

Rockland Neighbourhood Association
P. O. Box 7276 Stn. B 1625 Fort Street
Victoria BC V8R 6N4

December 8, 2014

Mayor and Council
Planning and Development
City of Victoria

1745 Rockland Discussion Points

In conversation with Councillor Isitt he suggested the RNA LUC forward to Council these points and concerns which came up at the 2nd. 1745 Rockland Community Meeting and which we believe warrant serious discussion.

The original residence requires the covenant mentioned in The June 6, 2014 Hillel Architecture letter to Mayor and Council. Perhaps unlikely, but possibly otherwise the property could be a conversion in which case the RI-A 1.1.2. d. Site Area for home conversion with significantly less site area coverage would be applicable.

The Neighbourhood Feedback forms being submitted show significant changes in support from those shown in October 31, 2014 Hillel Architecture letter to Mayor and Council, (Site plan diagram, documenting neighbour support, submitted August 18, 2014) and the August letters of support previously submitted.

The current submission shows the proposed single family residence without rear yard setback to complement the 7.5 m. rear yard setback of the house at 1723 Green Oaks Lane. It has the reduced side yard setback, yet thru the unusual lot configuration being proposed the side yard is someone else's back yard.

The garage on the single family residence intrudes much further into the sight line of 1723 Green Oaks than the previous proposal did and the peak of the roof is almost at the height of the main house roof midpoint.

There was no discussion of maintaining the wild trees and landscaping on the perimeter of the property outlined in Council's Resolution of Sept 25, 2014. There is also concern of loss of protected trees due to the scope of the development.

The Hillel Architecture letter of Oct. 31, 2014 references the alternative of four single family residences. Is this truly viable, given the required setbacks?

The rising slope of this lot has potential for additional impact on the rear yard privacy of the Richmond down slope residences when two storey residences are being proposed. Perhaps this lot is not suitable for this application. It certainly differs from the flat R1-A5 St Charles Townhouse District which was raised as a benchmark.

Concern was expressed that there was no Traffic Study done on the safety of the egress onto busy Richmond Avenue, with a nearby curve, significant on street parking usage and school children roaming wild at peak traffic times.

At approximately \$900,000. to \$1,500,000. (proponent) this is not affordable housing and a density development should not be supported in the mistaken belief that these attached units will help the Victoria housing affordability issue.

The proposal arrived at the initial RNA LUC meeting fully formed with plans proposing seven dwelling units. There was no consultation with our committee on the scope of the development.

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There has been discussion, raised by a retired city architect and in one of the letters to council, as to whether the R1-B panhandle should be included in the area calculations.

Please take the time to investigate these concerns fully

Regards;
Bob June, Chair
RNA LUC

Development Proposal for 1745 Rockland Avenue

(We) AVERIL & ROBERT CHURCHILL have had the opportunity to review the revised plans, dated October 31, 2014, prepared by Hillel Architects for the rezoning and six (6) unit strata development proposed for 1745 Rockland Avenue.

☐ I support the application

☒ I am opposed to the application

NAME (please print): AVERIL & ROBERT CHURCHILL

ADDRESS: 919, RICHMOND AVENUE, VICTORIA, V8S3Z4

Are you the registered owner? Yes ☒ No ☐

COMMENTS:

DATE December 6th 2014 SIGNATURE: A. Churchill
R. Churchill

I (We) Wendy Wilson, have had the opportunity to review the revised plans, dated October 31, 2014, prepared by Hillel Architects for the rezoning and six (6) unit strata development proposed for 1745 Rockland Avenue.

☐ I support the application

☒ I am opposed to the application

NAME (please print): Wendy Wilson

ADDRESS: 907 Richmond Avenue

Are you the registered owner? Yes ☒ No ☐

COMMENTS:

Development Proposal for 1745 Rockland Avenue

I (We) Ron Carter / Susan Henderson have had the opportunity to review the revised plans, dated October 31, 2014, prepared by Hillel Architects for the rezoning and six (6) unit strata development proposed for 1745 Rockland Avenue.

