

Re: Rezoning Application for 750 Pemberton Road

I am the owner of 1005 Joan Crescent. The Coach House located at 750 Pemberton towers over my back yard (see attached photo). Furthermore, it is 5.11 inches (0.13 metres) and 7.87 inches (0.20 metres) at its northwest and southwest corners respectively from my eastern property line.

My husband and I have concerns in two main areas:

GARBAGE AND RECYCLING CONTAINERS: Our concern is that the Developer will relocate the garbage and recycling containers (for the 10 rental units) adjacent to our eastern property line (either directly north or south of the Coach House) after construction completion and sign off by the City.

COACH HOUSE: We are concerned that the increased occupancy, from one person presently to potentially four or more people, will result in us having to put up with considerably more noise and a considerable loss in privacy:

- more people noise will occur on the northern exterior staircase which is very close to and overlooks our bedroom window;
- the single pane windows on the west side of the Coach House will impede our privacy and result in us hearing, on our patio and in our back yard, noises occurring inside the Lower Floor unit;
- potential venting through the west wall of the Coach House for the bathrooms, clothes driers, kitchens, etc.

The Developer will be taking the interior of the Coach House back to studs to bring it up-to-date in terms of insulation, electrical, etc. We believe the Developer can incorporate our solutions, listed on the following page, easily and inexpensively as part of the project work.

By approving the requested re-zoning, the City will ensure the continued existence of the rental units in the Manor House and will also gain preservation of the Coach House. The Developer will recapture all of the capital costs to date as a result of the sale of three strata houses and will be left with a terrific income flow from the 10 residential rental units. However, as the Coach House plans currently exist, my property and our quiet enjoyment of it will be significantly impacted.

We are asking Council to approve our proposed solutions so that this can be a triple-win re-zoning.

Gloria Back

LIST OF SOLUTIONS REQUESTED BY THE OWNER OF 1005 JOAN CRESCENT

RE: 750 PEMBERTON RE-ZONING

June 13, 2017

REQUESTED SOLUTION RE: POSSIBLE FUTURE RE-LOCATION OF THE GARBAGE AND RECYCLING CONTAINERS

Request that, as part of the formal re-zoning approval, the City create the appropriate legal mechanism that will guarantee, in perpetuity, that the garbage and recycling containers will be permanently kept in the location identified in the Developer's May 26, 2017 plan.

REQUESTED SOLUTIONS RE: COACH HOUSE NOISE AND PRIVACY CONCERNS

1/ West Wall:

- (a) Request that the 3 existing piano windows be totally removed, and
- (b) Request that the City reject the Developer's proposal to relocate the 1 large staircase window and make it a new bathroom window because:
 - (i) the 4 windows are extremely close to my property line;
 - (ii) opaque, non-openable single pane windows will not sufficiently deal with noise;
 - (iii) the revised Garden Suites Policy strongly discourages windows beside adjacent properties for privacy reasons;
 - (iv) the Upper Floor bathroom will not have a window, so the Lower Floor bathroom similarly does not need a window;
 - (v) the Lower Floor unit will have windows on all 3 other sides;
 - (vi) the 2 new windows proposed for the Lower Floor south wall offset the elimination of windows on the west wall; and
 - (viii) there is no public visibility of the west wall of the Coach House, so any heritage considerations should not override neighbour privacy rights in this unusual situation.

2/ North Side: Request that the "remediated" window immediately west of the upper landing be non-openable.

3/ North Side Exterior Staircase and Upper Landing Area: Request that the City require the Developer to enclose, for noise mitigation purposes, the north side of the upper landing, with glass and/or wood.

OTHER REQUESTED SOLUTIONS

1/ Request that the wall and any window trims on the west side of the Coach House be painted in the same identical single colour, to minimize the visibility of any windows, which can only be seen by 1005 Joan Crescent residents.

2/ Request that the re-zoning approval expressly prohibit short-term rental (under 30 days) of the two Coach House units.

3/ Request that the City prohibit laundry, kitchen, bathroom or other vents being located in the west wall and/or in the west half of the north wall of the Coach House.





ROCKLAND NEIGHBOURHOOD ASSOCIATION



September 22, 2016.

Mayor and Council
Leanne Taylor, Senior Planner

Re: 750 Pemberton Road

This project received general support, despite the lack of detail the proponent was able to supply at the community meeting. The underlining sentiment was the importance of supporting the long-term tenants of 750 Pemberton Road. The proponent proposed a covenant to preserve the rental units in the future.

The current T-22 zoning was put in place to conserve this iconic property. At the time, Doug Koch (Manager, Planning) stated, *"This application will limit the number of suites to the existing number of units. Adequate parking will be provided on-site. Green space will be preserved. The existing home will be preserved and maintained to heritage standards. ... The site will not be permitted to be further subdivided."* Council Minutes, July 26, 2001.

