

5. **Heritage Alteration Permit Application with Variance No. 00222 for 1737 Rockland Avenue**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 000222 for 1737 Rockland Avenue, in accordance with:

1. Plans, date stamped May 18, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. Section 1.1.5(a) - relaxation of the minimum front yard setback from 10.5m to 4.75m
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

## REPORTS OF COMMITTEES

### **1. Committee of the Whole – July 7, 2016**

#### **5. Heritage Alteration Permit Application with Variance No. 00222 for 1737 Rockland Avenue**

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

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3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

**Carried Unanimously**



## **Committee of the Whole Report**

### **For the Meeting of July 7, 2016**

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**To:** Committee of the Whole **Date:** June 17, 2016

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** **Heritage Alteration Permit Application with Variance No. 00222 for 1737 Rockland Avenue**

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### **RECOMMENDATION**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

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2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:  
Section 1.1.5(a) - relaxation of the minimum front yard setback from 10.5m to 4.75m
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

### **LEGISLATIVE AUTHORITY**

In accordance with Sections 617 and 618 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures, and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

### **EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with information, analysis and recommendations for a Heritage Alteration Permit Application with Variance for the property located at 1737 Rockland Avenue. The proposal is to construct a covered wood deck on the front elevation of the Heritage Register house.

While additions to heritage buildings are not normally considered acceptable on the front elevation, the orientation of the house at 1737 Rockland Avenue is unusual in that the elevation facing the property's driveway to the north contains the prominent front entranceway of the home, so although the *Zoning Regulation Bylaw* technically establishes the front of the house as the side adjacent to the street, the actual front of the house faces a side yard. Therefore, in this instance, it can be considered that the addition, while facing the street, is actually on the side of the house.

The variance relates to the existing non-conforming setbacks of the building's foundation from the property's front lot line. As the entirety of the foundation on this side of the building is in an existing non-conforming configuration, again functioning more like a side yard even though technically it is the front yard, any alteration to this elevation would require a variance.

The Application was reviewed by the Heritage Advisory Panel at its June 14, 2016 meeting and was recommended for approval.

## **BACKGROUND**

### **Description of Proposal**

The purpose of this report is to present Council with information, analysis and recommendations regarding a Heritage Alteration Permit Application with Variance for the property located at 1737 Rockland Avenue (also known as The Chalet and Tredinnock).

As noted in the letter dated May 18, 2016, from the owner, Mr. Earl Large, a roof and deck was built in this location without the required permits in order to address water leaking into the basement of the house. This application is to retain the deck and build a new roof more compatible with the design and character of the existing heritage house. The new roof is a flat roof with skylights which provides a less intrusive roof with wood brackets to match the existing house.

### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 24, 2016, the Application was referred for a 30-day comment period to the Rockland Neighbourhood Association. At the time of writing this report, a response from the CALUC had not been received.

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

## **ANALYSIS**

### **Official Community Plan**

The proposed development outlined in the Application is consistent with the *Official Community Plan* (OCP) because it is in accordance with the goal of protecting and celebrating Victoria's cultural and natural heritage resources.

## Local Area Plan

The proposed construction is consistent with the goals and objectives of the *Rockland Neighbourhood Plan* as follows:

- 2.3.1 Properties of heritage character and merit should be conserved, maintained and enhanced.
- 2.3.2 Exterior changes and additions to buildings of heritage merit should be in keeping with their heritage character.

## Standards and Guidelines for the Conservation of Historic Places in Canada

### 4.3.1 Exterior Form

#### Recommended

- 13 Selecting the location for a new addition that ensures the heritage value of the place is maintained.
- 14 Designing a new addition in a manner that draws a clear distinction between what is historic and what is new.
- 15 Designing an addition that is compatible in terms of materials and massing with the exterior form of the historic building and its setting.

