

June 13, 2023

Mayor Marianne Alto and Councillors
1 Centennial Square
Victoria, B.C. V8W 1P6

On October 28, 2021, Committee of the Whole (COTW) reviewed the rezoning and development permit applications for 1737 Rockland. There was general consensus that this was reasonable and sensitive densification, however Council wanted the proposal to be brought a little closer to policy. The focus of comments revolved around changes to further respect neighbouring properties. To this end the following motion was passed:

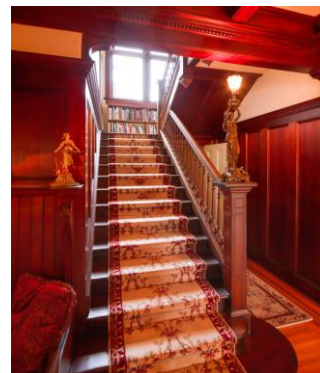
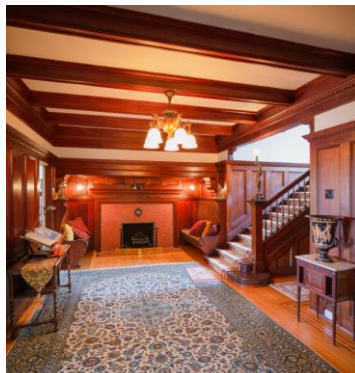
“That this matter be referred to staff to work with the applicant to achieve greater consistency in relation to setbacks, building height, and privacy of the new buildings.”

A letter to Mayor and Council June 5, 2021 describes the many details of this project with respect to heritage designation, green building, project benefits, government policy, community and city engagement as well as landscape and building design. The purpose of *this* letter is to provide a review of the proposal and describe the changes made in response to Council’s motion of October 28, 2021.

1 Proposal Review

Our proposal for this large 2,713m² property is to retain and designate the existing home and its interior foyer and staircase, add an accessory building to its rear yard and create 2 new, 2 storey homes on the remaining land behind.

The real gem of this proposal is the 1899 Samuel McClure home that has been lovingly restored and its original character maintained. It is the private residence of Earl Large, Founder of Large & Co. – a family owned business in Victoria since 1962. The home remains a single family residence, probably one of the few in Rockland that has not been broken into smaller units. It is truly a community treasure and worthy of protection.



An accessory building for the existing home is proposed as a gym and storage. This is needed because the basement is rocky and essentially not useable.

The home sits high in the top south-west corner facing Rockland Avenue leaving a large part of the property in the rear 'unused' and available for two homes on decent sized lots (576m² and 729m²). Because these lots are 'behind' the existing residence, the application is being reviewed as a panhandle development. We are however, applying for site specific zoning because in *practicality* this is not a panhandle subdivision.

The development actually reads more like a single family subdivision with the new lots conforming closer to an R1G type zone. It mimics what was done on the contiguous property on Lyman Duff Lane many years ago, where the significant home was retained facing Rockland Ave and the property behind was subdivided into 3 additional single family lots. It has a road access similar to our proposal.

1737 Rockland



Lyman Duff Subdivision

Panhandle policy guidelines have been considered in this application though, particularly with respect to privacy for our contiguous neighbours, which has been a focus for staff, the community and for Council. This is an important aspect of the policy, and has been applied to modifications throughout this process.

No matter what zone is created, our collective goal is consistent - to utilize any available land to its highest and best use while balancing the priorities of policy, our neighbors, the community as well as the urgent need for all housing types across the spectrum.

2 Changes to Proposal

2.1 Summary

Many changes have been made throughout the application lifecycle. This letter will focus on those that support Council concerns - setbacks, building height and privacy. Note the bigger changes were done to building B as it originally had smaller setbacks and was closer to neighbouring properties.