Moving forward to today, Endiang/Pemberton Lodge/Pemberton Meadows is Heritage Designated and, as such, the Rockland Neighbourhood Association (RNA) would ask that a site-specific change of zoning as significant as that being requested be subject to rigorous scrutiny by Council. We also request that the Heritage Advisory Panel review the proposal, specific to the optimal siting and exterior design of the proposed dwellings. Our particular concern is that every effort be made to maintain the unique meadow view from the street that this property currently offers and that site design complement the heritage home. The proponent proposed a covenant to preserve open space in the future.

The community meeting presentation was short on the required details specifically outlined in the Rezoning Process, and the RNA and neighbours look forward to receiving contextual drawings, site plans and landscape plans, with data tables, elevations, etc. When given the opportunity to review those, there will be further input from the neighbourhood.

The alternative proposed under the existing Development Permit Application would cause dislocation and hardship to tenants. Therefore, because of the impact on the current tenants in a 0.5% vacancy environment, the RNA is suggesting that this proposal be considered with possible refinements as suggested by Council and Heritage Design.

The predominant issues of the attendees, as outlined in the Neighbourhood Feedback Forms and Notes from the CALUC Meeting are

- parking, on site and on street. The parking for exiting tenants is immediately adjacent to abutting properties. Street parking is problematic.
- intrusion on neighbours with additional parking, garbage / recycling deposit and pick up noise
- Neighbours on Joan Crescent have concerns around the non-conforming carriage house and a loss of privacy with possible landscaping decisions.
- This proposal is for a density increase that far exceeds what is allowed in the R1-A zoning (357.9 m2 per dwelling unit as opposed to the minimum of 835 m2). Therefore, particular care will need to be taken in the design of this development.

Post meeting, it was pointed out by a member of the RNA Land Use Committee that the garden inquiry, Notes, page 4, by AMG and supported by the proponent, is actually part of the property of Unit #1, as shown on the preliminary plan presented. This garden is apparently a beloved feature for the tenants, and the RNA believes that, in this special circumstance, a reduction in the Unit 1 lot size would be acceptable.

Not captured in the community meeting notes, but raised afterword by an abutting neighbor, was a concern about the historical creek running to the southeast of the property. There is significant hard surface on the property, which we understand will be reduced significantly with no net gain to paving. However, new driveways may impact storm water drainage and rainwater management design targets should be met going forward.

The neighbourhood looks forward to being part of the process as this project progresses and complete, refined plans become available.

Sincerely,

Janet Simpson, President
Rockland Neighbourhood Association.

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NEIGHBOUR FEEDBACK FORM

This form was developed by the land use committee of the Rockland Neighbourhood Association. When a development proposal requires rezoning, the applicant is advised to consult with the immediate neighbours so that their concerns can be considered. Please read this form carefully, checking the statements with which you are in agreement, and signing the bottom to indicate that you have been informed about this development proposal. You are encouraged to provide comments; however, your ultimate position need not be declared until after the community meeting. That would be the time to write a letter to Mayor and Council, if you so chose.

- ☒ I have reviewed in full the proposal and plans for the development at 750 Pemberton Rd.
- ☒ I am aware of both the existing zoning and proposed zoning.
- ☒ I have been informed of the proposed number of dwellings.
- ☒ The plans I have seen include clearly-indicated heights, setbacks, and site coverage, plus context drawings to show views of how the development will fit the surroundings from all four sides
- ☐ I have been informed that there is no blasting or tree removal proposed.
- Or
- ☐ A proposal for blasting or tree removal has been explained to me.
- ☒ The proposed landscaping for our common property line is acceptable to me.
- ☐ The proponent's explanation addressed my major questions about the proposal.
- ☒ I realize that the plans I have seen may change considerably, and that it would also be in my best interest to view the plans presented at the community meeting.

Please check one of the following to indicate your objection to or support for this development as it has been proposed to date.

- ☒ I support the concept being proposed at this time.
- ☐ I do not have an opinion at this time.
- ☐ I am opposed to this development as it has been proposed.

I have the following comments or concerns about the proposal (please add a sheet):

Signature(s) of the owner(s): [Signature]
Date: Aug. 23/16 Address of the owner(s): 6- 750 Pemberton

Thank you. Please do not hesitate to contact the appropriate director for zoning in the Rockland Neighbourhood Association (www.rockland.bc.ca) if you have any questions or concerns.

NEIGHBOUR FEEDBACK FORM

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- ☒ I have reviewed in full the proposal and plans for the development at 750 Pemberton Rd.
- ☒ I am aware of both the existing zoning and proposed zoning.
- ☒ I have been informed of the proposed number of dwellings. (Both Plans - Presented with the City)
- ☒ The plans I have seen include clearly-indicated heights, setbacks, and site coverage, plus context drawings to show views of how the development will fit the surroundings from all four sides mostly. would have liked to see a broader radius.
- somewhat ☐ I have been informed that there is no blasting or tree removal proposed.
Or no yes
- NO ☐ A proposal for blasting or tree removal has been explained to me.
- N/A ☐ The proposed landscaping for our common property line is acceptable to me.
- ☒ The proponent's explanation addressed my major questions about the proposal.
- ☒ I realize that the plans I have seen may change considerably, and that it would also be in my best interest to view the plans presented at the community meeting.