☐ I support the application

☒ I am opposed to the application

NAME (please print): Susan Henderson

ADDRESS: 1025 Richmond Avenue

Are you the registered owner? Yes ☒ No ☐

COMMENTS:

DATE:

December 6/14

SIGNATURE:

Susan Henderson

Subject: Rezoning proposal for 1745 Rockland

Dear Mayor and Councillors;

I would like to register my strenuous opposition to the “spot rezoning” of the panhandle lot at 1745 Rockland Avenue.

We have laws, bylaws, zoning regulations, and community plans in Victoria for a reason. They’re there to protect the integrity of neighbourhoods, their built and natural environments, and the quality of life of their residents. Altering or bypassing such rules at will, on an individual basis, for the convenience of developers and other financially interested parties, is wrong and shameful and ultimately, let's be honest about this, corrupt.

The panhandle lot under consideration features an already cleared building site currently occupied by a tennis court. The developer is applying to rezone this land so he can cram five new residences onto it. This proposal is excessive and inordinate in every way, and violates the existing rules for development in the neighbourhood. As confirmed by the proponents at the last community meeting (2014/12/03), it will require the clear-cutting of every single tree on the property, including a significant and supposedly protected maple. It will destroy the privacy, the sunlight, the vistas, the tree-views, and the green-space currently enjoyed by all adjoining residents. It will also eliminate a valuable bird and animal habitat.

If the councillors visit this site, they will quickly see that the panhandle lot extending from the mansion at 1745 Rockland down the slope to Richmond, with egress between 924 and 926 Richmond, is indeed an ideal candidate for “infill” housing and increased densification. However, a roughly tennis-court-sized building site like this one is suitable for the construction of one single-family dwelling -- not five of them!

The developer’s plan to build two duplexes plus an additional monster-house of c. 3,500 sq. feet (with a two-car garage) on half of the lot at 1745 Rockland violates both the spirit and the letter of all relevant zoning regulations. Furthermore, if allowed, this development would conceivably cause ten (and as many as twelve) additional cars to be routinely turning onto and off a quiet residential section of Richmond Avenue between 924 and 926. Without a crosswalk or light or stop-sign or any other form of traffic control to help with ingress and egress, this ten-fold increase in the number of cars on the block is likely also to increase the frequency of accidents on this already highly accident-prone stretch of road (there have been five in the last few years alone).

I urge you to stand up for Victoria’s citizens and neighbourhoods, and our trees and green-spaces, by upholding the current zoning for 1745 Rockland.

Sincerely yours,
Jennifer.

Dr. Jennifer Wise, Associate Professor, Department of Theatre, University of Victoria

Subject: Proposed development at 1745 Rockland Avenue.

December 5, 2014

To Mayor and Council;

On Wednesday evening, along with a large group of neighbours, I attended the Rockland Neighbourhood Association meeting called by the developer to discuss the latest development proposal for 1745 Rockland Avenue.

I live at 1740 Lyman Duff Lane which is immediately adjacent to the south of the proposed development. Along with many of my neighbours....especially those to the east and north of the property, I am very concerned with the density of this proposed development.

Let me state that I am not anti-development...When we purchased our home sixteen years ago we were fully aware that this next door property could and would be developed. We had no idea that the City of Victoria would ever consider a "site specific zone" a bare land strata...that would allow two very large duplexes and a 3,400 sq.ft. home to be built on land that is currently zoned single family R1-A.

In my opinion this proposal contradicts the City's own plan for the Rockland neighbourhood.

In this proposal we are losing green space, tree canopy and livability of the neighbourhood.

I fail to see how this proposal in anyway enhances what the Rockland neighbourhood is today and should look like in the future.

I believe that the decision that Council makes in regard to 1745 Rockland will have huge implications for further development in this area.

