentially not useable. Lot 2 would be divided into two strata lots: Lot A being 628m² (6,759ft²) and Lot B being 660m² (7,104ft²). A two storey home would be constructed on each strata lot.

As part of the rezoning process, the existing home, as well as the interior foyer and stairwell would be designated and protected for the community. The home is in excellent condition with only a few exterior repairs and upgrades required. (*A Conservation Plan* is included with our submission).

Through collaboration with City staff, we are able to maintain the character-defining heritage rock wall along the Rockland frontage in its current position and further protect this home’s history.

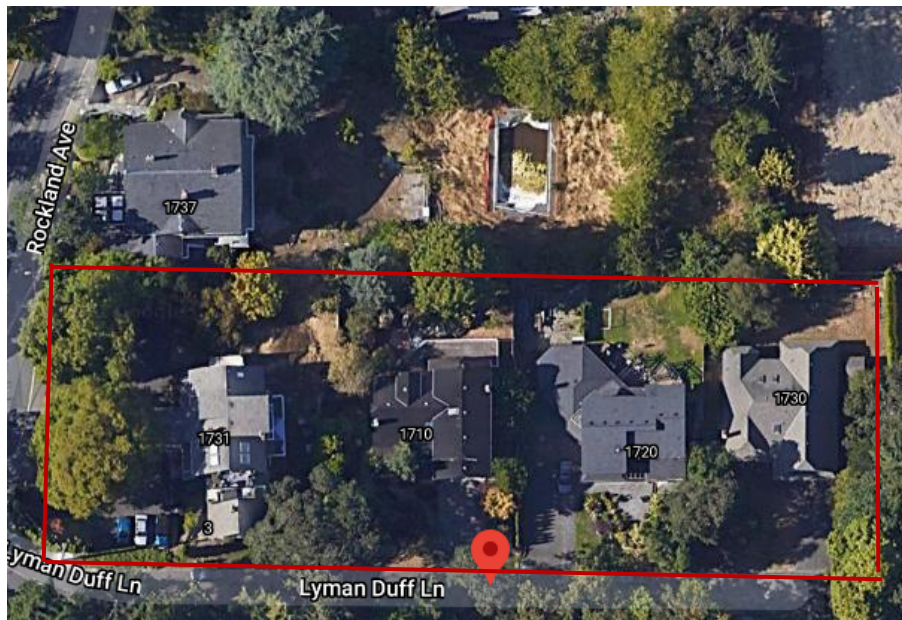
Our proposal honours the beauty and importance of this Samuel McClure home by creating designs that compliment its heritage style, character and scale, but does not detract from its significance. The sloping topography allows the principal residence to be a focal point at Rockland Avenue with the two new homes sited unobtrusively below.

Two storey homes are proposed for several reasons:

- Single storey homes would feel insignificant and diminish the grandeur of the main house.
- The topography allowed for designs and siting that assured privacy for neighbours.
- The lots are large enough to accommodate this size.
- It is the highest and best use of the property, which is a sustainable design approach.



We also took design cues from other developments in the area. For example, right next door to the south (1731 Rockland) there is an older significant home. At some point, their rear property was subdivided and three, multi-storey homes constructed along a new lane - Lyman Duff. This is basically what we are proposing for 1737 Rockland.



2.2 Landscape and Storm Water Management

All off-site trees close to the property line and the mature on-site conifer located just off the north property line near the northeast corner will be retained. Our design team recognize the value of mature trees in terms of wildlife food/habitat, carbon absorption, shade, stormwater management, and beauty and neighbourhood character, and although 7 on-site trees must be removed in the course of development, 27 will be planted (**better than 4:1 ratio**).

Of the 2,713 m² site (including the proposed ROW), approximately 1,035 m², or 38% of the site, comprises planting beds or lawn area, natural stone outcrops that drain to permeable landscape and decorative porous aggregate borders. The porous asphalt driveway which the adjacent concrete walk drains to is approximately 475 m² or 17.5% of the site, meaning that the porous driveway and absorbent landscape alone cover approximately 55.5% of the site.

It should also be noted that approximately 109 m² concrete sidewalk (4% of site), the existing house patios/walkways and the lot 2 patios (collectively approximately 180 m² or 6.6% of the site), all drain to absorbent landscape and have no impact on the storm system. That is an additional 10.6% of the site that benefits from the 55.5% absorbent landscape.

Plant selections reflect a commitment to resiliency, biodiversity, native and adaptive species, seasonal interest, and low maintenance.

3 Community Engagement

Two meetings were held with the Rockland CALUC Executive (May 06, 2020 and June 11, 2020). Comments from the first meeting resulted in a complete redesign of the exterior by Zebra Design Group to ensure the new homes were more complimentary to the heritage aspects of the existing home. The Heritage Consultant has reviewed and approved the designs and color choices.

A meeting was held on Sept 11, 2020 by neighbours on Lyman Duff. We attended and answered questions as required.

Further community input was done through DEV TRACKER under the new COVID protocols set out by the City.

4 City Planning Engagement

Since the original submission, many changes have been made to satisfy City requirements. In discussions with Planning staff, the only sticking point now revolves around privacy for the existing neighbours.

This comes up because our proposal is being vetted against a panhandle zone that asks for single storey where a single storey is meant to address potential privacy issues when building in a panhandle zone. *Note that we are seeking site specific zoning.*

We have addressed this privacy concern and staff have asked we outline this in detail for Council.

1. Lot Sizes for New Homes: A lot size of 850 m² (9,149ft²) is required to subdivide for a panhandle lot. With more than 29,000 ft², we are creating larger, more 'regular' single family lots of 628m² (6,759ft²) and 660m² (7,104ft²). This generates opportunity for optimum siting.
2. Setbacks between Buildings: 7.5m (25') is desirable to ensure privacy to existing neighbours. The distance between our building(s) and neighbours is ample to mitigate any privacy issues ranging from 30' - 65'.
3. Design Modifications: To further assure privacy and mitigate overlooks we made the following design changes:
 - Strata Lot A - reduced upper floor height to 8'.
 - Strata Lot A - removed all upper windows facing south neighbour except bathroom window which is obscured glass.
 - Strata Lot B – minimized bedroom windows on upper floor and all are obscured glass.
 - Both lots – additional landscaping.

5 Government Policies

The OCP is looking to balance the need for new housing and retention of heritage assets. This proposal fully supports this initiative.

Because of Rockland's notable historic architectural and landscape character, the OCP asks us to:

- Support the maintenance of existing dwellings and character through sensitive infill that preserves green space and estate features.
- Continue to conserve the historic architectural and landscape character of the Rockland neighbourhood.
- Encourage a diversity of population and housing in consideration of the Rockland neighbourhood's heritage and estate character.
- Create designs that relate to the land's topography.
- Achieve a high quality of architecture in the design of new dwellings, as well as a high quality of landscape and urban design to enhance the neighbourhood.

The location is ideal being close to goods and services as well as transit which reduces reliance on cars. By including electric car chargers for each home, we are furthering sustainable and climate initiatives.

6 Project Benefits

1. Preservation and designation of an 1899 Samuel McClure historical home and its foyer, as a single-family residence.
2. Responsible use of a large piece of available land to provide additional housing.
3. Building housing in a central, walkable location.
4. Introduction of 27 new trees, over 300 adaptive and native species shrubs and hundreds of adaptive and native species groundcovers and perennials.

7 Green Building

The following features are proposed for this project:

- Retaining and designating the existing heritage home.
- New homes constructed under Step 3 building code requirements.
- Electric car chargers for each new home.
- Permeable driveway.
- Onsite rain water management.
- Native and adaptive vegetation throughout the landscape.
- Rear yard space available for vegetable gardens and fruit trees as desired.
- Water conservation through low flow faucets, showerheads and toilets.

8 Summary

It is a challenge balancing any new development with the values of heritage retention. However, we have fully embraced this challenge with a practical and respectful proposal. Together we have an opportunity to preserve and protect a significant heritage asset for the community, *and* to provide reasonable infill housing in a neighbourhood that values its history and single family character.

Sincerely,

Kim Colpman
Applicant



ROCKLAND NEIGHBOURHOOD ASSOCIATION
P.O. Box 5276, Station B, Victoria BC, V8R 6N4

rockland.bc.ca

1737 Rockland Avenue
Neighborhood Meeting Synopsis
September 11, 2020

Neighbours concerned about the 1737 Rockland development met with the developer, Large and Company, on September 11 2020. The meeting, however, did not fulfill the developer's responsibility with respect to neighborhood engagement and consultation. Plans were presented as completed and final. The proponents offered only justification for their plans and did not entertain the idea of modifying or changing them. They described current zoning as being out of date at the time of enactment and stated that they as developers knew the highest and best use of the land.

Four issues dominated the meeting:

- The suitability of redevelopment, given the proposed panhandle lot configuration.
- The heights of the homes in the rezoning proposal.
- Lack of respect for the Tree Retention bylaw and general dismissal of regulation by proponents.

Neighbours supported infill densification as long as the houses were built in conformity with regulations pertaining to the panhandle lot designation and zoning regulations.

Suitability and Scope

- The current zoning is R1-A, enabling a single additional lot on the subdivision, not two as proposed, and the proposal of two lots is an additional monetary gift for the proponent.
- Two R1-B lots are possible as site-specific zoning, as in the case of the abutting lot at 928 Richmond, which provides a good template for this redevelopment.

Height

- The home proposed on Lot 2 at 7.08m. is over height and should be restricted to 5m.
- The home proposed on Lot 3 at 5.49m. is over height, built on additional fill lifting grade, not the natural grade and should be restricted to 5m. in height from natural grade.
- The proposed heights of both homes impinges on the privacy of the abutting lots.

Protection of Trees

- 12 Protected trees on site have been or will be removed.
- Four were removed on December 16th 2019 without a permit, which led to a bylaw infraction that the developer is contesting.
- Six additional trees are proposed for removal in the plan Landscape Data.
- The plan Landscape Data is misleading in that it includes eleven Off Property trees for protection.

Zoning and Regulations

- The proponents stated that zoning bylaws were out of date on date they were passed, and that the panhandle issue was a matter of "language."

- The proponent stated that as developers they were the best to consider the highest and best use of the property and that they see room for density and a return on investment on the property.

The neighbors in attendance wish to see the panhandle regulations upheld in this rezoning, as they were for the adjoining 928 Richmond development. They see room for additional density in Rockland and a return on investment for the proponent in adhering to Schedule 8 – Panhandle Lot Regulation.

Regards;
Bob June, co-chair
RNA LUC

1737 Rockland Avenue (Rockland Neighbourhood)

All feedback received from the Development Tracker online comment form

Name	Position	Comments	Address	Email	Date
Neil McClelland and Kay Johnson	Oppose	<p>We reside right next door, and we are very concerned about the proposed development. We see absolutely no benefit to the neighbourhood.</p> <p>Regarding: "Neighbouring trees will be preserved, and a conscious effort was made to save the existing conifer located near the northeast property line since we recognize its ability for wildlife habitat and carbon absorption for the surrounding environment. There are 19 bylaw protected trees on the property, 13 are being preserved and 6 are recommended for removal by the Arborist."</p> <p>--"was made" doesn't sound very promising for that conifer.</p> <p>--looking over the fence into the proposed development area, we can't see the "protected" trees referred to in the proposal.</p> <p>--an urban forest contributes to the health and beauty of a neighbourhood and its environment, and we see this forest declining.</p> <p>--promising to do some planting of "new trees" is not equivalent to preserving mature trees.</p> <p>--the proposal mentions a consideration of privacy, but the loss of tree cover has already led to a decline in privacy.</p> <p>Regarding: "We are also trying to balance the need for new housing and the retention of heritage assets."</p> <p>--this project does not truly address the need for new housing as the houses will be unaffordable for the people who most need new housing.</p> <p>--two-story homes will not add any more new housing than one-story homes and will just serve to block the view of the landscape.</p> <p>This neighbourhood has already been subjected, from another development, to an extended period of loud blasting and now ongoing noisy construction.</p> <p>The "new housing" argument is a very weak rationale for a development proposal that offers nothing to the neighbourhood, and is actually quite damaging.</p>	5-1731 Rockland Ave	neilmc2@telus.net	2020-09-15 2:42

Name	Position	Comments	Address	Email	Date
		respectfully, Neil & Kay			

Name	Position	Comments	Address	Email	Date
Jennifer Bennett	Support	<p>I am opposed to the proposed development at 1737 Rockland Avenue. The developer is requesting a subdivision of the existing R1A lot which will create a panhandle lot. Panhandle lot zoning allows for one storey dwellings with specific setbacks from adjoining properties to allow some privacy for those existing homes. Panhandle lot zoning does allow for infill and increased density but also respects the existing neighbourhood. This proposal does not meet the panhandle lot rezoning requirements as they are asking for variances for setbacks as well as height. The setbacks range from 7.5 metres to 1.2 metres with the majority if not all below the requirement for a panhandle lot. Another infill development was approved by council immediately adjacent to this property at 928 Richmond in 2016. The developer of that property initially proposed 3 two-storey duplexes on the property. After much back and forth and a number of years a proposal for 3 single-storey homes was approved by Council. This was what the neighbours originally requested of the developer and were willing to support.</p> <p>We now have a similar situation where the developer is proposing to subdivide the current property, retaining the original home with the addition of a new accessory building and construct an additional 2 two-storey homes. Again the neighbours are willing to support single storey homes yet the developer is requesting 2 two-storey homes which will have an impact on the existing neighbours as well as the 928 Richmond development that is currently under construction. As the proposed homes at 1737 Rockland are situated on a higher elevation even a one-storey home will rise above the homes adjoining them.</p> <p>Another area of concern is the loss of Rockland's existing tree canopy. With the 928 Richmond development a significant number of trees were removed. The 1737 Rockland development shows that of the remaining 8 bylaw protected trees still on the property 6 are to be removed leaving only two bylaw protected trees on the property. Both of these trees are located at the front of the property leaving the rear of the property treeless. Unfortunately in December of 2019 a large number of trees including bylaw protected trees were removed from this property without city issued permits. With the removal of these trees in</p>	1740 Lyman Duff Lane	jmbennett@shaw.ca	2020-09-20 19:27

Name	Position	Comments	Address	Email	Date
------	----------	----------	---------	-------	------

addition to the trees removed on the adjoining property the character of the neighbourhood will be forever changed. The few remaining trees on the property need to be protected.

I am very supportive of respectful development but this project falls far short of that. It doesn't respect the Rockland Neighbourhood, it doesn't respect the immediate neighbours and it doesn't respect City of Victoria zoning. I ask that you please request modifications to this application from the developer. Thank you.

Name	Position	Comments	Address	Email	Date
Susan Wynne-Hughes	Oppose	<p>As a close neighbour of this proposed development I feel strongly that this site should not be re-zoned but built according to the R1-A zone. This would allow construction of a single story home of appropriate height fitting in with the surrounding neighbours. At a similar current development on 928 Richmond which is adjacent to this property, the houses are of 1 story and they were kept at that height as it was seen to be fitting to the surroundings. Similarly building 2 homes would create a property of much higher density than is desirable in the Rockland area. In addition, the existing plan exceeds the site coverage under R1-A which would create houses much too close to the adjacent neighbours. Another factor is that the plan provides for the loss of six more trees on this property. This, in addition to the protected trees already removed from the property would be a huge loss to the neighbourhood. In summary the requirements of R1-A zoning are entirely appropriate to this site taking into account the privacy of the neighbours, the density issue and the desire to maintain the ambience of this part of town.</p> <p>I would like to add that I am astonished and dismayed at the manner in which the developer removed so many protected trees last year. There was no consultation with neighbours nor concern for the environment in this action. Actions such as this threaten the beauty of this prized part of Victoria.</p>	926 Richmond Ave, Victoria	cwynnehughes@shaw.ca	2020-09-21 1:15
David Gordon	Oppose	Owner has removed protected trees without approval, this affects all neighbours. Variance is a privilege not a right. Current plans have no respect for neighbours.	1731 Rockland Ave	Dgordon27@gmail.com	2020-09-21 16:30
Jason Cridge	Support	I believe this is respectful infill. The opposition is vocal and organized in trying to oppose this. This is the type of infill that Victoria city needs. Although this is upmarket and not considered affordable it allows for more capacity in that segment of the market which allows young families to move up leaving their homes available for first time buyers. Victoria needs housing more than it needs to protect the property values of those residents on Lyman Duff Lane. Homes matter. Supply matters.	935 Richmond Ave	j.cridge@hotmail.com	2020-09-21 23:14
Ariel Nesbitt	Support	I am a resident of 1715 Rockland (very close by the proposed development site). Victoria in general needs more housing options, and the proposed development has the potential to contribute to this. The proposed changes would respect the neighbourhood character.	1715 Rockland Avenue		2020-09-22 4:28

Name	Position	Comments	Address	Email	Date
Please don't allow NIBYism to stop expanding housing options					
Ken Todd	Oppose	I would like to know WHY the developer wants to change the zoning Bylaw from R1-A to Site Specific and how that new designation would bring the development of two houses in line with the neighboring homes on the south side of the property.	1750 Rockland	kbwtodd @shaw.c a	2020-09-22 4:43
Daryl Brown	Oppose	I understand that this development proposal will require a number of variances to the Panhandle Lot Regulations in order to proceed -- i.e., site coverage, building height, number of stories, setbacks. I do not think these variances should be granted; the existing Schedule H regulations should be followed. If the City thinks that the existing panhandle zoning regulation is inadequate, then there should be a comprehensive review of that bylaw. We should not conduct city planning on an ad hoc application by application basis. If the City doesn't have the resources or the inclination to conduct proper maintenance and updating of its bylaws, local neighbourhood residents should not be the ones to bear the consequences. The existing variance game that is played between developers, the City, and neighbourhood residents almost invariably leads to conflict and is wasteful of scarce resources. I urge the City to either enforce its existing bylaws; or go through a democratic planning process to update the bylaws to reflect modern land use priorities, so that they may then be readily and consistently enforced.	1742 Green Oaks Terrace, Victoria BC		2020-09-22 4:46

Name	Position	Comments	Address	Email	Date
Vince Bennett	Oppose	<p>I am opposed to the proposed development at 1737 Rockland Avenue. The developer is requesting a subdivision of the existing R1A lot which will create a panhandle lot. Panhandle lot zoning allows for one storey dwellings with specific setbacks from adjoining properties to allow some privacy for existing homes. Panhandle lot zoning does allow for infill and increased density but also respects the existing neighbourhood. This proposal does not meet the panhandle lot rezoning requirements as they are asking for variances for setbacks as well as height. The setbacks range from 7.5 metres to 1.2 metres with the majority, if not all, below the requirement for a panhandle lot. Another infill development was approved by council immediately adjacent to this property at 928 Richmond in 2016. The developer had initially proposed 3 two-storey duplexes on the property. After much neighbourhood involvement and engagement with the city over a number of years, that proposal was rejected by Council. A proposal for 3 single-storey homes was eventually approved by Council. This was what the neighbours originally requested of the developer and were willing to support. This development is well underway adjacent to our property and is a much better fit considering the size of the property and the homes being only one story.</p> <p>We now have a similar situation where the developer is proposing to subdivide the current property, retaining the original home with the addition of a new accessory building (what is an accessory building?) and construct two additional 2 two-storey homes. One of the homes will also will have a nanny suite. Again, the neighbours are willing to support single storey homes yet the developer is requesting 2 two-storey homes which will have an huge impact on the existing neighbours along Lyman Duff Lane as well as the 928 Richmond development that is currently under construction. As the proposed homes at 1737 Rockland are situated on a higher elevation even a one-storey home will rise above the homes adjoining them and proposed setback variances will just make the crowding and density worse. Considering that Council rejected over-density on the 928 Richmond development and finally approved three single family homes, I would be very surprised if they consider this development as proposed.</p>	1740 Lyman Duff Lane	vinnieb@shaw.ca	2020-09-22 14:37

Name	Position	Comments	Address	Email	Date
		<p>Another area of concern is the loss of Rockland's existing tree canopy. With the 928 Richmond development a significant number of trees were removed. The 1737 Rockland development shows that of the remaining 8 bylaw protected trees still on the property 6 are to be removed leaving only two bylaw protected trees on the property. Both of these trees are located at the front of the property leaving the rear of the property treeless. Unfortunately in December of 2019 a large number of trees including bylaw protected trees were removed from this property without city issued permits. With the removal of these trees in addition to the trees removed on the adjoining property the character of the neighbourhood will be forever changed. The few remaining trees on the property need to be protected.</p> <p>I am very supportive of respectful development but this project falls far short of that. It doesn't respect the Rockland Neighbourhood, it doesn't respect the immediate neighbours and it doesn't respect City of Victoria zoning.</p> <p>Thank you.</p>			
Patricia Gatey	Oppose	I do not give permission for my personal information to be posted on the City of Victoria website.	952 Richmond Ave		2020-09-22 16:32
Kerry Krich	Oppose	<p>The proposal is clearly not respecting the existing zoning--it exceeds the existing Schedule H panhandle zoning in a plethora of issues. Height and # of stories, again excessive and has a complete disregard for the current neighboring housing. The site area is not large enough for what is proposed; as well the setbacks exceed the zoning limits; and once again we are destroying trees and environmental jewels that make our living in Victoria what we love. I speak to all of these issues as I bear the consequences of the development directly behind me as the homeowner of 930 Richmond. My family have owned this property for 70 years and it saddens me to see the development of residential homes that far exceed what is needed, what is respectful to our environment and yet again, provides for the wealthy their homes of excessive square footage. The trees are gone, the birds are reluctant to make a sound, and (I) now live with absolutely no privacy, either visually, aurally, or spiritually. Please let's not make another mistake in the Rockland</p>	930 Richmond Avenue	kerrykrich@gmail.com	2020-09-23 0:56