Keep The Meadow

Please check one of the following to indicate your objection to or support for this development as it has been proposed to date.

- ☒ I support the concept being proposed at this time. Not the one with the City - with additional parking on site for the 3 houses
- ☐ I do not have an opinion at this time.
- ☐ I am opposed to this development as it has been proposed.

I have the following comments or concerns about the proposal (please add a sheet):

Signature(s) of the owner(s): [Signature]

Date: Aug 26/2016

Address of the owner(s): 13-949 Pemberton

Thank you. Please do not hesitate to contact the appropriate director for zoning in the Rockland

Neighbourhood Association (www.rockland.bc.ca) if you have any questions or concerns.

Bob June - 1710 Manor Road.

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- ☒ I have reviewed in full the proposal and plans for the development at 750 Pemberton Rd.
- ☒ I am aware of both the existing zoning and proposed zoning.
- ☒ I have been informed of the proposed number of dwellings.
- ☒ The plans I have seen include clearly-indicated heights, setbacks, and site coverage, plus context drawings to show views of how the development will fit the surroundings from all four sides
- ☐ I have been informed that there is no blasting or tree removal proposed.
- Or
- ☒ A proposal for blasting or tree removal has been explained to me.
- ☐ The proposed landscaping for our common property line is acceptable to me.
- ☒ The proponent's explanation addressed my major questions about the proposal.
- ☒ I realize that the plans I have seen may change considerably, and that it would also be in my best interest to view the plans presented at the community meeting.

Please check one of the following to indicate your objection to or support for this development as it has been proposed to date.

- ☒ I support the concept being proposed at this time.
- ☐ I do not have an opinion at this time.
- ☐ I am opposed to this development as it has been proposed.

I have the following comments or concerns about the proposal (please add a sheet):

Signature(s) of the owner(s): Don Stafford

Date: 26/8/16 Address of the owner(s): 1-830 St. Charles Street

Thank you. Please do not hesitate to contact the appropriate director for zoning in the Rockland

Neighbourhood Association (www.rockland.bc.ca) if you have any questions or concerns.

NEIGHBOUR FEEDBACK FORM

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- ☒ I have reviewed in full the proposal and plans for the development at 750 Pemberton Rd.
- ☒ I am aware of both the existing zoning and proposed zoning.
- ☒ I have been informed of the proposed number of dwellings. 3
- ☒ The plans I have seen include clearly-indicated heights, setbacks, and site coverage, plus context drawings to show views of how the development will fit the surroundings from all four sides
- ☒ I have been informed that there is no blasting or tree removal proposed.
Or
☐ A proposal for blasting or tree removal has been explained to me.
- ☒ The proposed landscaping for our common property line is acceptable to me.
- ☒ The proponent's explanation addressed my major questions about the proposal.
- ☒ I realize that the plans I have seen may change considerably, and that it would also be in my best interest to view the plans presented at the community meeting.

Please check one of the following to indicate your objection to or support for this development as it has been proposed to date.

- ☒ I support the concept being proposed at this time. as proposed at meeting Aug 25/16
- ☐ I do not have an opinion at this time.
- ☐ I am opposed to this development as it has been proposed.

I have the following comments or concerns about the proposal (please add a sheet):

Signature(s) of the owner(s): M. J. Martin

Date: Aug 30, 2016 Address of the owner(s): 951 Joan Cres.

Thank you. Please do not hesitate to contact the appropriate director for zoning in the Rockland

Neighbourhood Association (www.rockland.bc.ca) if you have any questions or concerns.

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- ☒ I have reviewed in full the proposal and plans for the development at 750 Pemberton Rd.
- ☒ I am aware of both the existing zoning and proposed zoning.
- ☒ I have been informed of the proposed number of dwellings.
- ☒ The plans I have seen include clearly-indicated heights, setbacks, and site coverage, plus context drawings to show views of how the development will fit the surroundings from all four sides
- ☒ I have been informed that there is no blasting or tree removal proposed.
- Or
- ☐ A proposal for blasting or tree removal has been explained to me.
- ☐ The proposed landscaping for our common property line is acceptable to me.
- ☒ The proponent's explanation addressed my major questions about the proposal.
- ☐ I realize that the plans I have seen may change considerably, and that it would also be in my best interest to view the plans presented at the community meeting.

Please check one of the following to indicate your objection to or support for this development as it has been proposed to date.

- ☒ I support the concept being proposed at this time.
- ☐ I do not have an opinion at this time.
- ☐ I am opposed to this development as it has been proposed.

I have the following comments or concerns about the proposal (please add a sheet):

Signature(s) of the owner(s): John & Thana

Date: Aug 25/16 Address of the owner(s): 777 Pemberton Rd.

Thank you. Please do not hesitate to contact the appropriate director for zoning in the Rockland

Neighbourhood Association (www.rockland.bc.ca) if you have any questions or concerns.