There is a large property just to the west of 1745 (1731 Rockland) and a large piece of undeveloped land on the south side of Oak Shade Lane between Rockland and Richmond.

What is decided by council for 1745 Rockland could become the template for further development in the area. Neighbours are anxiously awaiting your decision.

I hope you do the right thing and send the proposal back to the developer for further revision.

Thank you for your consideration.

Regards,

Vince Bennett

December 5, 2014

Dear Mayor and Council:

Re: Rezoning Application and Development Permit Application for 1745 Rockland Avenue

I am writing to comment on the proposed development at 1745 Rockland Avenue. I understand this proposal came before the Planning and Land Use Committee on September 18, 2014 and was referred back to the developer Parry Street Developments for revision.

I thank council for requesting this as it has given me the opportunity to fully realize what is being proposed and how much of an impact this development will have on both our and neighbouring homes and properties as well as the Rockland neighbourhood as a whole.

Our property, 1740 Lyman Duff Lane, is located to the south of the subject property with our actual home (building) being the closest to the proposed development as our home is located only a few meters from the property line. The first of the three proposed buildings is located only 4.9 meters from this same property line. When the tennis court that is currently on the property was built approximately 20 years ago the owner at that time felt that this would impact on privacy and as a result planted a cedar hedge along our common property line to provide both visual screening as well noise abatement.

Fast forward 20 years and we now are faced with a proposal to build three large buildings (2 duplexes and a single family home with attached double garage) on the same piece of property as the original tennis court. All the surrounding trees are to be removed, three large buildings constructed and a large amount of hard-surfacing (including access road and driveways) installed and we are being told by this same family that this is an improvement to the neighbourhood!

When we purchased our home sixteen years ago we fully anticipated future development of the large property next door. With R1-A zoning in place we felt reassured that when the property was eventually subdivided a single family home would be built. Who would have thought that we would now be faced with the prospect of 5 housing units being shoehorned into what once was a tennis court.

The current proposal appears to be circumventing both the zoning in place (which if the property was subdivided would result in a panhandle lot with the ability to build one single family home) and the spirit of site specific zoning (using this loophole to ensure the historic Rattenbury home is surrounded by an exclusive use portion of green-space that comprises approximately one half of the property (which we feel is commendable and support) while building a large single family home with its own exclusive use property surrounding it on one quarter of the property (in essence the single family home allowed under the R1-A zoning) and then squeezing in an additional four living units on

the remaining one quarter of the property. It is these additional four units that are the cause for my concerns. This additional density does nothing to enhance the Rockland neighbourhood and results in a loss of mature tree canopy and green-space in general for the neighbourhood and the loss of privacy, increased noise, parking issues, and potential drainage problems for those neighbours surrounding the development. I fail to see how these four units enhance the neighbourhood.

The Rockland neighbourhood is a largely residential area known for its heritage homes, large lot sizes, mature tree canopy and has a feeling of openness and liveability. These are attributes that need to be protected and enhanced for future generations.

I urge you to seriously consider how this proposal could be considered to enhance the Rockland neighbourhood. The precedent that would be set by approving this proposal will have far reaching repercussions as it will be very hard to close the floodgates once the dam has burst.

Thank you for your time and consideration of the above.

Yours truly,

Jennifer Bennett

1740 Lyman Duff Lane

December 8, 2014

City of Victoria
Development Services Division
Attention: Helen Cain, hcain@victoria.ca

City of Victoria
Mayor and Council
Planning and Land Use Committee
councillors@victoria.ca

RE: Rezoning application #00444 and development permit application #000357 for 1745 Rockland Avenue – application to rezone from existing R1-A (Rockland Single Family Dwelling District) to a new zone to permit one single family dwelling unit plus six semi-attached dwelling units, as amended. Concurrent Development Permit Application (the “Applications”).