Name	Position	Comments	Address	Email	Date
Neighbourhood. I STRONGLY OPPOSE THIS DEVELOPMENT.					
Kim and Judy Carlton	Oppose	<p>To the best of our knowledge we do not know of any neighbours in the Rockland community who are in support of this proposal, despite what the developer has conveyed to others including members of council. We oppose the request to rezone this land. The property is currently quite suitable for a panhandle infill development which can be done in accordance with existing zoning. In relation to the Schedule H panhandle zoning the purposed development will result to in two new homes (versus one) that are too large for the area, that exceed height requirements, and do not meet the requirements for site area, coverage and setbacks. This proposed development, combined with the current home on site and proposed addition of an accessory building, will result in three over crowded homes in this limited space. We do not think this is in keeping with the Rockland area. The development at 928 Richmond Avenue has already set a poor precedent of over-development with three new homes in this limited space, and the decimation of all existing trees. This proposed development would be an unfortunate continuation of this practice. Simply put, the proposed development 1737 Rockland is nothing more than over-development.</p> <p>We also oppose the proposed development due to the impact it will have on trees on the current site, and potentially to properties adjacent to it. The proposed development eliminates 6 protected trees and all other trees on the site, while preserving only 2 protected trees. Other developers have proven the ability to create thoughtful development while preserving trees and the character of the area. Sadly that is not the case with this proposed development; the developer shows no regard for the existing trees and habitat.</p> <p>Our property at 1710 Lyman Duff Lane is adjacent to this proposed development. We are very concerned about two mature trees on our property that could be adversely impacted by this development. We strongly encourage the City's arborist to keep a close eye on this development.</p> <p>We understand the need for development. We are proponents of thoughtful development, not over-development. We fail to see how accepting this proposal and rezoning this land will add value to the</p>	1710 Lyman Duff Lane	kimandju dyc @hotmail .com	2020-09-23 4:36

Name	Position	Comments	Address	Email	Date
		neighbourhood and the City of Victoria. Please reject this proposal and honour the current Schedule H panhandle zoning which would allow for one home, of suitable size and height restrictions, setbacks and site coverage for this limited space.			
Robert June	Oppose	panhandle housing is appropriate.	1310 Manor Road	thejunes@telus.net	2020-09-23 17:59
Chris Hildebrand	Oppose	While residential density keeps increasing, the infrastructure to support it, is not.	911 Richmond Ave	illbeback1999@yahoo.com	2020-09-23 22:58
dug and cheryl gammage	Oppose	we would support proposal if the existing zoning was respected	1740 oak shade lane victoria	duggam mage1@gmail.com	2020-09-24 1:39
Grant Perkins	Oppose	I am not opposed to development of 1737 Rockland, but any proposal should fit existing panhandle lot zoning for Rockland. The property should not be rezoned so a proposed development can be accommodated. The developer stated zoning is obsolete before it is written. Why have zoning if it is not respected? The proposed development exceeds the limits of the current zoning in many ways – height, site area, site coverage, setbacks. This proposal does not take into consideration how the planned houses will overlook the surrounding homes, including the new homes under construction to the east (928 Richmond) of the subject property. Any development should co-exist within the current neighborhood. This proposal does not. Given what was approved in 2017 for a similar adjacent property at 928 Richmond, the current proposal for 1737 Rockland should be rejected.	1731 Lyman Duff Lane	grant.perkins@live.ca	2020-09-24 5:22
Linda Barry	Oppose	I am not opposed to development but I think consideration should always be given to the existing neighbours whose properties abut and are in view of a proposed development. Not respecting the existing zoning and planning for 2- 2 level houses in a panhandle is not being considerate in the least. The area is not large enough for 2 houses much less 2 story houses. They are proposing setbacks on 3 property lines - this is excessive. There is no doubt this development as it is	924A Richmond Ave	lrb@shaw.ca	2020-09-24 21:23

Name	Position	Comments	Address	Email	Date
<p>proposed will impact negatively on the privacy and the natural beauty of this stately neighbourhood.</p>					
Jennifer Lowry	Oppose	<p>1737 Rockland is a suitable property for a panhandle, infill development and the proposal should respect the existing Schedule H panhandle zoning, which serves a distinct purpose, and is intended specifically for infill developments such as this.</p> <p>The current proposal for 1737 Rockland exceeds the existing panhandle zoning limits in numerous ways: height, # of storeys, site area and setbacks in addition to extensive removal tree canopy impacting privacy for existing neighbors.</p> <ul style="list-style-type: none"> • The max allowable height under the current zoning is 5 metres. The proposed height (5.49 and 7.08 metres) and number of storeys (2) are excessive for a panhandle lot. • Based on the Site Area and zoning, the proponent only has appropriate site area for one house. • Proposed setbacks on 3 out of the 4 property lines far exceed zoning limits. Strata 3 setbacks, in particular, would only be 3.4 metres and 5.0 metres from two of the fence lines - the zoning requires 7.5 metres for walls with windows to 'habitable rooms'. This would result in a further loss of privacy important to existing homes. • Five bylaw protected and many other non-protected trees were unlawfully removed from the property in December 2019 resulting in fines being issued. As a result of trying to overbuild the lot, six more bylaw protected trees are to be removed from the property. If approved, all but 2 of the remaining mature canopy on the property will be removed in order to accommodate the zoning variances being sought. Privacy and existing wildlife habitation were already impacted by the unauthorised tree removal in December 2019. The removal of mature trees is not at all in keeping with the Rockland neighborhood. Replacement plantings will take many years to mature and provide fundamental privacy for bordering neighbors and re-establish wildlife. There is also significant concern from the neighboring properties as to the protection of the established trees on their own properties. The intrusion of the proposed square footage of 2 houses along with the setbacks would 	1731 Lyman Duff Lane	jenlowry@live.ca	2020-09-25 1:51

Name	Position	Comments	Address	Email	Date
		<p>place the new houses perilously closer to established root systems of trees on neighboring properties.</p>			
		<p>Of further concern is the recent discovery of an approximate 5 foot infill as part of the development proposal. This extreme and unnecessary elevation change would mean the proposed 2 storey houses would loom even higher than the current slope of the property.</p>			
		<p>The proponent is proposing two, 2 storey houses on ~1,300 m2 of site area (avg 650 m2 per house) therefore seeking much more house on much less lot than the recently approved development under construction on adjacent property.</p>			
		<p>The adjacent property (1745 Rockland) underwent a very similar (4-year) rezoning process. That proposal, also a panhandle infill of a large Rockland estate (original Rattenbury house), was eventually subdivided to create a strata development (new civic address 928 Richmond).</p>			
		<p>The 1745 proposal should serve as a good reference here. It was introduced in 2013, rejected by the PLUC in 2014 (didn't accommodate neighbour's concerns), rejected at Public Hearing in 2015 (overreach in density), and approved in 2017 after being revised to conform with panhandle zoning. The homes were approved for only one storey and conform to height restrictions. With the changes made to the proposal, the developer gained the support of the neighbors – the same neighbours who are now impacted by the 1745 Rockland proposal.</p>			
		<p>I cannot see how the City could justifiably approve the 1745 Rockland proposal given the changes that were required before approval of the adjacent development at 1737 Rockland (928 Richmond).</p>			
		<p>Panhandle designation is to ensure site area is retained for the subdivision of large houses and to prevent overcrowding and invasion of privacy. A single home that conforms to height, site and other zoning restrictions is not only in keeping with the Rockland neighborhood, but would be supported by neighbors.</p>			

Name	Position	Comments	Address	Email	Date
Mark Schippers	Oppose	<p>I oppose the current proposal for the following reasons.</p> <ol style="list-style-type: none"> 1. entry of Rockland is just after corner that bikes, cars and even people walking may not be seen with people enter and exiting the proposed development (high danger area) this is with a posted speed of 30km/h, there would be only one entrance that would service 4 larger homes in a blind area. 2. According information i was given they removed 5 protected Gary oaks with out approval and paid the fine to be able to cash in on this development and are now asking for concession outside of the current zoning rules. I removed one tree with city permission and it was a long complex process. By awarding this you allow people who are not prepared to follow the bylaws profit while those of us how do go through a long drawn out process. I believe this is the wrong message to send. If my information is wrong please omit this point of concern 3. I walk by their at least 3 times a week and have never noticed any posting so when a concerned neighbor knocked on my door i was shocked. (lack of transparency) 4. our Neighbor hood has gone through blasting with the development that was approved for their neighbors. <p>By all means allow the a proposal that follows the current zoning rules for subdividing & creating a pan handle with out additional variances or change is status of the property.</p>	1738 green oaks terr.		2020-09-25 15:38
George Dundas & Grant Townsend	Oppose	<p>Considering that the development at 928 Richmond was approved for only one storey single family homes it is unreasonable to now allow 2- storey homes immediately adjacent. Additionally, according to the site plan, the new home on the NE corner is only 1.5m from the adjacent property line, which is not sufficient.</p>	#1 - 928 Richmond Ave	gsdundas@shaw.ca	2020-09-25 15:41

Name	Position	Comments	Address	Email	Date
David S McWalter	Oppose	<p>I feel this is a suitable property for development, however, the current proposal seeks excessive variances to the existing zoning that negatively and irreparably impact the neighbouring properties. Here are a few key points that inform my opinion about this proposed rezoning:</p> <p>1) Lack of engagement with neighbours:</p> <ul style="list-style-type: none"> - There was no notice in December 2019 that the eastern half of the lot was being clear-cut (without permits, resulting in bylaw inracations) to prepare for this development. All neighbours awoke to the sound of chainsaws and trees crashing down around the property. - There was no notice about this pending development until we received a notice in our mailbox from the City. - Lastly, after the neighbours organized their own CALUC meeting because the developer wouldn't do so, the developer made it clear there was no way that he was prepared to make any changes to the proposal based on the concerns identified by neighbours. ("Let's just let Council decide" - Earl Large) <p>2) The proposal exceeds every key metric associated with the existing zoning for an R1-A panhandle subdivision:</p> <ul style="list-style-type: none"> - The site area (m2) for the proposed new houses does not meet the minimum requirement. - The site coverage (%) for the proposed new houses greatly exceeds the limits. - The height of the proposed new houses exceeds limits (5m). - The number of storeys of the proposed new houses (2 each) exceeds the limits for a panhandle lot (1). - Six additional bylaw protected trees are proposed to be removed, in addition to the four protected trees removed without permit in Dec-2019. This proposal would remove all of the remaining tree canopy on the east half of the property, which is stunning and brazen. - The setbacks do not meet the panhandle zoning requirements, impacting privacy of neighbours and requiring additional trees to be cut down. - The purpose and ultimate configuration of accessory building is not clear as an earlier drawing showed it with full plumbing and the current drawing does not. 	1720 Lyman Duff Lane	davemcw alter @gmail.c om	2020-09-26 1:55

Name	Position	Comments	Address	Email	Date
		<p>3) A perfect comparison is RIGHT NEXT DOOR!</p> <ul style="list-style-type: none"> - There is a very similar development currently under construction right next door at 1745 Rockland that should be considered a model for this one. - The development at 1745 Rockland also involved the subdivision of a large R1-A zoned property with a house of heritage value. It, too, proposed a strata development with several large homes that greatly exceeded the panhandle zoning. - That led to a contentious 4-year dispute between the developer and the neighbours – the same neighbours who are now impacted by this current proposal – which included being rejected by the City both at Committee and then later at Public Hearing. - Ultimately, the developer revised the proposal in 2017 so that it respected the panhandle zoning, only then gaining the support of the neighbours and approval from Council. - Now, although fully aware of the zoning recently approved by Council in the development over his east fence, Mr. Large is putting these same neighbours through the same painful process only 3 years later! This approach shows contempt for the neighbours, the existing zoning, and Council's recent decision regarding an almost exact development occurring right next door to this one. <p>I feel strongly that there is no compelling reason for allowing this rezoning. The developer is the only one who would benefit (\$\$\$) from a rezoning of this property, and the cost will be borne by the surrounding neighbours who will forever lose the privacy they currently enjoy and that is protected by the existing zoning regulations. The development next door at 928 Richmond proves that a developer can successfully build a strata infill development that respects the existing zoning, the wishes of Council, the neighbours, and the neighbourhood. I recommend the City rejects this rezoning proposal, and advises the developer to re-submit in accordance with existing zoning.</p> <p>Respectfully, Dave McWalter</p>			

Name	Position	Comments	Address	Email	Date
Beverley Nicole Cain	Oppose	<p>Respect the existing zoning! The proposal exceeds the existing Schedule H panhandle zoning limits in almost every way. These limits exist specifically for panhandle infill developments such as this. The proponent seeks a rezoning to avoid these zoning limitations.</p> <ul style="list-style-type: none"> · The proposed height and number of storeys are excessive for a panhandle lot. Both Strata 2 and Strata 3 will loom large over neighbouring houses on Lyman Duff Lane and Richmond Ave. · There is not enough site area (m2) for two new houses under the existing zoning (only 1). · The proposed new houses exceed the site coverage (%) limit under the existing zoning. · The proposed setbacks on the south, east, and north property lines far exceed zoning limits, resulting in loss of privacy for existing homes. This issue is especially relevant because the houses are being built so tall. · As a result of trying to overbuild the lot, six more bylaw protected trees will be removed from the north property line. This is in addition to the five bylaw protected trees – and many other non-protected trees – suddenly removed without permit in December 2019. The entire mature tree canopy on the east half of the existing property will be removed in order to accommodate the zoning variances being sought. · There is a very similar development currently under construction right next door at 1745 Rockland (now 928 Richmond) that should be considered a model for this one. The development at 1745 Rockland also involved the subdivision of a large R1-A zoned property with a house of heritage value. It, too, proposed a strata development with several large homes that greatly exceeded the panhandle zoning. That led to a contentious 4-year dispute between the developer and the neighbours – the same neighbours who are now impacted by this current proposal – which included being rejected by the City both at Committee and then later at Public Hearing. Ultimately, the developer ended up revising the proposal so that it respected the panhandle zoning, only then being approved from Council in 2017. Now, although fully aware of the zoning permitted by Council in the development over his east fence, Mr. Large is putting these same neighbours through the same painful process only 3 years later! This approach shows contempt for the 	1735 Green Oaks Terrace	B.Nicky.C ain@outl ook.com	2020-09-26 2:43

Name	Position	Comments	Address	Email	Date
		neighbours, the existing zoning, and Council's recent decision regarding an almost exact development occurring right next door to this one.			

Name	Position	Comments	Address	Email	Date
Emma McWalter	Oppose	<p>I strongly oppose the development as presented. The current proposal seeks excessive variances to the existing zoning that negatively and irreparably impact the neighbouring properties. Here are key points that support my opinion:</p> <p>1) Lack of engagement with neighbours:</p> <ul style="list-style-type: none"> - There was no notice in Dec'19 that the trees on the east half of the lot were being removed (without permits, resulting in bylaw infractions) to prepare for this development. Neighbours were alerted to the destruction with the sound of chainsaws and trees coming down. Despite immediate calls to the City, there was nothing that could be done. - There was no notice about this pending development until we received notice from the City. - After we organized our own CALUC meeting because the developer wouldn't, the developer made it clear there was no way that he was prepared to make any changes to the proposal based on the neighbours objections ("Let's just let Council decide" - Earl Large) <p>2) The proposal exceeds every key metric associated with the existing zoning for an R1-A panhandle subdivision:</p> <ul style="list-style-type: none"> - The site area (m2) for the proposed new houses does not meet the minimum requirement. - The site coverage (%) for the proposed new houses greatly exceeds the limits. - The height of the proposed new houses exceeds limits (5m). - The number of storeys of the proposed new houses (2 each) exceeds the limits for a panhandle lot (1). - Six additional bylaw protected trees are proposed to be removed, in addition to the four protected trees removed without permit Dec '19. This proposal would remove all of the remaining tree canopy on the east half of the property, which is which has been growing for 100s of years. - The setbacks do not meet the panhandle zoning requirements, impacting privacy of neighbours and requiring additional trees to be cut down. - The purpose and ultimate configuration of the accessory building is not clear as an earlier drawing showed it with full plumbing and the current drawing does not. 	1720 Lyman Duff Lane	emma.mcwalter@gmail.com	2020-09-26 2:49

Name	Position	Comments	Address	Email	Date
		<p>3) Lack of integration with the neighbouring properties through overdevelopment:</p> <ul style="list-style-type: none"> - There is a new development currently under construction right next door at 948 Richmond, previously subdivided from 1745 Rockland that should be considered as a model. - The development at 1745 Rockland also involved the subdivision of a large R1-A zoned property with a house of heritage value. It, too, proposed a strata development with several large homes that greatly exceeded the panhandle zoning. - Following a contentious 4-year dispute between the developer and the neighbours – which included being rejected by the City both at Committee and then later at Public Hearing - the developer revised the proposal in 2017 so that it respected the panhandle zoning, only then gaining the support of the neighbours and approval from Council. - Now, although fully aware of the zoning recently approved by Council in the development over his east fence, Mr. Large is putting these same neighbours through the same painful process only 3 years later because he can! This approach shows contempt for the neighbours, the existing zoning, and Council's recent decision regarding an almost exact development occurring right next door to this one. - Despite the development at 948 Richmond being approved, I would argue it is still overly developed for the lot size. <p>I feel strongly that there is no compelling reason for allowing this rezoning and proposed development. The developer is the only one who would benefit (\$\$) from rezoning. The cost will be borne by the neighbours, who will forever lose the privacy they currently enjoy, and the environment which will forever be impacted by extensive overdevelopment. The development at 928 Richmond proves that a developer can successfully build a strata infill development that respects the existing zoning, the wishes of Council, the neighbours, and the neighbourhood. I recommend the City rejects this rezoning proposal.</p>			

Name	Position	Comments	Address	Email	Date
Patsy Scott	Oppose	<p>I am against the rezoning of this panhandle lot To allow for two storeys because the height and number of storeys will negatively effect the neighbouring lots without increasing density within the Panhandle lot itself. The added height to the proposed new structures is only for the purposes of increasing the square footage of a single family dwelling which is unnecessary for the comfort and livability of the single family dwelling. The height increases are not for the purposes of creating more house to allow for more people to dwell, i.e. a duplex or other multi family dwelling.</p>	1710 Green Oaks Terrace		2020-09-26 3:12
Linda Hardy	Oppose	<p>The proposal exceeds the existing Schedule H panhandle zoning limits almost entirely. The panhandle specifically addressing infill developments and limits any excess. The developer wants a rezoning to run rough shod over the existing zoning limits. What is being proposed with regard to the heights and number of storeys are far more than is permissible for a panhandle lot. Both Strata 2 and Strata 3 will oppress the neighbouring houses on Lyman Duff Lane and Richmond Ave. Furthermore, there is not enough land area for two new houses under the existing zoning, only 1. The new houses also exceed the site coverage limit under the existing panhandle zoning.</p> <p>The proposed setbacks on the south, east, and north property lines grossly exceed zoning limits and destroy the privacy of the existing homes. The houses proposed would loom over the existing houses. Even worse, the result of the developer's aim to overbuild the lot, would be the destruction of six more bylaw protected trees being removed from the north property line. Five bylaw protected trees have already been removed, as well as unprotected trees. All were destroyed without permit or consultation with the neighbours in December 2019. The whole of the mature tree canopy on the east half of the existing property will end up being removed in order to accommodate the zoning variances being sought. The developer says trees will be planted but mature trees such as these simply cannot be replaced. Please note: there is a similar development currently starting construction next door at 1745 Rockland Ave (now numbered 928 Richmond) that is really the precedent for this proposal. The development at 1745 Rockland also involved the subdivision of a large R1-A zoned</p>	#2-1715 Rockland Avenue, Victoria, V8S 1W6	lhardy@u vic.ca	2020-09-26 4:42

Name	Position	Comments	Address	Email	Date
		<p>property with a heritage house. It also proposed a strata development with several large houses that exceeded the panhandle zoning outrageously. The neighbours were outraged and a 4 year dispute between them and the developer ensued. These are the same neighbours who will now be impacted by the current proposal. The Richmond proposal ended up being rejected by the City at both Committee and at Public Hearing. The developer had to revise the proposal and respect the panhandle zoning in order to finally be approved by Council in 2017. Now, although he is fully aware of the zoning permitted by Council previously, Mr. Large is challenging the regulations, disrespecting the neighbours and the neighbourhood and assuming that he and his plans are all that matter. His disdain is palpable both for the existing zoning, and the Council's former decision regarding the almost exact development attempted so very recently.</p> <p>Please, have a care for the heritage of the neighbourhood, its trees, its people. The developer says infill is inevitable. That may be so but let it abide by the panhandle zoning that was put into place to address over development and the destruction of what cannot be replaced. The City of Victoria deserves better.</p>			
Reed Pridy	Oppose	<p>Objectively, this application blatantly ignores various zoning requirements. Subjectively, I wouldn't want anybody to have to go through what my family and I went through as an adjacent property to the neighboring development at 1745 Rockland (now 928 Richmond). Because these comments are published online I prefer not to include details in this form, but I encourage any councillor or city staff member to reach out directly, as I'm happy to share details of my experience, particularly over the past 6 months.</p>	1723 Green Oaks Terrace		2020-09-26 5:37

Name	Position	Comments	Address	Email	Date
Margaret Eckenfelder	I neither support or oppose at this stage. I have a question about the plans, below.	<p>I do have some concerns about tree preservation and replanting to ensure that the canopy remains green. The landscape plan helps - the proof will be in its execution.</p> <p>As far as lot size variances are concerned, I have a question about the accessory building/gym. If this building was not in the plan, and the land it sits on was redistributed to the other 2 lots, it appears that they might not require variances for size. Could the accessory building be reduced in size to allow more land for the other 2 lots and creating a bit more space in the development, addressing one of the neighbours' concerns?</p>	1709 Oak Shade Lane, Victoria, BC		2020-09-30 18:41



D. Clark Arboriculture
2741 The Rise Victoria B.C. V8T-3T4
(250)474-1552 (250)208-1568
clarkarbor@gmail.com
www.dclarkarboriculture.com
Certified Arborist PN-6523A
TRAQ Certified
ISA Tree Risk Assessor CTRA 459

Arborist Report for Development Purposes
Re: Proposed Subdivision and New Homes Construction

Site Location: 1737 Rockland Ave., Victoria BC
Darryl Clark PN-6253A TRAQ Certified
May 9, 2021

May 9, 2021

For Large and Co. Developers

607 Vancouver St. Victoria BC V8V 3T9

Re. 1737 Rockland Ave. - Proposed Subdivision and New Homes Construction

Scope of Work

D. Clark Arboriculture has been retained by Large and Co. Developers to provide comments on trees impacted by a potential subdivision that calls for (2) new single-family homes and a fully serviced accessory building, as well as a Tree Protection Plan for the property 1737 Rockland Ave. as per the requirements of the City of Victoria.