I support the proposal presented here
rather than the 5 units that could
be built. I support continuing having
rental units on the property.

NEIGHBOUR FEEDBACK FORM

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- ☒ I have reviewed in full the proposal and plans for the development at 750 Pemberton Rd.
- ☒ I am aware of both the existing zoning and proposed zoning.
- ☒ I have been informed of the proposed number of dwellings.
- ☒ The plans I have seen include clearly-indicated heights, setbacks, and site coverage, plus context drawings to show views of how the development will fit the surroundings from all four sides
- ☐ I have been informed that there is no blasting or tree removal proposed. THIS WAS NOT MENTIONED
- ☐ Or
- ☐ A proposal for blasting or tree removal has been explained to me.
- ☐ The proposed landscaping for our common property line is acceptable to me.
- ☐ The proponent's explanation addressed my major questions about the proposal.
- ☐ I realize that the plans I have seen may change considerably, and that it would also be in my best interest to view the plans presented at the community meeting.

Please check one of the following to indicate your objection to or support for this development as it has been proposed to date.

- ☒ I support the concept being proposed at this time.
- ☐ I do not have an opinion at this time.
- ☐ I am opposed to this development as it has been proposed.

I have the following comments or concerns about the proposal (please add a sheet):

Signature(s) of the owner(s): Betty Walker

Date: Aug 28/16 Address of the owner(s): 830, Pemberton [REDACTED]

Thank you. Please do not hesitate to contact the appropriate director for zoning in the Rockland Neighbourhood Association (www.rockland.bc.ca) if you have any questions or concerns.

I found it difficult to understand if the existing house is to remain as rental units or if it is to be changed to a single family dwelling.

Does either concept make a difference to the zoning or allowable number of residents?

Parking definitely appears to cause problems. Surely the site is large enough to allow for at least a few visitor parking spots, specifically by units 2 & 3. There seems to be ample space particularly in the area nearest to the Rockland properties.

Betty Walker

M

neighbourhood

licant is advised to consult

1. Please read this form

and signing the bottom to

You are encouraged to

and until after the community

, if you so chose.

located at 750 Pemberton Rd.

, and site coverage,

will fit the surroundings

proposed. THIS WAS NOT MENTIONED

2. acceptable to me.

at the proposal.

and that it would also be in meeting.

part for this development as it

22/06/2015

I have the following comments or concerns about the proposal (please add a sheet):

Signature(s) of the owner(s): Betty Walker

Date: Aug 28/16 Address of the owner(s): 830, Pemberton

Thank you. Please do not hesitate to contact the appropriate director for zoning in the Rockland.

Neighbourhood Association (www.rockland.bc.ca) if you have any questions or concerns.

Aug 25 meeting

NEIGHBOUR FEEDBACK FORM

This form was developed by the land use committee of the Rockland Neighbourhood Association. When a development proposal requires rezoning, the applicant is advised to consult with the immediate neighbours so that their concerns can be considered. Please read this form carefully, checking the statements with which you are in agreement, and signing the bottom to indicate that you have been informed about this development proposal. You are encouraged to provide comments; however, your ultimate position need not be declared until after the community meeting. That would be the time to write a letter to Mayor and Council, if you so chose.

____ I have reviewed in full the proposal and plans for the development at 750 Pemberton Rd.

☒ I am aware of both the existing zoning and proposed zoning.

☒ I have been informed of the proposed number of dwellings.

☒ The plans I have seen include clearly-indicated heights, setbacks, and site coverage, plus context drawings to show views of how the development will fit the surroundings from all four sides

☒ I have been informed that there is no blasting or tree removal proposed.

Or

____ A proposal for blasting or tree removal has been explained to me.

____ The proposed landscaping for our common property line is acceptable to me.

____ The proponent's explanation addressed my major questions about the proposal.

____ I realize that the plans I have seen may change considerably, and that it would also be in my best interest to view the plans presented at the community meeting.

Please check one of the following to indicate your objection to or support for this development as it has been proposed to date.

☒ I support the concept being proposed at this time. except for parking.

____ I do not have an opinion at this time.

____ I am opposed to this development as it has been proposed.

I have the following comments or concerns about the proposal (please add a sheet):

Signature(s) of the owner(s): Larry Elford

Date: Aug 29 Address of the owner(s): 777 Pemberton Rd

Thank you. Please do not hesitate to contact the appropriate director for zoning in the Rockland

Neighbourhood Association (www.rockland.bc.ca) if you have any questions or concerns.

Additional Comments from Larry Elford, resident of 777 Pemberton Rd, Victoria in response to the proposal for development of 750 Pemberton (Pemberton Meadows) made on Aug 25, 2016.

I agree with the proposal presented at the Rockland Neighbourhood Association meeting held on August 25 with the exception of the provisions made for parking in the development.