Dear City of Victoria Staff, Mayor and Councillors,

We are residents of the City of Victoria, and owners of the property located at 1723 Green Oaks Terrace. Our property is adjacent to 1745 Rockland Avenue, the property that is the subject of the Applications (the “Property”). Our rear lot line adjoins part of the Property’s north lot line.

On August 16, 2014, the proponent of the applications, Conrad Nyren, asked us to sign, and we did sign, a letter indicating our support of the Applications (the “**Letter of Support**”). Since signing the Letter of Support on August 16, 2014, we have learned additional information, including concerns of neighbours in regards to the Application, that a Planning and Land Use Committee Report for Meeting dated September 18, 2014 (the “**Planning Report**”) was prepared in respect of the Application, and that following the Planning Report the Applications have been revised, on October 31, 2014, to remove one of the duplex units and replace it with a single-family home with attached two car garage (the “**Revised Plans**”). In addition, and in particular in light of the Revised Plans, we have learned that we were wrongly lead to believe, by the proponent of the Applications, that the Applications were the only, and certainly the best case and lowest-density, alternative for any development that may occur on the Property, without any mention of the fact that, if subdivided rather than stratified, a significantly different level of density, with different height and set back restrictions, would proceed in terms of any development on the Property. On the basis of this new information we no longer support the Applications.

We no longer support the Applications, we do not support the development shown in the Revised Plans, and we wish to withdraw our Letter of Support, for the following reasons:

1. **Disregard for panhandle characteristics of the Property.** There has been no reference, in the Planning Report, the Applications or the Revised Plans to the Schedule H – Panhandle Lot Regulations.

A Panhandle Lot is defined in Schedule A – Definitions as “a lot that has less than 10% of its perimeter adjoining a street and/or in part consists of a panhandle driveway”. A Panhandle Driveway is defined

as "a strip of land that is used principally as a driveway, the end of which forms the boundary between the lot of which that strip of land is a part of and (a) a street..."

Based on the survey included in the Application and the Revised Plans, the Property is a large lot with a total outside perimeter of approximately 433 linear meters. Based on that same survey, it appears as though approximately 16 of those meters cover the street frontage on Rockland Avenue and Richmond Avenue. This means that the Property is a lot that has 3.72%, less than 10%, of its perimeter adjoining a street. In addition, the Applications and the Revised Plans propose providing access to the proposed buildings through a driveway that will exit onto Richmond Avenue. This driveway will be a narrow strip of land and will be principally used as a driveway, and the end of the driveway will form the boundary between the Property of which the driveway strip is a part and the street, being Richmond Road; this meets the definition quite clearly of a Panhandle Driveway. On the basis of this, it seems clear that the Property is a panhandle lot, both on the basis of there being a Panhandle Driveway as part of the Property and on the basis of the small percentage of the Property's perimeter that adjoins a street.

I understand that the City of Victoria's solicitor and others at the City have determined that the Property is not a panhandle lot. It seems that this has been determined on the basis of technicalities, which work in favour of the proponent of the Applications and to the disadvantage of neighbouring properties. I understand that the basis for the determination by the City that the Property is not a panhandle lot is because the Applications and the Revised Plans propose that the development of the new dwellings will proceed by way of establishing a strata plan for the Property (which will include the existing heritage house) rather than subdividing the existing Property into two new lots – one being retained for the existing heritage house and one for the new proposed dwellings. Most certainly, if the Property were subdivided to allow the development to proceed, the new lot created would be a panhandle lot. The proponent of the Applications, at a neighbourhood meeting held December 3, 2014, agreed that, if subdivided, the portion of the Property on which the new proposed development would occur would be a panhandle lot.