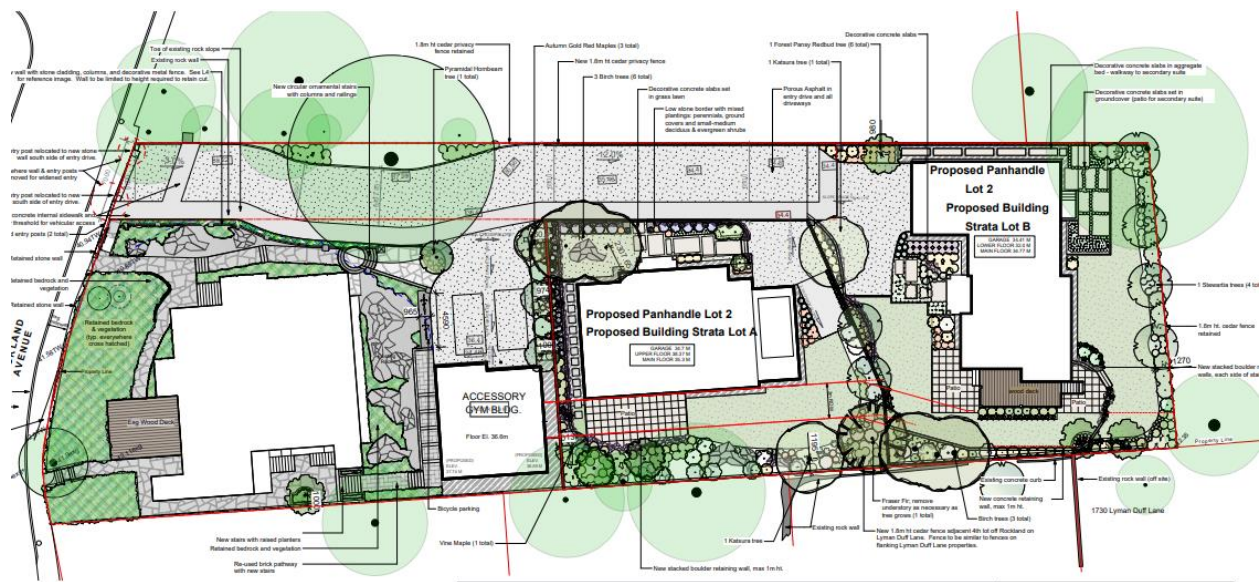
Please note that the original design did consider privacy by siting and designing to the sloping topography of the land, by ensuring outdoor recreation spaces between homes were separated and through careful placement of privacy landscaping and fencing. These additional changes now further support policy and serve to make the application stronger. The table below summarizes the changes - more information is provided in the next section, 2.2 Detail Review.

Building A	Building B
PRIVACY: South side, removed all upper windows. The remaining bathroom window is obscured.	SETBACKS: South set back has increased to 7.5m to a habitable window (was 3.66m).
PRIVACY: Provided details showing the distance between building A and existing neighbouring buildings. South neighbour – 20m	SETBACKS: East set back increased to 7.5m to align with policy (was 5.0m) by moving the entire house forward (to the west). This required the garage of building A to be reduced to single car, with an additional outdoor parking spot.
PRIVACY: Incorporated further privacy landscaping.	PRIVACY: North side removed master bedroom upper windows to eliminate overlooks.
HEIGHT: Decreased the height from 6.87m to 6.6m by reducing the top floor ceiling height to 8’.	PRIVACY: In agreement with the South neighbor, proposing an 8’ fence between our properties and providing an additional privacy tree on their property.
SETBACKS: Modified to a single car garage and one outdoor parking space to allow building B to be moved forward.	SETBACKS: Provided details showing the distance between building B and existing neighbouring buildings.