With 10 rental units (8 in the heritage house and 2 in the coach house), there is insufficient space for tenants who might have two vehicles or for visitors. Any vehicles beyond the eight allowed for in the parking area, will have to park on Pemberton Road. No consideration is being given to the neighbours who will have these vehicles parked in front of their properties. With the narrow street, it becomes very difficult to turn safely onto Pemberton from Angus or Rockland when cars are parked close to these intersections, something that we have experienced when events take place at Government House and which will surely take place should additional parking not be provided at Pemberton Meadows.

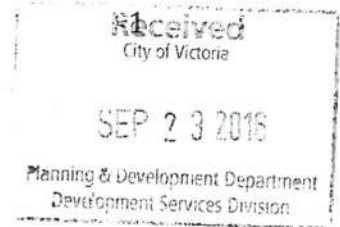
I spoke to one of the owners of 906 Pemberton Road, which has 2 units in the main heritage house and 4 townhouses. They have parking for the owners as well as having 4 visitor spots. You only have to see the congestion on Pemberton Road near Fort Street, to recognize that there is a problem.

I would like to see the parking provisions revisited to allow for more parking off-street.

Z - L. Elford

NEIGHBOURHOOD FEEDBACK FORM

Updated September 3, 2016



This form was developed by the land use committee of the Rockland Neighbourhood Association. When a development proposal requires rezoning, the applicant is advised to consult with the immediate neighbours so that their concerns can be considered. Please read this form carefully, checking the statements with which you are in agreement, and signing the bottom to indicate that you have been informed about this development proposal. You are encouraged to provide comments; however, your ultimate position need not be declared until after the community meeting. That would be the time to write a letter to Mayor and Council, if you so choose.

NO - I have reviewed in full the proposal and plans for the development at 750 Pemberton Road.

The presentation by the developer's architect was very short and scant of information, other than just pointing out each of the proposed new buildings. Without the information coming out of the question and answer period, the evening would not have been particularly useful. In answering questions from audience, the developer and the consultants could have provided more details than was the case.

At best, we would say that we gained a basic understanding of the developer's plans during the 1 ½ hour session.

Suggestions for RNA:

1/ If CALUC intends to use this form for future forums, we would suggest that it replace the words "in full" in this question. As written, those two words assume total information is provided, which probably is never likely in these types of situations.

2/ Nowhere in the form is there any reference to the plan name (e.g., Proposal #3) or date of the plan(s) that this questionnaire form specifically relates to.

NO - I am aware of both the existing zoning and proposed zoning.

We have a general understanding of most of the past zonings. We would note that the City of Victoria planner's explanation of recent zoning changes/clarifications for 750 Pemberton left us still somewhat confused on this aspect.

We presume that the developer is not looking for an existing zoning designation but rather a special one-of-a-kind zoning, rather a specific existing type of zoning. Is that correct?

YES - I have been informed of the proposed number of dwellings.

However, we assume that building designs shown on the various plan are only preliminary and that the final building appearances might be quite different. Is that correct?

NO - The plans I have seen include clearly-indicated

- (a) heights - not provided on electronic copies later provided to us
- (b) setback lines - shown on site plan but regulation numbers not provided for ease of understanding
- (c) site coverage ratios - not provided and a in- depth explanation and discussion still required
- (d) plus context drawings to show views of how the development will fit the surroundings from all four sides - there is no drawing of the west side of the Coach House

We are interested in getting the height, setback rules and site coverage details (plus the square footages of the three new single family units and the two units in the Coach House) as soon as possible.

NO - I have been informed that there is no blasting or tree removal proposed.

- (a) "no blasting" part of statement – The developer referenced the topic and said "hopefully not" which is very different from no blasting
- (b) "no... tree removal" part of statement – The developer's comments around the subject of landscaping were minimal and did not specifically address the issue whether or not any trees will be removed as part of the rezoning.

or

NO - A proposal for blasting or tree removal has been explained to me.

NO - The proposed landscaping for our common property line is acceptable to me.

We need to see a comprehensive landscape plan.

See landscaping comments in Appendices A&B

NO - The proponent's explanation addressed my major questions about the proposal.

See Appendices A&B

Yes -I realize that the plans I have seen may change considerably, and that it would also be in my best interest to view the plans presented at the community meeting.

We actually saw the plans at the community meeting.

Separately, we would appreciate the opportunity to meet with the developer to go over our concerns and requests in hopes that we can jointly try to come up with some compromises that are mutually acceptable.

Please check one for the following to indicate your objection to or support for this development as it has been proposed to date.

☒ I support the concept being proposed at this time,
subject to the requests to the developer in Appendices A&B

☐ I do not have an opinion at this time.

☐ I am opposed to this development as it has been proposed.

I have the following comments or concerns about the proposal (please add a sheet):

See Appendices A&B



Name of the owner(s): Gloria Back

Date: updated September 3, 2016

Address of the owner(s) 1005 Joan Crescent, Victoria

Thank you. Please do not hesitate to contact the appropriate director for zoning in the Rockland Neighbourhood Association (www.rockland.bc.ca) if you have any questions or concerns.