Introduction and Methodology

I (Darryl Clark) visited the site several times between May 23, 2020 and February 11, 2021 to perform an assessment of trees on-property and off-property that could potentially be impacted by proposed development. Site conditions surrounding affected trees were generally favorable. Access to the neighboring properties north and south of 1737 Rockland was not available at the time of the site visit. As a result, all measurements and locations of off property trees are approximate. A design provided by our client indicated property changes including the addition of 2 separate lots of and construction of (2) new family residence, as well as a new accessory building designated as a gym. This report was completed on May 9, 2021.

Tasks performed include:

- An aerial site map was marked indicating subject property and impacted surrounding properties.
- visual inspection of (13) off-property and (12) on property trees was performed, and notes were collected on health and structural condition.
- Tree height and canopy spread was estimated to the nearest metre.
- A scaled survey map provided by the landscape design team is included with tree protection overlaid for reference.
- Photos of the site and trees.

Summary

1737 Rockland Ave. Tree Impact Summary					
TREE STATUS	# of Protected Trees	# of Trees to be Removed	# of Replacement Trees	# of Other Trees	Net Change
Onsite trees	9	-7	14	0	16
Offsite Trees	13	0	0	0	13
Municipal Trees	0	0	0	0	0
Unprotected Trees	7	-1	0		6
TOTAL	29	-8	14	0	35

Tree Inventory

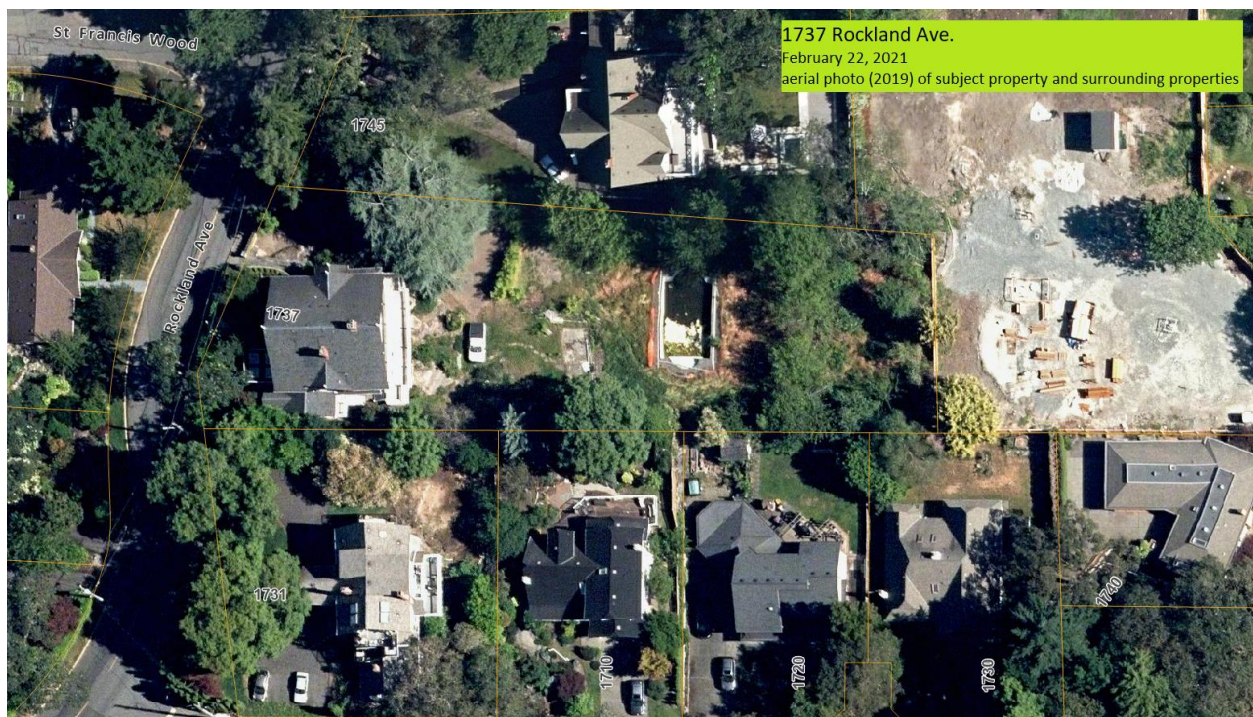
1737 Rockland Ave. Inventory of Trees												
#	Species	cm/DBH	Height/m	Spread	PRZ/m	Structure	Health	Bylaw protected	Retain/Remove	Reason for Removal	Additional Comments	Impact
134	<i>Quercus garryana</i>	59	12	6	7	Good	Good	Yes	Retain		No impacts anticipated	none
135	<i>Cedrus deodar</i>	115	22	18	14	Good	Good	Yes	Retain		Moderate pruning expected for access. Excavation for services in PRZ.	moderate
136	<i>Ulmus americana</i>	53	16	14	6	Poor	Good	Yes	Remove	Regrading for driveway		severe
137	<i>Ulmus americana</i>	60	16	12	7	Fair	Fair	Yes	Remove	Regrading for driveway		severe
138	<i>Ulmus americana</i>	31	16	6	4	Poor	Fair	Yes	Remove	Regrading for driveway		severe
139	<i>Ulmus americana</i>	90	20	15	11	Fair	Fair	Yes	Remove	Regrading for driveway		severe
140	<i>Ulmus americana</i>	50	15	12	6	Poor	Fair	Yes	Remove	Regrading for driveway		severe
141	<i>Pseudotsuga menziesii</i>	65	10	19	8	Poor	Poor	Yes	Remove	Regrading for driveway		severe
278	<i>Laburnum anagyroides</i>	31	8	5	4	Poor	Fair	Yes	Remove	Regrading for driveway		severe
279	<i>Pinus nigra</i>	6	4	2	1	Good	Good	No	Retain		No impacts anticipated	none
280	<i>Magnolia grandiflora</i>	6	3	1	1	Good	Good	No	Retain		No impacts anticipated	none
281	<i>Cornus kousa</i>	16	5	2	2	Good	Good	No	Remove	Widening Driveway Entrance		severe
OP1	<i>Quercus garryana</i>	70	15	10	8	Fair	Good	Yes	Retain		Excavation S side for foundation, stump removal. Landscaping.	moderate
OP2	<i>Aesculus hippocastanum</i>	80	16	12	10	Good	Good	Yes	Retain		Excavation N side for sewer/storm, foundation, patio. Landscaping.	moderate
OP3	<i>Abies grandis</i>	40	14	10	5	Good	Good	Yes	Retain		Excavation N side for storm, foundation, patio. Landscaping.	moderate
OP5	<i>Betula pendula</i>	35	20	9	4	Good	Good	Yes	Retain		Excavations for hydro/tel/cable trench	minor
OP6	<i>Cedrus deodar</i>	35	20	9	4	Good	Good	Yes	Retain		No impacts anticipated	none
OP7	<i>Sorbus aucuparia</i>	20	6	4	2	Fair	Good	No	Retain		No impacts anticipated	none
OP8	<i>Prunus laurocerasus</i>	37	8	8	4	Fair	Good	Yes	Retain		No impacts anticipated	none
OP9	<i>Quercus garryana</i>	70	16	13	8	Good	Good	Yes	Retain		No impacts anticipated	none
OP10	<i>Sequoiadendron giganteum</i>	8	6	3	1	Fair	Poor	No	Retain		No impacts anticipated	none
OP11	<i>Thuja plicata</i>	15	8	3	2	Fair	Good	No	Retain		No impacts anticipated	none
OP12	<i>Thuja plicata "zebrina"</i>	96	9	9	12	Fair	Good	Yes	Retain		Excavation in the PRZ radially from west. Landscaping.	moderate
OP13	<i>Betula papyrifera</i>	25	8	5	3	Fair	Good	No	Retain		Excavation in the PRZ radially from north	minor
OP14	<i>Aesculus hippocastanum</i>	59	9	9	7	Fair	Good	Yes	Retain		Excavation in the PRZ NE corner. Landscaping.	moderate

DBH-Diameter at Breast Height. Measured at 1.4m from the point of germination. Where the tree is multi-stemmed at 1.4m, the DBH shall be considered 100% of the stems rounded to the nearest cm.

PRZ-Protected Root Zone. The PRZ shall be considered 12x the DBH radially, rounded to the nearest whole meter.

- Subdivision of the property in to (3) lots and construction of (2) new residence and (1) fully serviced accessory building (shared gym) will impact the Protected Root Zone of (25) trees.
- There are (9) bylaw protected trees and (3) unprotected trees on the property at 1737 Rockland Ave.
- There are (13) bylaw protected trees off property.
- (7) on property bylaw protected trees require removal.
- (1) on property unprotected tree requires removal.
- (1) on property tree may require modest pruning for clearance for construction access.
- Construction can proceed following the recommendations in this report.

Site Description



1737 Rockland Ave. is a large residential property on a gently eastward sloping lot that is landscaped formally and well maintained in the front (westerly) and has been largely unmaintained in the back (easterly). It has a collection of trees in generally fair condition, most of which are due for some maintenance.

Tree Protection Plan

The Protected Root Zone (PRZ) of all protected trees recognized in this report shall be 12 times the diameter of the tree.¹

¹Best Management Practices (BMP) - Managing Trees During Construction, Second Edition by Kelby Fite and E. Thomas Smiley

General

- Fencing will be erected for trees #135, OP2, OP3 and OP14
- Equipment traffic in and out of the site is expected to utilize the existing driveway for construction. Access will be from the west off Rockland Ave.
- Foot and vehicle traffic on the property during excavation and construction may impact some protected trees to be retained.
- Root armoring is recommended on the north side of trees #OP2 and OP3.

During construction protection fencing will be installed, the construction and location of which will be approved by the project arborist. Tree protection fencing must be anchored in the ground and made of 2x4 or similar material frame, paneled with securely affixed orange snow fence or plywood and clearly marked as TREE PROTECTION AREA- NO ENTRY (See appendix A for an example). The area inside the fence will be free of all traffic and storage of materials. Because the property is fenced on all sides that border properties with off property trees contained in this report, and because the PRZ of those trees is impacted to the fence in a variety of situations, no additional fencing or root armoring is anticipated. Areas outside the tree protection fence but still within the protected root zone (PRZ) may be left open for access, as work areas and for storage of materials. These areas will be protected by vehicle traffic with 3/4" plywood. The existing driveway/road base serves as a suitable root armoring for the trees impacted on the northwest side of the project and will be retained for as long as possible. If the existing brick-lock driveway is removed, an assessment of the base below is required to ascertain its suitability as root armoring. Tree protection measures will not be amended in any way without approval from the project arborist. Any additional tree protection measures will be documented in a memo to the municipality and the developer.

Material staging

- Root armoring is recommended on the north side of trees #OP2 and OP3.

In any case where materials need to be stored temporarily or permanently inside the PRZ of a protected tree Root armoring must be used. Root protection will be 3/4" plywood. Any material that is "cribbed" underneath (e.g. stacked lumber or pipe) must still rest on plywood.

Lot Clearing and Grading

- The site will be stripped of all vegetation by an excavator. The removal of stumps will impact the PRZ of retained trees #OP1, OP2 and OP3.
- The removal of the existing pool will impact the northerly aspect of the PRZ of tree #OP2.
- Grading of the site pre-excavations will impact the PRZ of #OP2, # OP3, #135, #OP1, and #OP12.
- Arborist supervision is required for all the above activities.

All clearing and stump removals that take place inside the PRZ of protected trees will be supervised by the project arborist. All significant root impacts to retained trees will be documented in a memo with accompanying photos.

Blasting and Excavations

- Blasting is required in the central area of the southerly property line, largely in the area of the “Accessory Gym Building” and potentially in the westerly area of “Strata Lot A”, and will impact the PRZ’s of trees #OP2, #OP3, #OP14, and possibly #135.
- Excavation for the “Accessory Gym Building” will impact the PRZ of #OP3 and #OP14.
- Excavation for “Strata Lot A” will impact the PRZ of #OP2 and #OP3.
- Excavation for “Strata Lot B” will require the removal of trees #140 and 141 and will impact the PRZ of #OP1 and #OP12.
- Arborist supervision is required for all the above activities.

Blasting will be required in the central area of the southerly property line, largely in the “Accessory Gym Building” and potentially in the westerly area of “Strata Lot A”. Blasting must be done with dynamite only utilizing the smallest blast area possible. ANFO will not be used for blasting in protected trees.

Excavation inside the Protected Root Zone of any tree identified in this plan for any reason will take place under the supervision of the project arborist or their designate. Working radially inward toward the tree, the excavator will remove the soil incrementally with a non-toothed shovel allowing any exposed roots to be pruned to acceptable standard by the project arborist. Roots that have been pruned are to be covered with a layer of burlap and kept damp for the duration of the project. Any excavation of the stump of a tree inside a PRZ must be supervised by the project arborist. As well, any excavation for underground services inside a PRZ will be supervised by the project arborist. Where applicable, a hydro-vac or Airspade® may be employed to expose critical roots and services.

Excavation for the new foundations for (3) buildings (accessory building, lot A and Lot B) will require supervision in impacted PRZ’s This includes #OP1, #OP12, #OP2, #OP3, and #OP14. Amendments or revisions to this plan due to unanticipated changes will be documented in a memo to the developer and the district for approval before the start of excavation, and the Tree Preservation Plan will be revised and resubmitted. All significant root impacts to retained trees will be documented in a memo with accompanying photos.

It is anticipated that some excavations will creep beyond the foundation excavations for lot servicing and grading for patio areas and landscaping.

Lot Servicing

- Stormwater service for all (4) buildings (existing house, accessory building, lot A and Lot B) is expected to run along the south property line and tie into an easement main on the southeast corner. Stormwater service will impact the PRZ of #OP2, #OP3, #OP12, # OP13, and #OP14.
- Sewer service for (3) buildings (accessory building, lot A and Lot B) is expected to run along the south property line and tie into an easement main on the southeast corner. Stormwater service will impact the PRZ of #OP2, #OP3, #OP12, # OP13, and #OP14. Sewer service for the existing residence on the west side for the property is tied into the sewer main on Rockland to the west and no upgrades are anticipated.
- Water service, electrical and gas services for (3) buildings (accessory building, lot A and Lot B) is expected to run along the north under the existing and proposed driveway. These services will impact the PRZ of #OP5, #135 and require the removal of #136-140.

- Hydroexcavation in the driveway for water and hydro/tel/cable is required to the extent of the PRZ of tree #135
- Arborist supervision is required for all the above activities.

Water, hydro, and tel services are expected to come into the property from the northwest of Rockland Ave. This will impact #OP5, #OP8, #OP9, and Tree #135 on the north side of the existing driveway. Hydrovac excavation will be required in this area and will be supervised by the project arborist. Sewer and storm laterals are expected to run along the south side of the properties and tie into a southeasterly easement main. This will impact the PRZ of #OP2, #OP3, #OP12, #OP13, and #OP14. Much of the excavation can be undertaken with a machine during the excavation for foundations. If the root impacts are significant, a hydro-vac or Airspade® may be employed.

Driveway

- Widening of the southerly portion of the existing driveway will require the removal of #281 which is not protected under the bylaw.
- A new driveway will continue east of the existing driveway along the north property line.
- #136 and 137 will be removed due to Their location in the footprint of the new driveway.
- #138-139 will be removed due to the impacts of regrading and excavations for new base materials compromising approximately 50% of the PRZ of the trees.

The existing driveway requires the removal of #281 to accommodate widening. Tree #135 will also be impacted by driveway/sidewalk widening and will require supervision for excavation activities on the south side of the existing driveway. This driveway may be repaved, but it is anticipated that the base materials are suitable for retention/reuse and impacts in this area are expected to be low.

Pruning

- Some pruning on tree #135 to a height of 6m will require the removal of branches up to 20cm in diameter to accommodate equipment access.

Any pruning of protected trees will be performed by an ISA (International Society of Arboriculture) certified arborist, to internationally recognised best management practices.

Landscaping

- Landscaping will require the removal of #278 to accommodate the repair/retention of the existing fence and a paved patio area.
- Landscaping will impact the PRZ of #OP2, #OP3, #OP14, #135, #OP1, and #OP12.

Tree removals

Tree #136 is an American Elm with a DBH of 53cm (co-dominant stems measuring 39cm and 33cm), is 16m high and has an approximate canopy spread of 14m. The two stems are pushing against each other beginning at grade and there is no bark ridge apparent. The smaller stem wraps around the larger stem on the east side. This tree was topped at 5 m many years ago and the canopy is made up entirely of regrowth from that activity. This tree will be impacted by excavation for the foundation of “Strata Lot B” and the driveway. These excavations will impact upwards of 50% of the PRZ of the tree. The canopy

would be impacted by the new building as well. It is a poor candidate for retention not only because of its poor structure but because American elm responds to over pruning and root damage with aggressive suckering and epicormic growth. They are a poor choice of tree to plant in paved areas because of root heave.

Tree #137 is an American Elm with a DBH of 60cm, is 16m high and has an approximate canopy spread of 12m. The tree exhibits fair structure and fair health. It has fairly low trunk taper and leans west as it is slightly subordinated by trees to the east. This tree will be impacted by excavation for the foundation of "Strata Lot B" and the driveway. These excavations will impact almost 50% of the PRZ of the tree. The canopy would be impacted by the new building as well. It is a poor candidate for retention not only because of its poor structure but because American elm responds to over pruning and root damage with aggressive suckering and epicormic growth. They are a poor choice of tree to plant in paved areas because of root heave.

Tree #138 is an American Elm with a DBH of 31cm, is 16m high and has an approximate canopy spread of 6m. The tree exhibits poor structure and fair health. The tree has poor taper and leans west, sweeping upward for a few meters before leaning west again. It is heavily subordinated by the tree to the east. This tree will be impacted by excavation for the foundation of "Strata Lot B" and the driveway. These excavations will impact almost 50% of the PRZ of the tree. The canopy would be impacted by the new building as well. It is a poor candidate for retention not only because of its poor structure but because American elm responds to over pruning and root damage with aggressive suckering and epicormic growth. They are a poor choice of tree to plant in paved areas because of root heave.