South neighbour – 23.5m (19.4m to deck)
East neighbour – 11.8m
North neighbour – 11.3m

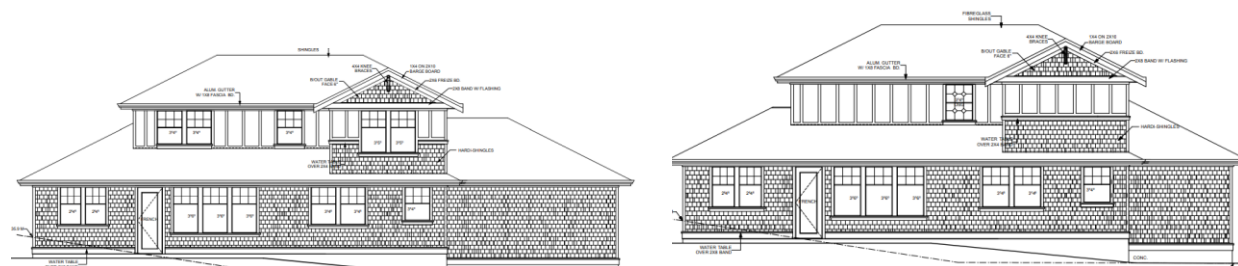
2.2 Detail Review

The following site plan will provide context for the following discussion.



Building A Modifications

All upper bedroom windows had been removed from the rear (south), to eliminate any possible overlooks to the neighbour on Lyman Duff. The only window on this elevation is an obscured bathroom window.