APPENDIX A

COACH HOUSE AT 750 PEMBERTON

Updated September 3, 2016

Existing Situation

The two floors of the Coach House are currently leased out to one tenant who has been there for about two years. The annual lease has been recently changed to a monthly lease at the existing rent of \$1750 per month plus utilities.

Currently, the Coach House is one unit with an interior staircase between the two levels. The interior of the building has not been updated for decades. The building is inadequately insulated and the windows are single glazed, resulting in huge monthly natural gas charges for the tenant. There are exposed radiator pipes, very old stucco ceilings and uneven floors, and the building shakes when the tenant uses the laundry washing and drying machines. Long and short, the building appears to need a significant amount of upgrading and updating.

The exterior of the building is also in need of major work. Parts of the exterior cladding need replacement, as do the exterior stairs to the second floor, followed by a desperately needed repainting of the whole building.

There are two very small window openings and one larger window opening on the west side of the building. There are at least three vents in the west wall, about midway along the length of the building.

The Coach House is located very close to 750 Pemberton's west property line, adjacent to our home at 1005 Joan Crescent. The building does not meet today's current setback requirements but, due to its age, it is designated as a legal but non-conforming building.

Proposed Rezoning

As part of the re-zoning proposal for 750 Pemberton, the developer is proposing to significantly renovate the Coach House. The proposal calls for the interior

stairs between the two levels to be removed and the building to be converted into two totally separate units. The developer has indicated that the two units will be rented, but they could potentially be sold as condos.

On the south side of the Coach House there are currently two doors into separate storage areas which are currently used by 750 Pemberton tenants. The developer is proposing to do away with the storage door and storage space nearest the roadway and use that space to expand the lower floor leasable area.

Information on the leasable square footage of each of the units is not on the plan provided at the August 25, 2016 meeting. Notwithstanding, given the size of the units and their future renovated status, it is not unreasonable to expect that the developer will be able to rent each of the units for far more than the currently received average rent of \$875 per floor.

Coach House-Related Concerns by Gloria and Ian Back of 1005 Joan Crescent

1/ More People and Therefore Noise Resulting from an Increase from One to Two Tenant Units

The existing tenant is a single woman in her middle age years. She is incredibly quiet.

The new Coach House plan show the upper floor having two separate bedrooms. The plan for the lower floor unit shows a very large bedroom that could easily hold a king-sized bed for two people, yet the plan only shows a small bed in a corner of the room. In other words, it is not hard for us to envisage at least four people living in the Coach House under the proposed plan.

Long and short, we are extremely worried that the amount of noise emanating from the two separate rental units will increase dramatically from the current situation.

So that we can continue to have quiet enjoyment of our property, we are requesting that the developer install significant sound proofing in at least the

west, if not also in the north and south walls of the Coach House as part of the proposed renovations.

2/ Three Windows on West Side of Coach House Impeding Our Privacy

At the August 25 meeting, we raised our concerns about the three small windows on the west (back) side of the Coach House. When those windows were originally installed, presumably many decades ago, there may have been few or no nearby trees. However, since then and probably in the 1980s, a row of pyramidalis was planted opposite the west side of the building, thus providing no light for the tenant until we removed three trees in early 2015 in front of those windows. In late 2015, we replaced the removed trees with three new ten foot pyramidalis. The new trees will take three to five years to fill out and, once again, block the majority of light currently coming through those three windows.

Seeing that the windows on the east side of the Coach House are going to be replaced (presumably with double glazed ones) and enlarged, we are asking that the developer also close off the three west side windows (at least on the outside, if not on both sides) as part of the renovations to the Coach House.

3/ Vent(s) on the West Side of the Coach House Disturbing Our Quiet Enjoyment

There appear to be at least three vents currently coming out of the west wall of the Coach House. We hear noise from those vents at various times, including when we are working in the garden during the day, in the early evenings in the summer when we are sitting outside trying to enjoy our patio, and, at times, before 7 am when we are still in bed and our bedroom window is open.

We don't know the precise purposes of the different vents, but suspect that they relate both to the existing heating system and the laundry equipment currently in the building.

Looking at the Coach House plan emailed to us on August 30, we cannot find any information on the developer's heating intentions for the building and related venting. If we are reading it correctly, that plan shows that the second floor

laundry will be adjacent to the interior west wall and therefore presumably will vent out the west wall. As for the lower floor laundry, it appears that it will be inset somewhat from the west wall but that it too will likely vent through the west wall.

Long and short, our quiet enjoyment is already being impacted by the current noise from the existing vents. The situation will only become worse and more untenable if even more vents are put in the west wall of the Coach House.

We are therefore requesting that the developer re-configure the layouts of the two units so that the laundry areas and related vents are on the east side of the building, and also not on the north side of it. By doing this, the developer will resolve our current vent noise issue and save creating further vent noise issues.