Further, I would suggest that the intent of having the new Schedule H – Panhandle Lot Regulations only apply to panhandle lots for lots subdivided after July 10, 2009, was to ensure that, going forward, new development on existing pieces of property would respect the privacy of existing neighbours through the more stringent height and setback requirements of a panhandle lot, while at the same time protecting those who have houses located on panhandle lots that existed prior to July 10, 2009. However, I would not think that one of the purposes of setting a date for after which the panhandle lot regulations apply would be to benefit developers who wish to, as it is, build and develop a piece of property that already requires rezoning to a site specific zone in order to proceed in the first instance. It seems counter-intuitive then that a development that would be subject to Schedule H – Panhandle Lot Regulations if the Property were subdivided, is not subject to those regulations only because the proponent of the Applications has found and is exploiting a loophole in the panhandle regulations and is opting to stratify rather than subdivide, but with the same practical results as the areas surrounding the existing heritage house will be designated exclusive use for the heritage house and there will be no integration of the existing heritage house into the rest of the development – a subdivision of property is happening here in practice, if not by actual creation of new legal title. I do not understand why City of Victoria council and staff is prepared to ignore the panhandle characteristics of the Property and the

restrictions in Schedule H – Panhandle Lot Regulations. This will result in the City accepting a rezoning proposal that would permit significantly larger buildings, with inadequate setbacks, than what any of the neighbours surrounding the Property would legitimately expect upon review of what appear to be relevant zoning bylaws and regulations.

As a comparison, if the panhandle lot regulations were to apply, as I believe they should, indicated side yard setbacks, each of which are less than 5 meters, would have to be increased to 7.5 meters for any wall that has a window to a habitable room. And the proposed single family dwelling and duplexes shown in the revised plans would need to be reduced from heights between 6.98 meters and 7.5 meters down to heights of 5.0 meters, with a maximum of one-storey. The site area per unit would also need to be increased to 850m², as opposed to the current proposed 825m² which, even as it is, falls short of the 835m² required by the R1-A zoning regulations.

The reason that I raise this issue and address it in such detail is due to the fact that the purpose of the panhandle regulations, including limits on height and increased requirements for setbacks, is to ensure the privacy of existing neighbours. To allow the Applications, as modified by the Revised Plans, to proceed without at least giving consideration to the spirit and purpose of the panhandle lot regulations, is to give priority to the interests of the proponent and the owner of the Property, which are primarily financial interests focused on extracting the greatest return possible from development on the Property, above the interests of existing neighbouring properties which are to preserve, at least to some reasonable extent, our privacy.

I would therefore ask that any permitted rezoning of the Property respect the Schedule H – Panhandle Lot Regulations. The current Applications and Revised Plans do not respect, or even recognize, those regulations.

2. **Privacy.** The Applications and the Revised Plans would have a significant, and negative, impact on our current level of privacy.

The setback between proposed strata lot 6/building 3 as shown on the Revised Plans and our property, which neighbours to the north, has been reduced to 4.8 meters in the Revised Plans. The Schedule H – Panhandle Lot Regulations require a minimum setback of 7.5m from the lot line to walls with windows to habitable rooms, which should apply to proposed strata lot 6 or building 3 in the Revised Plans, given that the Revised Plans show at least two windows on that side of proposed building 3.

Even if the panhandle lot regulations are ignored, the proponent of the Applications is treating what is, upon review of the Revised Plans, most certainly the back of building 3 as though it were a side. Under the existing R1-A requirements, the rear yard setback is a minimum of 7.5 meters from main building to rear lot line. Although I understand that, technically, the north side of the Property might be a side lot line when referenced according to the position of the existing heritage house, in reality that lot line, when referenced according to the position of proposed building 3 on the Revised Plans, is to the rear of that proposed building, and is therefore a rear lot line. The area that is between the back of proposed building 3 and our property line to the north is a backyard, and the adjoining property line

will separate that backyard from our backyard. That is obvious from simply reviewing the Revised Plans. On that basis, the proposed setback of 4.8 meters between proposed building 3 and the lot line of the Property to the north does not in any way meet what would be required under the existing R1-A zoning requirements.