Tree #139 is an American Elm with a DBH of 90cm (co-dominant stems at approximately 60cm above grade measuring 60cm and 50cm), is 20m high and has an approximate canopy spread of 15m. The tree exhibits fair structure and fair health. There is a seam of inclusion on the west side that runs to the base of the tree with a very pronounced bark ridge on robust reaction wood. On the east side there is no ridge or reaction wood evident. A sounding mallet was utilized in this area with inconclusive results. The tree has abundant epicormic growth. This tree will be impacted by excavation for the foundation of "Strata Lot B" and the driveway. These excavations will impact almost 50% of the PRZ of the tree. The canopy would be impacted by the new building as well. It is a poor candidate for retention not only because of its poor structure but because American elm responds to over pruning and root damage with aggressive suckering and epicormic growth. They are a poor choice of tree to plant in paved areas because of root heave.

Tree #140 is an American Elm with a DBH of 50cm, is 15m high and has an approximate canopy spread of 12m. The tree exhibits poor structure and fair health. The tree has an old wound and cavity on the north side that has not compartmentalized well. There is decay and what appears to be early-stage canker. It is ivy covered from approximately 2m up into the canopy and grows easterly as it has been subordinated by the neighbouring tree to the west. This tree will be impacted by excavation for the foundation of "Strata Lot B" and the driveway. These excavations will impact almost 50% of the PRZ of the tree. The canopy would be impacted by the new building as well. It is a poor candidate for retention not only because of its poor structure but because American elm responds to over pruning and root damage with aggressive suckering and epicormic growth. They are a poor choice of tree to plant in paved areas because of root heave.

Tree #141 is a Douglas fir with a DBH of 65cm, is 10m high and has an approximate canopy spread of 19m. The tree exhibits poor structure and poor health. The tree from the base up has overall good taper and appears cylindrical on the south and east sides but is remarkably flat on the north and west side. There is pronounced bark buckling on the west side at the base. On the north side there appears to be a lateral crack in the stem that reaches 3m from grade. A sounding mallet was employed and produced inconclusive results. There is strong tip dieback throughout the entire canopy indicating stress and decline in the tree's health. The tree has been impacted by excavations on the north and east sides by a development on that property. The PRZ will be impacted by excavations for the foundation of "Strata Lot B" including a semi submerged basement suite and perimeter drains. The tree is exposed to prevailing winds with some moderate buffers from other treed properties in the neighbourhood. No assessment of risk was undertaken because the impacts of development require removal.

Tree #278 is a Laburnum with a DBH of 31cm (co-dominant stems at approximately 60cm above grade measuring 20cm and 18cm), is 8m high and has an approximate canopy spread of 5m. The tree exhibits poor structure due to the co-dominant attachment at the base as well as its buried flare, and fair health. There is no bark inclusion at the point of the co-dominant attachment and the area of reaction wood has clearly separated and cracked leaving a visible void between the two stems. It is located on the south property line among (2) fences It is poorly located in the landscape. The PRZ of this tree will be impacted by stormwater and sewer servicing as well as excavation for the foundation of "Strata Lot A". It will require removal due to its location at the fence, and the potential impacts of excavations. Additionally, the tree would likely fail a risk assessment with the addition of a patio area below it. No assessment of risk was undertaken because the impacts of development require removal. There are no options for the retention of this tree.

Tree #281 is a Korean dogwood with a DBH of 16cm (co-dominant stems at approximately 60cm above grade measuring 11cm and 10cm), is 5m high and has an approximate canopy spread of 2m. The tree exhibits good structure and good health. It is located behind a stone pillar and surrounded by pavement. It will require removal due to its location in the new widened driveway area. There are no options for the retention of this tree.

Impacted Trees

Tree #135 is a Deodar cedar with a DBH of 115cm is 22m high and has an approximate canopy spread of 18m. It is in generally good health for the species with average taper in the trunk and main stems and reasonably good branch attachments. It appears to have been maintained for driveway clearance and some dead-wood pruning of the lower canopy in the past. The tree will be impacted by pre-construction activities as it requires clearance for access. Some pruning of branches up to 20cm in diameter to achieve a canopy height of 6m will be required for tree #135 to accommodate the access of large construction equipment and materials. This tree will also be impacted by excavations for water, and hydro/tel/cable, and may be slightly impacted by re-compaction of base material under the driveway.

Tree #OP1 is a Garry oak with a DBH of 70cm is 15m high and has an approximate canopy spread of 10m. It is in generally good health for the species with average taper in the trunk and main stems and reasonably good branch attachments. The canopy branches exhibit long lever arms and overall the canopy appears slightly lions-tailed. The tree will be impacted by construction including grading and excavations for the foundation of the Strata Lot B building.

Tree #OP2 is a Horsechestnut with a DBH of 80cm (becoming [4] co-dominant stems above the DBH area) is 16m high and has an approximate canopy spread of 12m. It is in generally good health for the species with average taper in the trunk and main stems, although the attachments of the co-dominant stems are tight and there may be areas of long bark inclusion. The tree will be impacted by construction including grading and excavations for the foundation of the Strata Lot A building, excavations for sewer and storm laterals from the east and landscaping. It may also be impacted by blasting for the accessory building and services.

Tree #OP3 is a Grand fir with a DBH of 40cm is 14m high and has an approximate canopy spread of 10m. It is in generally good health for the species with average taper in the trunk. The tree will be impacted by construction including grading and excavations for the foundation of the Strata Lot A building (outside the dig area but potentially impacted by bucket creep or machine positioning), excavations for sewer and storm laterals from the east and north and landscaping. It may also be impacted by blasting for the accessory building and services.

Tree #OP5 is a Silver birch with a DBH of 35cm, is 20m high and has an approximate canopy spread of 9m. It is in generally good health for the species with average taper in the trunk. The tree will be impacted by excavations for hydro/tel/cable service trenching from the West and south and landscaping. It may also be impacted by driveway widening activity.

Tree #OP12 is a “Zebrina” red cedar with a DBH of 96cm (co-dominant stems approximately 45cm, 45cm, and 40cm), is 9m high and has an approximate canopy spread of 9m. It is in generally good health for the species with average taper in the trunks and a vigorous crown. The tree will be impacted by construction including grading and excavations for the foundation of the Strata Lot B building, sewer and storm lateral installation from the west, and landscaping.

Tree #OP13 is a Paper birch with a DBH of 25cm, is 8m high and has an approximate canopy spread of 5m. It is in generally good health for the species with average taper in the trunk. The tree will be slightly impacted by excavations for sewer and storm drain excavations for connection to the easement main.

Tree #OP14 is a Horsechestnut with a DBH of 59cm (co-dominant stems approximately 20cm, 20cm, 15cm, 15cm, and 15cm) is 9m high and has an approximate canopy spread of 9m. It is in generally good health for the species with average taper in the trunk and main stems, although the attachments of the co-dominant stems are tight at the base of the tree. The overall structure is listed as fair, but the tree has never been maintained and there are long lever arms and crossing trunks and branches. The tree will be impacted by construction including blasting, grading and excavations for the foundation of the Accessory Gym building, excavations for sewer and storm laterals from the east and north, and landscaping.

Replacement Trees

The City of Victoria requires (2) replacement trees be planted for every bylaw protected tree removed. Replacement tree locations have been determined and a landscape plan is finalized. Should suitable locations not be available for any reason during the development, the developer may seek to donate the trees to a location determined by the municipality.

Role of the Project Arborist

No aspect of this Tree Protection Plan will be amended in whole or in part without the permission of the project arborist. Any amendments to the plan must be documented in memorandums to the municipality and the developer.

The project arborist must approve all tree protection measures before demolition and/or construction is to begin.

A site meeting including the project arborist, developer, project supervisor and any other related parties to review the tree protection plan will be held at the beginning of the project. Site meetings will occur at every stage of development to review plans and mitigate impacts of unanticipated changes.

The developer may keep a copy of the tree protection plan on site to be reviewed and/or initialed by everyone working inside or around the PRZ of trees.

The project arborist is responsible for ensuring that all aspects of this plan, including violations, are documented in memorandums to the municipality and the developer.

Recommended Actions Summary

- Site fencing will be constructed prior to any work on the property around tree #135 as per the site plan, will be approved by the Project Arborist, and will remain for the duration of all construction activities with removal or amendment only being approved by the Project Arborist.
- Trees to be removed will be flagged by the project arborist prior to the commencement of tree removal.
- The Project Arborist will be notified at least five (5) business days prior to any expected site supervision on the project.
- The Project Arborist will supervise excavation for all foundations and services in the areas adjacent to trees impacted.
- The Project Manager and the Project Arborist will be in contact prior to the beginning of every site servicing to review expectations and navigate any changes.
- Site inspections by the project arborist will occur on a regular basis to ensure the conditions of this report are being adhered to.
- Wherever required, memos from the Project Arborist will be provided regarding the impacts to trees from construction.

Thank you for the opportunity to comment on these trees. Should any issues arise from this report, I am available to discuss them by phone, email or in person.

Regards,



Darryl Clark
Certified Arborist PN-6523A
TRAQ Certified
ISA Tree Risk Assessor CTRA 459

Disclosure Statement

An arborist uses their education, training and experience to assess trees and provide prescriptions that promote the health and wellbeing, and reduce the risk of trees.

The prescriptions set forth in this report are based on the documented indicators of risk and health noted at the time of the assessment and are not a guarantee against all potential symptoms and risks.

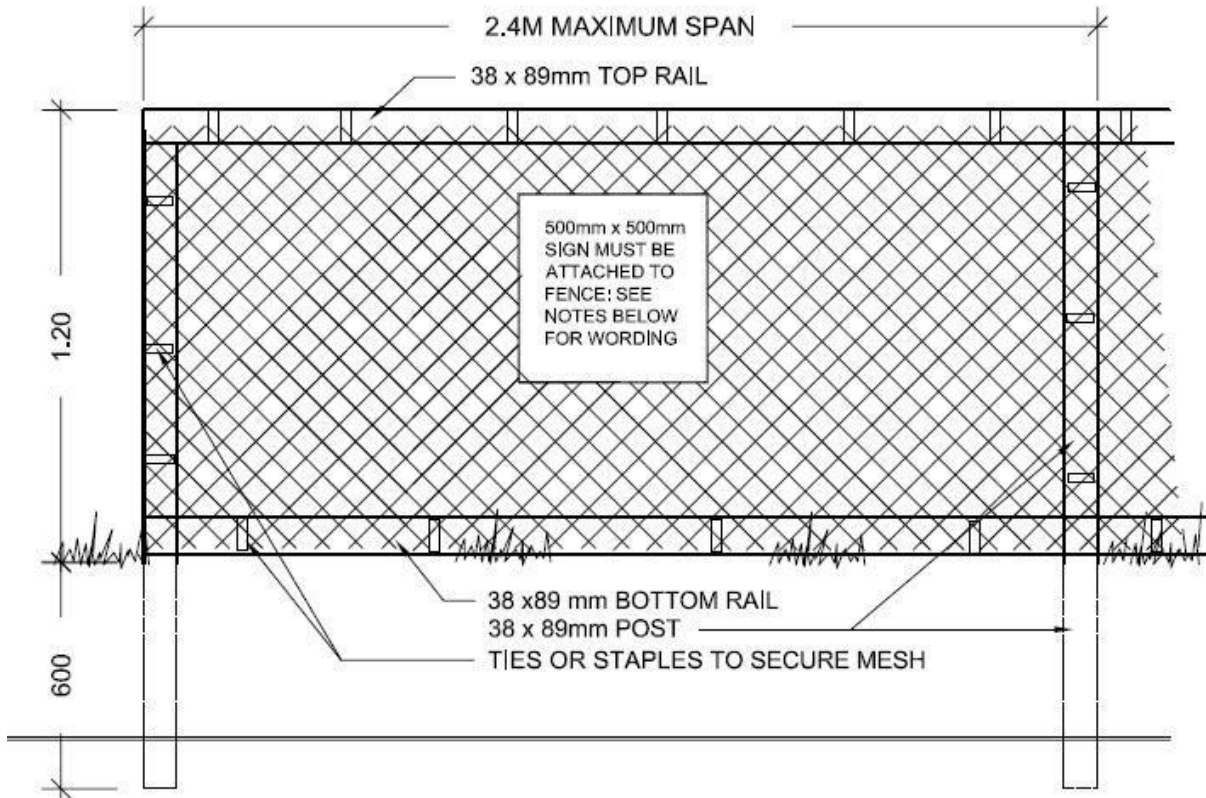
Trees are living organisms and subject to continual change from a variety of factors including but not limited to disease, weather and climate, and age. Disease and structural defects may be concealed in the tree or underground. It is impossible for an arborist to detect every flaw or condition that may result in failure, and an arborist cannot guarantee that a tree will remain healthy and free of risk.

To live near trees is to accept some degree of risk. The only way to eliminate the risks associated with trees is to eliminate all trees.

Assumptions and Limiting Conditions

- Altering this report in any way invalidates the entire report.
- The use of this report is intended solely for the addressed client and may not be used or reproduced for any reason without the consent of the author.
- The information in this report is limited to only the items that were examined and reported on and reflect only the visual conditions at the time of the assessment.
- The inspection is limited to a visual examination of the accessible components without dissection, excavation or probing, unless otherwise reported. There is no guarantee that problems or deficiencies may not arise in the future, or that they may have been present at the time of the assessment.
- Sketches, notes, diagrams, etc. included in this report are intended as visual aids, are not considered to scale except where noted and should not be considered surveys or architectural drawings.
- All information provided by owners and or managers of the property in question, or by agents acting on behalf of the aforementioned is assumed to be correct and submitted in good faith. The consultant cannot be responsible or guarantee the accuracy of information provided by others.
- It is assumed that the property is not in violation of any codes, covenants, ordinances or any other governmental regulations.
- The consultant shall not be required to attend court or give testimony unless subsequent contractual arrangements are made.
- The report and any values within are the opinion of the consultant, and fees collected are in no way contingent on the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, or any finding to be reported.

Appendix A



TREE PROTECTION FENCING

Tree Protection Fencing Specifications:

1. The fence will be constructed using 38 x 89 mm (2" x 4") wood frame:
 - Top, Bottom and Posts. In rocky areas, metal posts (t-bar or rebar) drilled into rock will be accepted.
 - Use orange snow fencing mesh and secure to the wood frame with "zip" ties or galvanized staples. Painted plywood or galvanized fencing may be used in place of snow fence mesh.

Attach a roughly 500 mm x 500 mm sign with the following wording: **TREE PROTECTION AREA- NO ENTRY**. This sign must be affixed on every fence face or at least every 10 linear metres.

1737 Rockland Ave.
May 23, 2020
Tree #135 from west



1737 Rockland Ave.
May 23, 2020
Tree #136 from west



1737 Rockland Ave.
May 23, 2020
Trees #137, 138, 139, and 140 from south



1737 Rockland Ave.
May 23, 2020
Tree #141 from south



171 Rockland Ave.
February 22, 2021
Trees OP2 and OP3 from north



1735 Rockland Ave.
January 23, 2021
#OP12 from the west side



1737 Rockland Ave.
January 14, 2021
#OP13 from the north side



1735 Rockland Ave.
January 23, 2021
#OP14 from the north side



1735 Rockland Ave.
January 14, 2021
#281 from the northeast side



September 2nd, 2020

Rockland Land Use Meetings with Large & Co re 1737 Rockland Ave.

Zoom meetings on the evenings of May 7th and June 11th, 2020

We would like to thank you and other members of Large and Company for meeting with the Rockland Land Use Committee (LUC) to discuss the proposed rezoning of 1737 Rockland. The LUC met with different representatives of your company on each of the two meetings conducted by ZOOM on May 7th, 2020 and June 11th, 2020.

Because we met with two different representatives of the company during the two different meetings, we were unable to get clarification on points made during the first meeting. We would like to address this problem by asking for clarification on these concerns before we submit our letter to the City of Victoria.

1) CONSULTATION WITH NEIGHBOURS

We were informed during our first meeting that several of the abutting property neighbours were consulted and generally supported the project. However, names, addresses or meeting dates were not provided during either of our meetings. As some neighbours directly affected deny being approached, or expressing support for the project, we believe documentation of this early neighbourhood consultation should be provided to ensure that this important part of the process has been fulfilled. A map of the closest neighbours is enclosed to assist you in identifying the addresses of residents who were contacted and whether or not they supported the plans as shown to us.

2) TREES

During the first meeting we expressed concern that a significant number of registered mature trees had recently been removed from the property as evidenced by the stumps visible on the property and the number of fallen trees. We asked for clarification. We were told that the trees were properly removed by a contractor and that Large and Company had received a permit from the City of Victoria to do so. However, we have received information from the City Bylaw Enforcement office that such was not the case and an infraction notice is in place. (Please see the email letter from the City Bylaw Office attached below.)

3) PANHANDLE LOT

There was confusion from the first meeting about the exact nature of the site. As developers you assured us that the City encouraged you in your designs for the property which includes the original building plus two more strata lots. However, the LUC understands the properties, as proposed, are Schedule H (Panhandle) and, that subdividing this property would provide only one R1-A lot. As a Panhandle lot building height is limited to 5 meters. The Panhandle designation also limits the maximum floor area to a combined area of 280m², and site coverage of 25%. We would be grateful for more details about the direction taken by you in your plans and the clarification given to you by City Staff.

4) DATA CHART

While site drawings were presented at the first meeting and exterior architectural design at the second meeting, no Data Chart was available, leaving many unanswered questions with respect to the size and scope of the proposal. This data should be available to the neighbours in their discussions as soon as possible.

5) AUXILIARY BUILDING

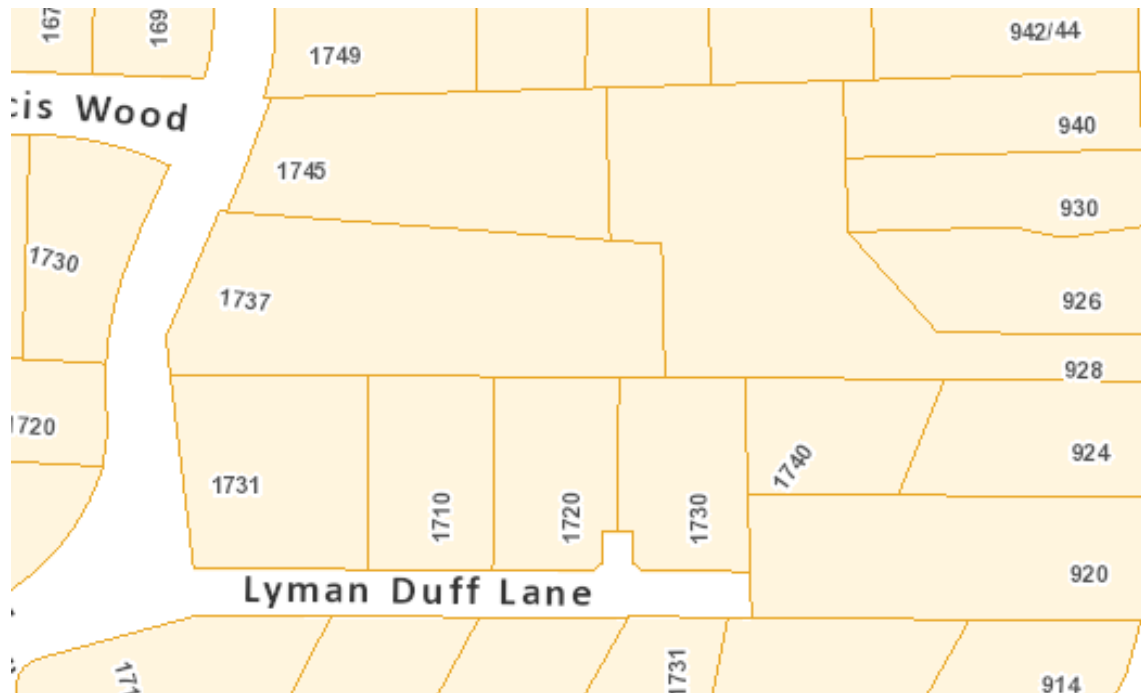
A large auxiliary building (570 ft² /55.5 m²) is proposed for the site. This is well beyond the 37m² allowed. The LUC was also told that it is to include bathroom facilities which are contrary to Schedule F (Accessory Building regulations.)

6) SUITES

Clarification of suites should be required. The LUC is told that Strata lot 3 will include a suite, while the status of Lot 2 is unclear.

Thank you.

Don Cal (member Rockland Land Use Committee)
Bob June (co-chair Rockland Land Use Committee)



In response to the request of one of our committee members about the fallen trees at 1737 Rockland Avenue, we received this email response on May 23, 2020 from the Supervisor of Bylaw and Legislative Services, Adam Sheffield.

From: Adam Sheffield <asheffield@victoria.ca>

Subject: RE: 1737 Rockland Avenue

Date: May 23, 2020 at 7:34:30 AM PDT

To: Janet Simpson [REDACTED]

Hello Janet,

5 Municipal Ticket Informations have been issued and served at \$1000 each. I am awaiting either payment or a dispute.

Regards,

Adam Sheffield
Supervisor
Bylaw & Legislative Services
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
[REDACTED]

Hello Earl Large and Kimberley Colpman,

We have recently received a notice in the mail from the City regarding the proposed rezoning of 1737 Rockland Ave. As you know, 1737 Rockland shares a fence line with four homes on Lyman Duff Lane (including ours), as well as the recently-sold Rattenbury house at 1745 Rockland, and the under-construction 3-house strata development at 928 Richmond. Refer to the neighbourhood map pasted below.