The Application generally complies with the above guidelines. While additions to heritage buildings are not normally considered acceptable on the front elevation, the house at 1737 Rockland Avenue is oriented in such a way that the front elevation faces the driveway to the north. Therefore the addition, while facing the street, can be considered to be located on a side elevation of the house.

The roof covering the deck is modest in scale and does not have a significant negative impact on the heritage building. The chamfered posts and wood brackets ensure the roof is sympathetic to the character of the main building.

## Heritage Advisory Panel

The Application was reviewed by the Heritage Advisory Panel at its June 14, 2016 meeting and was recommended for approval.

## CONCLUSION

The application complies with the guidelines if the street elevation is considered to be a side elevation. It is recommended for Council's consideration that the Application be approved.

## ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application with Variance No. 00222 for the property located at 1737 Rockland Avenue.

Respectfully submitted,



Steve Barber  
Senior Heritage Planner (Interim)  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

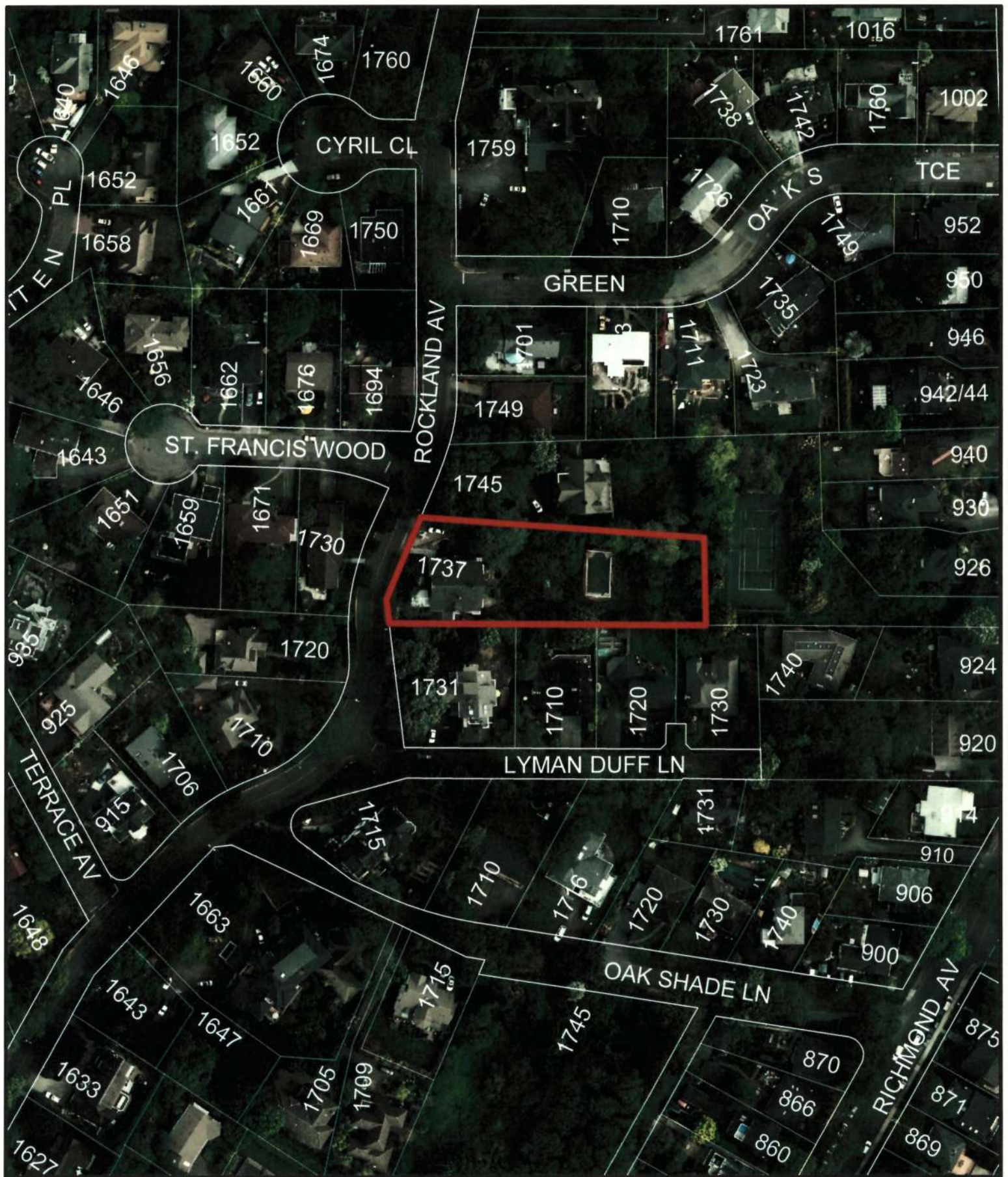
Date:

*Cheryl Jenkins*  
*June 29, 2016*

**List of Attachments**

- Subject map
- Aerial map
- Plans, dated May 18, 2016
- Letter from the owner, date stamped May 18, 2016
- History of 1737 Rockland Avenue from *This Old House, Victoria's Heritage Neighbourhoods, Volume Three, 2014: Rockland.*

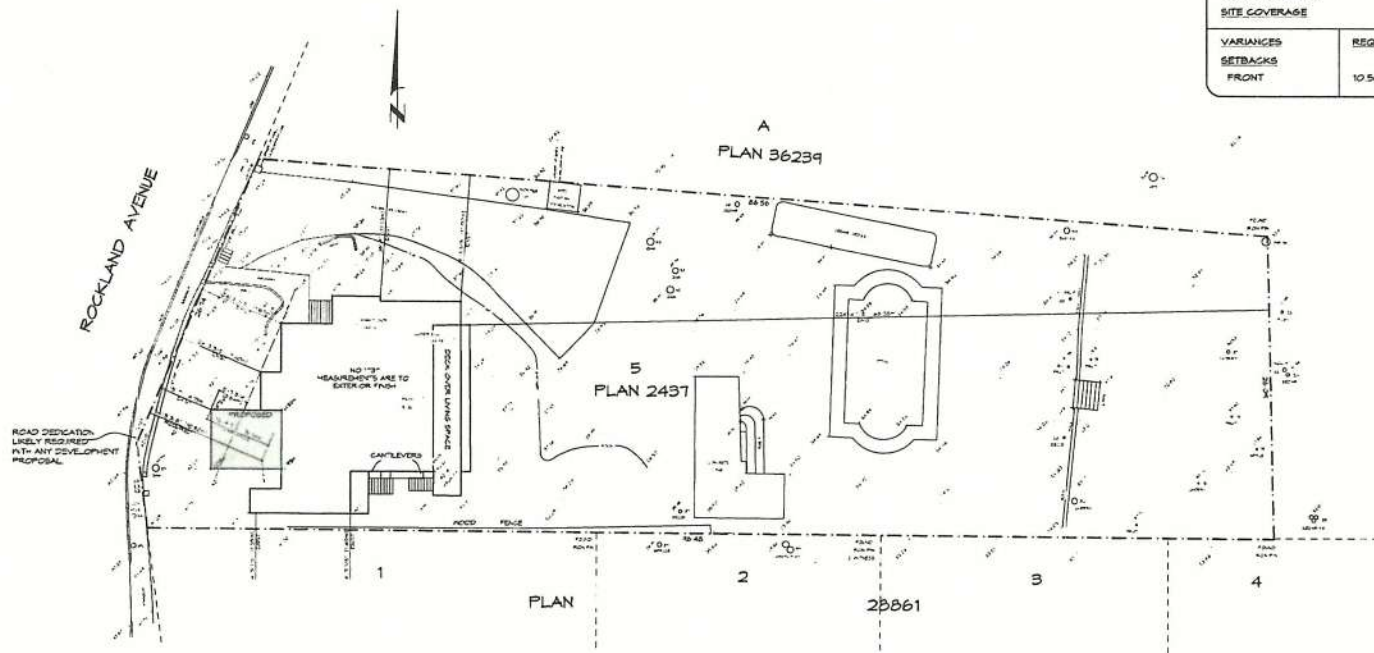




1737 Rockland Avenue

Heritage Alteration Permit #00222





**SITE PLAN**  
Scale: 1:200

SITE DATA - 1731 ROCKLAND AVE.			
LEGAL DESCRIPTION - LOT 5, SECTION 14, VICTORIA DISTRICT, PLAN 2437			
ZONING - R1-B			
LOT AREA	REQUIRED 460.00 M <sup>2</sup>	PROPOSED 2719.00 M <sup>2</sup> (24202.41 FT <sup>2</sup> )	
LOT WIDTH	15.00 M	31.93 M (104.75')	
LOT DEPTH		91.52 M (300.26')	
AVERAGE GRADE		40.51 M	
<b>SETBACKS</b>			