4/ Access for the Two Separate Units

To access her upper floor, the existing tenant sometimes uses the north outside steps and sometimes uses the steps into the first floor and then walks up the interior staircase. She is a very quiet person and, as a result, we never hear her when she uses the north exterior steps that are very, very close to our bedroom window.

The Coach House plan indicates that access to the lower floor unit will be by way of the current entrance off the driveway.

The Coach House plan also indicates that access to the upper floor unit will continue to be by way of external stairs running up the north side of the building. Given the age and condition of the existing stairs, we assume that the developer intends to significantly remediate, if not totally replace, the existing staircase.

The top landing of the existing exterior steps is very near the joint property line and the east side of our back yard and, particularly, is directly across from and looks down to our master bedroom window. As a result of two or more new upper floor residents using these stairs, we have concerns about significantly more stair-related noise.

We have expressed elsewhere our concerns about hearing more car-related noise as a result of the tenant parking being consolidated in the northwest corner of 750 Pemberton across from east side of our house and our main floor master bedroom. The last thing we need is to also start hearing upper floor tenants constantly going up and down the exterior stairs.

We are therefore requesting that the developer change the access for the upper floor unit. One alternative would be to build new external steps going up the south side of the Coach House. The big advantage for us of having the exterior steps there, rather than at the north end of the building, is that any stair-related noise would have way less impact on our day-to-day use of our property. We feel a much better solution would be to convert the space currently used for tenant storage at the south end of the Coach House into an interior stairwell up to an entrance door on the upper floor. Besides solving our outside stair-related noise concerns, the provision of an interior staircase would be safer for the upper floor residents and would allow them better weather protection. In short, we feel that this later suggestion is a win-win solution.

We recognize that our requested access change would mean that the developer's architects would need to re-configure the layout of the upper floor unit, but that should be not be a major issue as the unit plans are only tentative at this point in time. Furthermore, we believe that our requested access change will reduce or eliminate the possibility of future stair-related noise complaints and should not be too onerous to incorporate into the overall renovation plan for the Coach House.

5/ Landscaping Immediately South of Coach House

At the present time, there is a gap/space between the south end of the Coach House and the beginning of the overgrown English laurel bushes. The gap/space extends westward all of the way to the property line with 1005 Joan Crescent.

It just so happens that, on our property, there is a gap/space between our three younger pyramidalis and the English laurel bushes in the southern portion of our property.

The net result of these two separate gaps is that, depending on where one stands on the 750 Pemberton internal road south of the Coach House, it is possible to see all of the way into a small section of our backyard.

Accordingly, we are asking that the developer to have a landscape architect come up with a planting plan for the small area immediately south of the Coach House. Improving the landscaping in this area would eliminate the current view of our joint property line and the small section of our backyard and, at the same time, save us looking at the many garbage and recycling containers lined up against the Heritage House.

6/ Lack of a Plan of the West Side of the Coach House

As noted in our comments in the "plans" section of the "Neighbour Feedback Form", there was no diagram at the August 25 Community Meeting showing the developer's plan for the west side of the Coach House.

Since the meeting at our home almost a year ago with the developer, we have been assuming that the developer heard and understood our concerns about the close proximity of the Coach House to our property and house and, particularly, the noises coming out of the vents on the west side of the Coach House.

Accordingly, we were shocked and dismayed to see that the Coach House plan appears to augment the existing problem by the addition of a second laundry (and presumably related venting) also on the west side of the building. We are now wondering whether the developer has some other as yet unannounced plans for the west side of the building, such as skylights, more windows, etc. which we would oppose vehemently.

It is absolutely essential that we receive, ASAP, a specific plan showing the west side of the Coach House and the roof above, even if they will be totally devoid of any openings.

7/ Summary

Given that the Coach House is so close to the joint lot line, our privacy and quiet enjoyment of our property potentially will be negatively impacted by the currently proposed changes to the building.

We believe our requested changes in this Appendix are not unreasonable, are not unduly onerous, and merit proper and detailed consideration by the developer.

We would appreciate an opportunity to meet with the developer and applicable contractors to discuss our requests and to find solutions that meet our needs and the needs of the owners of 750 Pemberton.

Prepared and Submitted by: Gloria and Ian Back, 1005 Joan Crescent

APPENDIX B PARKING AT 750 PEMBERTON

September 3, 2016

Proposed Rezoning

According to the site plan at the August 25 meeting, the developer is proposing to reduce the 15 parking spaces (painted with numbers and/or lines) currently within the property to 8 parking spaces for the 10 rental units.

The 8 parking spaces will be consolidated in the northwest part of the property. Six of those 8 spaces already exist and are located a short distance north and east of the Coach House. The site plan proposes the creation of two new parking spaces a short distance south and east of the Coach House, adjacent to the point where the northern driveway ends.

Parking -Related Concerns by Gloria and Ian Back of 1005 Joan Crescent

1/ Increased Car-Related Noise on the North Side of the Coach House

As noted above, the six parking spaces north and east of the Coach House have always been there. Under the previous owner, six of the tenants of the Heritage Home were allowed to park their vehicles on the south side of the building, close to the main entrance. As a result, only about 3 parking spaces north and east of the Coach House were used consistently by the remaining tenants, resulting in us experiencing very little car-related noise during her ownership of the property.