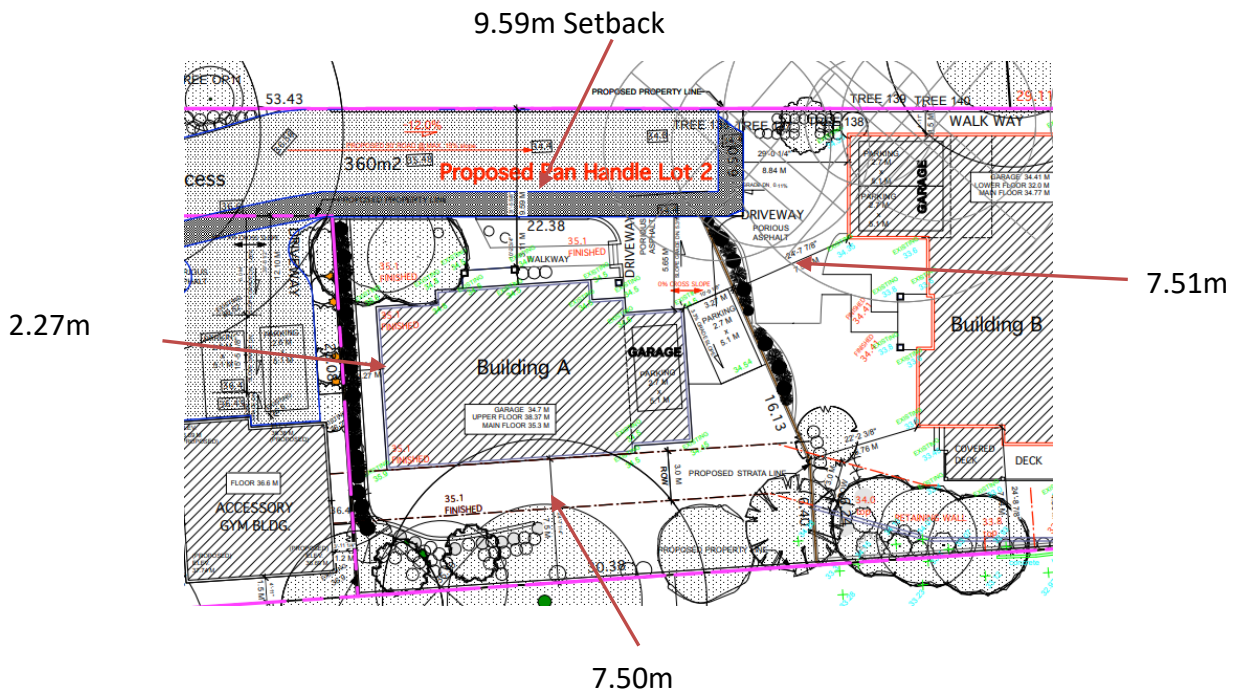


Before

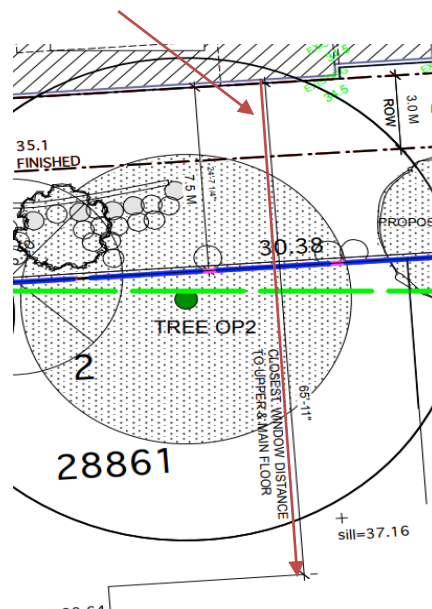
After

To help reduce visual impact the building height was reduced from 6.87m to 6.6m by changing the top floor ceiling height to 8'.

The panhandle zone calls for a single storey building, again in support of privacy. However, the size of the lot allows a second storey because there are sufficient setbacks (see below) to avoid privacy concerns. Note the second floor is stepped in significantly and is about half the size of the main floor, making this a 1 ½ storey building.



To further illustrate privacy protection, the distance from the proposed house to the neighbours closest window is almost 20m.



There is also a large tree in the neighbour's yard obscuring any visual impact. As well, the neighbour's deck is higher which actually looks over/down onto proposed building A suggesting there will be very little, if any, privacy impact for this neighbour.



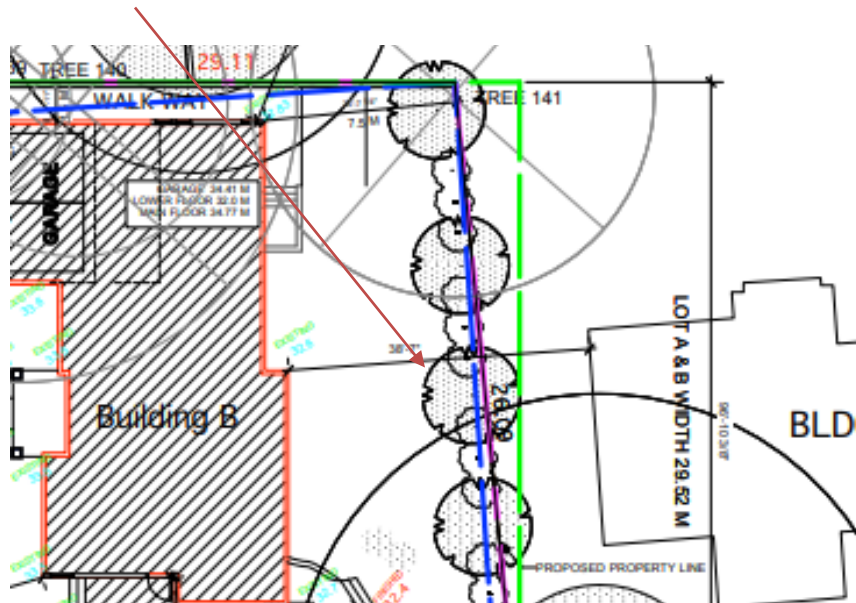
Tree in neighbour's yard



Looking Up to Neighbour

Building B Modifications

Building B was pulled to the west (moved 'forward') which increased the east (rear) setback from 5.0m to 7.5m, to align with policy. The actual distance between the buildings (to the east neighbour) is 11.8m.