FRONT	7.50 M	4.75 M (15.58') *VARIANCE*	
REAR	22.85 M (25%)	68.38 M (224.34') EXIST.	
SIDE	3.19 M (10%)	11.00 M (36.09') EXIST.	
SIDE	3.00 M	1.55 M (4.43') EXIST.	
SIDE (COMBINED)	4.50 M	12.45 M (40.85') EXIST.	
SITE COVERAGE	40.00 %	19.42 %	
<b>VARIANCES</b>			
SETBACKS	REQUIRED	PROPOSED	VARIANCE
FRONT	10.50 M	4.75 M	5.74 M (18.85')

**DRAWING LIST:**  
DVP 01 SITE PLAN, SITE DATA,  
GENERAL NOTES & DECK PLAN  
DVP 02 ELEVATIONS

ISSUED FOR DVP  
2016.05.17



1161 NEWPORT AVE  
Victoria, B.C. V8S 5E6  
Phone: (250) 360-3144  
Fax: (250) 360-2115

Drawn By: G. COLLINS

Date: MAY 17, 2016

Scale: AS NOTED

Project:  
PROPOSED DECK  
ADDITION -  
1731 ROCKLAND AVE.

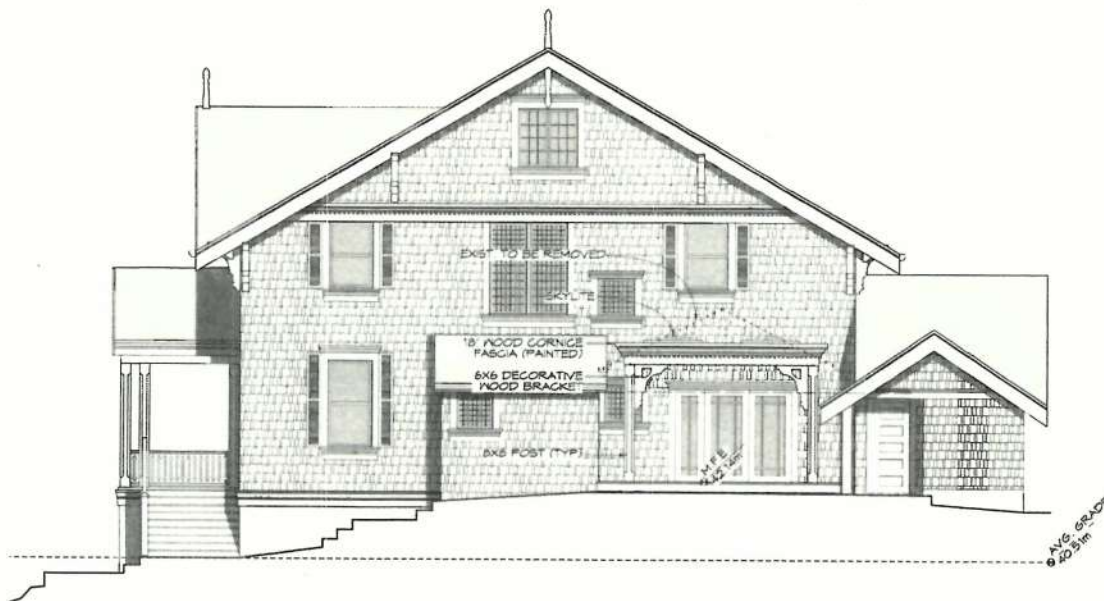
Title:  
SITE PLAN, SITE  
DATA, GENERAL  
NOTES & DECK  
PLAN