The City's letter directs neighbours to review development plans on the City's Development Tracker and submit comments via an online form. We have now reviewed those plans, as have several of our shared neighbours, and we collectively have many questions and concerns about the proposal.

Typically, these types of questions would be addressed during the public Community Association Land Use Committee (CALUC) Community Meeting which is part of the City's rezoning process. That meeting is intended as a forum for those impacted by a rezoning application to meaningfully engage the developer about the proposal, to ask questions and receive answers, and also, importantly, to hear the questions and comments from other neighbours. However, due to COVID-19 the City has changed its standard requirement for developers to hold a CALUC meeting, and instead directed impacted neighbours to submit comments via a static online form.

In discussion with our Lyman Duff neighbours on this topic, we have agreed that an online form is a wholly inadequate replacement for this in-person forum. A technology-based meeting format will not provide the meaningful discussion and interaction appropriate for a proposal such as this. **Accordingly,**

we decided to organize our own meeting of neighbours to discuss the project. The purpose of the meeting is to review the proposal and generate discussion. We have reached out to all households within the 100 m radius that the City used for its mail-out and offered to host an outdoor meeting on **Friday September 11th at 4:30 pm.** The meeting will be held in the backyard of my house at 1720 Lyman Duff Lane. It will be a safe venue which will adhere to the [Provincial Health Officer's Order for Gatherings and Events](#). Please refer to the attached invite which was distributed to neighbours.

We would like to invite you to participate in this meeting. Please note that at the June 11th, 2020 Committee of the Whole Meeting, Mayor and Council stated that in-person meetings were an *acceptable means of engagement* with neighbours and although not currently mandated due to COVID-19, it was noted in the meeting that it would be imprudent for a developer not to participate in a well-planned and safe in-person meeting. We all want certainty that we can engage with the developer in a meaningful way about this proposal, and given the lack of communication with neighbours about this project to date, we sincerely hope you choose to accept this invitation.

Please RSVP as noted on the attached invite.

Best Regards,

Dave McWalter
1720 Lyman Duff Lane



Hello Mayor and Council!

My name is Dave McWalter and I live in Rockland with my family at [1720 Lyman Duff Lane](#).

Our neighbour, Earl Large, who is also a [developer](#), is proposing to develop his adjacent property at [1737 Rockland](#). The property is actually quite suitable for a panhandle infill development which can be done in accordance with existing zoning, but unfortunately Mr. Large is requesting a rezoning of the property in order to build much larger luxury homes that seem to prioritize personal profits at the expense of neighbouring properties and existing zoning. The proposal is currently in the 'pre-application' phase with the preliminary plans on the Development Tracker (also attached to this email for convenience).

Mr. Large has been evasive, dishonest, and generally non-communicative with neighbours and the Neighbourhood Association about this development, and there are no plans that we are aware of for a public CALUC meeting due to COVID-19. That has resulted in a situation where neighbours are left with many questions about this pending development but unfortunately no information appears forthcoming from the Developer.

Accordingly, the Lyman Duff neighbours have decided to arrange our own public meeting on **FRI SEP 11th at 4:30pm** for anyone interested. The purpose of the meeting is to make people aware of what is being proposed in order to generate discussion about key issues. The meeting will be held in our backyard at 1720 Lyman Duff Lane, with appropriate protocols in place to keep everyone safe and healthy but yet still informed about this unnecessarily egregious rezoning proposal. Please see the attached invite we created for this event. We are currently going door-to-door on nearby streets to make people aware of the development itself, and of our proposed meeting on Friday.

It would be great if any of you – who will ultimately decide the fate of this proposal – could find the time to attend on Friday for 30 minutes or so. It would be a unique opportunity to view the subject property from the perspective of the neighbours that will be impacted the most. Please RSVP if you think you can join us... I have cc'd my neighbour Kim Carlton who is tracking responses/attendees.

Thanks and best regards,

Dave McWalter
1720 Lyman Duff Lane



1737 Rockland Avenue
Neighborhood Meeting Synopsis
September 11, 2020

Neighbours concerned about the 1737 Rockland development met with the developer, Large and Company, on September 11 2020. The meeting, however, did not fulfill the developer's responsibility with respect to neighborhood engagement and consultation. Plans were presented as completed and final. The proponents offered only justification for their plans and did not entertain the idea of modifying or changing them. They described current zoning as being out of date at the time of enactment and stated that they as developers knew the highest and best use of the land.

Four issues dominated the meeting:

- The suitability of redevelopment, given the proposed panhandle lot configuration.
- The heights of the homes in the rezoning proposal.
- Lack of respect for the Tree Retention bylaw and general dismissal of regulation by proponents.

Neighbours supported infill densification as long as the houses were built in conformity with regulations pertaining to the panhandle lot designation and zoning regulations.

Suitability and Scope

- The current zoning is R1-A, enabling a single additional lot on the subdivision, not two as proposed, and the proposal of two lots is an additional monetary gift for the proponent.
- Two R1-B lots are possible as site-specific zoning, as in the case of the abutting lot at 928 Richmond, which provides a good template for this redevelopment.

Height

- The home proposed on Lot 2 at 7.08m. is over height and should be restricted to 5m.
- The home proposed on Lot 3 at 5.49m. is over height, built on additional fill lifting grade, not the natural grade and should be restricted to 5m. in height from natural grade.
- The proposed heights of both homes impinges on the privacy of the abutting lots.

Protection of Trees

- 12 Protected trees on site have been or will be removed.
- Four were removed on December 16th 2019 without a permit, which led to a bylaw infraction that the developer is contesting.
- Six additional trees are proposed for removal in the plan Landscape Data.
- The plan Landscape Data is misleading in that it includes eleven Off Property trees for protection.

Zoning and Regulations

- The proponents stated that zoning bylaws were out of date on date they were passed, and that the panhandle issue was a matter of "language."

- The proponent stated that as developers they were the best to consider the highest and best use of the property and that they see room for density and a return on investment on the property.

The neighbors in attendance wish to see the panhandle regulations upheld in this rezoning, as they were for the adjoining 928 Richmond development. They see room for additional density in Rockland and a return on investment for the proponent in adhering to Schedule 8 – Panhandle Lot Regulation.

Regards;
Bob June, co-chair
RNA LUC

1720 Rockland Avenue

Victoria BC V8S 1W8

Sept 12, 2020

Mayor and Council City of Victoria

Re: Proposed Redevelopment 1737 Rockland Avenue

Our home is located close to the large property at 1737 Rockland which has been proposed for subdivision and the addition of two new homes along with an accessory building.

We do not question the merits of infill housing on large properties, but we believe it should harmonize with existing development in the area. What is proposed is a panhandle development to result in three lots in place of one. The scale of this proposal with additional large double garage houses and a sizeable accessory building will crowd the three new lots and is not in keeping with the existing spacing between structures in Rockland.

The proposal is problematic for several reasons. The panhandle regulation calls for minimum parcel size of 850 square metres while the proposed lots 2 and 3 are 628 and 660 square metres respectively. The two-storey house planned for "lot 2" has a height 7.08m height while the regulation specifies single storey structures with maximum height of 5m for R1-A panhandle lots.

We also oppose the proposed removal of six mature trees. As neighbours we were dismayed when mature trees were removed from the property without consulting immediate neighbours in December 2019. Mature trees are integral to the ambience of the Rockland neighbourhood. They are all the more important as we experience the effects of global warming.

We urge you to reject the development as proposed because of its scale and removal of valuable trees.

Jan and Janice Drent

Neighbourhood Meeting Regarding Proposed Development at 1737 Rockland Ave

September 11, 2020
Meeting held at 1720 Lyman Duff Road

Participants:

Neighbourhood (15 people total): Dave McWalter, Emma McWalter, Judy Carlton, Kim Carlton, Jen Lowry, Grant Perkins, Jennifer Bennett, Vince Bennett, David Gordon, Sue Wynne-Hughes, Jan Drent, Janice Drent, Linda Barry, 1715 Rockland (2).

Large and Company: Earl Large (CEO), Kim Colpman (Director, Property Development)

Rockland Land Use Committee: Bob June, Phil Calvert, Dave McWalter (participated as neighbour)

Purpose:

The meeting was organized by the neighbours of 1737 Rockland (the Property) to share concerns about the proposed development. The neighbours took the initiative to organize this meeting because the City's revised CALUC process no longer requires the developer to host a CALUC community meeting. This revised process deprives neighbours of an opportunity to collectively discuss & understand issues of common concern with the developer.

Accordingly, the neighbours on Lyman Duff created then printed a meeting invitation, then went door-to-door within the 100m radius (to be consistent with the City process) in order to make neighbours aware of the proposed meeting. The meeting was staged outdoors in the backyard of 1720 Lyman Duff Rd (which shares a fence line with the Property) and satisfied all requirements of the *Order of the Provincial Health Officer regarding Gatherings and Events*. The developer was invited to participate in the meeting and answer questions, and Earl Large and Kim Colpman accepted the invitation.

Preamble:

Dave McWalter started by noting that there are 6 adjacent properties to the development, and by summarizing the proposal itself (which includes site-specific rezoning), the development application process, and a number of key neighbourhood concerns. These concerns include:

- The **site area (m²)** for the proposed new houses does not meet the requirement for a panhandle lot.
- The **site coverage (%)** for the proposed new houses exceeds limits for a panhandle lot.
- The **height** of the proposed new houses exceeds limits for a panhandle lot.
- The **number of storeys** of the proposed new houses exceeds the limits for a panhandle lot.
- It is proposed that six additional **bylaw protected trees** at the edge of the property are to be removed. This is in addition to the five bylaw protected trees that were removed

suddenly without permit in December 2019. Taken together, this would remove practically all of the tree canopy on the east side of the property.

- The proposal includes **setbacks** that do not meet the panhandle zoning requirements, impinging on neighbour's privacy and requiring additional trees to be cut down.
- The purpose and ultimate configuration of **accessory building** is not clear as an earlier drawing showed it with full plumbing and the current drawing does not.

Dave also pointed out that there is a very similar development underway *right next door* at 1745 Rockland that should be considered a model for this one. The development at 1745 Rockland also involved the subdivision of a large property with a house of heritage value. It, too, proposed a strata development with several large homes that greatly exceeded the panhandle zoning. That led to a contentious 4-year dispute between the developer and the neighbours – the same neighbours who are now impacted by this current proposal – which included being rejected by the City both at Committee and then later at Public Hearing. Ultimately, the developer revised the proposal so that it respected the panhandle zoning, only then gaining the support of the neighbours and approval from Council. He suggested that Large and Company could avoid such a protracted process by adhering to the existing zoning requirements that were recently (2017) approved by Council for the house *right next door* for an extremely similar proposal.

Question and Answer Session:

The following questions were discussed during the session:

1. The maximum allowable **height** under the current zoning is 5 m. Why are height variances of 5.49 and 7.08 metres being proposed when the other new houses adjacent to the property are only one storey and conform to the height restrictions?

Answer (Kim)

- The development aims to preserve, and be in keeping with, the grand heritage nature of Earl Large's house. A flat, one-storey house wouldn't be in keeping with this.
- Guidelines talk about making use of the land. The way the land falls, it makes sense to have two-storey house near the bottom—it looks more like 1 storey looking down from Rockland. The houses are being built according to the lay of the land.

2. Doesn't creating other housing around the original house detract from the grandness you say you are seeking to preserve?

Answer (Kim)

- Victoria is running out of land so this makes land available, but Rockland is not the kind of neighbourhood in which to squeeze many small houses. Need single-family dwellings.

3. There were some comments and exchanges regarding whether the strata lot would be considered a **panhandle lot**, and subject to relevant restrictions.

Answers:

- One neighbour noted that the panhandle designation was to ensure site area is retained for the subdivision of large houses and to prevent overcrowding and invasion of privacy.
- Concern was expressed that getting rid of the designation would undermine protection of the neighbourhood.
- Kim did not acknowledge the panhandle designation, saying that it was not unusual for lots to have long driveways, and that the discussion was getting caught up in “language”, and acknowledged the feelings neighbours had about building housing on the formerly forested Large property.
- Earl Large noted that he did not want to maintain the large property, that times have changed and that no one wants to have these large pieces of land. He noted the high number of grand Rockland houses that now are apartment buildings. He also said that the community plans and zoning bylaws are obsolete when written: developers have an obligation to make the best use of land in Victoria.

4. Consultation with Neighbours:

- Several interactions about the lack of consultation with neighbours.
- Dave McWalter noted that this dates back to when the trees on the property were suddenly cut down without any notice to neighbours in December 2019, including five bylaw protected trees removed without permit.
- Earl large said that he intended to go door to door to consult with all the contiguous neighbours and discuss their needs, but that the Covid-19 pandemic had interfered with this.
- Kim added that it was her understanding that public face to face meetings were not allowed by the city—Large and company remains open to hearing views on the project.
- Dave McWalter noted that the city had not disallowed such meetings, but these public CALUC meetings are not required during the pandemic.

5. Why build two new houses on the property when there is only enough **site area** for one within existing zoning?

Answer (Kim):

- The proposal is a more responsible, sustainable use of the land-- it's what makes sense.

6. Why not build in conformity with **existing regulations**?

Answer:

- Kim said things change quickly, and bylaws can't keep up with the changes. Lot size restrictions don't make sense—there are lots across Richmond that are smaller than what is being proposed.

- Dave McWalter noted that those lots are in a different neighbourhood (Fairfield-Gonzales) and have different zoning (R1-G).
- Dave McWalter also noted that there is a clear and obvious comparable *right next door!* It is a recent, parallel, and extremely relevant example of a Rockland R1-A panhandle infill strata development that this proposal should mimic. It was approved by Council in 2017 *with the support of neighbours* and *respects the panhandle zoning*.

7. Protection of Trees:

- There was a great deal of discussion around the issue of protection of trees, including the removal of 5 bylaw-protected trees without permit on December 16, 2019 for which the City has issued infraction notices to Large and Company.
- Regarding the *removal of bylaw trees without permit*:
 - Earl said he had obtained the consent of the neighbour on the property bordering the trees. There was no response as to why the rest of the neighbours bordering the property and impacted by the tree removal were not consulted.
 - Asked why they were removed without city approval, Kim replied that the company had worked with a registered arborist on the removal, and is contesting the fine. They believe it is a misunderstanding.
 - Bob June (head of LUC) asked for clear indication of status of Large and Co.'s appeal on the fine. Issue has had an impact on developer's credibility. Kim undertook to follow up.
- Regarding *further plans to remove trees*:
 - Kim indicated the number of trees to be removed but could not identify which ones except to refer neighbours to the plans.
 - Neighbours were frustrated the developer could not simply point next door at the trees to be removed, given that everyone had a clear view of the Property and the remaining trees left on the site.
 - After some discussion, it became clear that the entire remaining stand of mature trees on the north property line and entire east side of the property (the only ones that remained after the bylaw trees were removed without permit in December 2019), would be removed as part of this development in order to accommodate a reduced setback and garage for Strata 3 and a driveway proposed to be flush along the north property line.
 - Kim noted plans to protect one tree at the top of driveway beside the original home, acknowledged that a letter she had posted to the Development Tracker mis-identified the tree to be preserved, and so undertook to correct that.
 - Kim confirmed that the trees to be removed in the plan are not the ones already removed without permit in December 2019, i.e. those bylaw trees removed without permit are not accounted for on the current plan or included in the data table detailing the trees to be removed as part of this development.

- Regarding *preservation of trees and root bases*:
 - There was a concern about preservation of the large chestnut tree at the back of 1710 Lyman Duff, which the landscape plan noted as having a critical root zone that extends into the footprint of Strata 2. Kim stated that their development plans have to be approved by the city arbourist, that there is a stringent process that has to be followed, and undertook to facilitate a meeting or meetings with their arbourist to discuss.

8. Answers on other issues:

- **Accessory building:** will be used for gym and storage. There is no longer plumbing in the plans for this building, and no plans to convert it to a garden suite.
- **Suites in new houses:** There will be one in the lower house (strata 2). The developer reiterated that the accessory building would not be used as a suite.

9. Final thoughts:

- Rezoning is a privilege and not a right.
- 1737 Rockland is a suitable site for an infill development, however, any proposal should respect the existing panhandle zoning which serves a distinct purpose and is intended specifically for infill developments such as this.
- The current development next door at 928 Richmond should serve as a good reference for the proposed development:
 - 928 Richmond (which shares the east fence with the Property) is the strata lot that was created when 1745 Rockland (shares the north fence) was subdivided in 2017.
 - The parallels between the two developments are almost identical and generally involve subdividing a large old Rockland property in an R1-A zone in order to create panhandle strata lots.
 - 928 Richmond respects the panhandle zoning. The site is currently under construction with 3 single-storey homes (because it's a much larger lot than 1737 Rockland). Two homes have sold, and the third is listed for \$2.5 million. It is clear that a development that respects the existing zoning and respects the impact to neighbours can be successful.
 - Unfortunately, the 928 Richmond development started with a proposal to greatly overbuild the site, similar to what is being proposed for 1737 Rockland. That led to 4 years of disputes with neighbours, and ultimately two rejections from the City. This dispute is not necessary. This property can be profitably developed right now within existing zoning, as proven by the current development right next door.
 - Mr. Large should be cautious about following this path that has been proven unsuccessful, and further antagonizing and alienating the neighbours that will be negatively impacted as a result.

10. Follow-up/Commitments:

- Large and Company has committed to talking individually with all contiguous neighbours about their concerns and requirements with respect to the development.
- Kim will ensure correction is made in letter designating protection of tree.
- Kim will follow up and advise on the state of Large and Co.'s appeal of the fine for cutting down bylaw protected trees without permit in Dec 2019.
- All neighbours are to submit their comments about the project online (victoria.ca/devtracker) by September 25, 2020.

11. Reference:



Neighbourhood Meeting Regarding Proposed Development at 1737 Rockland Ave

September 11, 2020
Meeting held at 1720 Lyman Duff Road

Participants:

Neighbourhood (15 people total): Dave McWalter, Emma McWalter, Judy Carlton, Kim Carlton, Jen Lowry, Grant Perkins, Jennifer Bennett, Vince Bennett, David Gordon, Sue Wynne-Hughes, Jan Drent, Janice Drent, Linda Barry, 1715 Rockland (2).

Large and Company: Earl Large (CEO), Kim Colpman (Director, Property Development)

Rockland Land Use Committee: Bob June, Phil Calvert, Dave McWalter (participated as neighbour)

Purpose:

The meeting was organized by the neighbours of 1737 Rockland (the Property) to share concerns about the proposed development. The neighbours took the initiative to organize this meeting because the City's revised CALUC process no longer requires the developer to host a CALUC community meeting. This revised process deprives neighbours of an opportunity to collectively discuss & understand issues of common concern with the developer.

Accordingly, the neighbours on Lyman Duff created then printed a meeting invitation, then went door-to-door within the 100m radius (to be consistent with the City process) in order to make neighbours aware of the proposed meeting. The meeting was staged outdoors in the backyard of 1720 Lyman Duff Rd (which shares a fence line with the Property) and satisfied all requirements of the *Order of the Provincial Health Officer regarding Gatherings and Events*. The developer was invited to participate in the meeting and answer questions, and Earl Large and Kim Colpman accepted the invitation.

Preamble:

Dave McWalter started by noting that there are 6 adjacent properties to the development, and by summarizing the proposal itself (which includes site-specific rezoning), the development application process, and a number of key neighbourhood concerns. These concerns include:

- The **site area (m²)** for the proposed new houses does not meet the requirement for a panhandle lot.
- The **site coverage (%)** for the proposed new houses exceeds limits for a panhandle lot.
- The **height** of the proposed new houses exceeds limits for a panhandle lot.
- The **number of storeys** of the proposed new houses exceeds the limits for a panhandle lot.
- It is proposed that six additional **bylaw protected trees** at the edge of the property are to be removed. This is in addition to the five bylaw protected trees that were removed

suddenly without permit in December 2019. Taken together, this would remove practically all of the tree canopy on the east side of the property.

- The proposal includes **setbacks** that do not meet the panhandle zoning requirements, impinging on neighbour's privacy and requiring additional trees to be cut down.
- The purpose and ultimate configuration of **accessory building** is not clear as an earlier drawing showed it with full plumbing and the current drawing does not.

Dave also pointed out that there is a very similar development underway *right next door* at 1745 Rockland that should be considered a model for this one. The development at 1745 Rockland also involved the subdivision of a large property with a house of heritage value. It, too, proposed a strata development with several large homes that greatly exceeded the panhandle zoning. That led to a contentious 4-year dispute between the developer and the neighbours – the same neighbours who are now impacted by this current proposal – which included being rejected by the City both at Committee and then later at Public Hearing. Ultimately, the developer revised the proposal so that it respected the panhandle zoning, only then gaining the support of the neighbours and approval from Council. He suggested that Large and Company could avoid such a protracted process by adhering to the existing zoning requirements that were recently (2017) approved by Council for the house *right next door* for an extremely similar proposal.

