

November 8, 2013

Mayor and Council, City of Victoria Deborah Day, Planning and Development Andrew Dolan, Bylaw and Licencing Service

Re: 1322 Rockland Avenue

It has been several months since the Rockland Neighbourhood Association filed a complaint on behalf of neighbours over occupancy levels and industrial material storage at 1322 Rockland Avenue.

The material storage seems to have been dealt with; however, there is still no resolution to the application to increase the occupancy level. The RNA is concerned that no action is intended to bring this property into compliance and that it may be considered politically expedient to ignore the occupancy issue.

In response to the RNA concerns, Bylaw Enforcement has replied that

“The property owner has hired a consultant to assist in bringing the property into compliance. An application to change the legal use of the property was made on April 12/13.

The application is to change the use from 'Nursing Home' to '15 boarding units, 14 rooming units, and 3 housekeeping units.' The application is currently making its way through the approval process.

As long as progress is being made any additional enforcement action will be postponed. Rest assured, I am well aware of this owner's history of non-compliance and avoidance tactics as I have dealt with her before on other properties.”

The property is zoned R-N-2 and Regulation 6 states *except as provided.... R1-A zone, Rockland Single Family Dwelling district apply... .* The RNA's careful reading of Schedule G - House Conversion, item 3 indicates that based on floor area only 15 units are allowed. Further, Schedule A – Definitions, *House Conversion means the change of use to ... a duplex, multiple dwelling, boarding house, rooming house, housekeeping apartment building, rest home – class “B” or a preschool,” not to a duplex and a boarding house and a rooming house and housekeeping apartments.*

The RNA takes the position that any consideration of occupancy over 15 units must go to a rezoning application, providing the neighbours with an opportunity to speak to the project. Further, given the ongoing non-compliance of the property, a Good Neighbours Plan should be in place for any change of use, and it is critical that an increase in density be accompanied by clearly defined terms of enforcement.

Sincerely,

Janet Simpson President, Rockland Neighbourhood Association