Revision: Sheet:

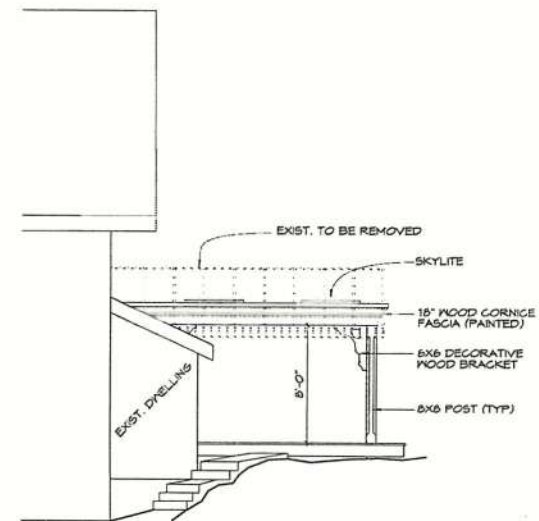
**DVP  
01**

Proj No: 0000

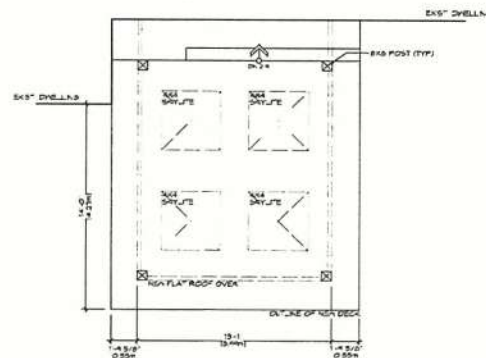
**Original  
Submission**  
Received Date:  
May 18/16



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



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



DECK PLAN  
Scale: 1/4" = 1'-0"

Received  
City of Victoria

MAY 18 2016

Planning & Development Department  
Development Services Division

ISSUED FOR DVP  
2016.05.17

ZEBRADESIGN

1161 NEWPORT AVE  
Victoria, B.C. V8S 5E6  
Phone: (250) 360-2144  
Fax: (250) 360-2115

Drawn By: C. COLLINS

Date: MAY 17, 2016

Scale: AS NOTED

Project:  
PROPOSED DECK  
ADDITION -  
1137 ROCKLAND AVE.

Title:  
ELEVATIONS

Revision: Sheet:

DVP  
02

Proj No: \*\*\*\*

May 13, 2015

#1 Centennial Square  
Victoria, B.C.  
V8W 1P6

Re: 1737 Rockland Avenue, Victoria BC – Variance Application

I am the owner of the home at 1737 Rockland Avenue. I have resided here for 4 years and I have been working to restore and upgrade the home to today's codes and standards.

This Rattenbury designed home was built in 1900. It is located close to the road and up high on a rock outcropping. Due to the rock base of the home there has been a constant drainage problem since the home was constructed. During even mild to moderate rain, let alone heavy rains, there is a constant stream of water running from the street side of the home, through the basement and out of the rear door at the back of the property.

I have consulted experts on drainage and haven't arrived at a solution to this problem. So after thinking about this situation for a while, an idea struck me that was two fold. First, if I built a roof over the patio that is located on the street side of the house where the water penetrates the basement, I could possibly redirect the run off with this roof, while at the same time provide a covered outdoor space for dining and relaxing near the kitchen.