Rezoning and DP Resubmission

1737 Rockland

June 13, 2023

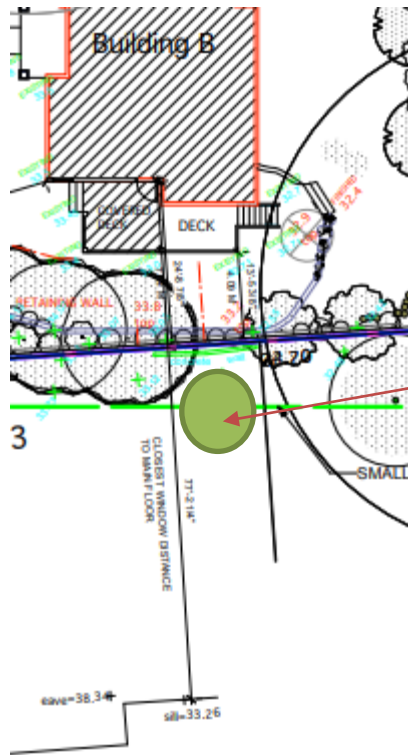
Notably, the east elevation faces the side yard of our neighbour, and more specifically is adjacent a side where there are very few windows. In addition to the increased setback the neighbour's rear yard and recreation area is further obscured by a large tree on their property.



East Neighbour

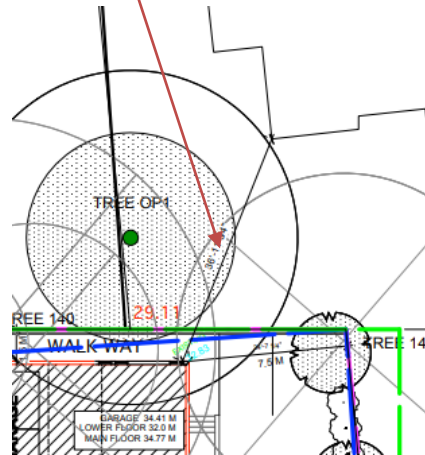
To bring the application closer to policy, Building B design was significantly modified to allow the south setback to now be 7.5m (to a habitable window). The actual distance between the buildings is 23.5m, or 19.4m from the deck.



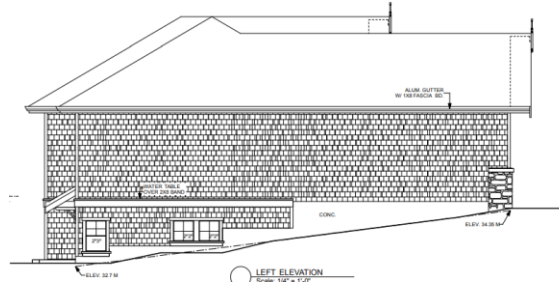


Tree planted for additional privacy on neighbour's property

The north set back is 1.5m, which is the typical interior side yard setback. Note the actual distance between buildings being 11.3m.



On the north elevation all upper windows were removed to eliminate overlooks. This side of building B is meant to be a simple pathway to the suite. There are no areas to recreate.



3 Tree Preservation and Removal Summary

One of the councillors asked about protected trees and the status of tree removal. The following summary is from the Arborist’s report.

Summary

1737 Rockland Ave. Tree Impact Summary				
TREE STATUS	# of Protected Trees	# of Trees to be Removed	# of Replacement Trees	# of Existing Replacement Trees
Onsite trees	9	5	10	0
Offsite Trees	13	0	0	0
Municipal Trees	0	0	N/A	0
TOTAL	22	5	10	0

Almost all of the trees being removed are in fair to poor condition. The removal is required for the driveway access. There is one tree that is in good condition but must be removed in order to widen the driveway entrance.

4 Conclusion

The proposal before you is a result of 3 years of collaboration with our professional team, staff, neighbors, mayor and council. Throughout this time we have been constantly looking for the balance that respects tradition and existing neighbours but also looks at the necessity for creative transformation. Here is the chance to do just that - retain this magnificent community treasure and provide additional housing that is appropriate in its context and location.

I thank you for the opportunity to rethink our proposal and bring forward a stronger application that has more support from neighbors and further aligns with policy.

Sincerely,



Kim Colpman
Applicant