Question and Answer Session:

The following questions were discussed during the session:

1. The maximum allowable **height** under the current zoning is 5 m. Why are height variances of 5.49 and 7.08 metres being proposed when the other new houses adjacent to the property are only one storey and conform to the height restrictions?

Answer (Kim)

- The development aims to preserve, and be in keeping with, the grand heritage nature of Earl Large's house. A flat, one-storey house wouldn't be in keeping with this.
- Guidelines talk about making use of the land. The way the land falls, it makes sense to have two-storey house near the bottom—it looks more like 1 storey looking down from Rockland. The houses are being built according to the lay of the land.

2. Doesn't creating other housing around the original house detract from the grandness you say you are seeking to preserve?

Answer (Kim)

- Victoria is running out of land so this makes land available, but Rockland is not the kind of neighbourhood in which to squeeze many small houses. Need single-family dwellings.

3. There were some comments and exchanges regarding whether the strata lot would be considered a **panhandle lot**, and subject to relevant restrictions.

Answers:

- One neighbour noted that the panhandle designation was to ensure site area is retained for the subdivision of large houses and to prevent overcrowding and invasion of privacy.
- Concern was expressed that getting rid of the designation would undermine protection of the neighbourhood.
- Kim did not acknowledge the panhandle designation, saying that it was not unusual for lots to have long driveways, and that the discussion was getting caught up in “language”, and acknowledged the feelings neighbours had about building housing on the formerly forested Large property.
- Earl Large noted that he did not want to maintain the large property, that times have changed and that no one wants to have these large pieces of land. He noted the high number of grand Rockland houses that now are apartment buildings. He also said that the community plans and zoning bylaws are obsolete when written: developers have an obligation to make the best use of land in Victoria.

4. Consultation with Neighbours:

- Several interactions about the lack of consultation with neighbours.
- Dave McWalter noted that this dates back to when the trees on the property were suddenly cut down without any notice to neighbours in December 2019, including five bylaw protected trees removed without permit.
- Earl large said that he intended to go door to door to consult with all the contiguous neighbours and discuss their needs, but that the Covid-19 pandemic had interfered with this.
- Kim added that it was her understanding that public face to face meetings were not allowed by the city—Large and company remains open to hearing views on the project.
- Dave McWalter noted that the city had not disallowed such meetings, but these public CALUC meetings are not required during the pandemic.

5. Why build two new houses on the property when there is only enough **site area** for one within existing zoning?

Answer (Kim):

- The proposal is a more responsible, sustainable use of the land-- it's what makes sense.

6. Why not build in conformity with **existing regulations**?

Answer:

- Kim said things change quickly, and bylaws can't keep up with the changes. Lot size restrictions don't make sense—there are lots across Richmond that are smaller than what is being proposed.

- Dave McWalter noted that those lots are in a different neighbourhood (Fairfield-Gonzales) and have different zoning (R1-G).
- Dave McWalter also noted that there is a clear and obvious comparable *right next door!* It is a recent, parallel, and extremely relevant example of a Rockland R1-A panhandle infill strata development that this proposal should mimic. It was approved by Council in 2017 *with the support of neighbours* and *respects the panhandle zoning*.

7. Protection of Trees:

- There was a great deal of discussion around the issue of protection of trees, including the removal of 5 bylaw-protected trees without permit on December 16, 2019 for which the City has issued infraction notices to Large and Company.
- Regarding the *removal of bylaw trees without permit*:
 - Earl said he had obtained the consent of the neighbour on the property bordering the trees. There was no response as to why the rest of the neighbours bordering the property and impacted by the tree removal were not consulted.
 - Asked why they were removed without city approval, Kim replied that the company had worked with a registered arborist on the removal, and is contesting the fine. They believe it is a misunderstanding.
 - Bob June (head of LUC) asked for clear indication of status of Large and Co.'s appeal on the fine. Issue has had an impact on developer's credibility. Kim undertook to follow up.
- Regarding *further plans to remove trees*:
 - Kim indicated the number of trees to be removed but could not identify which ones except to refer neighbours to the plans.
 - Neighbours were frustrated the developer could not simply point next door at the trees to be removed, given that everyone had a clear view of the Property and the remaining trees left on the site.
 - After some discussion, it became clear that the entire remaining stand of mature trees on the north property line and entire east side of the property (the only ones that remained after the bylaw trees were removed without permit in December 2019), would be removed as part of this development in order to accommodate a reduced setback and garage for Strata 3 and a driveway proposed to be flush along the north property line.
 - Kim noted plans to protect one tree at the top of driveway beside the original home, acknowledged that a letter she had posted to the Development Tracker mis-identified the tree to be preserved, and so undertook to correct that.
 - Kim confirmed that the trees to be removed in the plan are not the ones already removed without permit in December 2019, i.e. those bylaw trees removed without permit are not accounted for on the current plan or included in the data table detailing the trees to be removed as part of this development.

- Regarding *preservation of trees and root bases*:
 - There was a concern about preservation of the large chestnut tree at the back of 1710 Lyman Duff, which the landscape plan noted as having a critical root zone that extends into the footprint of Strata 2. Kim stated that their development plans have to be approved by the city arbourist, that there is a stringent process that has to be followed, and undertook to facilitate a meeting or meetings with their arbourist to discuss.

8. Answers on other issues:

- **Accessory building:** will be used for gym and storage. There is no longer plumbing in the plans for this building, and no plans to convert it to a garden suite.
- **Suites in new houses:** There will be one in the lower house (strata 2). The developer reiterated that the accessory building would not be used as a suite.

9. Final thoughts:

- Rezoning is a privilege and not a right.
- 1737 Rockland is a suitable site for an infill development, however, any proposal should respect the existing panhandle zoning which serves a distinct purpose and is intended specifically for infill developments such as this.
- The current development next door at 928 Richmond should serve as a good reference for the proposed development:
 - 928 Richmond (which shares the east fence with the Property) is the strata lot that was created when 1745 Rockland (shares the north fence) was subdivided in 2017.
 - The parallels between the two developments are almost identical and generally involve subdividing a large old Rockland property in an R1-A zone in order to create panhandle strata lots.
 - 928 Richmond respects the panhandle zoning. The site is currently under construction with 3 single-storey homes (because it's a much larger lot than 1737 Rockland). Two homes have sold, and the third is listed for \$2.5 million. It is clear that a development that respects the existing zoning and respects the impact to neighbours can be successful.
 - Unfortunately, the 928 Richmond development started with a proposal to greatly overbuild the site, similar to what is being proposed for 1737 Rockland. That led to 4 years of disputes with neighbours, and ultimately two rejections from the City. This dispute is not necessary. This property can be profitably developed right now within existing zoning, as proven by the current development right next door.
 - Mr. Large should be cautious about following this path that has been proven unsuccessful, and further antagonizing and alienating the neighbours that will be negatively impacted as a result.

10. Follow-up/Commitments:

- Large and Company has committed to talking individually with all contiguous neighbours about their concerns and requirements with respect to the development.
- Kim will ensure correction is made in letter designating protection of tree.
- Kim will follow up and advise on the state of Large and Co.'s appeal of the fine for cutting down bylaw protected trees without permit in Dec 2019.
- All neighbours are to submit their comments about the project online (victoria.ca/devtracker) by September 25, 2020.

11. Reference:



Hello everyone,

Thank you for distributing the minutes from the community meeting, I appreciate the detailed summary of events. There are a couple of notes I would like to clarify:

- There is reference throughout to the removal of 5 bylaw protected trees in December. There are actually 4 trees that were removed (3 of which were identified as a 'hedge' by the Arborist and as such were not considered protected), 1 that was deemed 'dead', and one tree that had a limb professionally trimmed - that tree is still on site, happy and healthy. As mentioned, these fines are being appealed.
- Under section 7, bullet 2 it indicates there was no response as to why the rest of the neighbours bordering the property were not consulted about the tree removal. We did actually respond saying that Earl Large talked to the neighbour he believed was the only one impacted. In fact that neighbour initiated the conversation as these trees blocked the sun in his yard.
- Section 8 bullet 2 - the suite is in strata lot #3 (the lowest house) not strata lot #2
- Regarding further tree removals, the notes indicate the entire stand of trees is coming out on the north and east property lines. This is misleading. What is being proposed is following:
 - removal of 6 trees along the lower north property line, one of which is in the NE corner. 1 in poor health, 4 in fair health, 1 in good health
 - There is 1 large tree remaining on the upper north property line , so not ALL trees on the north are coming down and there are none coming down on the east line
 - To remind you of the tree totals associated with this development:
 - • Number of Bylaw protected trees: 19
 - • Number of Bylaw protected trees onsite: 8
 - • Number of Bylaw protected trees to be preserved: 13
 - • Number of Bylaw protected trees to be removed: 6
 - • **Number of new proposed trees being added on site: 21**
 - • Total trees on site: 23 (net increase of 15 trees)

Again, thank you for the opportunity to be at your meeting and to review these notes.

Best
Kim

Kim Colpman

Dear Ms. Helps and city Council:

I'm a resident and home owner at 1705 Oak Shade Lane. I'd like to make a statement hereby that I'm opposed to the owner of 1737 Rockland making any deviation to the standards set forth by the department of city development and zoning. I'm familiar with the property and have witnessed how small a patch it is behind the said house. I wish the owner would not seek development but understand there is not much I can do to stop it. Needless to say, our neighborhood is historical and unique. Preservation of its characteristics should be important to the city. I appreciate the council and Mayor taking that into consideration.

Sincerely yours

Yun Xia (Sasha) Zhang

Mayor and Council, City of Victoria

We are writing to express our opposition to the proposed development at 1737 Rockland Avenue. To the best of our knowledge we do not know of any neighbours in the Rockland community who are in support of this proposal, despite what the developer has conveyed to others including members of council.

We oppose the request to rezone this land. The property is currently quite suitable for a panhandle infill development which can be done in accordance with existing zoning. In relation to the Schedule H panhandle zoning the proposed development will result in two new homes (versus one) that are too large for the area, that exceed height requirements, and do not meet the requirements for site area, coverage and setbacks. This proposed development, combined with the current home on site and proposed addition of an accessory building, will result in three over crowded homes in this limited space. We do not think this is in keeping with the Rockland area. The development at 928 Richmond Avenue has already set a poor precedent of over- development with three new homes in this limited space, and the decimation of all existing trees. This proposed development would be an unfortunate continuation of this practice. Simply put, the proposed development 1737 Rockland is nothing more than over-development.

We also oppose the proposed development due to the impact it will have on trees on the current site, and potentially to properties adjacent to it. The proposed development eliminates 6 protected trees and all other trees on the site, while preserving only 2 protected trees. Other developers have proven the ability to create thoughtful development while preserving trees and the character of the area. Sadly that is not the case with this proposed development; the developer shows no regard for the existing trees and habitat.

Our property at 1710 Lyman Duff Lane is adjacent to this proposed development. We are very concerned about two mature trees on our property that could be adversely impacted by this development. We strongly encourage the City's arborist to keep a close eye on this development.

We understand the need for development. We are proponents of thoughtful development, not over-development. We fail to see how accepting this proposal and rezoning this land will add value to the neighbourhood and the City of Victoria. Please reject this proposal and honour the current Schedule H panhandle zoning which would allow for one home, of suitable size and height restrictions, setbacks and site coverage for this limited space.

Respectfully,

Judy and Kim Carlton
1710 Lyman Duff Lane

Dear Mayor & Council,

After reviewing the details of this proposal it appears that this project does not meet the zoning, nor the needs and respect of the neighbours in this area.

We do not support this project in any form and request that the elected members not support this proposal.

There would seem to be a more suitable proposal that would fit this space.

James & Roberta Nastasi

Rezoning and Development Permit with Variances Application for 1737 Rockland Avenue



Aerial View



Subject Site – Existing House

3



3

Subject Site – Existing House

4



4

Context – Adjacent House (south)

5



5

Context - Adjacent House (north)

6



6

Context – Across Rockland Ave.

7



7

Subject Site – Existing House

8



8

Subject Site – Existing Rear Yard

9



9

Context – Adjacent Houses (east)

10



10

Context – Adjacent House (south)

11



11

Context – Adjacent Houses (south)

12



12

Context – Adjacent House (north)

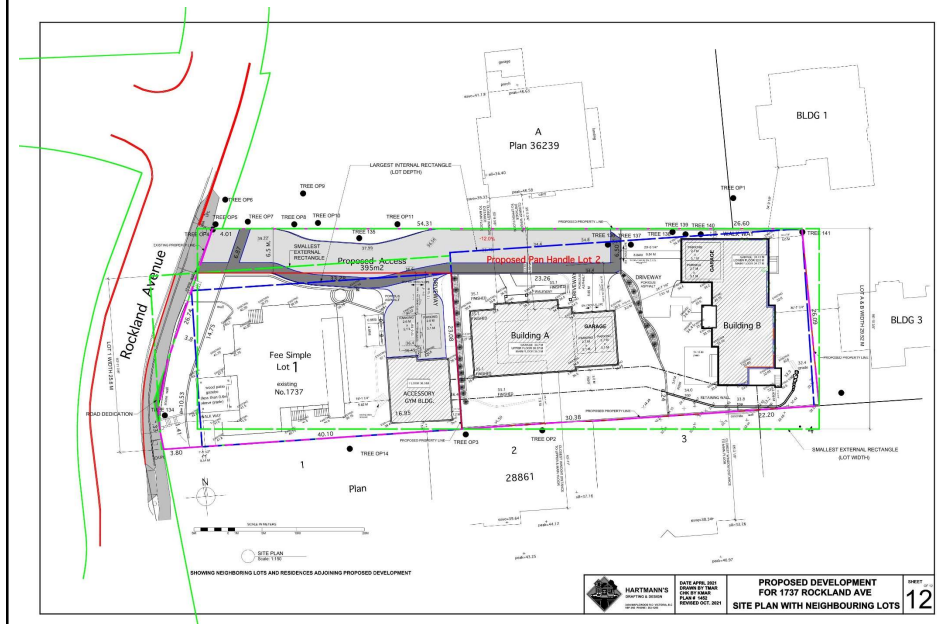
13



13

Context Plan

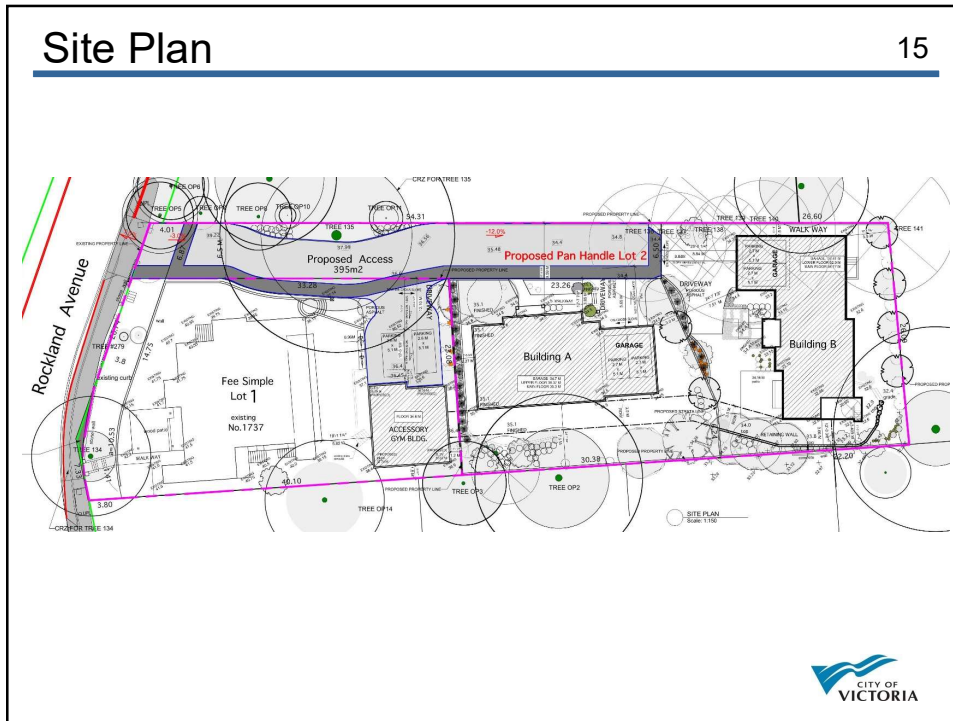
14



14

Site Plan

15



15

Existing House (Lot 1)

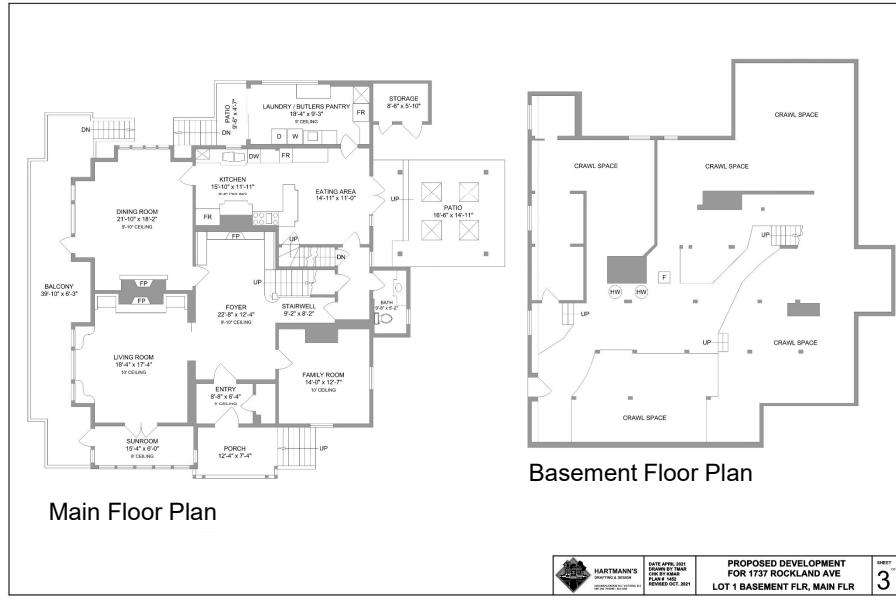
16



16

Existing House (Lot 1) – Floor Plans

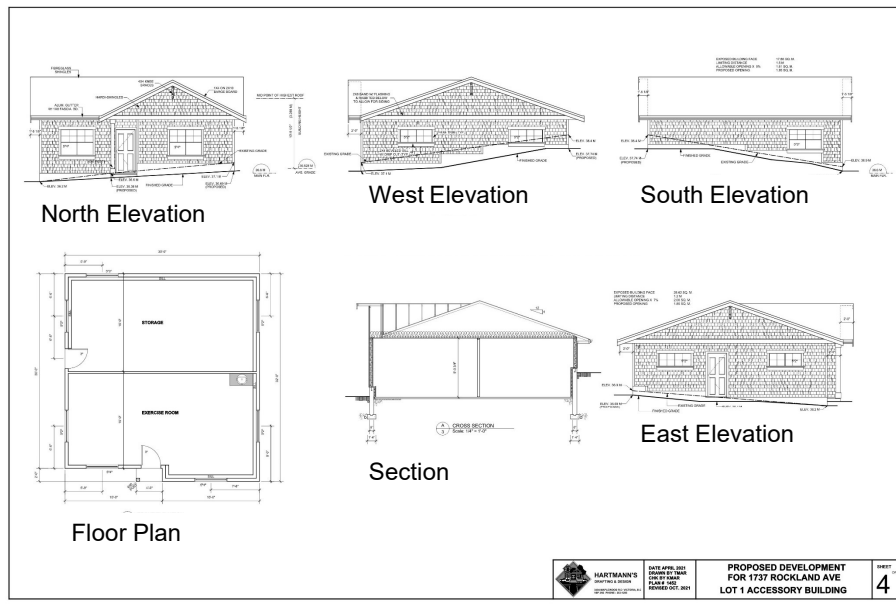
17



17

Accessory Building (Lot 1)