In addition, the building that was shown on the initial Application as building 3, and which previously contained two units, would have only been visible from the southwest corner of our property by a few meters at most. The new proposed building 3, or strata lot 6, shown in the Revised Plans, which is now a large single family dwelling, will span the vast majority of our south lot line and be visible from every point in our rear yard that we use – when sitting on our deck, we would look out onto a massive garage in contrast to the greenery that we currently look out onto. Similarly, when in our backyard we will look up at a massive house and garage in contrast to trees and wildlife. The building height of building 3/strata lot 6 as shown on the Revised Plans is significantly higher than the 5.0 meters and one storey permitted in Schedule H – Panhandle Lot Regulations. I understand that the height of building 3, to the mid-roof point, is 6.98 meters. When considering the distance between the measured mid-point and the actual top of the roof, building 3's actual height is likely closer to 8.0 meters in height. The attached garage will be only about half a meter lower. Proposed building 3 is situated very close to several neighbouring properties and homes, and this close proximity when combined with height will result in building 3 towering over neighbouring homes, impacting the privacy of the residents of those neighbouring properties and noticeably not fitting in with the neighbourhood surroundings.

The minimal setbacks, height and area encompassed by the proposed building 3, if built, will have a significant and negative effect on our privacy. Privacy is one of the main driving factors behind the panhandle lot regulations and general restrictions on development of panhandle lots.

Page 247 of the City of Victoria's official community plan ("OCP") states that the entire City is designated as Development Permit Area DPA 15B, Intensive Residential – Panhandle Lot, and sets out specific conditions when developing buildings on a Panhandle Lot. Nothing in the OCP indicates that these conditions or guidelines apply to lots with panhandle characteristics subdivided after a certain date, so I assume they apply to all lots with panhandle characteristics, regardless of when title to that lot was registered and created. There are three key factors or special conditions that are set out as justifying the designation of DPA 15B: (a) Victoria's Traditional Residential areas are primarily characterized by low density single-family dwellings, some on relatively large lots with ample green space; (b) these neighbourhoods each have a unique sense of place, traditional lot configuration, consistent pattern of building placement oriented towards the adjoining streets, and consistent pattern of building separation; and (c) subdivision of land into panhandle lot configurations within these Traditional Residential areas create a more intensive use than anticipated and a non-traditional housing pattern that may result in negative impacts to neighbourhood character and create privacy issues. Page 247 of the official community plan also states that the objectives that justify the designation of DPA 15B include to preserve Traditional Residential character by ensuring that integration of panhandle lots and associated development are compatible with immediate neighbours, surrounding neighbourhood and streetscapes.

It does not appear to us that the factors and concerns set out on page 247 of the OCP have been respected. The Application and Revised Plans propose high-density dwellings that are not consistent with, and are in fact by landscaping going to be completely separated from, the existing heritage house on the Property. When viewed in contrast with the houses located on the properties that neighbor the Property, the vast majority of which are low, bungalow style one-storey homes, it is clear that the proposed dwellings shown in the Revised Plans and the Applications are not consistent with existing neighbouring properties. The positioning of the buildings in the Revised Plans does not respect the traditional residential area that is Rockland, both in terms of a lack of respect for placement of the proposed buildings close to the backyards of existing properties as well as in terms of the increased density that is not consistent with the relatively large lots and low density that are very characteristic of the Rockland neighbourhood. The Revised Plans removal of mature greenery in connection with proposal for large buildings does not respect the privacy of existing neighbours. For the planning and land use committee and City staff to place no importance on the panhandle characteristics of the Property, particularly when considered in light of the OCP, based on what appears to be a loophole exploited by the proponent of the Property, disadvantages existing neighbours and advantages only the proponent and owner of the Property.