This new roof has, in fact, worked well in both regards, but unfortunately, I didn't apply for a building permit to construct it (yes, I do know better). I now would like to get a permit and do this the right way.

I have met with Mr. Steve Barber and he felt that the design of the structure was inappropriate for the home and inconsistent with its traditional lines. So I have hired Zebra Design to help me come up with a more suitable design. A more complementary and less intrusive roof line that Zebra and I feel is more in keeping with the home.

If this new version is not approved, I will dismantle the structure I previously built. If the new design concept is accepted, the existing structure will be modified to the current proposal.

In order to proceed with the new construction, approval of the following variance would be required:

1. Front yard setback relaxation of 5.74 metres. Please note that the existing heritage house also protrudes into the front yard setback significantly at numerous points.

I appreciate your time in consideration of this application.

Sincerely,



Earl Large



**1737 Rockland Av (ex-90 Rockland Av) 1899**

*The Chalet, Tredinnock*  
**Alice & Amy Galletly**  
**Architect: Samuel Maclure**  
**Heritage-Registered**

This two-storey, shingled Chalet-style house, once thought to be designed by Rattenbury, is now known to be by Maclure; Maclure asked for tender calls for it and 1603 Rockland (demolished) in VDC in June 1899 and the houses were very similar. *The Chalet* is side-gabled with



1737 Rockland Av, with 1970s shutters. 2000

VHF / Ian Henderson

small gabled projections at the roofline on the left and right sides; there are tall finials in all the gables. The eaves are supported on sculpted knee brackets and the bargeboards have unusual ends. To the left of the front porch is a hip-roofed conservatory. This centrally-located gabled porch has five chamfered posts, one pilaster and decorative sawn balusters, which continue down the stairs and are repeated on upper and lower rear balconies. There are also a pair of box bays on the rear. The foundation is of random stone and there are four brick chimneys. Shutters were added to most of the windows in the 1970s.

The Galletly sisters called the house *The Chalet*, but a later owner had *Tredinnock* engraved on one gatepost of the random stone garden wall. The wall retains its iron gates.



1737 Rockland Av. before shutters, 1969

Hallmark Heritage Society

**1899-1914:** A.J.C. Galletly (1715 Rockland Av) had *The Chalet* built for his unmarried sisters Alice Mary (c.1863-1914) and Amy Frederica Louisa (c.1866-1934). Born in Corfu, Alice and Amy came to Victoria from Surrey, ENG, with their father Col. Frederick Galletly c.1902. Amy left the house after Alice's death.

Tenants: **1904-05:** Robert and Jennie Butchart (906 St Charles St, Rockland), while their home at Todd Inlet was being built. A teatime entertainment, with decorations "à la Japanese," was hosted by Jennie and reported in the 16 April 1905 *Daily Colonist*. Over 70 wives and daughters of prominent men were listed as attendees. They included "the Misses Galletly," who had moved into *Hochelaga* to look after their brother after his wife and daughter died on the *SS Clallam* on 8th January 1904. Alice and Amy reclaimed *The Chalet* after he remarried in 1905.

**1915:** Edward A. Waterman, managing director, Weiler Bros. **1917-18:** George Henry Dawson (1020-1022 St. Charles St, Rockland). **1920-54:** Col. Herbert Clement Carey (b. Victoria 1865-1948) and Kate MacKinley (née Moren, b. Halifax 1869-1959). Herbert went to the Royal Military College in Kingston, ON. In 1884 he joined the Royal Engineers, serving in England and Halifax, where he married Kate, then in Bermuda, Hong Kong, England, Ireland and Jamaica. During WWI he served with the Northern Command and was made a Companion of the Order of St. Michael and St. George. Herbert retired in 1919 and they moved to Victoria. Kate left the house in 1954.