Our major concern is that the developer's proposal to eliminate tenant parking on the south side of the Heritage Home will mean that the existing 6 spaces will now be fully used, increasing the likelihood of us hearing more car-related noise along the northeast side of our property and, most worrying, when our master bedroom window is open at night.

There is virtually no landscaping on the western side of 750 Pemberton to protect 1005 Joan from the parking lot. All the screening is on our side. Unfortunately, many of the bottom branches of the pyramidalis on our side of property line are dying or thinning because of the steep slope of our eastern property resulting in a water run-off depriving these trees of water, as well as lack of sun. As a result, we can see parts of the parking lot from the main floor windows on the east side of the house, so the current level of screening is insufficient. It is also "thin", so the screening does not act as any kind of sound barrier.

Accordingly, we are asking that the developer have a landscape architect come up with a planting plan for the area adjacent to the property lot line, with the objectives of eliminating the view between the two properties and, at the same time, muffling (as much as possible) car-related noises emanating from the parking area north of the Coach House.

2/ Additional Landscaping Along the Western Borders of the Tenant Garden and the Six Parking Spaces

At the August 25 meeting, the developer indicated that the existing tenant garden will remain, regardless of the fact that the garden is not shown on the site plan.

In case our joint coordinated efforts adjacent to our mutual property line are not totally successful in totally blocking the view between our two properties, we are asking that the developer have a landscape architect come up with a further screening plan for the western borders of the tenant garden and six parking spaces.

3/ Two Proposed New Parking Spaces

The August 25 plan shows two new additional parking spaces "in front" of the Coach House. The ends of these spaces are almost directly in line with the southern end of the Coach House. In consideration of our privacy and enjoyment of our property, we request that the location of these two spaces does not migrate further "south" as the rezoning proposal proceeds.

4/Summary

While our obvious preference is that the existing parking situation not be changed from the two parking areas (north and south), we recognize that such a position is unreasonable on our part.

Realistically, fuller use of the 6 existing parking spaces is inevitable. In return, we feel our request for a really comprehensive and dense landscaping plan for the northwest corner of 750 Pemberton is reasonable.

Furthermore, we believe our request, that the two new parking spaces shown on the site plan at the August 25 neighbourhood meeting not be moved further south, is similarly reasonable.

We would also appreciate an opportunity to meet, on our property, with the developer and the landscaper, so that they both can see what we are trying to accomplish and so that we can jointly explore ways that we can work cooperatively to meet a common set of agreed-upon objectives.

Prepared and Submitted by: Ian and Gloria Back, 1005 Joan Crescent

Overview of 1005 Joan Crescent Issues and Requests Regarding the Re-zoning Proposal for 750 Pemberton Road

September 3, 2016

Our property, at 1005 Joan Crescent, is adjacent to the northwest side of 750 Pemberton, and is located close to the Coach House and the proposed northwest tenant parking spaces. Of all of the homes surrounding 750 Pemberton, we feel our property is the one most negatively affected by the re-zoning proposal.

Notwithstanding the last statement above, the re-zoning proposal for 750 Pemberton, tabled at the August 25, 2016 Community Meeting, has many positive criteria for the neighbourhood including: sensitive densification, retention of existing tenant dwelling units, a smaller number of new homes, retention of green spaces with a protected meadow, and attractive sight lines from Pemberton Road.

We have indicated on the "Neighbour Feedback Form" that we are supportive of the re-zoning proposal, **subject to** the developer addressing a number of issues and implementing a number of requests with respect to the Coach House and Parking (see respectively Appendix A and B which are part of our attached full response).

The Coach House sits very, very close to our property line. We have been advised it is a legal, but non-conforming building in terms of its setback from our joint property line. The developer is proposing to increase the use of the building from one to two dwelling units. There are a **number of aspects of the building which current negatively impact our quiet**

enjoyment of our property, and the expansion will exacerbate these issues as current proposed.

Accordingly, we have tabled a number of requests in Appendix A to address our concerns. We feel these requests are reasonable, especially given that the building is located much closer to the property line than would be allowed now under current bylaws; the building is in need of significant renovations; and changes are needed anyway to convert the building into two separate modern units.

With respect to parking, tenant parking is currently spread over two different areas at 750 Pemberton. The developer proposes to eliminate parking directly south of the Heritage Home, and consolidate it all in the northwest corner of the property. The impact on us is a **doubling of the amount of cars/traffic noise** near to where our master bedroom is located. Our Appendix B requests the developer to make various landscaping improvements to reduce car-related noises being heard by us and to eliminate our views of the cars in the northwest corner of the property.

We have offered to meet as soon as possible with the developer to discuss Appendices A & B in hopes that solutions can be found that are beneficial to both parties.

Prepared and Submitted by: Gloria and Ian Back, 1005 Joan Crescent