3. **The Revised Plans increase site coverage, does not create additional green space and includes one disproportionately large single family dwelling.**

The previous plans submitted with the Application, which contemplated 7 dwelling units in total, proposed a total floor area of 1306.31m², for a site coverage of 17.08%. The Revised Plans, given the size of the proposed single family dwelling that is marked "strata lot 6" on the Revised Plans, has increased site coverage to 18.3%. The proposed strata lot 6 is a large, single family dwelling with a total floor area of 315.31m² which exceeds both floor areas permitted under R1-A and R1-B zoning areas that neighbor the Property, as well as the maximum imposed on properties that are subject to Schedule H – Panhandle Lot Regulations. When compared to buildings 1 and 2, which are proposed to comprise strata lots 2 and 3 (building 1) and strata lots 4 and 5 (building 2), strata lot 6 (building 3) has a proposed main floor area of 206.15m², compared to a main floor area of 150m² for each of buildings 1 and 2, each of which are proposed to contain two units. One of the concerns and recommendations contained within the Planning report was the loss of green space. Although this concern was addressed primarily with respect to the number of parking stalls, there was a general recommendation to make changes to respect green space, and the Revised Plans do just the opposite by the overall increase in site coverage. Further, I cannot imagine that one of the purposes of recommending a reduction in the total number of strata lots, as was recommended in the Planning Report, was to permit in its place one extremely large single family dwelling with a larger square footage than the duplex that it is proposed to replace. This large single family dwelling is out of place and not consistent with the rest of the proposed development as set out in the Applications, nor is it consistent with neighbouring properties.

As a final comment, when looking at the Revised Plans, it is clear that the majority of green space is concentrated around the existing heritage designated house on the Property, with very little green

space planned around proposed buildings 1, 2 and 3. In my view, this skews the site coverage percentages. It is clear from the Revised Plans that the actual site of development, once landscaping space is reserved for around the heritage house, will have a very high site coverage, although exact percentages cannot be determined because these figures have not been provided anywhere by the proponents of the Applications or the preparers of the Revised Plans. Finally, as noted in the Planning Report, the Applications, (and the Revised Plans), the proposed development will result in less than the 835m² of site area per unit required under current zoning, or the 9,000ft² per unit that is set out in the Rockland Neighbourhood Plan. Because zoning and in particular neighbourhood plans provide important information to residents as to what they can expect to see developed in their neighbourhood in the future, where possible, site area should be respected. The Rockland Neighbourhood Plan discusses in length the need to preserve site area in the Rockland area when considering redevelopment. I understand that sometimes site area should be relaxed, however, in the case of the Applications and the Revised Plan, it would be entirely possible for the proponent to have prepared plans that meet existing site area requirements, however, likely for the sole purpose of maximizing financial benefit to the owner and the proponent of the Applications, the proponent chose not to do so and is instead proposing to build as much as possible and expecting that site area requirements will be ignored. Again, the only stakeholders that this benefits are the proponent and the owner of the Property, as this increases their potential financial gain, and it is at the direct detriment to existing neighbouring properties.

4. There is limited knowledge of whether blasting will be required.

We have concerns about the level of blasting that may be required in order to carry out the development as proposed, in particular with respect to proposed buildings 1 and 2 as shown on the Revised Plans, which will have bottom levels that are below grade. The proponent stated at a community meeting held December 3, 2014 that no blasting will be required; however the proponent also acknowledged at the same meeting that no geotechnical reports have been prepared. Based upon the amount of rock on our property, including outcroppings of rock in our backyard and our neighbours backyard to the west and on which part of our foundation directly rests, as well as which can be found when digging no more than 2 feet below the surface in the majority of our backyard, it is reasonable to assume that there is significant rock located on the Property. On this basis, it is quite likely that some level of blasting will be required and we are concerned that no studies have been conducted to date to ascertain the level of blasting. The proponent of the Applications does not seem concerned because "there is a tennis court where 2 of the 3 proposed buildings will sit" (being buildings 1 and 2), and seems to be satisfied that this mere fact alone should mean there will be no blasting required, despite the rocky landscape that is characteristic of Rockland.