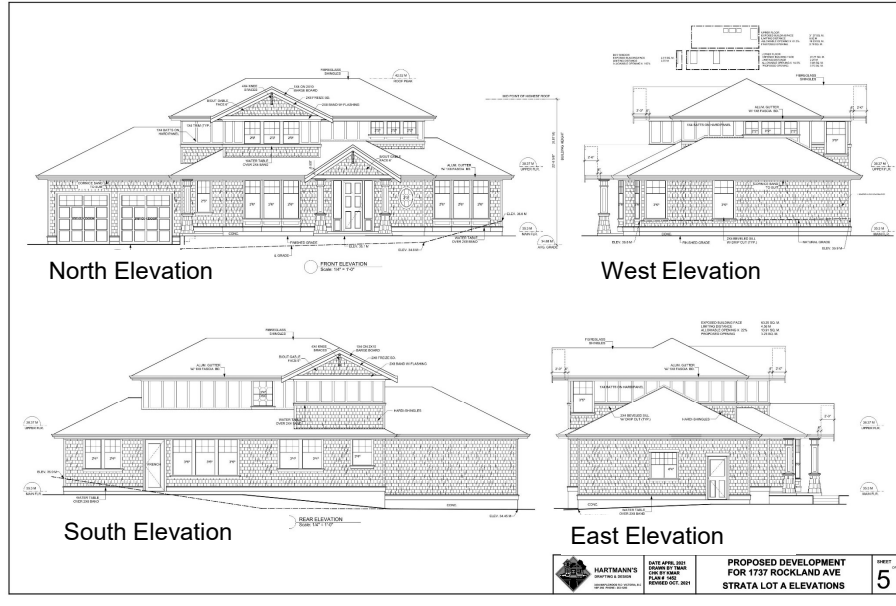
18



18

Building A (Lot 2) - Elevations

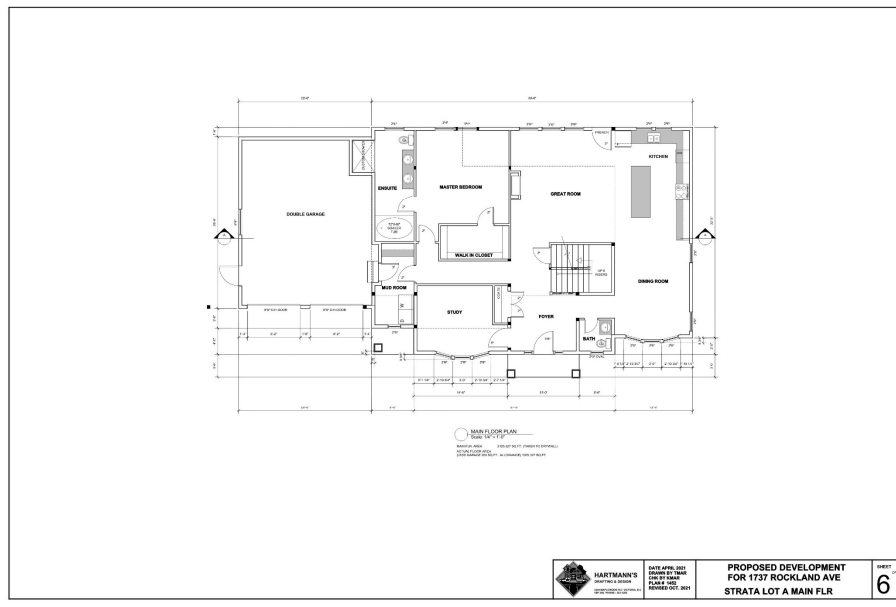
19



19

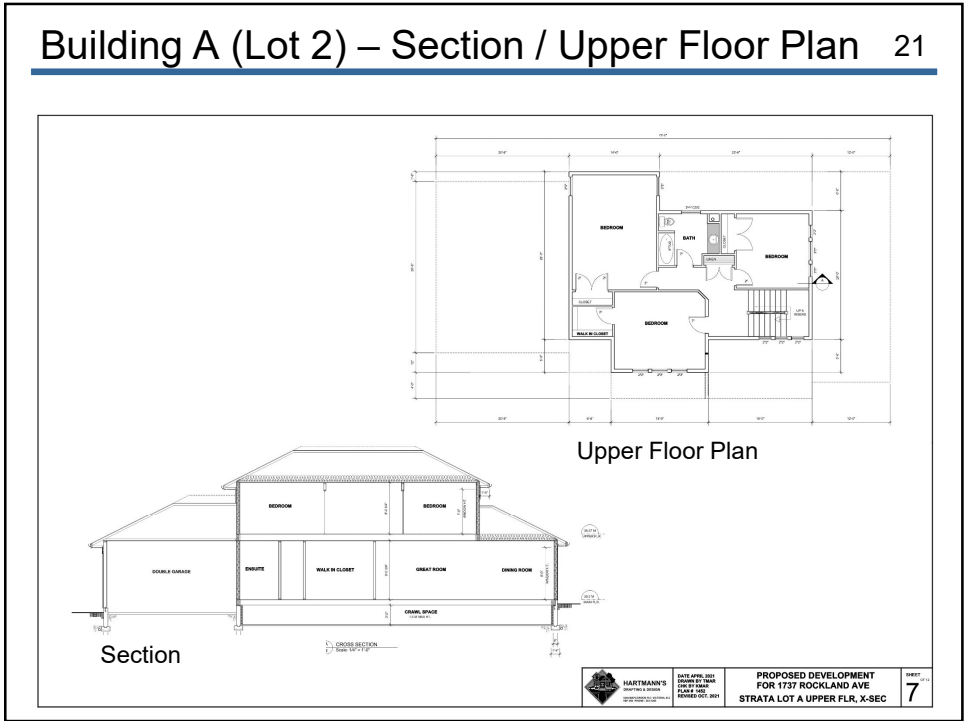
Building A (Lot 2) – Main Floor Plan

20



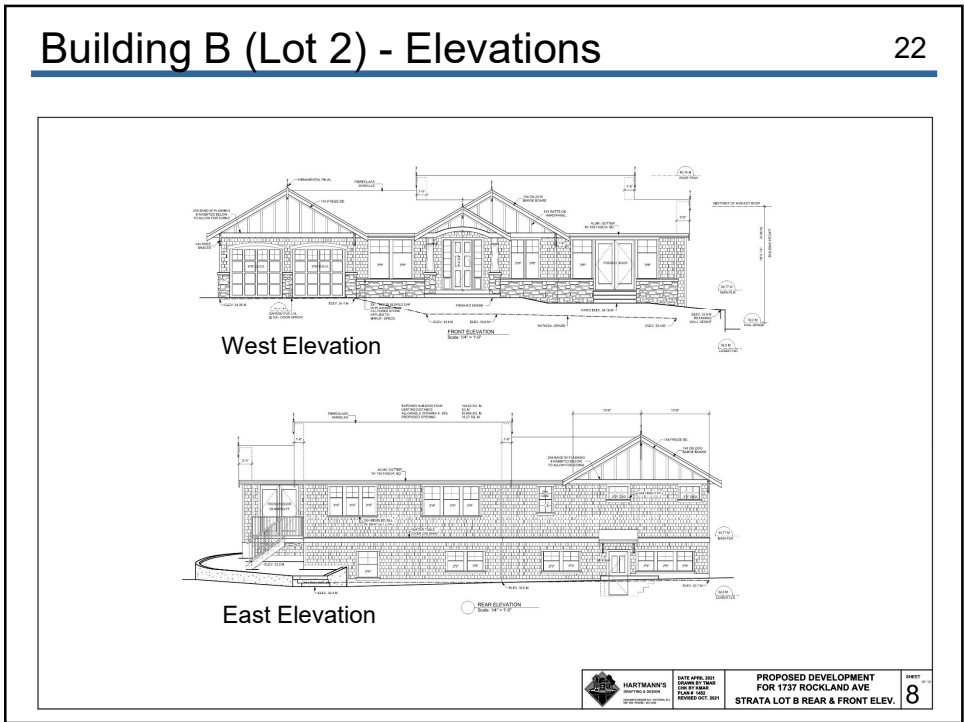
20

Building A (Lot 2) – Section / Upper Floor Plan 21



21

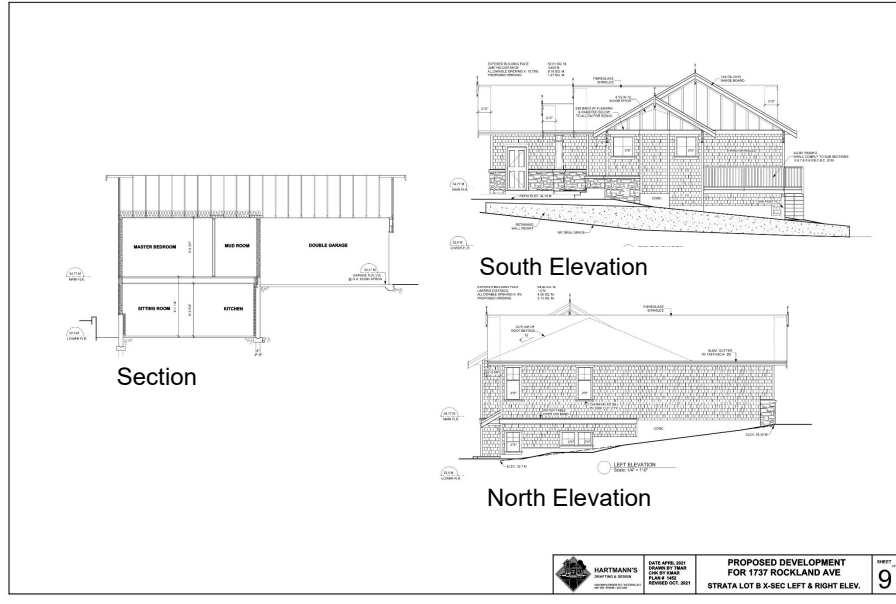
Building B (Lot 2) - Elevations 22



22

Building B (Lot 2) – Section / Elevations

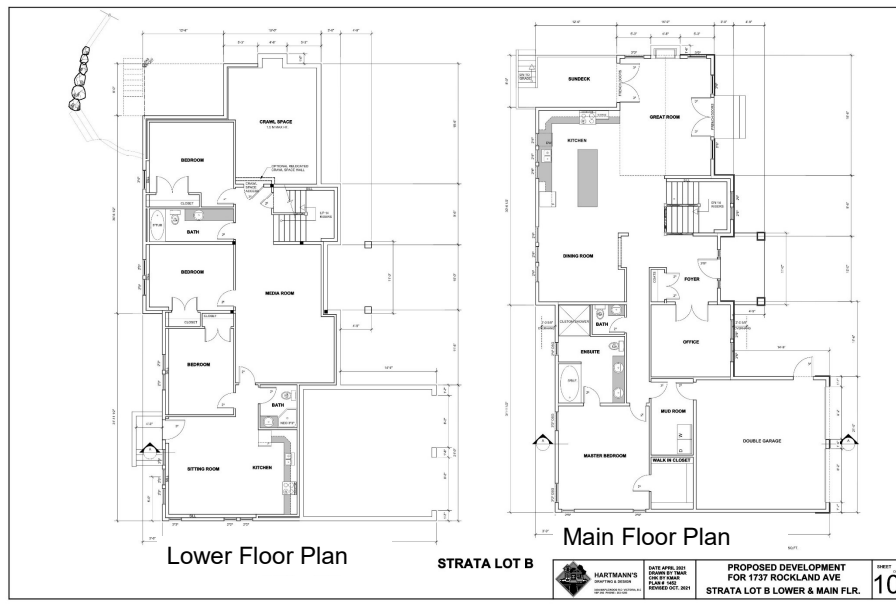
23



23

Building B (Lot 2) – Floor Plans

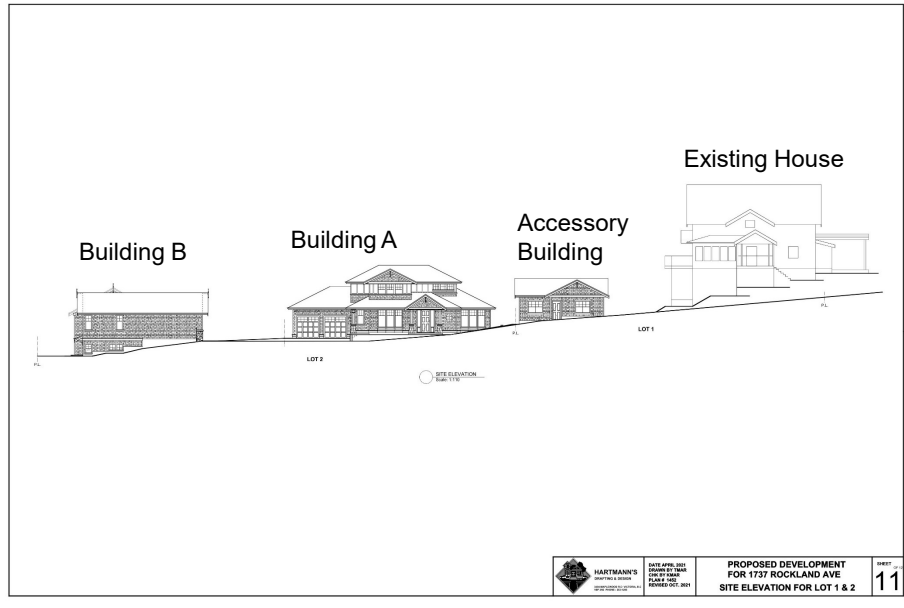
24



24

Site Elevation (Lots 1 & 2)

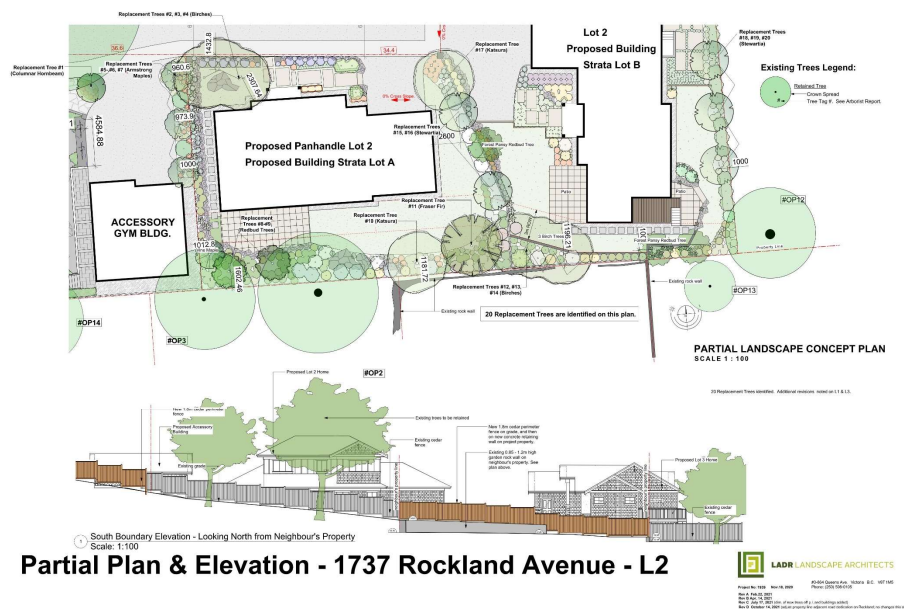
25



25

Landscape Plan and Elevation

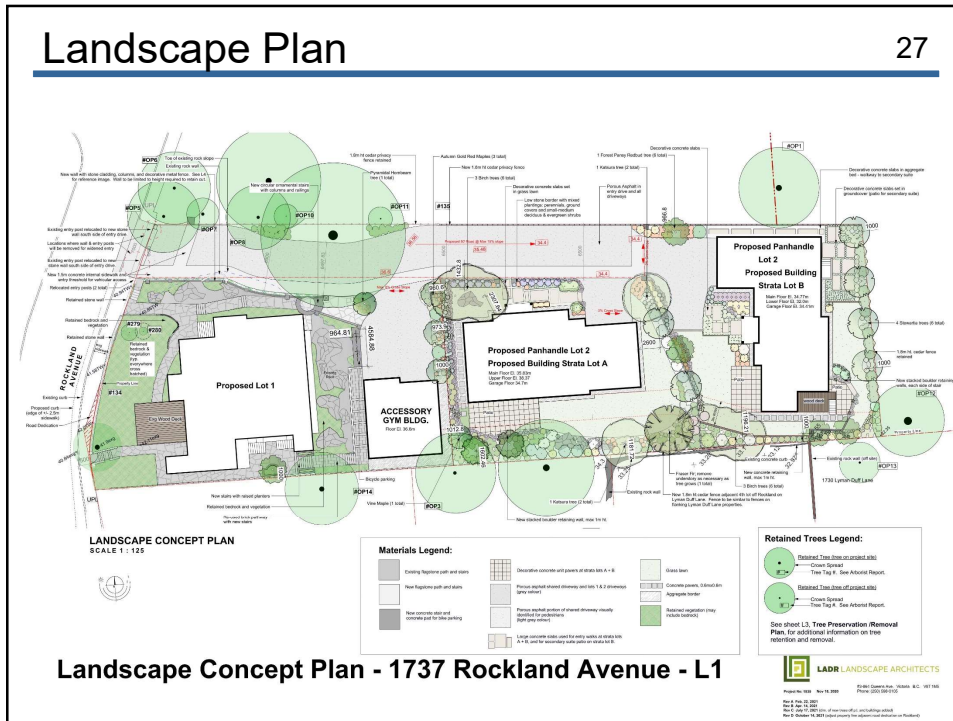
26



26

Landscape Plan

27



27

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

Re: 1737 Rockland

I am aware of the rezoning application of the above referenced property. The zoning application will be for site-specific strata designation.

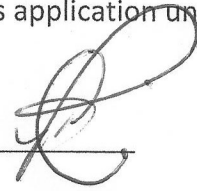
The particulars of this application include:

1. The property is approximately 29,000 square feet.
2. Two additional single-family homes of approx. 2500 sq. ft. each on lots of approx. 7,000 sq. ft. each are proposed. The footprint of each house will be approx. 2,000 sq. ft. The houses will be built slab-on-grade with 1 ½ storeys each.
3. The lane entering the property will be 18 feet wide.
4. The existing heritage home will require construction of a 2-storey outbuilding as the basement in the house is unusable. Garage, storage &/or gym facilities are necessary for a home of this stature.

There are very few opportunities to create new significant homes in this lovely "Rockland Precinct". This proposal meets all the requirements of seclusion and prestige that living in Rockland represents.

Further, the Owner is prepared to designate the existing home as "Heritage" including the spectacular entrance and foyer, thereby ensuring preservation evermore of his beautiful Rattenbury creation. This is vitally important as virtually all the significant homes in the area have been converted to rentals and condos. At last an important historical landmark is being retained as a FAMILY home.

I urge Council to approve this application unconditionally.

Paul Neate 
Name: _____ Name: _____

Address: 1694 St Francis Wood Victoria BC

City of Victoria
Mayor & Council
1 Centennial Square
Victoria BC V8W 1P6

Re: 1737 Rockland Proposed Development

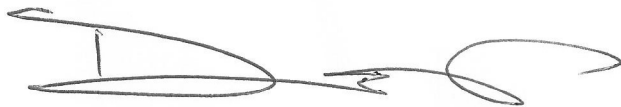
I am the contiguous neighbour to the north of 1737 Rockland Ave. My property borders a length of approximately 250 feet.

I have had the opportunity to examine the proposed development in detail. The overall design and landscaping is very sympathetic to the area in general, and to the neighbours in particular.

There are very few heritage homes in the entire Rockland precinct that have not been turned into condos or rentals. This Rattenbury is a magnificent home, restored internally to its original splendour. Mr. Large's willingness to covenant the fabulous entryway and to put the home on the heritage register is an opportunity that Council must accept.

The addition of two homes on this almost 30,000 sq. ft. lot provides beautiful residences in an otherwise almost totally built-up area. The opportunity for two families to live in this desirable area is very important.

Respectfully,

A handwritten signature in black ink, appearing to read 'Dan Sharp', with a stylized flourish at the end.

Dan Sharp

1745 Rockland
(original owner)

City of Victoria
Mayor & Council
#1 Centennial Square
Victoria, BC V8W 1N9

Re: 1737 Rockland – Proposed development

This is my second letter of support for the project proposed by my neighbour to the south. The entire length of my southern lot line adjoins the northern border of the subject property.

Of significant importance to me of course is how a development will affect my property value. I believe the proposed plan strengthens the value of my home in two ways:

Firstly, the elegant design of the proposed two-storey homes will complement the overall neighbourhood, living up to the Rockland reputation for refinement and grace. It would be a shame to insist on anything less. Rockland is a highly sought after area for families but there is precious little land available to build homes on. Given the relative value of the land, any improvements must not be "under-built" as this would detract from the charm of the neighbourhood.

Secondly, the landscape plan (both hard and soft scapes) will be an immense improvement over the "jungle" of poor quality, valueless trees down our common border. The proponent has consulted with me along the way, and graciously offered to remove the trees that block most of the sunshine to my yard. I would note that removal of these trees does not affect any other landowner in the neighbourhood.

Again, I urge Council to approve the development of Mr. Large's property with two-storey homes in the lower section of the land as proposed.



Daniel Shoup

Sept

1745 Rockland

(original owner)

Mayor Lisa Helps and Victoria City Council,

I write to support Heritage Designation of the house at 1737 Rockland Avenue, and the rezoning application for its property to allow subdivision and construction of two new single-family dwellings.

Built in 1899 and known over the years as The Chalet and Tredinnock, 1737 Rockland Avenue is an excellent example of the chalet style of architecture, most often associated in Victoria with its architect, Samuel Maclure. Heritage Designation of the existing house, including protection of the interior of the main entrance hall and conservation of the original stone wall, will preserve this substantial home now and into the future.

The house has a strong early connection with the Bank of Montreal and the family of its first Victoria manager, Archibald Galletly, who lived next door at 1715 Rockland from 1892-1912. Archibald had 1737 Rockland built for his sisters, Alice and Amy, who lived here 1899-1904, then 1905-1914. It was they who named the house The Chalet.