If, and depending on how much, blasting is required, this could significantly impact the integrity of our home. Our foundation is built, in part, directly on rock, and we have plaster walls which are easily cracked. If blasting is required for any of the proposed buildings, we understand from those in the construction industry that there is a high probability that our house, which is less than 50 meters away from proposed site where blasting would occur, could be impacted. We have concerns that any level of blasting could negatively impact the integrity of our foundation and devalue our home. The

proponent of the Applications has not addressed any potential impacts of blasting based on his unsubstantiated belief that no blasting would be needed.

While we are not opposed to development in general, and in particular are not opposed to the eventual development of the Property in some manner, in our view any development should respect the integrity and character of the neighbourhood within which it exists, including all applicable regulations and bylaws that may apply as a result of specific characteristics of the site. The Applications and the Revised Plans do not respect the integrity and character of the Rockland neighbourhood as they ask for total floor areas that exceed the maximums permitted in the surrounding R1-A and R1-B zones, as well as what is permitted under the Schedule H – Panhandle Lot Regulations. The Applications and the Revised Plans do not respect the integrity and character of the Rockland neighbourhood as they ask for building heights that greatly exceed the building heights permitted under Schedule H – Panhandle Lot Regulations and the building heights of the neighbouring properties. The Applications and Revised Plans do not respect the integrity and character of the Rockland neighbourhood as the amount of green space that will surround the proposed 3 new buildings is incredibly limited. The Applications and Revised Plans do not respect the integrity and character of the Rockland neighbourhood as the Revised Plans were prepared to only technically address concerns and recommendations set out in the Planning Report, rather than giving any concern to the spirit and nature in which the concerns and recommendations set out in the Planning Report were made. The Applications and the Revised Plans do not respect the integrity and character of the Rockland neighbourhood as it is clear that they have been prepared first and foremost with profitability in mind, rather than respect for privacy of surrounding properties. The Applications and Revised Plans do not respect the integrity and character of the Rockland neighbourhood as they show lack of concern for the privacy of surrounding existing properties and propose a development that is inconsistent with the character of the existing heritage house located on the Property as well as the character of homes on surrounding properties.

We understand that the owner of the Property has rights with respect to that Property, including the right to develop it. However, this right to develop should respect concerns of neighbours, as well as the zoning that is in place within the neighbourhood. It is compelling to me that, if the Property were merely subdivided (as I would think the owner of the Property would have the right to do), given the size and shape of the Property, it would, at most be sub-dividable into three new lots, one containing the existing heritage house, and the other two being Panhandle Lots, subject to the Schedule H – Panhandle Lot Regulations. Each lot would need to have a minimum site area of 850m², with a lot width of 24m. This would mean that, if subdivided, a maximum of two single storey homes, each with a maximum height of 5.0m and a maximum floor area of all levels combined of 280m², and substantially wider setbacks from those proposed in the Revised Plans, would be permitted. It seems therefore that to permit a site specific rezoning to allow such a greater level of development, does not respect the integrity and character of the Rockland neighbourhood, and goes against the purpose behind the Schedule H – Panhandle Lot Regulations. It benefits only the proponent of the Applications and the owner of the Property, while at the same time negatively affecting surrounding properties, including ours.

We would ask that the planning and land use committee either (a) reject the Applications and the Revised Plans due to their lack of conformity with existing bylaws that should apply and the negative impacts the Applications and Revised Plans will have on neighbouring properties, or (b) require that the Applications and the Revised Plans be further revised so that they, in spirit and in practice, respect the concerns set out in the Planning Report as well as the various concerns raised by the residents of the Rockland neighbourhood who

live on neighbouring properties and who will be significantly and negatively impacted should this development proceed as proposed in the Revised Plans.

Yours truly,

A handwritten signature in dark ink, appearing to be 'K. Reed', written over a circular stamp or seal.

K. Reed
S. Priddy