The social history of 1737 Rockland also includes such early occupants Robert and Jenny Butchart, who rented here 1904-05 while their house, Benvenuto (also designed by Maclure), was being built at what is now Butchart Gardens. Jenny Butchart was well known for her entertainments and fundraising events, including during her time here.

Subdivision of this property can allow for sensitive infill and expansion of housing stock, while conserving the historic architectural and landscape character of the Rockland neighbourhood. Granting Heritage Designation to 1737 Rockland as part of the rezoning process will add an extra layer of protection to an essentially unaltered 120-year old home.

Sincerely,

Jennifer Nell Barr

Former Executive Director (retired)

Victoria Heritage Foundation

October 25, 2021

Mayor Lisa Helps and Councillors
1 Centennial Square
Victoria, B.C. V8W 1P6

For the past 2 ½ years we have been working with City staff and the community to bring you a proposal that retains and designates this 1899 Samuel McClure home as well as its grand foyer and stairwell, adds an accessory building to its rear yard and allows construction of 2 new, 2 storey homes on the remaining land.

Our proposal is going to come forward to Committee of the Whole without staff support, and a ‘soft denial’. Why? Because staff are constrained by current policy that obliges ‘comparison’ to a panhandle zone. Had we applied for a full strata subdivision, staff may not have been trapped by policy. However there is a need to protect the importance of this significant home by having it on its own fee simple lot, and subdividing the remaining land for the 2 new homes.

No matter what this unique zone becomes, there can be no dispute this is good planning for the Rockland neighbourhood. This proposal preserves and designates the Maclure home (and entry/stairwell), which is consistent with the Rockland Neighbourhood Plan to conserve significant heritage. It also provides modest, gentle densification with 2 new homes each on approximately 7,000ft², that will have minimal impact on existing neighbours.

And...our neighbour to the south did a similar thing years ago – a significant home on Rockland subdividing its land for 3 homes behind.



We are meeting with neighbours and many are supportive – some letters were submitted prior to Committee of the Whole which you should have, and others will follow.

It is a challenge balancing any new development with the values of heritage retention. However, we have fully embraced this challenge with a practical and respectful proposal. Together we have an opportunity to preserve and protect a significant heritage asset for the community, *and* provide reasonable infill housing in a neighbourhood that values its history and single family character.

I respectfully ask Mayor and Council to forward this application to a Public Hearing for a full presentation and opportunity for public input.

More detail about the proposal is included in subsequent pages.

Sincerely,

Kim Colpman
Applicant

1 Background

1737 Rockland is an 1899 Samuel Maclure home that has been lovingly restored and its original character well maintained. It is the private residence of Earl Large, Founder of Large & Co. – a family owned business in Victoria since 1962.

Earl's home remains a single-family residence - probably one of the few in Rockland that has not been broken into smaller units. It is truly a community treasure which is why, as part of this rezoning process, we are proposing to designate the home as well as the interior foyer and stairwell areas.

Designation can be a difficult decision since heritage designated homes result in significant decreases in market value. Owners are restricted in what they are allowed to do to their home and have an ongoing financial commitment to maintain its heritage standard and quality.

But, because these heritage assets are so important to everyone in the community, these decisions are often made in partnership with the City where additional housing density is granted to support the designation and offset some of the costs.

Our goals for this proposal are to:

- Create a historical landmark for the community.
- Provide more housing knowing there is a crisis at *all* levels of consumption.
- Meet both these goals with a design that positively integrates with the surroundings and is sensitive to neighbours, the community and to the significance of this home.



Front Entrance



Rear View



Foyer and Stairwell

2 Description of Proposal

2.1 Buildings

This magnificent home sits on 2,713 m² (29,202 ft²) of land, high in the top south-west corner facing Rockland Avenue, leaving a large part of the property in the rear ‘unused’.

Note: lines are not exact and provided only for context.



Our proposal is to subdivide the land into two parcels. Lot 1 for the existing home would be 921m² (9,913ft²). An accessory building for a gym and storage would be added to the rear of this property. This is needed as the basement is rocky and essentially not useable. Lot 2 would be divided into two strata lots: Lot A = 628m² (6,759ft²); Lot B = 660m² (7,104ft²). Two storey homes are proposed.

As part of the rezoning process, the existing home, as well as the interior foyer and stairwell would be designated and protected for the community. The home is in excellent condition with only a few exterior repairs and upgrades required. (*A Conservation Plan* is included with our submission).

Through collaboration with City staff, we are able to maintain the character-defining heritage rock wall along the Rockland frontage in its current position and further protect this home’s history.

Our proposal honours the beauty and importance of this Samuel Maclure home by creating designs that compliment its heritage style, character and scale, but does not detract from its significance. The sloping topography allows the principal residence to be a focal point at Rockland Avenue with the two new homes sited unobtrusively below.



Two storey homes are proposed for several reasons:

- Single storey homes would feel insignificant and diminish the grandeur of the main house.
- It is the highest and best use of the property for Rockland neighbourhood, which is a sustainable design approach.
- The topography allowed for designs and siting that assure privacy for neighbours.
- The lots are large enough to accommodate this size.



2.2 Landscape and Storm Water Management

All off-site trees close to the property line and the mature on-site conifer located just off the north property line near the northeast corner will be retained. Our design team recognize the value of mature trees in terms of wildlife food/habitat, carbon absorption, shade, stormwater management, and beauty and neighbourhood character, and although 7 on-site trees must be removed in the course of development, 27 will be planted (**better than 4:1 ratio**).

Of the 2,713 m² site (including the proposed ROW), approximately 1,035 m², or 38% of the site, comprises planting beds or lawn area, natural stone outcrops that drain to permeable landscape and decorative porous aggregate borders. The porous asphalt driveway which the adjacent concrete walk drains to is approximately 475 m² or 17.5% of the site, meaning that the porous driveway and absorbent landscape alone cover approximately 55.5% of the site.

It should also be noted that approximately 109 m² concrete sidewalk (4% of site), the existing house patios/walkways and the lot 2 patios (collectively approximately 180 m² or 6.6% of the site), all drain to absorbent landscape and have no impact on the storm system. That is an additional 10.6% of the site that benefits from the 55.5% absorbent landscape.

Plant selections reflect a commitment to resiliency, biodiversity, native and adaptive species, seasonal interest, and low maintenance.

3 Community Engagement

Included with this submission is the start of our community contact plan which includes some letters of support mailed directly to Mayor and Council. More are coming.

Two meetings were held with the Rockland CALUC Executive (May 06, 2020 and June 11, 2020). Comments from the first meeting resulted in a complete redesign of the exterior by Zebra Design Group to ensure the new homes were more complimentary to the heritage aspects of the existing home. This was presented favorably at the second meeting. As well, a Heritage Consultant has reviewed and approved the designs and color choices.

A meeting was held on Sept 11, 2020 by neighbours on Lyman Duff. We attended and answered questions as required.

4 City Planning Engagement

Since the original submission, many changes have been made to satisfy City requirements. At the time of writing, my understanding in discussions with Planning staff, the only sticking point now revolves around privacy for the existing neighbours.

This comes up because our proposal is being vetted against a panhandle zone that asks for single storey where a single storey is meant to address potential privacy issues when building in a panhandle zone. *Note that we are seeking site specific zoning.*

We have addressed this privacy concern and staff have asked we outline this in detail for Council.

1. Lot Sizes for New Homes: A lot size of 850 m² (9,149ft²) is required to subdivide for a panhandle lot. Because we have more than 29,000 ft², we are able to create larger, more 'regular' single family lots of 628m² (6,759ft²) and 660m² (7,104ft²). This generates opportunity for optimum siting.
2. Setbacks between Buildings: 7.5m (25') is desirable to ensure privacy to existing neighbours. The distance between our building(s) and neighbours is ample to mitigate any privacy issues ranging from 30' - 65'.
3. Design Modifications: To further assure privacy and mitigate overlooks we made the following design changes:
 - Strata Lot A - reduced upper floor height to 8'.
 - Strata Lot A - removed all upper windows facing south neighbour except bathroom window which is obscured glass.
 - Strata Lot B – minimized bedroom windows on upper floor and all are obscured glass.
 - Both lots – additional landscaping.

5 Government Policies

The OCP is looking to balance the need for new housing and retention of heritage assets. This proposal fully supports this initiative.

Because of Rockland's notable historic architectural and landscape character, the OCP asks us to:

- Support the maintenance of existing dwellings and character through sensitive infill that preserves green space and estate features.
- Continue to conserve the historic architectural and landscape character of the Rockland neighbourhood.
- Encourage a diversity of population and housing in consideration of the Rockland neighbourhood's heritage and estate character.
- Create designs that relate to the land's topography.
- Achieve a high quality of architecture in the design of new dwellings, as well as a high quality of landscape and urban design to enhance the neighbourhood.

The location is ideal being close to goods and services as well as transit which reduces reliance on cars. By including electric car chargers for each home, we are furthering sustainable and climate initiatives.

6 Project Benefits

1. Preservation and designation of an 1899 Samuel McClure historical home, its foyer and stairwell, and maintaining it as a single-family residence.
2. Responsible use of a large piece of available land to provide additional housing.
3. Building housing in a central, walkable location.
4. Introduction of 27 new trees, over 300 adaptive and native species shrubs and hundreds of adaptive and native species groundcovers and perennials.

7 Green Building

The following features are proposed for this project:

- Retaining and designating the existing heritage home.
- New homes constructed under Step 3 building code requirements.
- Electric car chargers for each new home.
- Permeable driveway.
- Onsite rain water management.
- Native and adaptive vegetation throughout the landscape.
- Rear yard space available for vegetable gardens and fruit trees as desired.
- Water conservation through low flow faucets, showerheads and toilets.

Mayor Lisa Helps and Victoria City Council,

This letter is to support the rezoning application for 1737 Rockland Avenue to allow subdivision of the property and the construction of two new single family dwellings in the former rear yard of the existing Heritage Registered house. Constructed in 1899, the house at 1737 Rockland Avenue, known originally as The Chalet, and later called Tredinnock, is valued as an excellent example of the chalet style of architecture, designed by Samuel Maclure, one of Victoria's most significant residential architects of the early twentieth century. An application for the heritage designation of the existing house and the protection of the interior of the main entrance hall is being made in conjunction with the rezoning.

The voluntary protection of this significant heritage dwelling and, in particular, the original ground floor entry hall, will ensure that this outstanding example of Samuel Maclure's architectural legacy will be enjoyed in the future by the citizens of Victoria. There have been previous examples of the City granting zoning concessions in exchange for the preservation of significant heritage interiors elsewhere in the Rockland neighbourhood such as 1041 St. Charles Street. (Also designed by Samuel Maclure, the ground floor entry hall was protected by heritage designation in exchange for Council approval of a new coach house on the property). There are other examples of the City's approval sensitive infill development in the rear yard of Samuel Maclure mansions in Rockland such as 942 St. Charles Street (Wilmar) and 1770 Rockland (Biggerstaff Wilson House), in exchange for the heritage designation of the heritage house.

The modestly scaled new development is sensitively inserted into the rear yard of the existing property and does not impact existing views of the heritage house on Rockland Avenue. The proposal adds additional density to the Rockland neighbourhood in accordance with City objectives in its Official Community Plan, while preserving the heritage character of the area. In particular, the Rockland Neighbourhood Plan objectives which are met are as follows:

- *Support the maintenance of existing dwellings and character through sensitive infill that preserves green space and estate features.*
- *Continue to conserve the historic architectural and landscape character of the Rockland neighbourhood.*

The height of the proposed two storey new homes complements the adjacent massing of similar heritage homes in the immediate context, and further conserves the value of the historic place.

The conservation of the existing heritage stone fence along the street frontage ensures the continuation of one of the most character defining features of the Rockland neighbourhood.

The Conservation Plan accompanying the submission will ensure that proper exterior repairs and restoration of the house will be secured to guarantee the future preservation of one of Samuel Maclure's finest architectural commissions.

The heritage designation of the Samuel Maclure house at 1737 Rockland Avenue in conjunction with this rezoning will significantly advance the City's heritage conservation program and benefit its citizens by its contribution to the stability of the Rockland neighbourhood.

Yours truly,

Steve Barber

Heritage Consultant

738-203 Kimta Rd.

Victoria, B.C. V9A 6T5

Commented [SB1]:

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

Re: 1737 Rockland

I am aware of the rezoning application of the above referenced property. The zoning application will be for site-specific strata designation.


The particulars of this application include:

1. The property is approximately 29,000 square feet.
2. Two additional single-family homes of approx. 2500 sq. ft. each on lots of approx. 7,000 sq. ft. each are proposed. The footprint of each house will be approx. 2,000 sq. ft. The houses will be built slab-on-grade with 1 ½ storeys each.
3. The lane entering the property will be 18 feet wide.
4. The existing heritage home will require construction of a 2-storey outbuilding as the basement in the house is unusable. Garage, storage &/or gym facilities are necessary for a home of this stature.

There are very few opportunities to create new significant homes in this lovely "Rockland Precinct". This proposal meets all the requirements of seclusion and prestige that living in Rockland represents.

Further, the Owner is prepared to designate the existing home as "Heritage" including the spectacular entrance and foyer, thereby ensuring preservation evermore of his beautiful Rattenbury creation. This is vitally important as virtually all the significant homes in the area have been converted to rentals and condos. At last an important historical landmark is being retained as a FAMILY home.

I urge Council to approve this application unconditionally.


Name:

Barry Bieller
Name:

Address: 1730 Rockland Ave

Mayor and Members of Council – City of Victoria

Re: Development Application for 1737 Rockland Ave

As of May 1, 2021, we have purchased and have occupied #1 – 928 Richmond Ave. We are extremely pleased with our strata home that was built within Victoria's panhandle development guidelines.

We have been informed of a development proposal for 1737 Rockland Ave which abuts our strata to the west. We have reviewed the proposal on the City of Victoria's development tracker website and have obtained further information from Rob Bateman, Senior Process Planner, City of Victoria. As well, we have reviewed Schedule H – Panhandle Lot Regulations.

As we are in a new development ourselves, we are certainly not opposed to similar projects in our neighbourhood. However, we do have a number of comments/concerns on the Rockland Ave proposal. As our home faces south, directly into the back half of the north side of proposed Strata Lot B house it would have a significant impact on us. This is especially true considering the extent and number of variances that are being asked for in this application. Most significantly, the setback from the north property line would only be 1.5m not the 7.5m as set out in Schedule H. It is difficult to determine the actual height of the northeast corner of this house from the application plans, but it appears to be at least 5m from ground to the eaves with the roof rising above this, again well over the allowed height in Schedule H. This setback and height variance would allow no privacy for the front of our house. Of note, is that further significant variances are requested with respect to the site area (R1-A Zone) and floor area.

The developer of our strata (Parry Street Developments) had indicated to us the process that they went through for the building of 3 single storey homes on this lot. In their application 3 years ago, they were held strictly to the Schedule H -Panhandle Lot Regulations for height, density and setbacks. We believe 1737 should be held to the same regulations.

Hopefully you will take into consideration our comments when reviewing this application at your meetings.

Thank you for attention to this matter.

George Dundas
Grant Townsend
1 – 928 Richmond Ave
Victoria, BC V8S 3Z3

Dear Mayor and Members of Council

In July 2021, Jennifer and I purchased and moved our family into 3-928 Richmond Ave. 928 Richmond Ave is a collection of three standalone, single storey homes that were built in strict accordance to existing panhandle lot regulations in terms of height, setbacks, and density. Our home (House 3) is directly adjacent to a new development being proposed at 1737 Rockland Ave and, while we understand and respect the need for development (after all, we purchased a home in a new development ourselves), the variances being applied for by 1737 Rockland Ave are concerning to us in their scope and impact.

As I'm sure the Council will note when reviewing the application, 1737 Rockland Ave seeks numerous variances related to height, number of storeys, and setbacks. Of particular significance and concern to us are three requested variances specific to Building B that directly impact our property:

- The proposed decrease in the east setback from 7.50m to 5.00m
- The proposed increase in height from 5.00m to 5.49m
- The proposed increase in the number of storeys from 1 to 2

If granted, these variances will greatly reduce our family's privacy. The height and proximity of Building B's proposed site to the west side of our home will allow Building B occupants to overlook our side and back yards where our son plays. Additionally, occupants of Building B will have a clear view from the rear (east) side of their home into our primary bedroom and en suite windows.

Again, while we understand and respect the need for development, we ask that the Council take our concerns into account and consider the impact the current proposal will have on our family and the other neighbours surrounding 1737 Rockland Ave. Further, we respectfully ask that the proposed development at 1737 Rockland Ave be held to existing regulations, as was the case for 928 Richmond Ave.

Thank you for your consideration and best regards,

Chris and Jennifer Thomson
3-928 Richmond Ave

4, 1765 Rockland Avenue,
Victoria, V8S 1X1
October 23, 2021

Mayor and Council
City Hall, Victoria,

Re: rezoning application, 1737 Rockland Ave.

Dear Mayor and Council,

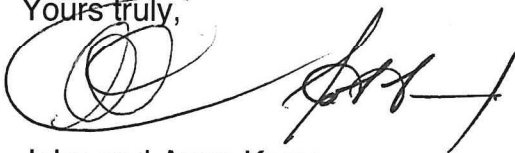
We are the owners and residents of a nearby home at 1765 Rockland Ave., and have reviewed the proposed design for the development with the Owners. We would sum up the project as follows:

- i. the proposal includes designation of the Maclure residence, thus ensuring its preservation
- ii. the proposed new construction has minimal impact on the house or its neighbours, employing sympathetic design elements and the slope of the site, while utilizing the existing driveway access
- iii. the proposal is providing modest additional density through the use of infill, in accordance with Official Community Plan objectives
- iv. the project is consistent with the objectives of the Rockland Neighbourhood Plan, supporting the conservation of a significant heritage residence

In our opinion this project continues the gentle densification of the Rockland neighbourhood which has been ongoing. This has resulted in this neighbourhood contributing to the housing supply in the community while providing for the conservation of significant heritage resources and a rich landscape.

We have no objection to the proposed development, and look forward to its contribution to the Rockland community

Yours truly,

A handwritten signature in black ink, appearing to be 'John and Anne Keay', written over a circular stamp or seal.

John and Anne Keay

cc: Kim Colpman



Mayor & Council
Victoria

We would like to express our guarded relief at the Director of Planning's report recommending that Council reject this application. The report upholds the importance of panhandle regulations in preventing new developments from unduly impacting the privacy of the neighbours.

This application is not only inappropriate in terms of its lack of respect for the panhandle regulations and the Rockland Neighbourhood Plan, but it was also facilitated by the illegal removal of several significant mature trees along the northern property line, some of which were bylaw protected. These trees would have helped to mitigate the impact of any panhandle development. The owner was fined for their removal; however, this did not deter him from pushing forward with a proposal that has consistently been met with strong opposition from the neighbours.

The last thing these neighbours, in particular, and the general neighbourhood need is another 4-year battle similar to the one on the adjoining property, in which numerous tweaks to an unacceptable proposal wasted a considerable amount of time for the neighbours, Planning, and Council, not to mention the expenses. What was finally approved fits the panhandle regulations, which the proponent had refused to acknowledge.

It is with this in mind that we ask Council to support Planning's recommendation to reject the application. Proponents who insist upon submitting proposals which flagrantly ignore existing zoning and panhandle regulations must not be accommodated to the exhaustion of the neighbours and the integrity of staff and Council.

Sincerely,

Bob June, Co-chair RNA LUC
Janet Simpson, LUC member

cc Development Services

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

Re: 1737 Rockland Ave., Victoria BC

I am aware of the rezoning application regarding the above-referenced property. The application is for subdivision and strata designation, which means Council is being asked to approve a unique zone for this particular application.

The centerpiece of the application is the restoration of an 1899 Samuel Maclure mansion under the guidance of a Heritage Consultant and the City's Heritage Department. The applicant will put the home, including its spectacular entrance, on the Heritage Registry. This Maclure home is a twin to a home in Rockland that was destroyed. Most heritage homes in the area have been turned into condos and rentals. This will be one of the few preserved for its original intent – "single-family". This is a prize for the entire City of Victoria.

Additionally, two 2-storey homes in the rear of this 29,000 sq. ft. property will be constructed to provide housing in a much sought after area. This is a very reasonable density for our neighbourhood and for this amount of land.

The two new homes are designed to complement the heritage home. They are approximately 3,000 sq. ft. on two floors, each situated on 7,000⁺ sq. ft. lots. The 6m. lane entering the property adds to the feeling of luxurious privacy and meets the high standards of the Rockland area.

Do not pass up this opportunity to approve this proposal that will restore and save a beautiful Maclure mansion for all time and provide two much needed, 2-storey, luxurious homes in our up-scale neighbourhood.

KIRSTEN MARION

RENÉ MARION

Name

Signature

1745 ROCKLAND AVE

VICTORIA V8S 1W6

Address

JULY 12, 2021

Date